



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PL 20-136	Contact	Chris Lee, clee@duluthmn.gov	
Type	Interim Use Permit– Vacation Dwelling Unit	Planning Commission Date		October 13, 2020
Deadline for Action	Application Date	September 1, 2020	60 Days	October 31, 2020
	Date Extension Letter Mailed	September 12, 2020	120 Days	December 30, 2020
Location of Subject		1920 Minnesota Ave		
Applicant	Candace Allender and Kevin Groeneveld	Contact		
Agent		Contact		
Legal Description		PID # 010-3110-02110		
Site Visit Date	October 1, 2020	Sign Notice Date		September 29, 2020
Neighbor Letter Date	September 28, 2020	Number of Letters Sent		50

Proposal

Applicant is proposing a new interim use permit for a vacation dwelling unit. The permit would be good for a 4-bedroom home with 9 occupants.

The proposed IUP for a vacation dwelling unit is associated with an application that was part of the eligible applicants list and is subject to the 60-unit cap on vacation dwelling units.

Recommended Action: Staff recommends Planning Commission recommend approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Single Family	Traditional Neighborhood
North	MU-N	Multifamily building	Traditional Neighborhood
South	R-1	Single Family	Traditional Neighborhood
East	R-1	Lake/Beach	Traditional Neighborhood
West	MU-N	Multifamily Building	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A Vacation Dwelling Unit is an Interim Use in the R-1 zone district.

UDC Sec. 50-37.10.E . . . the Council shall only approve an interim use permit, or approve it with conditions, if it determines that:

1. A time limit is needed to protect the public health, safety and welfare from potential longer term impacts of the requested use in that location;
2. The applicant agrees to sign a development agreement with the city.



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Comprehensive Plan Governing Principle and/or Policies and Current History (if applicable):

Governing Principle #5 - Strengthen neighborhoods. - This permit allows the owner to expand upon the ownership and use of their property.

Governing Principle #8 - Encourage mix of activities, uses, and densities

- Econ. Dev. Policy #3 - Build on Existing Economic Strengths & Competitive Advantages
S9: Encourage expansion of the city's tourism economy through efforts to expand in areas of current activity, such as in Canal Park, but also through marketing and investment in destination neighborhoods and iconic tourism experiences unique to Duluth.

Future Land Use – Traditional Neighborhood: Characterized by grid or connected street pattern, houses oriented with shorter dimension to the street and detached garages, some with alleys. Limited commercial, schools, churches, and home businesses. Parks and open space areas are scattered through or adjacent to the neighborhood.

Current History: The property is a 1,600 square foot single family home built in 1906.

Review and Discussion Items:

- 1) Applicant's property is located at 1920 Minnesota Avenue. The proposed vacation dwelling unit contains 4 bedrooms that would allow for a maximum of 9 guests.
- 2) Permit holders must designate a managing agent or local contact who resides within 25 miles of the City and who has authority to act for the owner in responding 24 hours a day to complaints from neighbors or the City. Permit holder must provide the contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicants have listed Heirloom Properties to serve as the managing agent.
- 3) The site plan shows that 3 required parking spaces will be on the driveway. Campers and trailers will be able to use the driveway or the available street parking.
- 4) The site does have a patio as an amenity. This is screened from the neighboring properties via vegetation.
- 5) A time limit on this Interim Use Permit ("IUP") is needed to minimize negative impacts to surrounding residential uses thereby causing damage to the public's health, safety and welfare. Section 50-20.3.U.7 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 6) Applicant has applied for all relevant permits and licenses and these are contingent upon approval of the Interim Use Permit for a Vacation Dwelling Unit.
- 7) Applicant must comply with Vacation Regulations (included with staff report), including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 8) No comments from citizens, City staff, or any other entity were received regarding the application.



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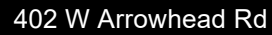


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Staff Recommendation:

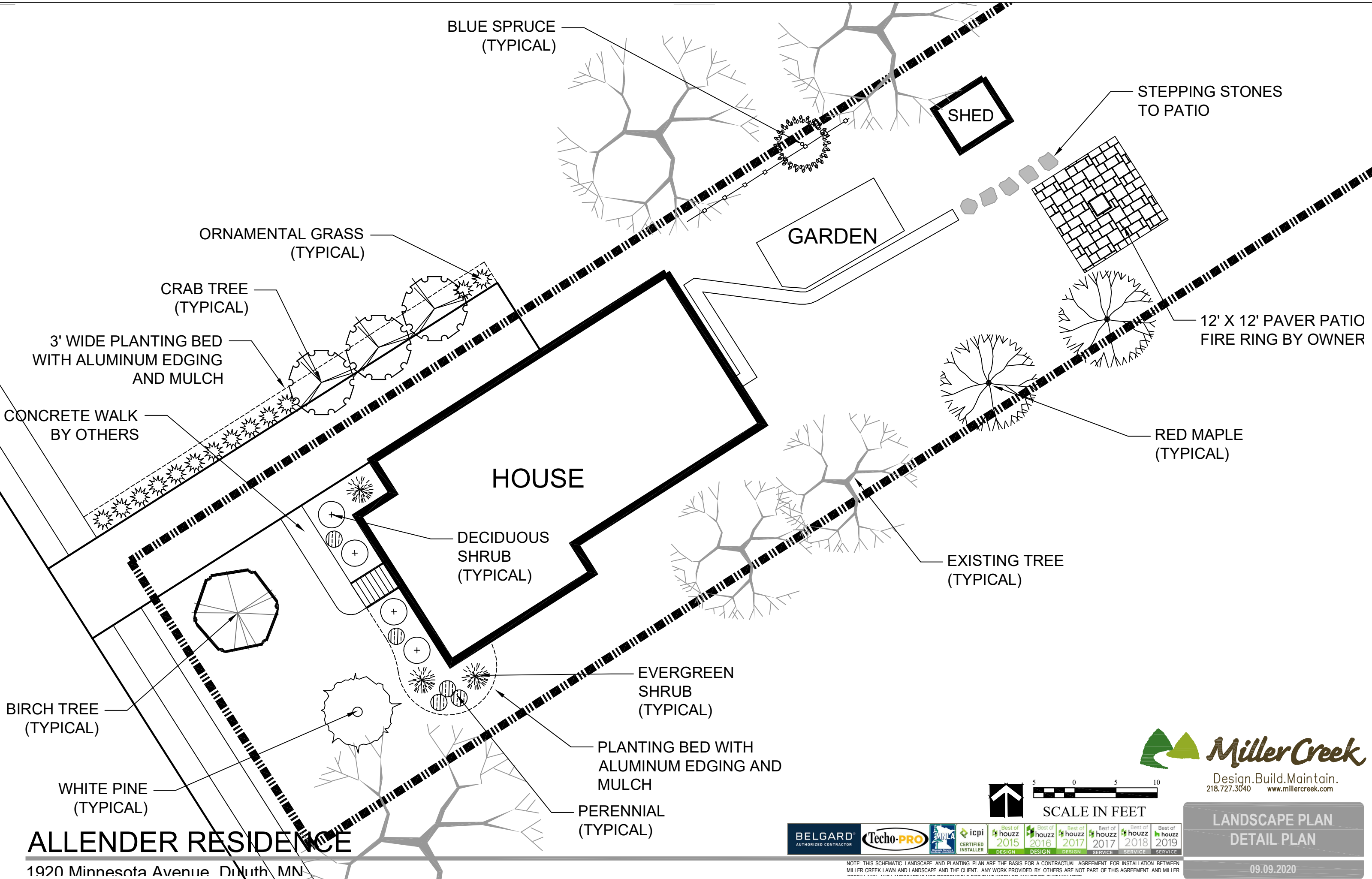
Based on the above findings, Staff recommends that Planning Commission recommend approval subject to the following:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) Any alterations to the approved plans that do not alter major elements of the plan may be approved by the Land Use Supervisor without further Planning Commission; however, no such administration approval shall constitute a variance from the provisions of Chapter 50



The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used as one. The drawing/data is a compilation of records, information and data located in various City, County and State offices and other sources affecting the area shown and is to be used for reference purposes only. The City of Duluth shall not be liable for errors contained within this data provided or for any damages in connection with the use of this information contained within.

Prepared by: City of Duluth Planning & Development Division, February 25, 2020. Source: City of Duluth.



ALLENDER RESIDENCE

1920 Minnesota Avenue Duluth, MN



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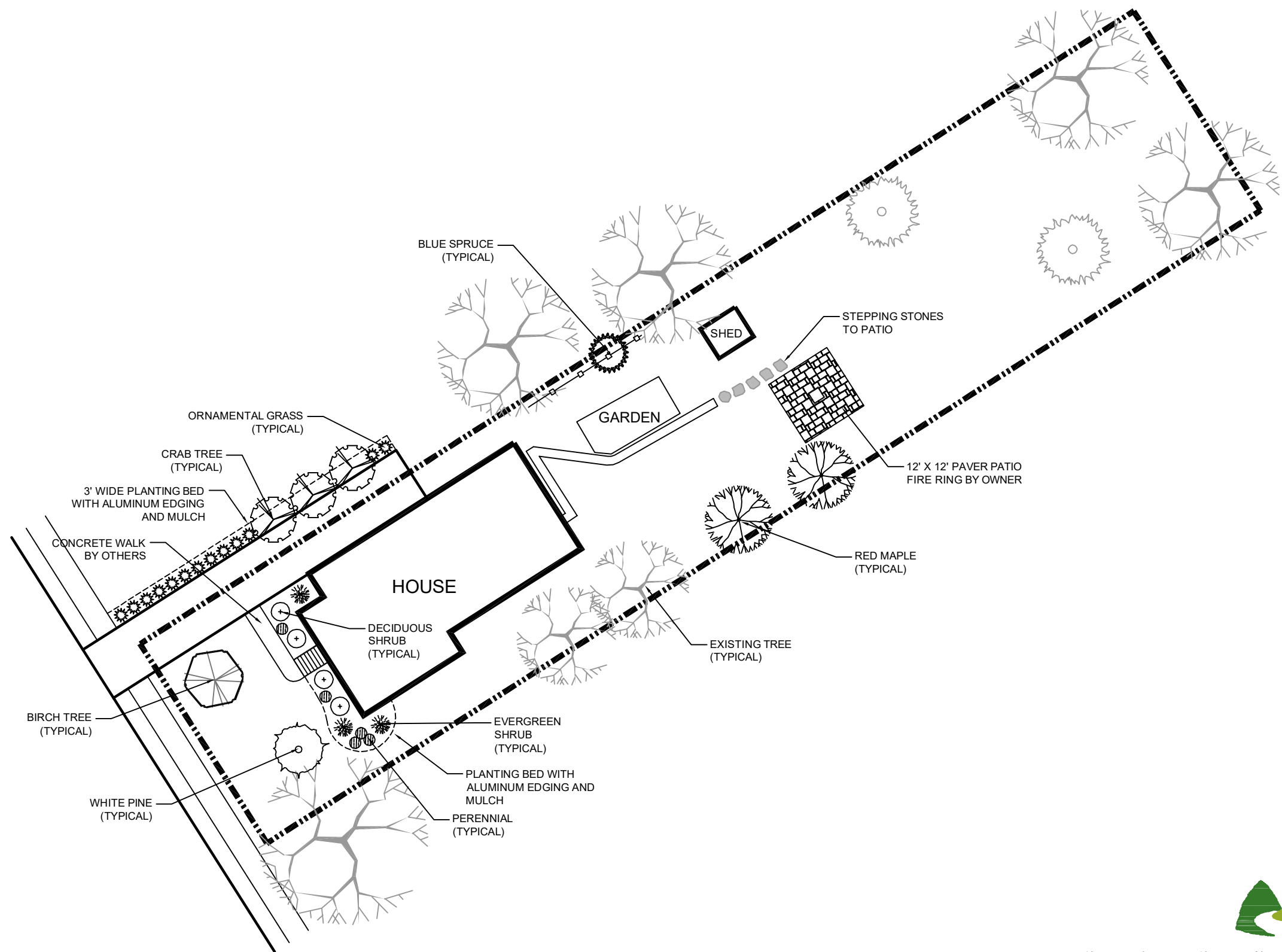
SCALE IN FEET



NOTE: THIS SCHEMATIC LANDSCAPE AND PLANTING PLAN ARE THE BASIS FOR A CONTRACTUAL AGREEMENT FOR INSTALLATION BETWEEN MILLER CREEK LAWN AND LANDSCAPE AND THE CLIENT. ANY WORK PROVIDED BY OTHERS ARE NOT PART OF THIS AGREEMENT AND MILLER CREEK LAWN AND LANDSCAPE ASSUMES NO LIABILITY FOR SUCH WORK.

LANDSCAPE PLAN
DETAIL PLAN

09.09.2020



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LANDSCAPE PLAN
OVERALL PLAN

09.09.2020





ZONING NOTICE
This notice is posted on the property of the subject property, which is located at 1920 [address] [city] [state] [zip code]. The subject property is currently zoned [zoning code] and is being offered for sale. The seller is not responsible for the accuracy of the information provided in this notice. The buyer is responsible for verifying the zoning information with the local zoning authority. The seller is not responsible for the accuracy of the information provided in this notice. The buyer is responsible for verifying the zoning information with the local zoning authority.

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