



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 21-038	Contact	Chris Lee, clee@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit	Planning Commission Date	May 11, 2021	
Deadline for Action	Application Date	March 22, 2021	60 Days	May 21, 2021
	Date Extension Letter Mailed	March 26, 2021	120 Days	July 20, 2021
Location of Subject	318 North 17 ½ Avenue West			
Applicant	Scott Scheirbeck, Owner	Contact		
Agent	Joann Pedersen	Contact		
Legal Description	PID # 010-1170-00040			
Site Visit Date	April 29, 2021	Sign Notice Date	April 27, 2021	
Neighbor Letter Date	April 27, 2021	Number of Letters Sent	22	

Proposal

Applicant proposes to use a three-bedroom home as a vacation dwelling unit. Up to 6 people will be allowed to stay in the home.

The applicant was on the waitlist for available IUPs for vacation rentals.

Recommended Action: Staff recommends that Planning Commission recommend approval.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-2	Residential	Traditional Neighborhood
North	R-2	Vacant	Traditional Neighborhood
South	R-2	Residential	Traditional Neighborhood
East	R-2	Vacant	Traditional Neighborhood
West	R-2	Residential	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.
3. No more than 60 permits may be issued for either vacation dwelling units or accessory vacation dwelling units. Permits issued for



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vacation dwelling units or accessory vacation dwelling units in any form district shall not be counted against the maximum number of permits that may be issued, 4. Except for properties within the Higher Education Overlay District as identified in 50-18.5, the minimum rental period and off-street parking requirements of 50-20.3.U and 50-20.5.M shall not apply for vacation dwelling units or accessory vacation dwelling units in form districts.

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

Governing Principle #8- Encourage mix of activities, uses, and densities. A short-term rental allows property owners to generate income from otherwise vacant properties and provide a service for tourists.

- 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. Includes many of Duluth's older neighborhoods, infill projects, neighborhood extensions, and new traditional neighborhood areas.

History: This 1,224 sf home was built in 1914 and contains 3 bedrooms.

Review and Discussion Items:

- 1) Applicant's property is located at 318 North 17 ½ Avenue West. The proposed vacation dwelling unit contains 3 bedrooms, which would allow for a maximum of 7 guests.
- 2) The applicant is proposing 2 off street parking spaces in the garage and driveway. No modifications to the existing paved driveway are anticipated.
- 3) The applicant has indicated there will not be a space for camper or trailer storage by VDU guests.
- 4) The applicant has indicated a deck as an outdoor amenity. The deck is screened by the existing vegetation.
- 5) 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 applicant has listed Joann Pedersen to serve as the managing agent.
- 7) 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.
- 8) Applicant must comply with Vacation Regulations (included with staff report), including providing information to guests



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on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").

9) Construction Services commented that the applicant must check with their office for Building Code requirements prior to permit approval. No other comments from citizens, City staff, or any other entity were received regarding the application.

10) At the time this report was drafted no additional comments have been received.

Staff Recommendation:

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

- 1) The Interim Use Permit shall not be effective until the applicant has received all required licenses and permits for operation.
- 2) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 3) 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 review; however, no such administration approval shall constitute a variance from the provisions of Chapter 50.



PL 21-028
Interim Use Permit
318 N 17 1/2 Ave W

Legend

- Gas Main
- Water Main
- Hydrant
- Sanitary Sewer Mains
 - CITY OF DULUTH
 - WLSSD; PRIVATE
- Sanitary Sewer Forced Main
- Storage Basin
- Pump Station
- Storm Sewer Mains
 - Storm Sewer Pipe
 - Storm Sewer Catch Basin
 - Vacated ROW
- Easement Type
 - Utility Easement
 - Other Easement



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.



135'

N.W. 1/4

2 1/2'

Deck

metal TEE

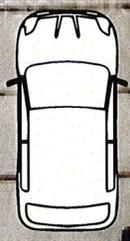
HOUSE

7'10"

34'

GARAGE

18'

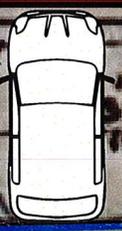


45'

5'2"

PROPERTY LINE

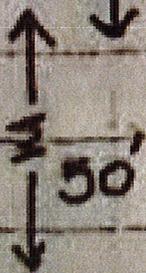
15'



5'10"

metal TEE

35'



50'

State Building Code C R302 requires

in. Deck feet between in deck and property line.

2 PARKING SPACES ON PROPERTY

35' MIN

17 1/2 AVE W.

... BUILDING INSPECTION

APPROVED

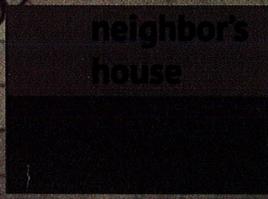
For Building Code Compliance
By: W. Plankenburg DATE: 7/15/04
OTHER Notes are conditions
Compliance with 4/22/04 corrections
letter is condition of approval.

Location of house in same spot ok per Lasley, B.O. 4/10/04.
28" wide stairway ok per Lasley 7/9/04.

PROPERTY LINE

45' ←
LOT 2 EXCEPT S. SIDE

25-14-5
89304



Tree Key

- W = White Pine
- B = Buckthorn
- H = Hackberry
- F = Balsam Fir
- S = Service Berry
- L = Lilac Bush

North arrow required
Scale: 1" = 20 feet

Grid is 4 squares per inch
DO NOT USE PENCIL

Site Address 318 N 17 1/2 Ave W Duluth

Owner Name DICK RANNEY

Applicant's Signature [Signature]

Date 6/14/04

Legal Description
Required LOT 4 Meyers Rearrangement
of Block 105 Second Division
of Block 105 Except Southern
46 feet thereof

318 North 17 1/2 Ave. West

010-1170-00048