



City of Duluth

Council Chambers, City
Hall

Meeting Agenda Planning Commission.

Council Chambers

Tuesday, August 12, 2025

5:00 PM

Council Chambers

CALL TO ORDER AND ROLL CALL

APPROVAL OF PLANNING COMMISSION MINUTES

[PL 25-0708](#) Planning Commission Minutes 07/08/25

Attachments: [7-8-25 PC Minutes \(not approved yet\)](#)

[PL 25-0721](#) Planning Commission Special Meeting Minutes 07/21/25

Attachments: [7-21-25 PC Minutes \(not approved yet\)](#)

PUBLIC COMMENT ON ITEMS NOT ON AGENDA

CONSENT AGENDA

[PLCUP-2505-0002](#) Concurrent Use Permit for a Traffic Guardrail at E 11th St by ISD 709 [JM]

Attachments: [PLCUP-2505-0002 Staff Report with Attachments](#)

[PLIUP-2506-0032](#) Interim Use Permit for a Vacation Dwelling Unit at 3 Mesaba PI by Heirloom Property Management [CL]

Attachments: [PLIUP-2506-0032 Staff Report and Attachments](#)

[PLIUP-2506-0033](#) Interim Use Permit for a Vacation Dwelling Unit at 1421 E Superior St Unit 1 by Heirloom Property Management [CH]

Attachments: [PLIUP-2507-0033 Staff Report with Attachments - final](#)

[PLIUP-2506-0034](#) Interim Use Permit for a Vacation Dwelling Unit at 1421 E Superior St Unit 2 by Heirloom Property Management [CH]

Attachments: [PLIUP-2507-0034 Staff Report with Attachments](#)

[PLIUP-2507-0035](#) Interim Use Permit for a Vacation Dwelling Unit at 39 England Ave by Darin Reinke [CH]

Attachments: [PLIUP-2507-0035 Staff Report with Attachments](#)

[PLSUP-2507-0057](#) Special Use Permit for a Bed and Breakfast at 314 Hawthorne Rd by Carolyn Shull [CL]

Attachments: [PLSUP-2507-0057 Staff Report and Attachments](#)

PUBLIC HEARINGS

[PLVAC-2506-0005](#) Vacation of Right of Way at 26th Ave W & W 10th St by CF Designs [CL]

Attachments: [PLVAC-2506-0005 Staff Report and Attachments](#)

COMMUNICATIONS

Land Use Supervisor Report

Heritage Preservation Commission Report

City of Duluth Planning Commission

**July 8th, 2025 – City Hall Council Chambers
Meeting Minutes**

Call to Order

President Gary Eckenberg called to order the meeting of the city of Duluth Planning Commission at 5:00 p.m. on Tuesday, July 8th, 2025, in the Duluth city hall council chambers.

Roll Call

Attendance:

Members Present: Chris Adatte, Nik Bayuk, Jason Crawford, Gary Eckenberg, Brian Hammond, Danielle Rhodes, Dave Sarvela, Kate Van Daele, and Andrea Wedul
Members Absent: None

Staff Present: Nick Anderson, Chris Lee, Ben Van Tassel, Ariana Dahlen, Natalie Lavenstein, Christian Huelsman, and Sam Smith

Approval of Planning Commission Minutes

Planning Commission Meeting – June 10th, 2025 –
MOTION/Second: Van Daele/Wedul approved

VOTE: (8-0)

Public Comment on Items Not on Agenda

No comments.

Consent Agenda

PLIUP-2504-0025 Interim Use Permit for a Vacation Dwelling Unit at 702 S Lake Ave by Jeff and Kristy Huotari [JM]

PLIUP-2506-0029 Interim Use Permit for a Vacation Dwelling Unit at 732 E Superior St by Sorrento Group LLC [NL]

PLIUP-2506-0030 Interim Use Permit for a Vacation Dwelling Unit at 1429 London Rd by PJI Mountain Properties [CH]

PLIUP-2506-0031 Interim Use Permit for a Vacation Dwelling Unit at 1431 London Rd by PJI Mountain Properties [CH]

PLVAC-2505-0004 Vacation of a Utility Easement at 3501 E 2nd St by Meghan Klasic [CH]

Public: No speakers.

MOTION/Second: Wedul/Sarvela approve the consent agenda items as per staff recommendations

VOTE: (8-0)

Public Hearings

PLSUP-2505-0056 Special Use Permit for a Bed and Breakfast at 2400 E Superior St by CF Design [CL]

Staff: Chris Lee gave a presentation of the project to the commissioners. The primary structure on the property is a 6,513 square-foot home. It is a 6-room, 2.5-bathroom structure that was previously used as a social club and event space for the Duluth Woman's Club. The applicant proposes using the structure as a bed and breakfast. The UDC limits bed and breakfasts to no more than 12 habitable units and the applicant's property has 5 one-bedroom suites.

The site plan shows improvements to the rear yard of the property to accommodate parking stalls, new driveways and access, landscaping, and screening to mitigate light and noise to the surrounding properties. The applicant is proposing screening and landscaping between the proposed parking and the adjacent single-family properties. The site plan indicates that 6 parking stalls will be provided for guests and a property manager. This does not exceed the parking maximums.

The parcel is .76 acres in size exceeding the minimum required for a Bed and Breakfast. The main floor of the structure is 3,400 square feet exceeding the minimum required. A sign is allowed to identify the property and will be reviewed with a separate sign permit.

One comment from engineering was received stating that the stormwater presented in the site plan does not show enough detail to be reviewed. A full stormwater plan for the proposed rear parking area must be included in the building permit review for the parking improvements. Several other public comments were received regarding this project. Staff recommends approval with conditions.

Commissioners: Wedul asked staff if the proposed driveway access plan had been reviewed by fire marshal.

Staff: Lee stated that no comment was received from the fire marshal at this time. There will likely be some form of fire marshal review for any forthcoming building permits.

Applicant: Cheryl Fosdick addressed the commissioners. She had spoken with the fire marshal regarding access to the building using fire equipment, and the fire marshal did not foresee any issues. The proposed landscape plan is preliminary plan. They fully intend to deal with rainwater and the absorption issue. Fosdick stated that it is generally a sloped, treeless piece of land, and the owner's intention is to bring more life into backyard for the tenants.

Fosdick stated that the organization of the parking may change. They are also working with neighboring property owners to make sure that everyone is satisfied with privacy, drainage, and property lines.

There will be no changes to exterior of the building other than maintenance, as the owners of the Woman's Club took remarkable care of the building. The subject property owners hope to have the bed and breakfast up and running by spring of next year.

Commissioners: Eckenberg asked if the applicant has been communicating with both neighboring property owners, and if there would be any sort of breakfast served to tenants.

Applicant: Fosdick responded that they have spoken with the neighbors on the east side, which is where the proposed driveway will be. There is a fair amount of natural vegetation on

the other side of the property and the owners have not proposed doing anything on that side of the property at this time, so they have not spoken to those neighbors yet.

Fosdick stated that the subject home has a commercial kitchen, and there will be breakfast. There are no plans to use the kitchen to host large events, but it could be used for small catering events or some sort of chef.

Public: Barb Cane, 2409 Branch St – Barb owns what used to be the carriage house for the subject property. She is not opposed or in favor of the project. She voiced concerns regarding The width of Branch St. Cane stated that in previous years, the fire department advised property owners on Branch St to not park on the street because it is not wide enough for emergency vehicles to get through if cars are parked on the side of the street. She also expressed concerns surrounding access to the subject property, and how local wildlife may be impacted. Cane stated that she did not receive any notice for this project other than the public hearing notice from the city.

Commissioners: Wedul asked staff if the radius for neighbor letters are based on the subject property address.

Staff: Lee answered that the letters are sent out to addresses within a 350 ft. radius of the entire subject property, so folks on branch did receive a letter for this public hearing. The applicant is not required to reach out to neighbors as they would have to if they were applying for a vacation dwelling unit.

Commissioners: Van Daele encouraged the applicant to consider reaching out to other neighbors directly with the intention of being transparent about the project plans. Eckenberg asked the applicant if they would talk with other neighbors to address their concerns.

Applicant: Fosdick stated that the neighbor they've been in communication with had reached out to them because they are planning to build, and they were curious about the plans for the subject property. She also noted that there is an access point going into this property from Branch St, and it is platted but not yet built.

The owners and design team are willing to reach out to other neighbors, and they are taking their concerns seriously. They designed the driveway to ensure that no headlights will be facing neighbor's houses, and it will also allow for water to be directed into a rain garden for water management purposes. A linear apple orchard has also proposed as a screen for Barb Cane's property. There will be a full-time staff person living on site.

Motion/second: Wedul/Rhodes approve as per staff recommendation with the following conditions:

- 1. The project be limited, constructed, and maintained consistent with plans submitted and included in this report;**
- 2. Any alterations to the approved plans that do not alter major elements of the plan and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.**

Vote: (9-0)

Adatte arrived at 5:07 p.m.

PLVAR-2506-0008 Variance to Front Yard Setback at 315 W Faribault St by Nathan Anderson [CL]

Staff: Chris Lee gave a presentation of the project to the commissioners. The property was built in 1913 and contains 3 bedrooms, 1.5 bathrooms and 1,152 square feet. The applicant is

seeking a variance from the front yard setback to construct a 14' by 20' addition to the northwest corner of the existing home and a porch. The addition is proposed to reduce the front yard setback by 4.5' and be located 15.5' from the property line, and the existing porch will be replaced.

The subject property is not exceptionally shallow or narrow. There are some minor grade changes, but not enough to be considered a practical difficulty. Staff find that this results in a buildable area for an addition without the need for a variance. The existing primary structure was not built by the current owner. The primary structure is a nonconforming building that was legally reconstructed per UDC Sec. 50-38.3.A and the need for a variance is due to the location of the home built in 1913. The existing primary structure is located closer to the front property line compared to the adjacent properties; this is a somewhat typical development pattern for residential properties in Duluth. There is buildable area on the side and rear yard that would not require a variance.

The applicant's proposal to build a moderately sized addition to a 1,152 square foot home is a reasonable use, and the variance will not impair an adequate supply of light and air to adjacent properties. The addition will not alter the character of the neighborhood as there are several homes of similar size throughout the neighborhood. The addition, if it were to be approved, would be as close to the property line as the existing attached porch.

One comment was received in support of the project. Staff recommends denial of the variance due to the findings listed in the staff report.

Commissioners: Hammond commented that staff's recommendation to deny hinges on the exceptional narrowness and shape criteria, but he noted that there is language in the code that discussed other conditions related to property may warrant a variance. He asked staff what other conditions related to the property means.

Rhodes asked how much of the variance criteria is taken from the state vs. the city.

Staff: Lee responded that other conditions may fall into the same categories that staff review. They can be topographical features, wet areas, river & stream or shoreland setbacks. Staff look at the lot's shape, size, and other parts of the property that can be built on.

Lee is not sure about the history of why the variance criteria were written the way that they were, but it is likely that the language was written specifically for the city's needs.

Applicant: Nathan Anderson addressed the commissioners. This request is for his family home, which he has owned since 2007. Their application met five out of the six variance criteria, as was discussed in the staff report. He pointed out that their lot is already one of the most private lots on the block due to the screening that is already in place.

Anderson and his husband have made many improvements to their property over the years, including building the garage, renovating the kitchen, and adding a third bedroom to the back of the house. He stated that their family needs more space as their kids get older. They've spent the past couple of years searching for another house, but due to the challenges of the housing market, they were unable to buy another home. Instead of moving, Anderson and his family want to add another bedroom to their home for more space.

The proposed addition will be to the side of the existing home, and no part of the addition will extend past the front side of the house. Anderson added that the porch is not in good shape and needs to be redone as well. The proposed addition would be on the first floor so he and his husband can use it as they age, and it would also help accommodate their aging family members that visit.

The neighbor to the west is supportive of the project. Anderson stated that there is space on the property to move the addition back, but that could cause drainage problems for his neighbor. Anderson's property is on higher ground compared to the neighbor, and he fears that

if the addition were to be moved back, that the runoff from his house would be directed to the neighbor's basement. Having the addition on the side of the house would help them keep as much green space in the rear yard as possible, and moving addition back would also cover the kitchen window and block natural light. He added that having another egress window with the proposed addition is important, especially with children.

Commissioners: Hammond feels that the proposed project seems reasonable given the current layout of the home. He asked the applicant if there would be any practical difficulty for him if the commission asked for the addition to be moved elsewhere.

Applicant: Anderson stated that the only other option would create a challenge for the placement of the egress window, and he is not sure where the egress would go.

Commissioners: Rhodes pointed out that there are almost an additional two feet available to the west with normal setbacks.

Wedul asked the applicant how they decided on the width of the proposed addition.

Applicant: Anderson responded that Rhodes point is accurate, but it would still pose a challenge for the egress window. It would also bring the subject structure much closer to the neighbor's house, and they want to minimize impacts to neighbor.

Anderson stated that there are shrubs and trees that they want to preserve. 14 ft is what seemed reasonable.

Public: No speakers.

Commissioners: Discussion ensued amongst the commissioners regarding practical difficulty criteria in the zoning code and how it applies to this application.

Motion/second: Hammond/Bayuk approve

Vote: (5-4)

Rhodes, Sarvela, Van Daele, and Wedul opposed

Other Business

No other business.

Communications

Land Use Supervisor (LUS) Report – No report.

Heritage Preservation Commission Report – There is an upcoming meeting on July 14th.

Adjournment

Meeting adjourned at 6:00 p.m.

Respectfully,

Jenn Moses, Manager
Planning & Economic Development

City of Duluth Planning Commission

July 21st, 2025 – City Hall, Room 330
Meeting Minutes

Call to Order

President Gary Eckenberg called to order the meeting of the city of Duluth Planning Commission at 5:00 p.m. on Monday, July 21st, 2025, in room 330 at city hall.

Roll Call

Attendance:

Members Present: Nik Bayuk, Gary Eckenberg, Brian Hammond, Danielle Rhodes, Dave Sarvela, Kate Van Daele, and Andrea Wedul

Members Absent: Chris Adatte and Jason Crawford

Staff Present: Amanda Mangan, Ariana Dahlen, Natalie Lavenstein, Jenn Moses, and Sam Smith

Public Comment

Linda Althoff, 120 E 7th St – Althoff is in support of the project (PLVAR-2502-0004). She believes that progress starts with one property and can spread to others, which could help create pockets of accessible housing. Althoff also believes each case should be considered on its own merit, and the appellant's proposal seems practical. She urged the commissioners to approve.

Appeals

PLASD-2574-0001 Appeal of Land Use Supervisor Decision

Commissioners: President Eckenberg presented commissioners with the question on appeal: Did the Land Use Supervisor err in the decision that the Appellant's proposed garage location is not consistent with UDC Section 50-21.3? President Eckenberg gave instructions to staff and the appellants about the appeal hearing process.

Appellant: Attorney Ellison addressed the commissioners on behalf of the appellants, Pamela and Dennis Matson. She stated that they have a letter of support from Linda Althoff, one of the applicant's neighbors, for submission in addition to other appeal materials.

Ellison stated that façade should be defined as the front of the house, but the UDC does not define façade. Planner Natalie Lavenstein's appeal findings state that façade means all sides of the house, And Attorney Ellison conceded that Appellants withdraw this argument. Ellison believes that a ridiculous result is created for the appellants with the way the UDC is currently written. The appellants own lots 30 and 32. Their home sits on lot 30, and the proposed garage is also on lot 30. If they were to sell lot 32, the garage would become conforming per the zoning code.

She stated that if someone owned lots 24, 26, 28, 30 and 32, it would be considered one parcel, and therefore it would be considered a corner lot. With this language, 5 lots in from the corner would not be able to build a garage. This could be understandable if there was reason behind why the language is written as is. If appellants were to build a garage attached to the house, it would be conforming. Ellison said if the garage were attached to the house or not attached, it would still be visible from the corner.

The appellants, Pamela and Dennis Matson, addressed the commissioners. They bought the subject property to live on for their retirement years. The house did not come with a garage, but at the time of purchase, they thought they would have enough room if they wanted to build one. The Matsons love the neighbors and the area they live in, but they have been faced with some obstacles.

They stated that they are hoping the planning commission can interpret the zoning code differently than the Land Use Supervisor (LUS) so they can have their proposed garage, which would make it easier for them to get to their home than from the alley, as the property is quite steep. The Matson's stated that they could have the garage located in other places on the property, but their proposal is what works best for their situation.

Staff: Natalie Lavenstein addressed the commissioners. On June 3, 2025, the City's Land Use Supervisor (LUS) determined that appellant's proposed garage location is not consistent with Duluth City Code (UDC Sec 50-21.3) because the proposed location is "between a street and any façade of a primary building facing that street." Because of these findings, a variance was determined to be necessary for this project. The appellant is challenging the LUS decision, and requests the Land Use Supervisor's determination be reversed because it misinterprets the applicable provisions of the UDC.

In the appeal request, dated June 12, 2025, and received by the Planning Commission on June 13, 2025, Appellant framed the "Action Being Appealed" as a denial of a variance to build an accessory structure. The Planning Commission is responsible for reviewing and deciding variance applications, and the Land Use Supervisor did not deny Appellant a variance. Appellant's counsel has clarified that the Appellant is challenging the above-described Land Use Supervisor decision.

Lavenstein read through the points in the staff findings section of the appeal memo. While the single word, façade, is not defined in the UDC, the word façade is mentioned 251 times throughout the UDC. In these instances, façade is generally referred to as either the outermost/innermost building material or a specific side of a building i.e. front, lake side, etc. This, however, is a moot point as UDC Sec 50-21.3 clearly states that an accessory structure may not be located between a street and any façade of a primary building facing that street. The subject property is a corner lot. According to UDC Sec 50-41.12, a corner lot is defined as, "a lot abutting upon two or more streets at their intersection." Since the word any is used in UDC Sec 50-21.3, it is clear that the garage may not be located between the front façade and 7th St nor the corner side facade and 2nd Ave E. See graphic below for a visual explanation of areas between building facades and neighboring streets.

The Land Use Supervisor, Planning Staff, and Planning Commission have been consistent in its interpretation and application of UDC Sec 50-21.3. Regardless of Planning Commission's decisions on the three examples listed in the memo, a variance was determined necessary as the proposed location for the accessory structures were between any façade of the primary building facing a street. Examples A and C were requests to construct an accessory structure in the corner front yard area between the existing corner side facade and the street. Example B was a request to construct a garage in the front yard area between the existing front facade and the street.

In conclusion, the Land Use Supervisor maintains that UDC Sec 50-21.3 does not allow the proposed garage at 126 E 7th St to be located between the corner side facade and 2nd Ave E.

Commissioners: Wedul asked staff for clarification on planning commissioners' role with this appeal. Rhodes asked if the appellants could apply for a variance for this project.

Staff: Lavenstein stated that commissioners are not looking at a variance application, but rather whether the LUS interpretation of the UDC is correct. The appellants have submitted a separate variance application for their project as well.

Commissioners: Van Daele asked staff what years the examples given in staff's findings are from and asked why there is no definition for facade in the UDC. She also asked if the appellants would still need a variance if they chose to consolidate their two lots.

Staff: Lavenstein clarified that the appellants currently own one parcel that consists of two lots, 30 and 32. If they were to sell lot 32, they could put the accessory structure in their proposed location without a variance.

Jenn Moses added that there are many words in the UDC that are not defined. Staff go by the common understanding for those words. Front facade, side facade, rear facade, and any facade are all referenced in the UDC. Staff have worked with the appellants to find other places for their proposed garage. They could have it attached to the house, have it back by the alley, or they could demonstrate that they have practical difficulty for a variance.

Commissioners: Bayuk asked what would happen if the planning commission were to adopt the appellants' findings.

Staff: Moses answered that adopting the findings for one item may or may not change how staff make determinations going forward. Staff should be consistent in how code language is applied. Moses stated that it could have implications, but staff would need to review and discuss it with city attorneys.

Commissioners: Rhodes asked staff if the code doesn't allow accessory structures between the facade facing street and the street for aesthetic reasons.

Eckenberg asked if the garage would be considered attached if there was a breezeway that connected it to the house.

Staff: Moses responded that tonight staff are focused on what the rule in the code states, not why the rule was created. Whether or not a breezeway would make it so the house and proposed garage are attached depends on what the building code says.

Commissioners: Hammond asked the appellant if the proposed garage is not attached to the house for practical reasons. He also feels that the rules are ridiculous as they are written, and he asked if that could mean anything legally.

Appellant: Ellison stated that a breezeway was not an option that the appellants wanted to go with. The appellants also have a variance application submitted, but planning staff has stated the written staff report recommends denial. Ellison understands that staff's role is to apply the code consistently, and adopting the appellants' findings tonight would not be consistent, but she said it would be the right thing to do. She claimed that the UDC is written to create an unfair and ridiculous situation with corner lots. The appellants feel that the UDC could be interpreted in a different way, which is why they made the appeal.

Commissioners: Hammond responded that even though staff may recommend denial, the planning commission may not agree with planning staff.

Eckenberg asked if there would be no need for a variance if lot 32 was owned by another party. He wondered if the appellants could sell the lot, build a garage and then buy the property back.

Staff: Moses responded that it could be theoretically possible, without exact site plans and setbacks it is difficult to give a definitive answer.

Commissioners: Wedul stated that the role of the planning commissioners is to interpret what the UDC is saying. She added that with this appeal, it is not their focus to interpret what could be done. The question they are supposed to answer is whether the LUS interpretation is correct.

Hammond stated that if the legal description of the property were to be pulled up, it would say that there are two lots. Discussion ensued amongst the commissioners regarding how the term 'lot' should be defined and interpreted.

Appellant: Ellison stated that she is not sure if her clients' property can be divided and sold off at this time.

Staff: Moses responded that if the appellants want to separate the lots in their parcel, that the county would ask them to apply for a subdivision with the city of Duluth. Their property does not currently exist as two lots. If their property were to exist as two separate pieces of land tonight, staff's findings would be different.

Commissioners: Commissioners discussed how the current state of the property should be interpreted in terms of the number of lots vs. parcels. Hammond stated that there is nothing that says these lots cannot be separated and sold.

Rhodes stated that the 'lot' definition in the UDC switches from using the 'lot' to using the word 'parcel' halfway through the definition. She also stated that commissioners talk about parcels with other planning applications that come before them.

Van Daele asked the appellants why it was important to have the garage be an accessory structure instead of attached to the house.

Appellant: The Matsons stated that if they were to attach the garage to their house the way that staff suggested that they would need big footings, they would disturb the basement, and it would be too much effort. They like the idea of having a roof to connect the proposed garage and their home, but they do not want the garage and house to share a wall. The Matson's stated that the county asked if they wanted to consolidate the two lots, and they did. This means that there used to be two separate lots, but they combined them into one parcel.

Commissioners: Hammond's interpretation is that this property is two lots, therefore it is not a corner lot. He finds that lot 30 and lot 32 cannot be combined per the UDC and putting a garage on lot 30 meets UDC requirements.

MOTION/second: Hammond motions to Deny the Land Use Supervisor Interpretation.

(Motion failed to receive a second)

Commissioners: Rhodes asked if planning commissioners could make motion that agrees with appellant's findings without defining why she agrees. She asked if a motion could be made that would include the definition of façade, but she would want it to state that a façade would require a certain amount of distance from the street. Rhodes maintained that all sides of a house could be a façade, but the distance of the façade from the street changes her interpretation of what the UDC says.

Staff: Attorney Mangan advised commissioners to make findings that the entire body agrees on that also supports the legal conclusion. The question being asked of commissioners is whether the LUS made an error when interpreting the UDC.

If commissioners choose to deny, they should state their findings. She also advised that commissioners state an actual number in their findings if they were to include that the definition of façade requires a certain distance from the street.

MOTION/second: Wedul motions to Approve the Land Use Supervisor decision interpretation.

(Motion failed to receive a second)

Commissioners: Hammond believes that there is a general feeling amongst the commissioners that this is a reasonable use of property. The problem is that they are bound by the words of the ordinance. He is not trying to redefine the code, but he believes that the subject property is two lots.

Rhodes stated that there are many lots and parcels in Duluth that cannot be developed and cannot be sold. She added that in her job field, they are not using plat maps, they are using a more modern system with parcels. The legal description is outdated.

Wedul stated that the subject property exists as one parcel, and it contains two lots. Tonight, commissioners are looking at one parcel with one tax ID, and therefore one lot per the UDC. The subject property could be reconfigured if the appellants choose to do so.

MOTION/second: Hammond/Bayuk Deny Land Use Supervisor Interpretation on the grounds that:

- 1. Lots 30 and 32 can be legally separated.**
- 2. Lots 30 and 32 have enough frontage for R-2 to be separated.**
- 3. The subject property does not meet UDC definition of one lot, therefore the LUS errored, and the proposed garage is not inconsistent with UDC Section 50-21 for an accessory structure.**

VOTE: (4-3)
(Sarvela, Van Daele, and Wedul opposed)

Adjournment

Meeting adjourned at 6:08 p.m.
Respectfully,

Jenn Moses, Manager
Planning & Economic Development



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLCUP-2505-0002	Contact	Jason Mozol, jmozol@duluthmn.gov	
Type	Concurrent Use Permit	Planning Commission Date	August 12, 2025	
Deadline for Action	Application Date	June 18, 2025	60 Days	August 17, 2025
	Date Extension Letter Mailed	June 18, 2025	120 Days	October 16, 2025
Location of Subject		Right of way near the intersection of E 11 th St and 8 th Ave E		
Applicant	ISD 709	Contact	Bryan Brown, Facilities Manager	
Agent		Contact		
Legal Description		See attachment		
Site Visit Date		July 25, 2025	Sign Notice Date	July 24, 2025
Neighbor Letter Date		N/A	Number of Letters Sent	N/A

Proposal: The applicant is seeking a concurrent use permit to construct a guardrail in the right of way near the intersection of E. 11th St and N 8th Ave East.

Recommended Action: Staff recommends that Planning Commission recommend approval to the City Council.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	School	Institutional
North	R-1	Residential	Traditional Neighborhood
South	R-1	Residential	Traditional Neighborhood
East	R-1	Open Space	Open Space
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-37.7.C. The planning commission shall review the application, and council shall approve the application or approve it with modifications, if it determines that:

1. The proposed concurrent use will not harm or inconvenience the health, safety and general welfare of the city;
2. Any proposed skywalk will significantly improve the circulation of pedestrians in the city without exposure to weather conditions;
3. No portion of a public easement proposed for use is being physically used or occupied by the public.

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

Governing Principle #11: Education Systems in Land Use Actions: This project supports safety and walkability to a neighborhood-based school.

Future Land Use – Institutional: Encompasses a broad range of uses and intensities: medical, university/college, public schools, religious, or governmental campuses.

History: Myers-Wilkins Elementary School was built in 1918 with several additions. There is an existing sidewalk between E 11th St and the North side of the school building connecting students to the school's open space, playground, and pick-up area.

Review and Discussion Items:

Staff finds that:

- 1) The applicant is seeking a concurrent use permit to construct a 106 ft long guardrail in the right of way near the intersection of E 11th St and 8th Ave E. This guardrail will provide pedestrians protection from vehicles in the roadway.
- 2) The area proposed for the concurrent use permit will not take away from the public's ability to use the public right-of-way, nor will it harm or inconvenience the health, safety and general welfare of the city.
- 3) Concurrent use permits are approved by the City Council via an ordinance. Unlike street right-of-way vacations, concurrent use permits are not recorded at with St. Louis County as they are voidable agreements between the City and property owners.
- 4) The City of Duluth requires concurrent use permits to include liability insurance to indemnify the City against all occurrences in the right-of-way. Other protections for the city and the public may be included in any ordinance approving a concurrent use permit adopted by the City Council.
- 5) City Engineering supports the proposed location of the guardrail.
- 6) No other City, agency, or public comments were received.
- 7) Per UDC Sec. 50-37.1.N, approved concurrent use permits lapse if the project or activity authorized by the permit has not begun within one year.

Staff Recommendation

Based on the above findings, Staff recommends that Planning Commission approve the concurrent use permit with the following conditions:

- 1) Applicant construct and maintain the project as identified in the attached exhibits.
- 2) Applicant provide annual proof of liability insurance and agree to indemnify the City against any occurrences in the right of way that are due to items covered under this permit.
- 3) Applicant will remove the obstructions at the applicant's expense if directed to by the City with appropriate notice.
- 4) 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 approval; however, no such administrative approval shall constitute a variance from the provisions of Chapter 50.



PLCUP-2505-0002

Concurrent Use Permit
Myers-Wilkins Elementary School

Legend

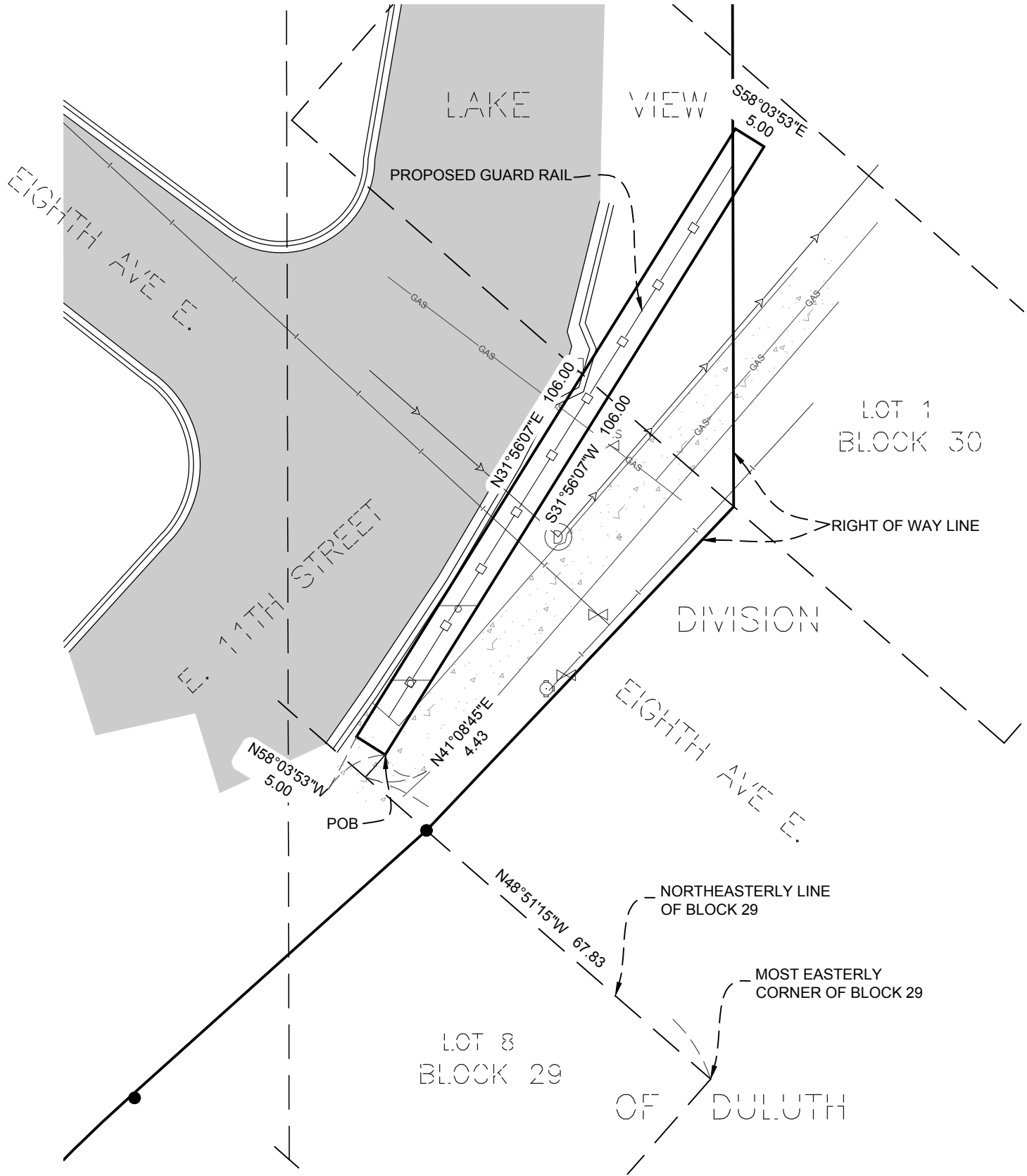
- Road or Alley ROW
- County Parcel Data
- Concurrent Use Area

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P:\125-DULUTH PUBLIC SCHOOLS\12525002-MYERS WILKINS GUARD RAIL\SURVEY\CAD\12525002 CONCURRENT USE EXHIBIT.DWG ### 6/23/2025

EXHIBIT CONCURRENT USE



LEGEND

BOUNDARY LINE

PROPOSED GUARD RAIL

STORM SEWER LINE

WATERMAIN

UNDERGROUND GAS LINE

HYDRANT

GATE VALVE

STORM MANHOLE

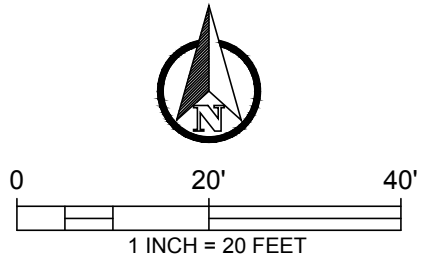
SIGN



GAS VALVE

FOUND IRON MONUMENT

CONCRETE PAVEMENT

BITUMINOUS PAVEMENT



NO.	DATE	DESCRIPTION	DATE:	06/18/25	I HEREBY CERTIFY THAT THIS SURVEY, PLAN, OR REPORT WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A DULY LICENSED LAND SURVEYOR UNDER THE LAWS OF THE STATE OF MINNESOTA.	PREPARED FOR:	 Corporate Office: 120 17th Ave W Alexandria, MN 56308 888-216-1916
			SCALE:	AS SHOWN		ISD 709	
			DRAWN BY:	JDS		MYERS WILKINS	
			CHECKED BY:	JDS		ELEMENTARY	
COPYRIGHT © 2025 BY DESIGN TREE ENGINEERING INCORPORATED			PROJECT NO.	12525002	Jonathan D. Schuette 45352 DATE:06/18/25		

CONCURRENT USE LEGAL DESCRIPTION:

That part of Lot 1, Block 30 and Eighth Avenue East, LAKE VIEW DIVISION OF DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota described as follows:

Commencing at the most easterly most corner of Block 29, said LAKE VIEW DIVISION OF DULUTH; thence North 48 degrees 51 minutes 15 seconds West along the northeasterly line of said Block 29, 67.83 feet; thence North 41 degrees 08 minutes 45 seconds East, 4.43 feet to the point of beginning; thence North 58 degrees 03 minutes 53 seconds West, 5.00 feet; thence North 31 degrees 56 minutes 07 seconds East, 106.00 feet; thence South 58 degrees 03 minutes 53 seconds East, 5.00 feet; thence South 31 degrees 56 minutes 07 seconds West, 106.00 feet to the point of beginning.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLIUP-2506-0032		Contact	Chris Lee, clee@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit		Planning Commission Date		August 12, 2025
Deadline for Action	Application Date		June 23, 2025	60 Days	August 22, 2025
	Date Extension Letter Mailed		July 14, 2025	120 Days	October 21, 2025
Location of Subject		1 Mesaba Place, Unit 1B			
Applicant	Lake View Land Co LLC		Contact	Michael Schraepfer	
Agent	Heirloom Property Management		Contact	Seth Sutherland	
Legal Description		PIN: 010-1270-00940			
Site Visit Date		March 28, 2025	Sign Notice Date		March 25, 2025
Neighbor Letter Date		March 20, 2025	Number of Letters Sent		33

Proposal

The applicant proposes to use Unit 1B, a 2-bedroom dwelling, as a vacation dwelling unit.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-2	Residential	Traditional Neighborhood
North	R-2	Residential	Traditional Neighborhood
South	R-2	Residential	Traditional Neighborhood
East	F-6	Transportation	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-2 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission 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.

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 and provides a service for tourists.

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.

History: This property consists of three units and a separately permitted vacation dwelling unit operates in the other 2 units under PLIUP-2503-0013 and PLIUP-2411-0021.

Review and Discussion Items:

Staff finds that:

- 1) Applicants' property is located at 1 Mesaba Place. This application relates to Unit 1B, which contains two bedrooms and allows for a maximum of 5 guests.
- 2) The minimum rental period will be two nights.
- 3) The applicant is proposing 2 off-street parking stalls; the minimum required is one.
- 4) The applicant has indicated they will not allow motorhome or trailer parking.
- 5) The site plan does not indicate any outdoor amenities. Screening is required along the west property line from the rear of the building to the garage facing 4th street. Screening meeting the definition of a dense urban screen must be in place prior to permit issuance. Applicant is proposing a fence and shrubs for the lot line; a separate fence permit will be required prior to construction of the fence.
- 6) 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 holders 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 Heirloom Property Management to serve as the managing agent.
- 7) A time limit is needed on this Interim Use Permit ("IUP") to protect the public health, safety and welfare from potential longer-term impacts of the requested use at the location of the subject property. Section 50-20.3.V.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 the City's vacation dwelling unit regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 9) There are currently 181 licensed vacation dwelling units in the city, with 92 of those in form districts; the remaining 89 are subject to the cap of 110. The subject property is located within a residential district and is subject to the cap.
- 10) This property was previously rented as a short-term unit without a permit. Upon receiving notification of non-compliance from the Planning Department, the owner removed the listing and brought the unit into compliance.
- 11) No City, public or agency comments were received.
- 12) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) Applicant shall submit photos of the screening after installation to confirm it meets the requirements of a dense urban screen prior to the final interim use permit being issued.
- 3) Any alterations to the approved plans that do not alter major elements of the plan and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.



PLIUP-2506-0032

Interim Use Permit for a VDU
3 Mesaba Pl

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.



Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts).

What will be your minimum rental period?

2 night(s).

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

How many legal bedrooms are in the dwelling?

2

What will be your maximum occupancy?

5 or Bedroom # + 1

3. Off-street parking shall be provided at the following rate:
- a. 1-2 bedroom unit, 1 space
 - b. 3 bedroom unit, 2 spaces
 - c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
 - d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
 - e. Form districts are not required to provide parking spaces.

How many off-street parking spaces will your unit provide?

2

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.

Will you allow motorhome or trailer parking?

No

If so, where?

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.
8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.

Please explain how and where you will keep your guest record (log book, excel spreadsheet, etc):

Both in an Excel Spreadsheet and using an online CRM.

9. Permit holder 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 any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

Please provide the name and contact information for your local contact:

VACATION@RENTWITHHEIRLOOM.COM

10. Permit holder must disclose in writing to their guests the following rules and regulations:
 - a. The managing agent or local contact's name, address, and phone number;
 - b. The maximum number of guests allowed at the property;
 - c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
 - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 - e. Applicable sections of City ordinances governing noise, parks, parking and pets;

Please state where and how this information will be provided to your guests:

Both online through the rental website and in person in a pamphlet.

11. Permit holder must post their permit number on all print, poster or web advertisements.

Do you agree to include the permit number on all advertisements?

Yes

12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLIUP-2507-0033		Contact	Christian Huelsman, chuelsman@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit		Planning Commission Date		August 12, 2025
Deadline for Action	Application Date		July 1, 2025	60 Days	August 30, 2025
	Date Extension Letter Mailed		July 8, 2025	120 Days	October 29, 2025
Location of Subject		1421 E Superior St, Unit 1			
Applicant	Heirloom Vacation Rentals		Contact	Seth Sutherlund	
Agent			Contact		
Legal Description		PIN: 010-1480-04980			
Site Visit Date		July 28, 2025	Sign Notice Date		July 29, 2025
Neighbor Letter Date		July 17, 2025	Number of Letters Sent		53

Proposal

The applicant proposes to use Unit 1 as a vacation rental. This unit contains 4 bedrooms. This is a new application and is on the eligibility list.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Vacation rental	Central Business Secondary
North	MU-N	Residential	Central Business Secondary
South	F-4	Dental office	Central Business Secondary
East	MU-N	Multi-family	Central Business Secondary
West	MU-N	Residential	Central Business Secondary

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the MU-N zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission 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.

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 and provides a service for tourists.

Future Land Use – Central Business Secondary: An area adjacent to and supporting the primary central business area or standalone area providing a similar mix of destination land uses but as a lower intensity than the primary CB uses. Includes mixed regional and neighborhood retails, employment centers, public spaces, medium density residential, and public parking facilities.

History: The subject property, 1421 E Superior St, was built in 1899. The existing structure is a 7-bedroom, two-family home, including four bedrooms in Unit 1.

Review and Discussion Items:

Staff finds that:

- 1) The applicant's property is located at 1421 E Superior St. The dwelling unit contains 4 bedrooms, which allows for a maximum of 9 guests.
- 2) This is a new application. The applicant was on the eligibility list. Staff does not have record of any violations or enforcement actions relating to the subject property.
- 3) The minimum rental period will be two nights.
- 4) The applicant is proposing three off-street parking stalls, located in the parking lot on the west side of the building. Three off-street parking stalls meets the minimum requirement for a 4-bedroom vacation dwelling unit under UDC Sec. 50-20.3.V.3.
- 5) The applicant has indicated they will not allow motorhome or trailer parking.
- 6) The site plan does not indicate any outdoor amenities.
- 7) The site plan shows existing screening/buffering of outdoor space at the northeast corner of the rear yard from the adjacent property. The east side yard is not subject to screening requirements due to there being no usable outdoor space. Screening is not required in the front yard area abutting a street. The west side of the property features a shared driveway and does not mean the requirement of a dense urban screen per UDC 50-20.3.V.7, requiring a waiver from the abutting owner from screening requirements prior to operating the proposed short-term rental.
- 8) 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 holders must provide contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Heirloom Property Management to serve as the managing agent.
- 9) A time limit is needed on this Interim Use Permit ("IUP") to protect the public health, safety and welfare from potential longer-term impacts of the requested use at the location of the subject property. Section 50-20.3.V.9 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 10) Applicant must comply with the City's vacation dwelling unit regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 11) There are currently 181 licensed vacation dwelling units in the city, with 92 of those in form districts; the remaining 89 are subject to the cap of 110. The subject property is located within a residential district and is subject to the cap.
- 12) No City, public or agency comments were received.
- 13) The permit will lapse if no activity takes place within 1 year of approval.

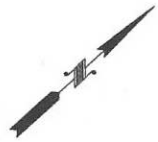
Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) The applicant must obtain a waiver from screening requirements by the abutting property owner at 1415 E Superior St, prior to the operation of the short-term rental unit.
- 3) Any alterations to the approved plans that do not alter major elements of the plan and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.

[illegible]

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0 20
SCALE IN FEET

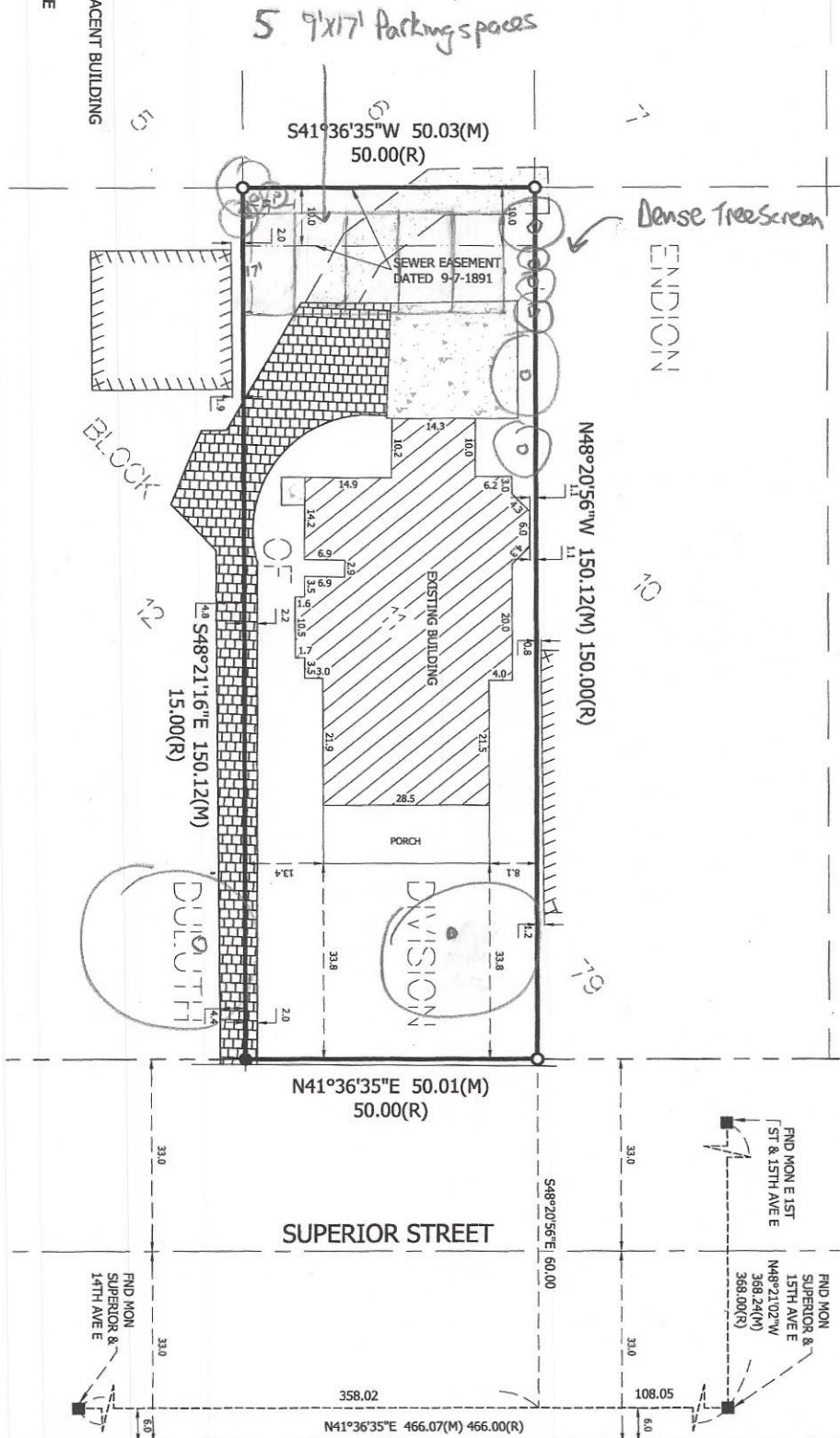
BEARINGS ARE BASED ON THE ST. LOUIS COUNTY
TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996.
BUILDING DIMENSIONS SHOWN ARE FOR HORIZONTAL &
VERTICAL PLACEMENT OF STRUCTURE ONLY.
THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A
RECORD OR ENCUMBER THIS PROPERTY HAS NOT BEEN
COMPLETED BY ALTA LAND SURVEY COMPANY.

LEGEND

- EXISTING ADJACENT BUILDING
- PAVER STONE SURFACE
- GRAVEL SURFACE
- CONCRETE SURFACE
- FOUND CITY MONUMENT BOX
- SET MAG NAIL
- SET CAPPED REBAR RLS 49505

LEGAL DESCRIPTION PER DOC 1271579

Lot 11, Block 79, ENDION DIVISION OF DULUTH, St. Louis
County, Minnesota.



1. I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.		CERTIFICATE OF SURVEY	
David R. Evans David R. Evans		CLIENT: MICHAEL SCHROEDER	REVISION: 000
DATE: 7-26-2016			
ADDRESS: 1421 E SUPERIOR ST			
JOB NUMBER: 16-208			
ALTA LAND SURVEY COMPANY * LAND DEVELOPMENT * PLANNING * CONSTRUCTION STAKING * CERTIFIED FEDERAL SURVEYOR * LICENSED IN MN & WI * WWW.ALTLANDSURVEY.COM			

Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts).

What will be your minimum rental period?

2 night(s).

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

How many legal bedrooms are in the dwelling?

4

What will be your maximum occupancy?

9 or Bedroom # + 1

3. Off-street parking shall be provided at the following rate:
 - a. 1-2 bedroom unit, 1 space
 - b. 3 bedroom unit, 2 spaces
 - c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
 - d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
 - e. Form districts are not required to provide parking spaces.

How many off-street parking spaces will your unit provide?

3

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.

Will you allow motorhome or trailer parking?

No

If so, where?

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.
8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.

Please explain how and where you will keep your guest record (log book, excel spreadsheet, etc):

Both in an Excel Spreadsheet and using an online CRM.

9. Permit holder 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 any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

Please provide the name and contact information for your local contact:

1421 E Superior St

VACATION@RENTWITHHEIRLOOM.COM

10. Permit holder must disclose in writing to their guests the following rules and regulations:
 - a. The managing agent or local contact's name, address, and phone number;
 - b. The maximum number of guests allowed at the property;
 - c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
 - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 - e. Applicable sections of City ordinances governing noise, parks, parking and pets;

Please state where and how this information will be provided to your guests:

Both online through the rental website and in person in a pamphlet.

11. Permit holder must post their permit number on all print, poster or web advertisements.

Do you agree to include the permit number on all advertisements?

Yes

12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.



Selected City Ordinances on Parking, Parks, Pets & Noise

Thanks for choosing to visit our wonderful city. The summary of ordinances below was assembled to answer commonly asked questions related to vehicle parking, park use, pets and noise. We hope you enjoy all that Duluth has to offer and that you'll return again soon!

Vehicle Parking Rules:

Sec. 33-82. Prohibitions generally.

(c) No person shall, for the purpose of camping, lodging, or residing therein, leave or park a vehicle or motor vehicle on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a camp site;

Sec. 33-85. Parking more than 24 consecutive hours prohibited.

No vehicle shall be left standing or parked more than 24 consecutive hours on any street or highway within the city.

Sec. 33-97.8. Alternate side parking.

Except where signs direct otherwise, all vehicles parked on streets in Duluth must observe the alternate side parking program to enable street cleaning, plowing, and other maintenance. All vehicles must be parked on the side of the street designated for parking for the week with house numbers that are either odd or even, see <http://www.duluthmn.gov/> for the designation of "odd" or "even" side parking for the week. The following week vehicles must be parked on the opposite side of the street. Every Sunday between the hours 4:00 p.m. and 8:00 p.m. shall be a changeover period and the provisions of this Section shall not be in force during such time.

Park Rules:

Sec. 35-9.3. Use of parks between certain hours prohibited without prior registration.

Nearly all parks and beaches in Duluth are closed to public use after 10:00 p.m., including the beaches along Park Point.

Sec. 35-6. Vehicles, parking and recreational trails and paths.

(b) No person shall operate any motor vehicle or bicycle or ride a horse in any area of any park except on the roadway portion of streets, or highways, or parking areas in such park.

Many of the trails in Duluth are reserved for specific users year round or only during certain times of the year. This information is posted near trailheads to designate where bicycles, skis, and hikers are allowed. Direction of travel for trails may also be designated. Please observe these rules.

Additionally, winter use of ski trails within the City of Duluth requires that users have a DNR Ski Pass. See <http://www.dnr.state.mn.us/licenses/skipass/index.html> for more info. on obtaining this pass.

Sec. 35-7. Setting fires, prohibited.

(a) Except as provided in this Section, no person shall start or maintain any fire or hot coals in any park other than in designated park grills or privately owned grills suitable for the purpose for which they are used;

(c) The director of parks and recreation or the fire chief may ban all burning, including burning in grills, in parks at times of high fire danger.

It is a violation of this section to create a recreational fire on the beaches of Park Point.

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

- (a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests
- (b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;
- (c) Urinate or defecate anywhere but in a proper toilet facility;
- (d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;
- (e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;
- (i) Possess any glass beverage container while outside of a motor vehicle;
- (j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages.

Sec. 35-2. Animals running at large, animal control.

- (a) No dogs, cats or other domestic pets shall be allowed to run at large upon any park. Dogs, cats and other domestic pets shall be considered to be at large if they are not under control of the owner or other responsible person by means of a leash of suitable strength not exceeding six feet in length;
- (b) The director of parks and recreation may designate any park or area in a park as prohibited to pets or other animals. Any area so designated shall be clearly marked by signs indicating such prohibition. No person owning, controlling or caring for any animal shall allow such animal to enter any park area where such animal is prohibited.

Sec. 35-3. Fastening animals to fences, trees, etc., prohibited.

No person shall tie or fasten any animal to any fence, building, railing, tree, shrub or plant in or upon any park in the city.

Pet Rules:

Sec. 6-33. Animal noise.

- (a) No person shall harbor or keep any dog which, by loud and frequent or habitual barking, yelping or howling shall cause reasonable annoyance of another person or persons;

Sec. 6-36. Running at large prohibited.

No person shall suffer or permit any animal owned or controlled by that person to run at large within the city.

Sec. 6-38. Animal litter.

- (a) The owner of any animal or any person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner;
- (b) It is unlawful for any person owning, keeping or harboring an animal to cause said animal to be on property, public or private, not owned or possessed by such person without having in his/her immediate possession a device for the removal of feces and depository for the transfer of animal feces to a receptacle located on property owned or possessed by such person. A device may include a plastic or paper bag which is used to recover animal feces;
- (c) It is unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to remove feces left by such animal to a proper receptacle located on the property owned or possessed by such person;
- (d) For the purposes of this Section, the term public property includes, without limitation, streets, sidewalks, boardwalks, trails, boulevards, playgrounds and parks;

Noise Rules:

Sec. 34-5. Disturbing the neighborhood.

No person, within the city, shall keep a dwelling, gaming area, party room, or meeting area which attracts people to the neighborhood at times or in such a manner that their arrival or leaving or activities while in the neighborhood result in an unreasonable disturbance of the usual peace, quiet, comfort, or decency of the neighborhood.

Sec. 34-6. Disorderly conduct.

(a) No person shall commit or suffer to be committed in any apartment or other dwelling owned, occupied or controlled by him, any rioting, quarreling, fighting, reveling, shouting, loud music or electronically amplified noise, or disorderly conduct which disturbs or annoys another person in a neighboring apartment or other dwelling, or in a neighboring building, or lawfully in the vicinity of said neighboring dwelling or building;

(b) No person within any public or private place shall take part in or incite or encourage any brawling, shouting, dancing, or noise production, which unreasonably disturbs others lawfully in the vicinity.

Sec. 40-10. Definitions, User Charge for Excessive Consumption of Police Services.

Nuisance event. An event requiring special security assignment in order to protect the public peace, health, safety and welfare. A nuisance event includes, but is not limited to, the following:

- (e) Loud and boisterous conduct, noises and activities that disturb the peace;
- (f) Events between 11:00 p.m. and sunrise which disturb the peace and tranquility of the neighborhood;
- (g) Congregating in a tumultuous, noisy or rowdy crowd;
- (h) Fighting or use of obscene or inflammatory language;
- (i) Loud music constituting a nuisance or disturbing the peace;
- (j) Activities causing excessive pedestrian or vehicular traffic and parking problems and congestion.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLIUP-2507-0034		Contact	Christian Huelsman, chuelsman@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit		Planning Commission Date		August 12, 2025
Deadline for Action	Application Date		July 1, 2025	60 Days	August 30, 2025
	Date Extension Letter Mailed		July 8, 2025	120 Days	October 29, 2025
Location of Subject		1421 E Superior St, Unit 2			
Applicant	Heirloom Vacation Rentals		Contact	Seth Sutherlund	
Agent			Contact		
Legal Description		PIN: 010-1480-04980			
Site Visit Date		July 28, 2025	Sign Notice Date		July 29, 2025
Neighbor Letter Date		July 17, 2025	Number of Letters Sent		53

Proposal

The applicant proposes to use Unit 2 as a vacation rental. This unit contains 3 bedrooms. This is a new application and is on the eligibility list.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	MU-N	Vacation rental	Central Business Secondary
North	MU-N	Residential	Central Business Secondary
South	F-4	Dental office	Central Business Secondary
East	MU-N	Multi-family	Central Business Secondary
West	MU-N	Mixed Use	Central Business Secondary

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A vacation dwelling unit is an Interim Use in the MU-N zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission 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.

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 and provides a service for tourists.

Future Land Use – Central Business Secondary: An area adjacent to and supporting the primary central business area or standalone area providing a similar mix of destination land uses but as a lower intensity than the primary CB uses. Includes mixed regional and neighborhood retails, employment centers, public spaces, medium density residential, and public parking facilities.

History: The subject property, 1421 E Superior St, was built in 1899. The existing structure is a 7-bedroom, two-family home, including three bedrooms in Unit 2.

Review and Discussion Items:

Staff finds that:

- 1) The applicant's property is located at 1421 E Superior St. The dwelling unit contains 3 bedrooms, which allows for a maximum of 8 guests.
- 2) This is a new application. The applicant was on the eligibility list. Staff does not have record of any violations or enforcement actions relating to the subject property.
- 3) The minimum rental period will be two nights.
- 4) The applicant is proposing two off-street parking stalls, located in the parking lot on the west side of the building. Two off-street parking stalls meets the minimum requirement for a 3-bedroom vacation dwelling unit under UDC Sec. 50-20.3.V.3.
- 5) The applicant has indicated they will not allow motorhome or trailer parking.
- 6) The site plan does not indicate any outdoor amenities.
- 7) The site plan shows existing screening/buffering of outdoor space at the northeast corner of the rear yard from the adjacent property. The east side yard is not subject to screening requirements due to there being no usable outdoor space. Screening is not required in the front yard area abutting a street. The west side of the property features a shared driveway and does not mean the requirement of a dense urban screen per UDC 50-20.3.V.7, requiring a waiver from the abutting owner from screening requirements prior to operating the proposed short-term rental.
- 8) 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 holders must provide contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Heirloom Property Management to serve as the managing agent.
- 9) A time limit is needed on this Interim Use Permit ("IUP") to protect the public health, safety and welfare from potential longer-term impacts of the requested use at the location of the subject property. Section 50-20.3.V.9 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 10) Applicant must comply with the City's vacation dwelling unit regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 11) There are currently 181 licensed vacation dwelling units in the city, with 92 of those in form districts; the remaining 89 are subject to the cap of 110. The subject property is located within a residential district and is subject to the cap.
- 12) No City, public or agency comments were received.
- 13) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

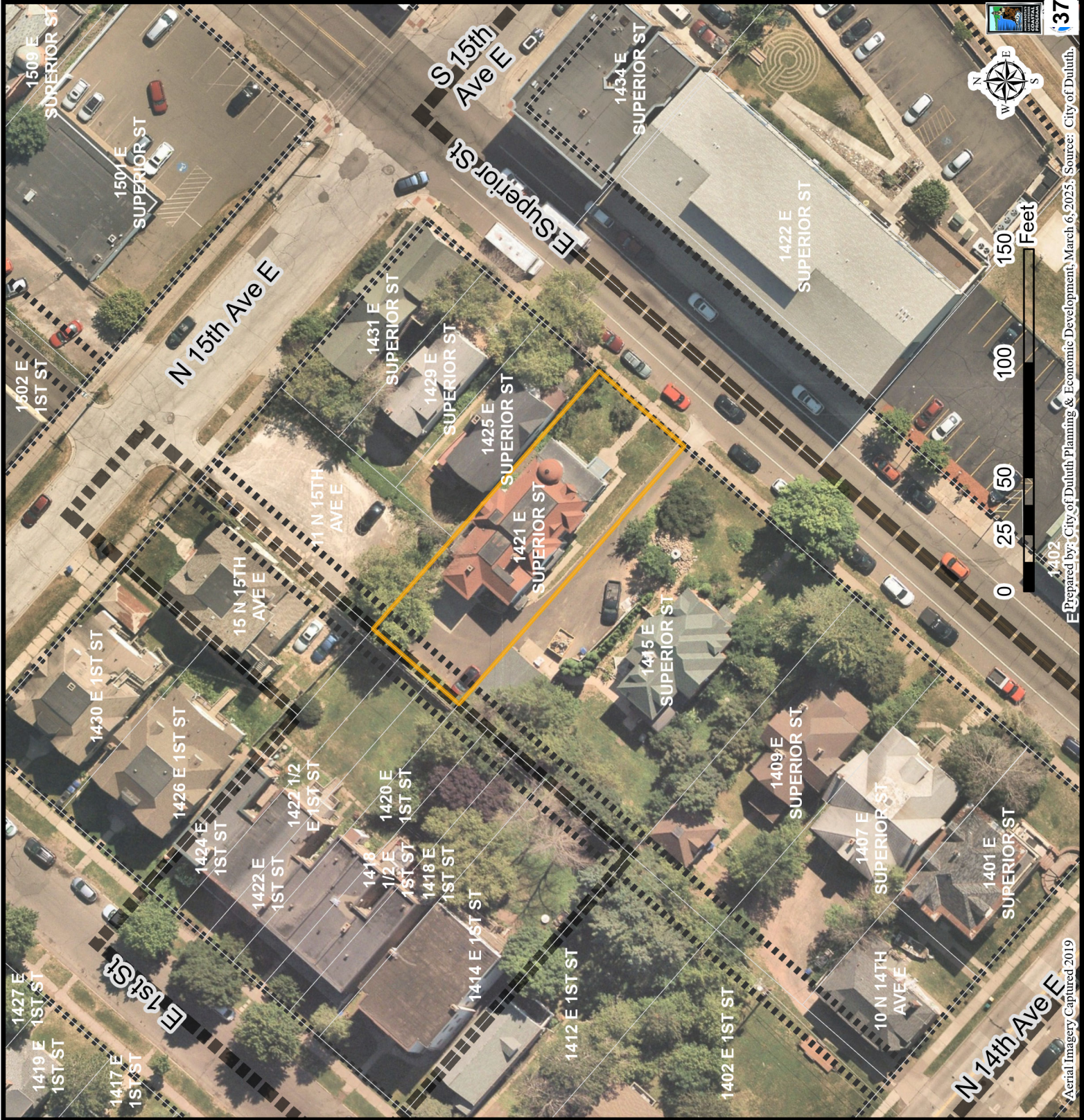
Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 1) The applicant shall adhere to the terms and conditions listed in the Interim Use Permit.
- 2) The applicant must obtain a waiver from screening requirements by the abutting property owner at 1415 E Superior St, prior to the operation of the short-term rental unit.
- 3) Any alterations to the approved plans that do not alter major elements of the plan and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.



PLIUP-2507-0034

Interim Use Permit
1421 E Superior St Unit 1

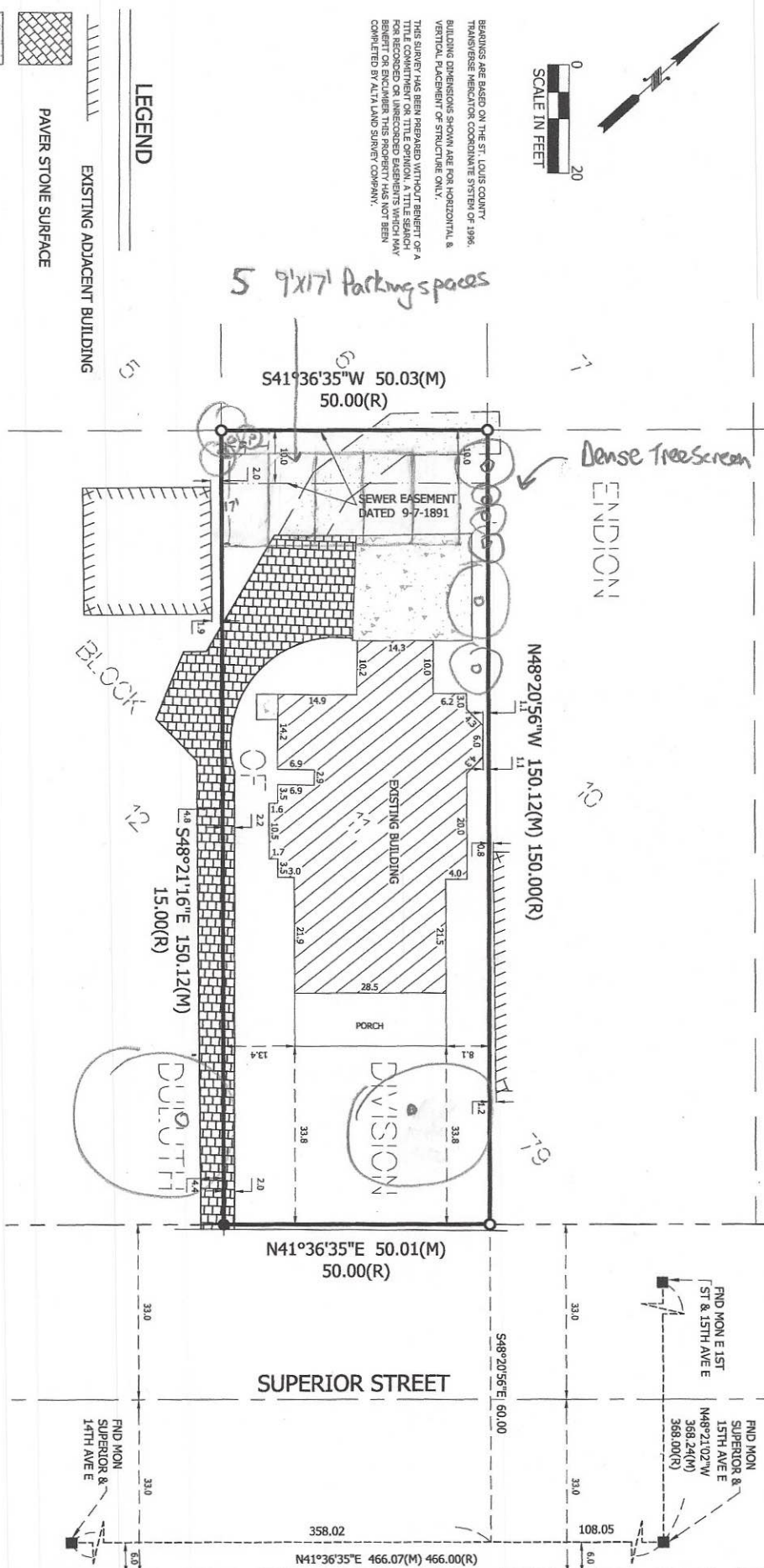


The City of Duluth has tried to ensure that the information contained in this map or electronic document is accurate. The City of Duluth makes no warranty or guarantee concerning the accuracy or reliability. This drawing/data is neither a legally recorded map nor a survey and is not intended to be used 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.



THIS SURVEY HAS BEEN PREPARED WITHOUT BENEFIT OF A TITLE COMMITMENT OR TITLE OPINION. A TITLE SEARCH OR RECORDS OR UNRECORDED EASEMENTS WHICH MAY BENEFIT OR ENCUMBER THIS PROPERTY HAS NOT BEEN COMPLETED BY A LIA LAND SURVEY COMPANY.

5 9'x17' parking spaces



LEGAL DESCRIPTION PER DOC 1271579
Lot 11, Block 79, ENDION DIVISION OF DULUTH, St. Louis
County, Minnesota.

FOUND CITY MONUMENT BOX
SET MAG NAIL
SET CAPPED REBAR RLS 49505

CERTIFICATE OF SURVEY

CLIENT: MICHAEL SCHNEIDER
 REGISTRATION: 100

DATE: 7-26-2016

ADDRESS: 1421 E SUPERIOR ST

JOB NUMBER: 18-208

David R. Emerson
 David R. Emerson

1. I hereby certify that this survey, plan or report was prepared by me or under my direct supervision and that I am a duly Licensed Professional Surveyor under the laws of the State of Minnesota.

ALTA

LAND SURVEY COMPANY

10000 W. 15th Avenue
 Suite 100
 Golden, CO 80401

• PLATTING
 • BOUNDARY SURVEYS
 • LAND DEVELOPMENT
 • EASEMENT SURVEYS
 • CONSTRUCTION STAKING

CERTIFIED VETERAN SURVEYOR
 LICENSED IN MN & WI
 WWW.ALTLANDSURVEY.COM

Phone: 720-356-7614 Fax: 990-35

Vacation Dwelling Unit Worksheet

1. The minimum rental period shall be not less than two consecutive nights (does not apply to Form districts).

What will be your minimum rental period?

2 night(s).

2. The total number of persons that may occupy the vacation dwelling unit is one person plus the number of bedrooms multiplied by two. You may rent no more than four bedrooms.

How many legal bedrooms are in the dwelling?

4

What will be your maximum occupancy?

9 or Bedroom # + 1

3. Off-street parking shall be provided at the following rate:
 - a. 1-2 bedroom unit, 1 space
 - b. 3 bedroom unit, 2 spaces
 - c. 4+ bedroom unit, number of spaces equal to the number of bedrooms minus one.
 - d. Vacation dwelling units licensed on May 15, 2016, are entitled to continue operating under the former off-street parking requirement. The parking exemption for vacation dwelling units licensed on May 15, 2016, expires upon transfer of any ownership interest in the permitted property.
 - e. Form districts are not required to provide parking spaces.

How many off-street parking spaces will your unit provide?

3

4. Only one motorhome (or pickup-mounted camper) and/or one trailer either for inhabiting or for transporting recreational vehicles (ATVs, boat, personal watercraft, snowmobiles, etc.) may be parked at the site, on or off the street.

Will you allow motorhome or trailer parking?

No

If so, where?

5. The property owner must provide required documents and adhere to additional requirements listed in the City of Duluth's UDC Application Manual related to the keeping of a guest record, designating and disclosing a local contact, property use rules, taxation, and interim use permit violations procedures.
6. The property owner must provide a site plan, drawn to scale, showing parking and driveways, all structures and outdoor recreational areas that guests will be allowed to use, including, but not limited to, deck/patio, barbeque grill, recreational fire, pool, hot tub, or sauna, and provide detail concerning the provision of any dense urban screen that may be required to buffer these areas from adjoining properties. Please note that this must be on 8 x 11 size paper.

7. The interim use permit shall expire upon change in ownership of the property or in six years, whichever occurs first. An owner of a vacation dwelling unit permitted prior to May 15, 2016, may request, and the land use supervisor may grant, an application for adjustment of an existing permit to conform to this section, as amended, for the remainder of the permit term.
8. Permit holder must keep a guest record including the name, address, phone number, and vehicle (and trailer) license plate information for all guests and must provide a report to the City upon 48 hours' notice.

Please explain how and where you will keep your guest record (log book, excel spreadsheet, etc):

Both in an Excel Spreadsheet and using an online CRM.

9. Permit holder 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 any complaints from neighbors or the City. The permit holder must notify the Land Use Supervisor within 10 days of a change in the managing agent or local contact's contact information.

Please provide the name and contact information for your local contact:

1421 E Superior St

VACATION@RENTWITHHEIRLOOM.COM

10. Permit holder must disclose in writing to their guests the following rules and regulations:
 - a. The managing agent or local contact's name, address, and phone number;
 - b. The maximum number of guests allowed at the property;
 - c. The maximum number of vehicles, recreational vehicles, and trailers allowed at the property and where they are to be parked;
 - d. Property rules related to use of exterior features of the property, such as decks, patios, grills, recreational fires, pools, hot tubs, saunas and other outdoor recreational facilities;
 - e. Applicable sections of City ordinances governing noise, parks, parking and pets;

Please state where and how this information will be provided to your guests:

Both online through the rental website and in person in a pamphlet.

11. Permit holder must post their permit number on all print, poster or web advertisements.

Do you agree to include the permit number on all advertisements?

Yes

12. Prior to rental, permit holder must provide the name, address, and phone number for the managing agent or local contact to all property owners within 100' of the property boundary; submit a copy of this letter to the Planning and Community Development office. In addition, note that permit holder must notify neighboring properties within 10 days of a change in the managing agent or local contact's contact information.



Selected City Ordinances on Parking, Parks, Pets & Noise

Thanks for choosing to visit our wonderful city. The summary of ordinances below was assembled to answer commonly asked questions related to vehicle parking, park use, pets and noise. We hope you enjoy all that Duluth has to offer and that you'll return again soon!

Vehicle Parking Rules:

Sec. 33-82. Prohibitions generally.

(c) No person shall, for the purpose of camping, lodging, or residing therein, leave or park a vehicle or motor vehicle on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a camp site;

Sec. 33-85. Parking more than 24 consecutive hours prohibited.

No vehicle shall be left standing or parked more than 24 consecutive hours on any street or highway within the city.

Sec. 33-97.8. Alternate side parking.

Except where signs direct otherwise, all vehicles parked on streets in Duluth must observe the alternate side parking program to enable street cleaning, plowing, and other maintenance. All vehicles must be parked on the side of the street designated for parking for the week with house numbers that are either odd or even, see <http://www.duluthmn.gov/> for the designation of "odd" or "even" side parking for the week. The following week vehicles must be parked on the opposite side of the street. Every Sunday between the hours 4:00 p.m. and 8:00 p.m. shall be a changeover period and the provisions of this Section shall not be in force during such time.

Park Rules:

Sec. 35-9.3. Use of parks between certain hours prohibited without prior registration.

Nearly all parks and beaches in Duluth are closed to public use after 10:00 p.m., including the beaches along Park Point.

Sec. 35-6. Vehicles, parking and recreational trails and paths.

(b) No person shall operate any motor vehicle or bicycle or ride a horse in any area of any park except on the roadway portion of streets, or highways, or parking areas in such park.

Many of the trails in Duluth are reserved for specific users year round or only during certain times of the year. This information is posted near trailheads to designate where bicycles, skis, and hikers are allowed. Direction of travel for trails may also be designated. Please observe these rules.

Additionally, winter use of ski trails within the City of Duluth requires that users have a DNR Ski Pass. See <http://www.dnr.state.mn.us/licenses/skipass/index.html> for more info. on obtaining this pass.

Sec. 35-7. Setting fires, prohibited.

(a) Except as provided in this Section, no person shall start or maintain any fire or hot coals in any park other than in designated park grills or privately owned grills suitable for the purpose for which they are used;

(c) The director of parks and recreation or the fire chief may ban all burning, including burning in grills, in parks at times of high fire danger.

It is a violation of this section to create a recreational fire on the beaches of Park Point.

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

- (a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests
- (b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;
- (c) Urinate or defecate anywhere but in a proper toilet facility;
- (d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;
- (e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;
- (i) Possess any glass beverage container while outside of a motor vehicle;
- (j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages.

Sec. 35-2. Animals running at large, animal control.

- (a) No dogs, cats or other domestic pets shall be allowed to run at large upon any park. Dogs, cats and other domestic pets shall be considered to be at large if they are not under control of the owner or other responsible person by means of a leash of suitable strength not exceeding six feet in length;
- (b) The director of parks and recreation may designate any park or area in a park as prohibited to pets or other animals. Any area so designated shall be clearly marked by signs indicating such prohibition. No person owning, controlling or caring for any animal shall allow such animal to enter any park area where such animal is prohibited.

Sec. 35-3. Fastening animals to fences, trees, etc., prohibited.

No person shall tie or fasten any animal to any fence, building, railing, tree, shrub or plant in or upon any park in the city.

Pet Rules:

Sec. 6-33. Animal noise.

- (a) No person shall harbor or keep any dog which, by loud and frequent or habitual barking, yelping or howling shall cause reasonable annoyance of another person or persons;

Sec. 6-36. Running at large prohibited.

No person shall suffer or permit any animal owned or controlled by that person to run at large within the city.

Sec. 6-38. Animal litter.

- (a) The owner of any animal or any person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner;
- (b) It is unlawful for any person owning, keeping or harboring an animal to cause said animal to be on property, public or private, not owned or possessed by such person without having in his/her immediate possession a device for the removal of feces and depository for the transfer of animal feces to a receptacle located on property owned or possessed by such person. A device may include a plastic or paper bag which is used to recover animal feces;
- (c) It is unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to remove feces left by such animal to a proper receptacle located on the property owned or possessed by such person;
- (d) For the purposes of this Section, the term public property includes, without limitation, streets, sidewalks, boardwalks, trails, boulevards, playgrounds and parks;

Noise Rules:

Sec. 34-5. Disturbing the neighborhood.

No person, within the city, shall keep a dwelling, gaming area, party room, or meeting area which attracts people to the neighborhood at times or in such a manner that their arrival or leaving or activities while in the neighborhood result in an unreasonable disturbance of the usual peace, quiet, comfort, or decency of the neighborhood.

Sec. 34-6. Disorderly conduct.

(a) No person shall commit or suffer to be committed in any apartment or other dwelling owned, occupied or controlled by him, any rioting, quarreling, fighting, reveling, shouting, loud music or electronically amplified noise, or disorderly conduct which disturbs or annoys another person in a neighboring apartment or other dwelling, or in a neighboring building, or lawfully in the vicinity of said neighboring dwelling or building;

(b) No person within any public or private place shall take part in or incite or encourage any brawling, shouting, dancing, or noise production, which unreasonably disturbs others lawfully in the vicinity.

Sec. 40-10. Definitions, User Charge for Excessive Consumption of Police Services.

Nuisance event. An event requiring special security assignment in order to protect the public peace, health, safety and welfare. A nuisance event includes, but is not limited to, the following:

- (e) Loud and boisterous conduct, noises and activities that disturb the peace;
- (f) Events between 11:00 p.m. and sunrise which disturb the peace and tranquility of the neighborhood;
- (g) Congregating in a tumultuous, noisy or rowdy crowd;
- (h) Fighting or use of obscene or inflammatory language;
- (i) Loud music constituting a nuisance or disturbing the peace;
- (j) Activities causing excessive pedestrian or vehicular traffic and parking problems and congestion.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLIUP-2507-0035		Contact	Christian Huelsman, chuelsman@duluthmn.gov	
Type	Interim Use Permit – Vacation Dwelling Unit		Planning Commission Date		August 12, 2025
Deadline for Action	Application Date		July 11, 2025	60 Days	September 9, 2025
	Date Extension Letter Mailed		July 16, 2025	120 Days	November 8, 2025
Location of Subject		39 England Ave			
Applicant	Riverside Rentals LLC		Contact	Darin Reinke	
Agent			Contact		
Legal Description		PIN: 010-3970-01310			
Site Visit Date		July 28, 2025	Sign Notice Date		July 29, 2025
Neighbor Letter Date		July 17, 2025	Number of Letters Sent		53

Proposal

The applicant proposes use of 39 England Ave, a 2-bedroom dwelling unit in a duplex, as a new vacation rental property. This is a new application and was on the eligibility list.

Recommended Action: Staff recommends that Planning Commission approve the interim use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Two family residence	Traditional Neighborhood
North	R-1	Single family residence	Traditional Neighborhood
South	R-1	Single family residence	Traditional Neighborhood
East	R-1	Two family residence	Traditional Neighborhood
West	R-1	Two family residence	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 Section 50-20.3.V. Use-Specific Standards. Lists all standards specific to vacation dwelling units.

UDC Sec. 50-37.10.E . . . the commission 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.

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

Governing Principle #4 – Support economic growth sectors

A short-term rental allows property owners to generate income and provides 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: The subject property was built in 1917. The existing structure is a duplex with 2 bedrooms in each unit.

Review and Discussion Items:

Staff finds that:

- 1) The applicant's property is located at 39 England Ave. The dwelling unit contains 2 bedrooms, which allows for a maximum of 5 guests.
- 2) This is a new application. The applicant was on the eligibility list. Staff does not have record of any violations or enforcement actions relating to the subject property.
- 3) The minimum rental period will be two nights.
- 4) The applicant is proposing two off-street parking stalls, located in the rear of the property. Two off-street parking stalls fulfill the minimum requirement of one off-street stall for a 2-bedroom vacation dwelling unit under UDC Sec. 50-20.3.V.3.
- 5) The applicant has indicated they will allow motorhome or trailer parking.
- 6) The site plan does not indicate any outdoor amenities. The applicant owns the adjacent properties to the south and east and is not requiring screening.
- 7) 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 holders must provide contact information for the managing agent or local contact to all property owners within 100 feet of the property boundary. The applicant has listed Heirloom Property Management to serve as the managing agent.
- 8) A time limit is needed on this Interim Use Permit ("IUP") to protect the public health, safety and welfare from potential longer-term impacts of the requested use at the location of the subject property. Section 50-20.3.V.9 states the IUP shall expire upon change in ownership of the property or in six years, whichever occurs first.
- 9) Applicant must comply with the City's vacation dwelling unit regulations, including providing information to guests on city rules (included with staff report as "Selected City Ordinances on Parking, Parks, Pets, and Noise").
- 10) There are currently 181 licensed vacation dwelling units in the city, with 92 of those in form districts; the remaining 89 are subject to the cap of 110. The subject property is located within a residential district and is subject to the cap.
- 11) No City, public or agency comments were received.
- 12) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the permit subject to the following conditions:

- 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 and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.

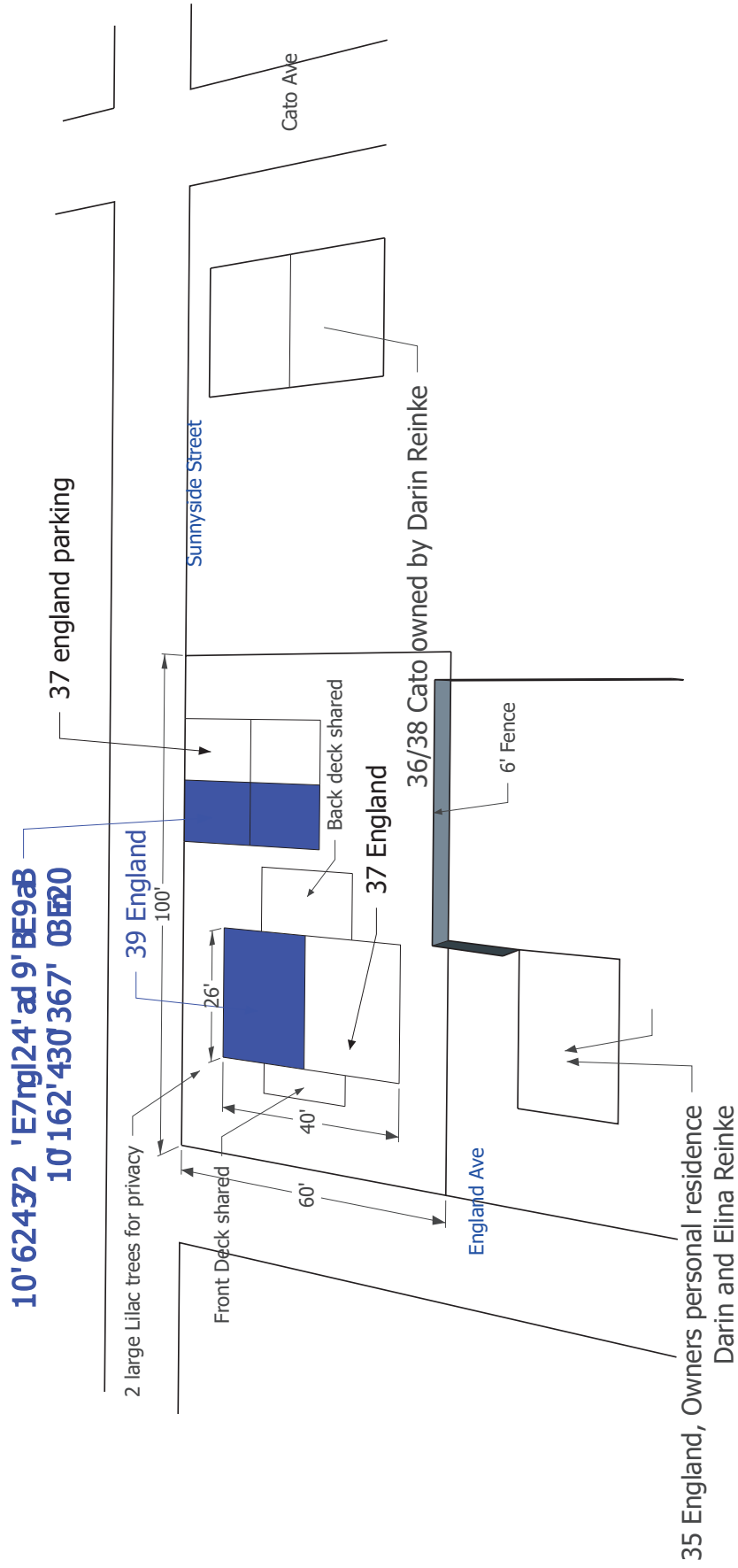


PLIUP-2507-0035

Interim Use Permit for a VDU
39 England Ave



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Selected City Ordinances on Parking, Parks, Pets & Noise

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Vehicle Parking Rules:

Sec. 33-82. Prohibitions generally.

(c) No person shall, for the purpose of camping, lodging, or residing therein, leave or park a vehicle or motor vehicle on or within the limits of any highway or on any highway right-of-way, except where signs are erected designating the place as a camp site;

Sec. 33-85. Parking more than 24 consecutive hours prohibited.

No vehicle shall be left standing or parked more than 24 consecutive hours on any street or highway within the city.

Sec. 33-97.8. Alternate side parking.

Except where signs direct otherwise, all vehicles parked on streets in Duluth must observe the alternate side parking program to enable street cleaning, plowing, and other maintenance. All vehicles must be parked on the side of the street designated for parking for the week with house numbers that are either odd or even, see <http://www.duluthmn.gov/> for the designation of "odd" or "even" side parking for the week. The following week vehicles must be parked on the opposite side of the street. Every Sunday between the hours 4:00 p.m. and 8:00 p.m. shall be a changeover period and the provisions of this Section shall not be in force during such time.

Park Rules:

Sec. 35-9.3. Use of parks between certain hours prohibited without prior registration.

Nearly all parks and beaches in Duluth are closed to public use after 10:00 p.m., including the beaches along Park Point.

Sec. 35-6. Vehicles, parking and recreational trails and paths.

(b) No person shall operate any motor vehicle or bicycle or ride a horse in any area of any park except on the roadway portion of streets, or highways, or parking areas in such park.

Many of the trails in Duluth are reserved for specific users year round or only during certain times of the year. This information is posted near trailheads to designate where bicycles, skis, and hikers are allowed. Direction of travel for trails may also be designated. Please observe these rules.

Additionally, winter use of ski trails within the City of Duluth requires that users have a DNR Ski Pass. See <http://www.dnr.state.mn.us/licenses/skipass/index.html> for more info. on obtaining this pass.

Sec. 35-7. Setting fires, prohibited.

(a) Except as provided in this Section, no person shall start or maintain any fire or hot coals in any park other than in designated park grills or privately owned grills suitable for the purpose for which they are used;

(c) The director of parks and recreation or the fire chief may ban all burning, including burning in grills, in parks at times of high fire danger.

It is a violation of this section to create a recreational fire on the beaches of Park Point.

Sec. 35-8. Prohibited activities.

Within any public park, no person shall:

- (a) Discharge any firearm, air gun, crossbow, bow and arrow, slingshot or other missile firing device, provided that the director of parks may, by written permit, authorize archery exhibitions and contests
- (b) Do any hunting or trapping or in any other manner disturb or injure or attempt to disturb or injure any animal, including birds;
- (c) Urinate or defecate anywhere but in a proper toilet facility;
- (d) Throw, deposit or place or cause to be thrown, deposited or placed any papers, bottles, cans or any other garbage or waste at any place except into a trash container;
- (e) Tip over any trash container or otherwise cause the contents of a trash container to be deposited on the ground;
- (i) Possess any glass beverage container while outside of a motor vehicle;
- (j) Consume alcoholic beverages or possess opened or unopened alcoholic beverages.

Sec. 35-2. Animals running at large, animal control.

- (a) No dogs, cats or other domestic pets shall be allowed to run at large upon any park. Dogs, cats and other domestic pets shall be considered to be at large if they are not under control of the owner or other responsible person by means of a leash of suitable strength not exceeding six feet in length;
- (b) The director of parks and recreation may designate any park or area in a park as prohibited to pets or other animals. Any area so designated shall be clearly marked by signs indicating such prohibition. No person owning, controlling or caring for any animal shall allow such animal to enter any park area where such animal is prohibited.

Sec. 35-3. Fastening animals to fences, trees, etc., prohibited.

No person shall tie or fasten any animal to any fence, building, railing, tree, shrub or plant in or upon any park in the city.

Pet Rules:

Sec. 6-33. Animal noise.

- (a) No person shall harbor or keep any dog which, by loud and frequent or habitual barking, yelping or howling shall cause reasonable annoyance of another person or persons;

Sec. 6-36. Running at large prohibited.

No person shall suffer or permit any animal owned or controlled by that person to run at large within the city.

Sec. 6-38. Animal litter.

- (a) The owner of any animal or any person having the custody or control of any animal shall be responsible for cleaning up any feces of the animal and disposing of such feces in a sanitary manner;
- (b) It is unlawful for any person owning, keeping or harboring an animal to cause said animal to be on property, public or private, not owned or possessed by such person without having in his/her immediate possession a device for the removal of feces and depository for the transfer of animal feces to a receptacle located on property owned or possessed by such person. A device may include a plastic or paper bag which is used to recover animal feces;
- (c) It is unlawful for any person in control of, causing or permitting any animal to be on any property, public or private, not owned or possessed by such person to fail to remove feces left by such animal to a proper receptacle located on the property owned or possessed by such person;
- (d) For the purposes of this Section, the term public property includes, without limitation, streets, sidewalks, boardwalks, trails, boulevards, playgrounds and parks;

Noise Rules:

Sec. 34-5. Disturbing the neighborhood.

No person, within the city, shall keep a dwelling, gaming area, party room, or meeting area which attracts people to the neighborhood at times or in such a manner that their arrival or leaving or activities while in the neighborhood result in an unreasonable disturbance of the usual peace, quiet, comfort, or decency of the neighborhood.

Sec. 34-6. Disorderly conduct.

(a) No person shall commit or suffer to be committed in any apartment or other dwelling owned, occupied or controlled by him, any rioting, quarreling, fighting, reveling, shouting, loud music or electronically amplified noise, or disorderly conduct which disturbs or annoys another person in a neighboring apartment or other dwelling, or in a neighboring building, or lawfully in the vicinity of said neighboring dwelling or building;

(b) No person within any public or private place shall take part in or incite or encourage any brawling, shouting, dancing, or noise production, which unreasonably disturbs others lawfully in the vicinity.

Sec. 40-10. Definitions, User Charge for Excessive Consumption of Police Services.

Nuisance event. An event requiring special security assignment in order to protect the public peace, health, safety and welfare. A nuisance event includes, but is not limited to, the following:

- (e) Loud and boisterous conduct, noises and activities that disturb the peace;
- (f) Events between 11:00 p.m. and sunrise which disturb the peace and tranquility of the neighborhood;
- (g) Congregating in a tumultuous, noisy or rowdy crowd;
- (h) Fighting or use of obscene or inflammatory language;
- (i) Loud music constituting a nuisance or disturbing the peace;
- (j) Activities causing excessive pedestrian or vehicular traffic and parking problems and congestion.



Planning & Development Division
Planning & Economic Development Department

Room 160
 411 West First Street
 Duluth, Minnesota 55802



218-730-5580



planning@duluthmn.gov

File Number	PLSUP-2507-0057		Contact	Chris Lee, clee@duluthmn.gov	
Type	Special Use Permit – Bed and Breakfast		Planning Commission Date		August 12, 2025
Deadline for Action	Application Date		July 2, 2025	60 Days	August 31, 2025
	Date Extension Letter Mailed		July 17, 2025	120 Days	October 30, 2025
Location of Subject		314 N Hawthorne Road			
Applicant	Carolyn Shull		Contact		
Agent			Contact		
Legal Description		PIN: 010-0680-00150			
Site Visit Date		July 29, 2025	Sign Notice Date		July 28, 2025
Neighbor Letter Date		July 18, 2025	Number of Letters Sent		13

Proposal

The applicant proposes using an existing structure as a 12-room bed and breakfast.

Recommended Action: Staff recommends that the Planning Commission approve the special use permit.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Residential	Traditional Neighborhood
North	P-1	Park	Open Space
South	R-1	School	Traditional Neighborhood
East	R-1	Residential	Traditional Neighborhood
West	R-1	Residential	Traditional Neighborhood

Summary of Code Requirements:

UDC Section 50-19.8. Permitted Use Table. A bed and breakfast is a Special Use in the R-1 zone district.

UDC Section 50-20.3. Use-Specific Standards. Lists all standards specific to bed and breakfasts.

UDC Sec. 50-37.10.E . . . the commission 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.

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

Governing Principle #4- Support economic growth sectors

A bed and breakfast supports the tourism industry and provides a service for visitors.

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.

History: The primary structure on the property is a 6 room, 5+ bathroom structure that is currently a single-family residence.

Review and Discussion Items:

Staff finds that:

- 1) Applicant's property is located at 314 N Hawthorne Road and the primary structure is a 5,888 square-foot home. UDC Sec. 50-20.3.F limits Bed and Breakfasts to no more than 12 habitable units and the Applicant's property will have 12 one-bedroom suites. The property was previously used as a single-family home. The proposed bed and breakfast shall have a maximum 21-night stay for guests.
- 2) The applicant is proposing no new screening as the site has a significant amount of existing vegetation that meets the requirements for buffering from adjacent properties under UDC sec. 50-25.5.B.
- 3) The site plan indicates that 8 parking stalls will be provided for guests and a property manager within the existing courtyard and driveway. This does not exceed the parking maximums as there are no maximums for this use per UDC Sec 50-24-1.
- 4) The property appears outwardly to be a single-family dwelling with a structure and features that are common at residential properties. The proposed bed and breakfast is not anticipated to create any impact on surrounding properties.
- 5) The parcel is 1.53 acres in size and the main floor square footage of the structure is 3,528, both of which exceed the minimum required for a Bed and Breakfast.
- 6) A sign is allowed to identify the property, but any sign must "complement the architecture of the structure," may not exceed 12 square feet in size, and requires a separate sign permit application to the planning department.
- 7) UDC Section 50-20.3 imposes limitations to dining areas and events. Per this section of code, only 60 guests, guests of guests, and guests participating in events may be on the property. The applicant will be allowed to host events exceeding 60 no more the 6 times per years from October 15 through June 15.
- 8) No comments were received from the City, outside agency, or the public.
- 9) The permit will lapse if no activity takes place within 1 year of approval.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission approve the special use permit:

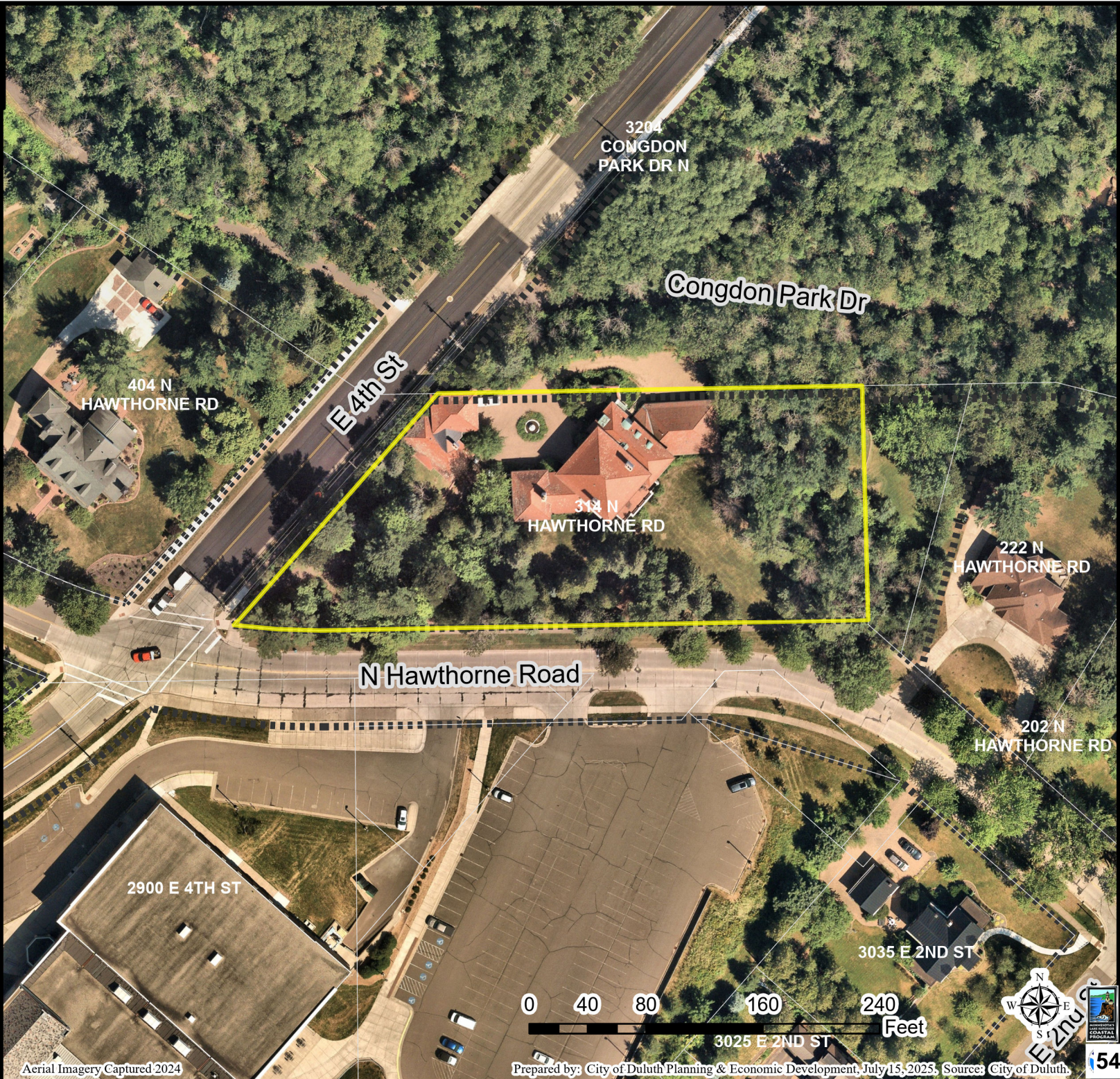
- 1) The project be limited, constructed, and maintained consistent with plans submitted and included in this report;
- 2) The property be limited to the 6 events per year from October 15 through June 15.
- 3) Any alterations to the approved plans that do not alter major elements of the plan and do not constitute a variance from the provisions of Chapter 50 may be approved by the Land Use Supervisor without further Planning Commission review.

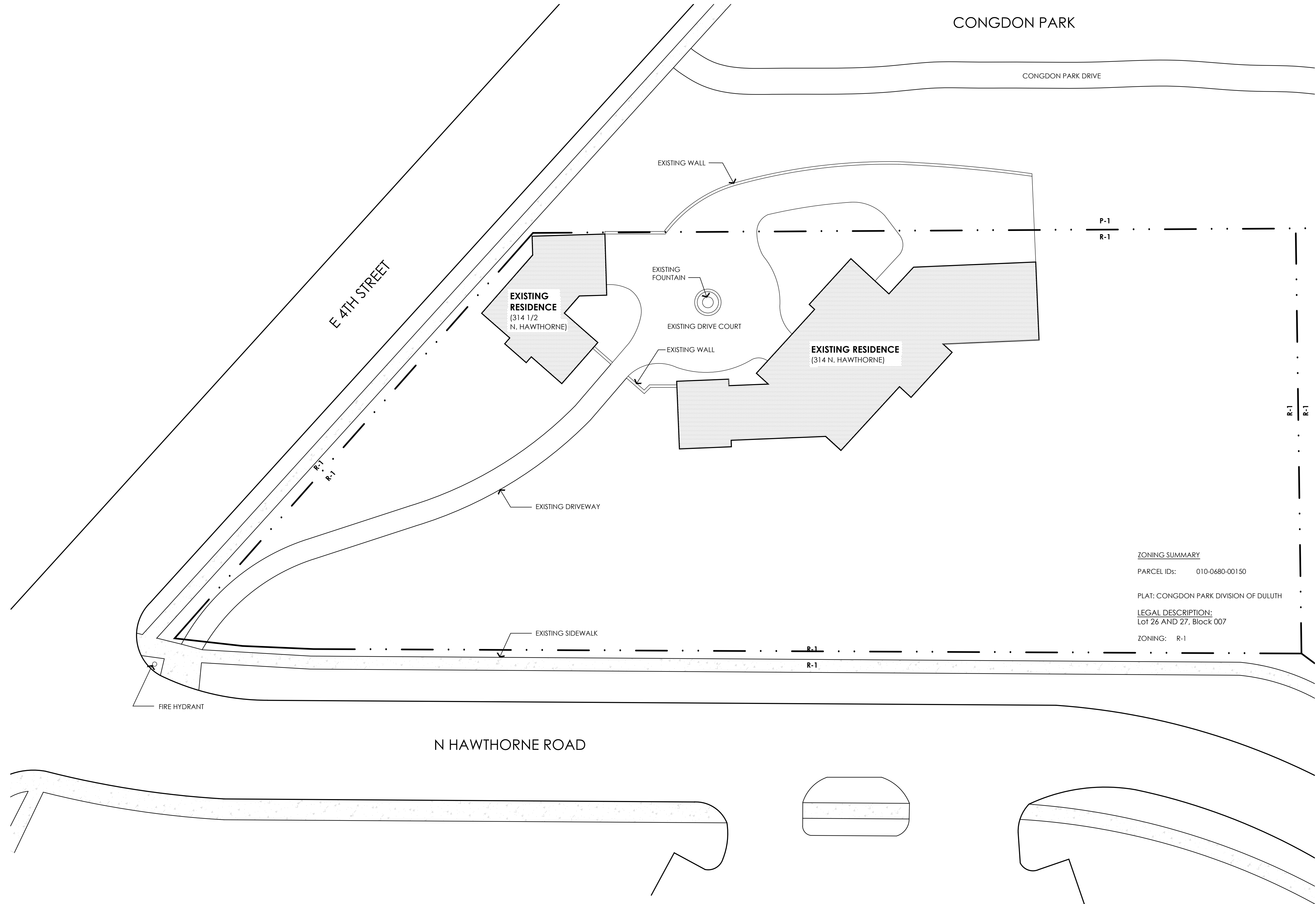


PLSUP-2507-0057

Special Use Permit
314 Hawthorne Rd

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.





1 ARCHITECTURAL SITE PLAN (NOT A SURVEY)
1"=20'

ZONING SUMMARY
PARCEL IDS: 010-0680-00150
PLAT: CONGDON PARK DIVISION OF DULUTH
LEGAL DESCRIPTION:
Lot 26 AND 27, Block 007
ZONING: R-1

314 N. HAWTHORNE
DULUTH, MN 55812

ISSUED DATE
XX/XX/XXX
PROJECT NO.
2528

SITE



Planning & Development Division
Planning & Economic Development Department

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218-730-5580



planning@duluthmn.gov

File Number	PLVAC-2506-0005	Contact	Chris Lee, clee@duluthmn.gov	
Type	Vacation of Platted Street	Planning Commission Date	August 12, 2025	
Deadline for Action	Application Date	June 5, 2025	60 Days	N/A
	Date Extension Letter Mailed	June 20, 2025	120 Days	N/A
Location of Subject		Adjacent to parcel 010-4050-003510 near the 2500 block of W 10 th St		
Applicant	Todd and Joy Amunrud	Contact		
Agent	Cheryl Fosdick	Contact	CF Designs	
Legal Description		See Attached. PIN: 010-4050-03510		
Site Visit Date		July 30, 2025	Sign Notice Date	July 29, 2025
Neighbor Letter Date		July 25, 2025	Number of Letters Sent	N/A

Proposal: The applicant is requesting to vacate a 140' x 33' portion of platted 26th Avenue West.

Recommended Action: Staff recommends that Planning Commission recommend approval to City Council with conditions.

	Current Zoning	Existing Land Use	Future Land Use Map Designation
Subject	R-1	Undeveloped	Traditional Neighborhood
North	R-1	Undeveloped	Traditional Neighborhood
South	R-1	Undeveloped	Traditional Neighborhood
East	R-1	Undeveloped	Traditional Neighborhood
West	R-1	Undeveloped	Traditional Neighborhood

Summary of Code Requirements:

Vacation of public rights of way and/or easements require a Planning Commission public hearing with a Recommendation to City Council. City Council action is to approve or deny by resolution. Resolutions approving either a full or partial vacation require a 6/9's vote of the council.

UCD Sec. 50-37.6.C – The Planning Commission shall review the proposed vacation, and Council shall approve the proposed vacation, or approve it with modifications, if it determines that the street, highway, or easement proposed for vacation:

1. Is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles, or pedestrians or the efficient supply of utilities or public services in the city;
2. Where the street terminates at a waterfront or shoreline, the street is not and will not be needed to provide pedestrian or recreational access to the water;
3. Is not otherwise needed to promote the public health, safety, or welfare of the citizens of Duluth.

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

Governing Principle #1 – Reuse previously developed lands- Reuse of previously developed lands... strengthens neighborhoods and is preferred to a dispersed development pattern with associated alteration of natural landscapes and extensions of public services. Site preparation or building modification costs are offset by savings in existing public infrastructure such as streets and utilities, and transit, fire, and police services. The vacation will allow for the property owner to make improvements to their property.

Future Land Use - Low Density Neighborhood: Single-family housing with urban services. Typified by curvilinear streets, houses with longer dimension parallel to street, and attached garages. Includes a range of house sizes and lot sizes.

Review and Discussion Items:

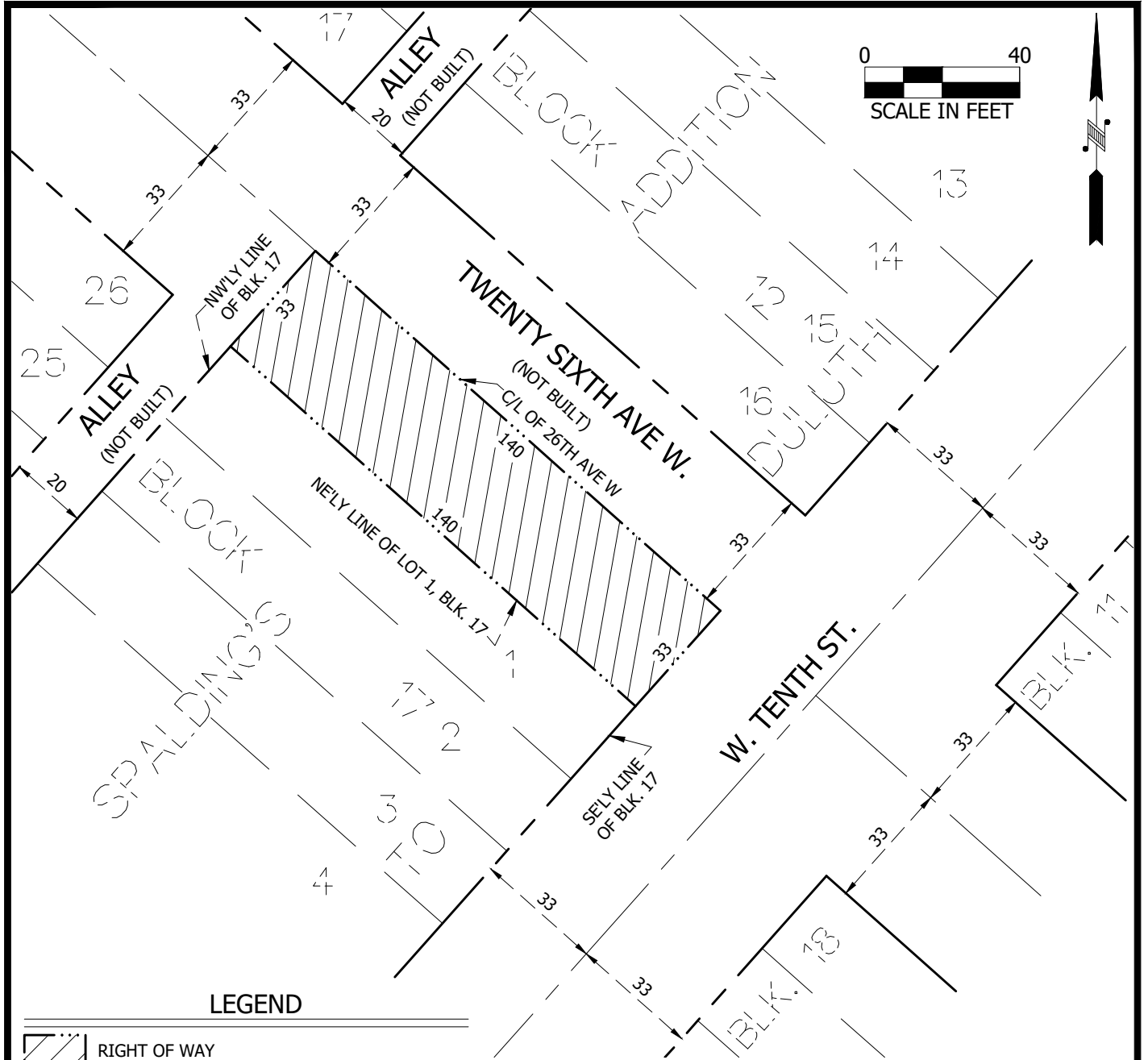
Staff finds that:

1. The applicant is requesting to vacate a 140' x 33' portion of platted North 26th Avenue West between West 10th Street and West 10th Street Alley affecting Lot 1 of Block 17. All of the vacated area is within the plat of Spalding's Addition to Duluth.
2. Applicant is proposing to vacate the southwestern half of the right of way; the northeastern half is adjacent to city-owned property and contains the Superior Hiking Trail (SHT) so this portion will remain as right of way.
3. The proposed vacation will allow the adjacent property owner to gain lot area to construct a single-family home.
4. The portion of the street proposed to be vacated was platted but never utilized for street or other purposes.
5. The platted street will not be needed by the City for the promotion of public health, safety, or welfare of the citizens of Duluth since the proposed vacation area is currently unimproved and the City has no plans to make improvements.
6. The City has determined this portion of the street is not and will not be needed for the safe and efficient circulation of automobiles, trucks, bicycles or pedestrians or the efficient supply of utilities or public services in the city. Vacating the street also will not deny access to other property owners.
7. City Parks Department staff asked questions about the vacation and its proximity to the SHT, ultimately indicating the proposal will not impact the trail. No other public or City comments have been received at the time of drafting this report.
8. Vacations of rights of way and easements lapse unless the vacation is recorded with the county recorder within 90 days after final approval. The vacation recording is facilitated by the City of Duluth.

Staff Recommendation:

Based on the above findings, Staff recommends that Planning Commission recommend approval of the vacation with the following conditions:

1. The vacation and easements must be recorded within 90 days of final approval by City Council or such approval will lapse.
2. The vacation must be approved with a 6/9 vote from City Council.



LEGEND



RIGHT OF WAY
VACATION AREA

- — — — — CENTER LINE
- — — — — RIGHT OF WAY LINE
- · · · — · · · RIGHT OF WAY VACATION LINE
- — — — — EXISTING PLAT LINE

LEGAL DESCRIPTION FOR VACATION OF RIGHT OF WAY

The Southwesterly 33.00 feet of 26th Avenue West lying adjacent to and abutting Lot 1, Block 17, SPALDING'S ADDITION TO DULUTH, according to the recorded plat thereof, St. Louis County, Minnesota and lying Northwestly of the Northeastly extension of the Southeastly line of said Block 17 and lying Southeastly of the Northeastly extension of the Northwestly line of said Lot 1, Block 17.

Said vacation contains 4,620 Sq. Feet or 0.11 Acres.

SURVEYOR'S NOTES

1. BEARINGS ARE BASED ON THE ST. LOUIS COUNTY TRANSVERSE MERCATOR COORDINATE SYSTEM OF 1996. (NAD 83 2011)
2. THIS IS NOT A BOUNDARY SURVEY.

Approved by the City Engineer of the City of
Duluth, MN this _____ day of _____ 20____

By _____

I hereby certify that this survey, plan, or report was prepared by me or under my direct supervision and that I am a duly Licensed Land Surveyor under the laws of the State of Minnesota.

David R. Evanson
David R. Evanson
MN License #49505

DATE:05-09-2025

RIGHT OF WAY VACATION EXHIBIT

CLIENT:TODD AMUNRUD

REVISIONS:

ADDRESS:W 10TH ST,
DULUTH, MN 55807

DATE:05-09-2025

JOB NO:25-112 SHEET 1 OF 1

ALTA
LAND SURVEY COMPANY

PHONE: 218-727-5211
LICENSED IN MN & WI
WWW.ALTLANDSURVEYDULUTH.COM



PLVAC-2506-0005

Vacation of Right-of-Way
26th Ave W & W 10th St

Legend

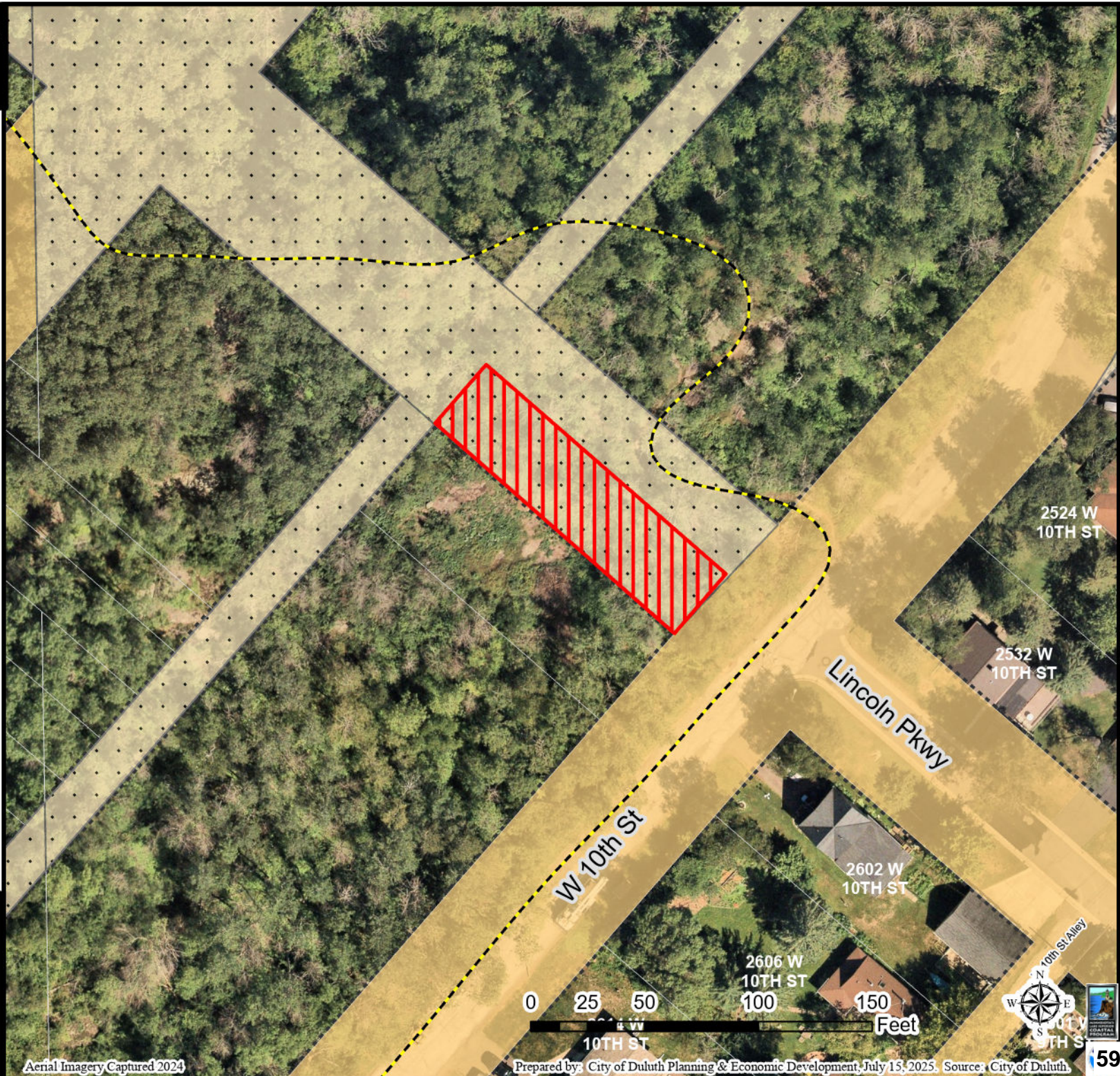
- Superior Hiking Trail
- Road or Alley ROW
- County Parcel Data
- ▨ Vacation

ROW

- Road, Active - currently in use
- Road, Inactive - Dedicated, but not built

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Aerial Imagery Captured 2024



Prepared by: City of Duluth Planning & Economic Development, July 15, 2025. Source: City of Duluth.

