

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: March 14, 2024

To: Planning and Zoning Commission

From: Noah Schumerth, Assistant Director of Economic and Community Development

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 24-03

APPLICATION INFORMATION

APPLICANT	Audrey Beauduy
ACTION REQUESTED	Variance for Maximum Allowed Driveway Width
ADDRESS	2716 Debra Lane, Homewood, IL, 60430
PIN	28-36-400-047

ZONING & LAND USE

SUBJECT PROPERTY	ZONING	LAND USE
CURRENT	R-2 Single-Family Residential	Single-Family Residential Home
SURROUNDING	N: R-2 Single-Family Residential	Single-Family Residential Home
	E: R-2 Single-Family Residential	Single-Family Residential Home
	S: R-1 Single-Family Residential	Single-Family Residential Home
	W: R-2 Single-Family Residential	Single-Family Residential Home

LEGAL NOTICE Legal notice was published in *Daily Southtown* on February 29, 2023; letters were sent to property owners and residents within 250’.

DOCUMENTS FOR REVIEW

Title	Pages	Prepared by	Date
Staff Exhibits	2	Noah Schumerth, Asst. Dir. ECD	10/06/2023
Application Form	2	Audrey Beauduy	09/05/2023
Responses to Standards for Variance	2	Audrey Beauduy	09/05/2023
Photo with Proposed Driveway Boundary	1	Audrey Beauduy	08/11/2023
Citation Letter – Driveway Width	1	Max Massi, Engineer	09/13/2022
Plat of Survey	1	R.H. Granath	11/30/2017

BACKGROUND

The applicant, Audrey Beauduy, has proposed and constructed a driveway expansion at his residential property at 2716 Debra Lane. The driveway is proposed to be 22’ 3” wide at the point where it meets the garage door of the home, with the driveway extending 3’ from the left side of the garage door and 5’ 3” from the right side of the garage door.

According to the Village Zoning Ordinance ([Section 44-05-05\(D\) Driveway Standards](#)), the driveway for access to any residential property may not exceed a width equivalent to the garage door width of the home with 3’ on either side of the garage door. While the driveway meets requirements for the total width (the driveway may not exceed 24’ in total width at any residential property), the driveway exceeds allowed width beyond the garage door area. The purpose of the expansion is to allow for greater unloading area to meet the unique needs of current residents due to high slope and narrow pre-existing driveway.

HISTORY

Year	Approval/Planning Action
~1975	The Dolphin Estates subdivision is platted.
1982	The single family home on the subject property at 2716 Debra Lane is constructed.

DISCUSSION

Site Discussion

The applicant has constructed a driveway at their property at 2716 Debra Lane. The driveway was inspected on November 15, 2023 and determined to be non-compliant with the building permit drawings originally approved for the site, as an additional 2’ 3” were added onto the east side of the driveway. The applicant applied for a variance, citing the need for additional space in the driveway for the use of the property.

The constructed driveway is a total of 22’ 3”, with minimal changes in width along the length of the driveway. The driveway apron in the Village-owned parkway is wider but compliant with Village ordinances. The entire length of the driveway is less than the total maximum of 24’ applied to any residential driveway in the Village.

According to the applicant, the widening of the driveway from the originally proposed 20’ to the currently constructed 22’ 3” was due to the following concerns:

- **Vehicle Access with Mobility Assistance Devices:** Occupants of the current home require walking assistance with canes, walkers and other devices. The driveway was widened to allow for easier vehicle access for the residents using walking assistance devices with two cars potentially parked in the driveway. The previous configuration was causing issues with accessing vehicles safely and comfortably for those using a wheelchair or walker.
- **Driveway Condition:** The previous driveway was in poor condition and required resurfacing to ensure safety, avoiding slipping/tripping hazards, and other concerns. (see photo provided by

applicant attached to memo). The original driveway was also narrow narrower neighboring driveways, with a width aligned with the outside edges of the garage door.

- **Aesthetics:** The driveway was extended to align with an existing path which runs adjacent to the east side of the house on the property. This path is approximately 2’ 3” wide, and wraps around the front corner of the house and toward the rear gate to the home. The edge of the newly constructed driveway now aligns with the

Variance Conditions Analysis

In order to reach approval of a Variance, the applicant must provide clear demonstration of an external hardship limiting by-right development on the site, and a clear plan for providing the smallest possible deviation from the Village Zoning Ordinance. The hardship must be demonstrated by evaluated against the Standards for Variance, which include the following three standards:

1. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.
2. The plight of the owner is due to unique and external circumstances which are not self-imposed by the property owner.
3. The variance will not alter the essential character of the locality surrounding the subject site.

The applicant’s responses to the Standards of Variance are attached for review by the Planning and Zoning Commission. Staff analysis of the Standards of Variance is provided below.

1. The property cannot yield a reasonable return if permitted to be used only under the conditions allowed by the regulations governing the district in which it is located.

The construction of the driveway as permitted by ordinance (max. 20’, in this instance) would not eliminate a reasonable return on the property. However, given the needs of the residents of the property and the unique conditions of the property, the reversion of the driveway to dimensions required by the Village Zoning Ordinance would create additional hardship for residents and cause potential impediments to the full enjoyment of the property.

2. The plight of the owner is due to unique and external circumstances which are not self-imposed by the property owner.

Staff has determined that there are a variety of constraining factors that are unique and not self-imposed by the property owner.

- **Slope of Driveway:** The slope of the driveway on the subject property is steeper than surrounding properties. The driveway on the subject property, along with its immediately neighboring properties, has a significant higher slope than a typical residential lot due to the sloping geography of the Dolphin Estates subdivision (~5 degrees of slope, near or exceeding the maximum slope allowed by the current Village Zoning Ordinance). A significant slope downward on its east side toward the cul-de-sac at the end of Debra Lane has been cited as creating a fall hazard for the residents of the home.

- **Resident Handicap:** The applicant has stated that multiple members of the home require the use of wheelchairs or walkers for mobility. The applicant has noted the existing dimensions and condition of the driveway have created conditions for a “dangerous fall,” as noted in the applicant’s narrative. The

narrow existing driveway creates conditions which prohibit the safe loading and unloading of vehicle passengers using a vehicle.

Staff is in agreement that the plight of the owner is a unique circumstance which is not self-imposed and limits full enjoyment of the owner's property.

The applicant has also minimized the degree of variation from the ordinance so as not to self-impose burden. The driveway is designed to avoid the parking of a third vehicle and instead is organized to allow for additional distance for safe handicap vehicle access, while maintaining aesthetic quality by aligning the driveway with an existing pathway. The variance is only 2' 3" from what is required in the zoning ordinance, which reflects the additional of minimal width to allow for wheelchair or walker access to a vehicle parked on the sloped driveway.

3. The variance will not alter the essential character of the locality surrounding the subject site.

Staff has determined that the variance allowing for an increase in highway width will not cause undue effects on the essential character of the locality surrounding the subject site. The addition of this driveway space will not result in sufficient space to park a third vehicle, reducing the potential for undue visual impacts caused by the driveway expansion. The applicant has stated that their aim is to park only two vehicles on the site.

The driveway will be slightly wider than the driveways at immediately adjacent properties, but will be similar in dimensions to other driveways on Debra Lane adjacent to homes with slightly wider garages. The driveway will also be upgraded to a new condition, avoiding negative effects on the appearance and character of the neighborhood.

The variance requested will add approximately 45 square feet of paved area to the site, which is an addition of approximately 4% impervious area on the site. The impervious surface coverage for the site remains significantly below allowed limits in the R-2 zoning district, and thus the expanded driveway will not contribute to an excessive amount of impervious surface which could detract from the suburban character of the neighborhood.

The expansion of the driveway to become flush with the existing path wrapping around the east side of the home may improve the aesthetic quality of the lot, avoiding a configuration of pavement with the edge of the existing path out of alignment with the edge of the driveway.

DRAFT FINDINGS OF FACT

Staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-12 of the Zoning Ordinance. The findings of fact, as proposed or amended, may be entered into the record.

1. The subject property is located at 2716 Debra Lane and is owned by the applicant, Audrey Beauduy.
2. The subject property is located in the R-2 Single-Family Residential zoning district.
3. The subject property is occupied by a single-family residential home with a single two-car garage accessed by a driveway running perpendicular to Debra Lane.

4. The proposed driveway expansion has a maximum width of 22' 3" on the property (apron in parkway/municipal ROW excluded).
5. The proposed driveway expansion expands the driveway to 5' 3" beyond the eastern (right) edge of the garage door. The proposed variance will increase the maximum allowable width of the driveway, as measured from the edge of the face of the garage door, from 3' to 5' 3".
6. The slope of the driveway has approximately 5 degrees of slope.
7. The residents of the home regularly require the use of mobility assistance devices.
8. The proposed driveway expansion will not: alter the character of the neighborhood, injure or diminish the value of adjacent properties, nor impair public health, safety, or welfare.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

The Planning and Zoning Commission may wish to consider the following motion:

Recommend approval of Case 24-03 Variance from Table 44-05-05(D) to permit the construction of a driveway with a width exceeding 3' from the edge of the face of the garage and reaching a maximum width of 22' 3" on a single-family residential property.

And

Incorporate the Findings of Fact into the record.