

ORDINANCE NO. M-2308

**AN ORDINANCE GRANTING A VARIANCE AT 1947 MILLER COURT,
HOMEWOOD, ILLINOIS TO PERMIT A SECOND DRIVEWAY**

WHEREAS, 65 ILCS 5/11-13-1 *et seq.* authorizes municipalities under 500,000 population to determine and vary the application of their zoning regulations relating to the use of land; and

WHEREAS, 65 ILCS 5/11-13-5 authorizes granting a zoning variation by the passage of an Ordinance; and

WHEREAS, Martin and Cally Will are the owners of 1947 Miller Court, a residential property with one dwelling unit, in the B-2 Downtown Transition Zoning District adjacent to the Homewood Brewing Company; and

WHEREAS, the petitioners have requested permission to construct a second driveway to provide access to their property without backing into the road accessing the brewery; and

WHEREAS, Section 45-05-05 of the Homewood Zoning Ordinance allows a maximum of one driveway per principal dwelling; and

WHEREAS, the Homewood Planning and Zoning Commission considered the driveway variance at its August 8, 2024, regular meeting and voted unanimously (6-0) to recommend approval of the requested variance; and

WHEREAS, Homewood Municipal Code Section 44-07-03 further authorizes the granting of a variation by passage of an ordinance; and

WHEREAS, the President and Board of Trustees of the Village of Homewood, Cook County, Illinois, deem it appropriate and are willing to grant a variance, subject to the terms and provisions hereof.

NOW, THEREFORE, BE IT ORDAINED by the President and Board of Trustees of the Village of Homewood, that:

SECTION ONE - INCORPORATION OF RECITALS:

The above recitals are incorporated into this ordinance as if restated here.

SECTION TWO - FINDINGS OF FACT:

1. The subject property is located at 1947 Miller Court, in the B-2 Downtown Transition zoning district.
2. The use of the subject property is a single-family dwelling with one principal dwelling, existing before January 11, 2023, and thus operating as a permitted use in the B-2 zoning district.
3. The applicant, Martin Will, is the owner of the subject property.
4. The subject property currently has one driveway as permitted by Section 44-05-05 of the Homewood Zoning Ordinance.
5. The applicant has requested a variance from Section 45-05-05.D (1) to permit the construction of a second driveway.
6. The proposed driveway will be 15' in width at the northern property line and will comply with all applicable zoning standards for driveways as found in Section 44-05-05 of the Homewood Zoning Ordinance.
7. The proposed variance is due to unique circumstances and will not harm the health, safety, or public welfare of the surrounding community.

SECTION THREE - LEGAL DESCRIPTION:

The subject property is legally described as follows:

Lot 6 in Resubdivision of Lot 6 in County Clerk's Division of the West 1/2 of the Southeast 1/4 of Section 31, Township 36 North, Range 14, East of the Third Principal Meridian in Cook County, Illinois

Permanent Index Number: 29-31-409-012-0000

Common Address: 1947 Miller Court
Homewood, IL 60430

SECTION FOUR - GRANTING OF VARIATION:

The following variation is hereby granted to the petitioner:

A variation from Section 44-05-05.D (1) (Driveway Standards) to permit the construction of a second driveway on the property located at 1947 Miller Court.

SECTION FIVE -ADDITIONAL MATERIALS TO BECOME PART OF THIS ORDINANCE:

The following documents are hereby made a part of this ordinance:

1. Homewood Planning and Zoning Commission minutes from August 8, 2024, as they relate to this ordinance.
2. Homewood Village Board minutes of August 27, 2024, as they relate to this ordinance.

SECTION SIX - RECORDING:

The Village Attorney shall cause this Ordinance without attachments to be recorded in the Office of the Cook County Clerk - Recording Division.

PASSED and APPROVED this 27th day of August, 2024.

Village President

ATTEST:

Village Clerk

AYES: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____