

VILLAGE OF HOMEWOOD



BOARD AGENDA MEMORANDUM

DATE OF MEETING: August 27, 2024

To: Village President and Board of Trustees

Through: Napoleon Haney, Village Manager

From: Angela Mesaros, Director of Economic and Community Development

Topic: Zoning Variance for Second Driveway, 1947 Miller Court

PURPOSE

Martin and Cally Will, the applicants, own the subject property at 1947 Miller Court. The property is a residence with one dwelling unit. The property has one driveway with parking pads on the north and west sides of the primary residence. The applicant is requesting a second driveway.

The subject property is on Miller Court, which will be the direct vehicular and pedestrian access for the new Homewood Brewing Company. The additional driveway would improve safety for pedestrians due to the increased vehicular traffic on Miller Court with the opening of Homewood Brewing Company. Section 44-05-05 of the Homewood Zoning Ordinance allows a maximum of one driveway per dwelling unit. Therefore, a variance from the zoning ordinance is required to construct the second driveway.

PROCESS

The applicant has proposed the construction of a second driveway on the residential property at 1947 Miller Court. Per Section 44-05-05 of the Homewood Zoning Ordinance, only one driveway (defined as the “access point from the street to the residential property”) is permitted for any single-family residence.

The property, directly to the north, at 18225 Dixie Highway, has been developed as Homewood Brewing Company, a brewery and bar/restaurant with an approximately 11,000-square-foot building area. The front entrance to the restaurant is located across Miller Court from the subject property, near the existing driveway entrance. The street has been upgraded with new pavement and a sidewalk as part of the brewery construction, and the plan is to provide access through Miller Court, to the parking lot at the rear of the brewery.

The building entrance and parking access via Miller Court will increase pedestrian and vehicle traffic along Miller Court, as the property has been vacant for the past ten years. The applicant has proposed an additional driveway so that their vehicles do not have to back out into Miller Court.

The applicant has stated that reducing reverse motions will reduce hazards to pedestrians and motorists entering and exiting Homewood Brewing. The second driveway would also alleviate

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disturbances to their residential property access since the main entrance to the brewery is adjacent to the subject property.

On August 8, 2024, the Planning and Zoning Commission reviewed the request in a public hearing. The Commission, with six members present, voted unanimously (6-0) to recommend approval of the variance.

OUTCOME

The Planning and Zoning Commission reviewed the application, heard testimony by the applicant, considered the applicant's response to the Standards for a Variance, and incorporated the Findings of Fact into the record:

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 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 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.

FINANCIAL IMPACT

- **Funding Source:** N/A
- **Budgeted Amount:** N/A
- **Cost:** N/A

LEGAL REVIEW

Completed

RECOMMENDED BOARD ACTION

Pass an ordinance granting a variance from Subsection 44-05-05.D (1) of the Homewood Zoning Ordinance, to allow a second driveway at 1947 Miller Court.

ATTACHMENT(S)

Ordinance