

VILLAGE OF HOMEWOOD



MEMORANDUM

DATE OF MEETING: April 13, 2023

To: Planning and Zoning Commission

From: Valerie Berstene, Village Planner

Through: Angela Mesaros, Director of Economic and Community Development

Topic: Case 23-13 Text Amendment for Basketball Equipment and Sports Courts

APPLICATION INFORMATION

APPLICANT Village of Homewood

ACTION REQUESTED Text Amendment for Basketball Equipment and Sports Courts

LEGAL NOTICE Legal notice was published in *Daily Southtown* on Tuesday, March 28, 2023. Mailers are not required for text amendments.

DOCUMENTS FOR REVIEW

Title	Pages
Section 44-03-03 Permanent Encroachments in Required Yards for Residential Uses <i>Redlined</i>	1
Section 44-04-14.B.5 Use Specific Standards for Accessory Uses <i>Redlined</i>	1
Section 44-09 Definitions <i>Redlined</i>	2
Response to Standards for Text Amendment	2

BACKGROUND

At the February 9, 2023 meeting of the Planning and Zoning Commission, Member O'Brien raised questions about the regulations of basketball equipment and changes in the recently adopted Zoning Ordinance. At the March 9, 2023 meeting, the Commission conducted an in-depth discussion on the matter, arriving at a consensus for revisions to the regulations. In summary, these proposed regulations will remove a setback from the front property line for permanent basketball poles and will treat basketball courts and other sports courts similar to swimming pools with a required 10-foot setback from property lines.

DISCUSSION

The proposed revisions to regulations impact three sections of the Zoning Ordinance. Each of these is attached as a redlined version showing the changes and are summarized as follows:

1. Table 44-03-03 Permanent Encroachments in Required Yards for Residential Uses.

- a. Remove requirement for basketball equipment to be located 10 feet from the front lot line.
 - b. Replace “Tennis Courts” with “Sports Courts” and add a requirement for location 10 feet from all lot lines.
- 2. Section 44-04-14.B.5. Remove item b which is redundant to Table 44-03-03 limitations on household recreation equipment locating in the front yard setback and reiterates the 10 foot setback from the front property line for basketball equipment.
- 3. Section 44-09.
 - a. Add a definition of “Basketball Equipment” to clarify that regulations apply specifically to permanent pole-mounted backboard and hoop.
 - b. Add a definition of “Sports Courts” to clarify application and inclusion of different sports, beyond tennis or basketball.

FINDINGS OF FACT

Staff has prepared the draft findings of fact in accordance with the standards set forth in Section 44-07-10 of the Zoning Ordinance for a Text Amendment. The findings of fact, as proposed or as amended, may be entered into the record.

- 1. The proposed text amendment is consistent with the Comprehensive Plan and reflects the built condition and character of the properties.
- 2. The proposed text amendment is an outcome of thorough discussion of the Planning and Zoning Commission, conducted on March 9, 2023.

RECOMMENDED PLANNING & ZONING COMMISSION ACTION

If the Commission finds that the request meets the standards for map amendment, the Planning and Zoning Commission may consider the following motion:

Recommend approval of Case 23-13 for a text amendment to revise regulations for basketball equipment and sports courts; and

Incorporate the findings of fact into the record.