

ORDINANCE NO. MC- 1075

**AN ORDINANCE AMENDING THE HOMEWOOD ZONING ORDINANCE
RELATED TO BASKETBALL EQUIPMENT AND SPORTS COURTS**

WHEREAS, the Illinois Municipal Code authorizes the President and Board of Trustees of the Village of Homewood to regulate by ordinance the use and development of land within the Village to promote public health, safety, comfort, and welfare; and

WHEREAS, after the recent comprehensive amendment to the Homewood Zoning Ordinance, members of the Planning and Zoning Commission felt it necessary to provide greater clarity on regulations related to basketball equipment and sports courts within the Village; and

WHEREAS, after discussing proposed amendments to the zoning ordinance text at its regular meeting on March 9, 2023, the Commission scheduled a public hearing for April 13, 2023 to formally consider the revisions; and

WHEREAS, notice of the public hearing was published on March 29, 2023, in accordance with 65 ILCS 5/11-12-7; and

WHEREAS, at the conclusion of the April 13, 2023 public hearing, the Commission voted 5-0 to recommend the text amendments in this ordinance.

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

SECTION ONE - FINDINGS OF FACT:

In connection with this ordinance and based upon the record of the public hearing before the Planning and Zoning Commission and the Village Board of Trustees, and based upon the evidence presented at said public hearing, the President and Board of Trustees make the following findings of fact:

1. The proposed text amendment is consistent with the Comprehensive Plan and reflects existing development patterns and uses on private residential property;
2. The proposed revisions to the zoning ordinance will not adversely affect the health, safety or welfare of the community or neighboring properties;
3. The proposed text amendment is an outcome of extensive discussion at the Planning and Zoning Commission’s March 9, 2023 regular meeting and a properly noticed public hearing to consider the amendments held on April 13, 2023.

SECTION TWO – AMENDMENTS TO ZONING ORDINANCE:

The Village’s Zoning Ordinance is hereby amended as follows:

- A. Table 44-03-03 Permanent Encroachments in Required Yards for Residential Uses is amended as follows: (additions underlined, deletions ~~strike-through~~):

Table 44-03-03. Permitted Encroachments in Required Yards For Residential Uses					
Type of Structure or Use Encroachment	Yard(s) Where Encroachment Permitted				Additional Regulation
	<i>Front</i>	<i>Ext. Side</i>	<i>Int. Side</i>	<i>Rear</i>	
Accessible steps or ramps and associated landings not exceeding the height of street level of the building	Y	Y	Y	Y	44-04-14(B)(3)
Accessory buildings or structures	N	N	Y	Y	44-04-14(B)
Arbors and trellises	N	N	N	Y	
Awnings at least 3 feet from front lot line and 5 feet from side and rear lot lines	Y	Y	Y	Y	
Balconies	N	N	N	Y	
Basketball equipment, at least 5 feet from interior side lot lines and 10 feet from front lot line, <u>maximum of 1 per front yard</u>	Y	Y	Y	Y	
Bay windows which are no more than 1 story in height, not projecting more than 3 feet into a required yard and not occupying more than 33% of the exterior length of the adjoining wall	Y	Y	Y	Y	
Chimneys at least 3 feet from lot lines	Y	Y	Y	Y	
Compost pile/structures	N	N	N	Y	
Eaves/gutters at least 3 feet from lot lines	Y	Y	Y	Y	
Fixed outdoor fireplaces at least 3 feet from lot lines	N	N	N	Y	44-04-14(B)(6)
Ground-mounted air conditioning, heat pumps, ventilation units, compressors	N	N	Y	Y	
Household recreational facilities	N	N	Y	Y	44-04-14(B)(5)
Laundry drying equipment including clothes lines and poles	N	N	N	Y	
Open fire escapes	N	N	Y	Y	
Ornamental lighting standards and permanently anchored lawn furniture and decorations such as benches, statues, bird baths, sculptures, etc.	Y	Y	Y	Y	
Outdoor kitchens and built-in grills at least 3 feet from lot lines	N	N	Y	Y	
Parking, open and off-street	N	N	Y	Y	45-05-02
Patios, at least 3 feet from lot lines	Y	Y	Y	Y	

Satellite dish antennae	N	N	Y	Y	
Sheds, Cabanas, Greenhouses, Playhouses, Gazebos, and Decks at least 3 feet from lot lines	N	N	N	Y	44-04-14(B)(4)
Swimming pools and spas	N	N	N	Y	44-04-14(B)(7)
Tennis Sports courts at least 10' from all lot lines	N	N	N	Y	
Transformers	Y	Y	Y	Y	
Walkways and driveways	Y	Y	Y	Y	44-05-04 44-05-05

* * *

B. Section 44-04-14.B.5 Household Recreational Facilities is amended as follows: (additions underlined, deletions ~~strike through~~):

~~b. The household recreational facility and any accessory equipment shall not be located in the front yard setback except basketball equipment, which shall be located five feet (5') feet from interior side and ten feet (10') from front lot lines.~~

* * *

C. Section 44-09 Definitions is amended as follows: (additions underlined, deletions ~~strike through~~):

Basketball Equipment means a permanently installed pole-mounted backboard and hoop.

Sports Courts means a detached improved surface designed and equipped for recreation, including but not limited to: tennis, pickle ball, badminton, basketball, squash, handball, and hockey. A driveway or parking pad shall not be considered a sports court.

SECTION THREE – ADDITIONAL MATERIALS TO BECOME PART OF ORDINANCE:

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

- a. Homewood Planning and Zoning Commission minutes of March 9, 2023, and April 13, 2023, as they relate to the subject text amendment.
- b. Homewood Village Board minutes of May 9, 2023, as they relate to the subject text amendment.

SECTION FOUR - EFFECTIVE DATE:

This ordinance shall be in full force and effect after its passage, approval, and publication in accordance with law.

PASSED and APPROVED this 9th day of May 2023.

Village President

Village Clerk

YEAS: _____ NAYS: _____ ABSTENTIONS: _____ ABSENCES: _____