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Court Rules for Club in Zoning Amendment Case

BY WILLIAM JABINE

When a Pittsburgh golf club desired to enlarge its facilities by building an outdoor pool, bathhouse and canteen, local authorities proved most cooperative and amended the zoning law in such a manner that the club seemed free to go ahead with its plans. However, some nearby residents didn't see things in the same way and brought an action to have the amendment declared invalid.



The principal contention of the objecting neighbors was that no public hearing on the proposed amendment was held, a fact that was admitted. The original provision governing uses in the "I" (Institu-

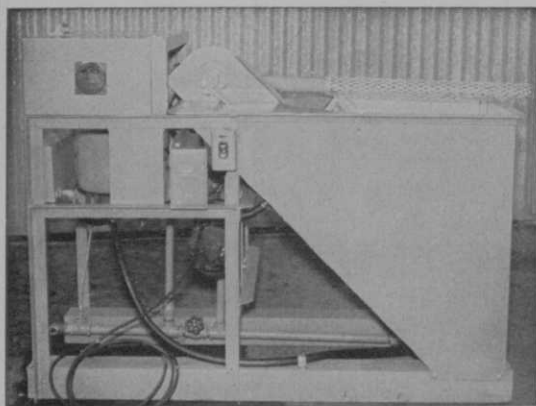
tional-Civic) district in which the club's property is located, read as follows: "Club, private with limited membership and social activities, provided the major purpose is of a civic nature and noncommercial."

Quite obviously a golf club, no matter how praiseworthy its aims are, can hardly qualify as an organization whose major purpose is of a civic nature, so the ordinance was amended to read: "Club, private and noncommercial, with limited membership; having on the premises facilities structurally designed to provide accommodations for residential use, for sports and athletic events, or for civic or charitable functions, in addition to, and apart from eating and drinking accommodations, if any."

Amendment Not Substantial

The Allegheny county court ruled in favor of the club and the objecting residents appealed to the Pennsylvania supreme court. That court first disposed of the contention that the omission of a hearing invalidated the amendment permitting the club to build the proposed facilities. Citing a Pennsylvania case which said, "while it is obvious that an in-

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significant amendment made to a proposed ordinance does not require a re-advertisement and public hearing, the case is clearly otherwise if the amendment is substantial in relation to the legislation as a whole," the court ruled that the amendment at issue before it was not "substantial" and that the ordinance as amended was valid.

The objecting neighbors also contended that the proposed facilities were not authorized under the terms of the amendment. On this point the court said: "We need spend little time on whether the appellee's proposed use of its property is authorized by Sec. 1401-4. We agree with the zoning board that an outdoor swimming pool with its attendant bathhouse and canteen are plainly facilities structurally designed for sports and athletic events." (In Re Appeal of Hawcrest Association, 160 A. 2d 240.)

Women's Amateur Deadline

Entry applications for the USGA Women's Amateur, to be played Aug. 21-26 at Tacoma (Wash.) G&CC, must reach the USGA's office, 40 E. 38th st., New York 16, no later than Aug. 2. JoAnne Gundersen of Kirkland, Wash., is defending champion.

Second LPGA School Scheduled for University of Michigan

Second annual Ladies PGA golf school will be held Aug. 7-11 in cooperation with the University of Michigan at Ann Arbor. It will last for five days and feature such well known touring pros as Patty Berg, Marilynn Smith and Peggy Kirk Bell. Teaching pros who will instruct include Shirley Spork, Ellen Griffin and Barbara Rotvig the latter of the U of M women's physical education dept., chairman of the school.

Lester Bolstad, golf coach at the University of Minnesota, also will be on the program.

Swing analysis, correction of errors, teaching progression, exercises and group instruction will be among the subjects covered. A clinic demonstration, panel discussion, course play and trouble shots also are in the curricula.

Applications for admittance to the school should be mailed to LPGA Golf School, Barbour Gymnasium, University of Michigan, Ann Arbor.

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