

PIN:
08-07-414-010

ADDRESS:
710 E. OGDEN AVENUE #200C
NAPERVILLE, IL 60563

PREPARED BY:
CITY OF NAPERVILLE
LEGAL DEPARTMENT
630/420-4170

RETURN TO:

CITY OF NAPERVILLE
CITY CLERK'S OFFICE
P.O. BOX 3020
400 SOUTH EAGLE STREET
NAPERVILLE, IL 60566-7020

ORDINANCE NO. 19 - _____

**AN ORDINANCE GRANTING APPROVAL OF A
TEMPORARY USE TO PERMIT A RELIGIOUS INSTITUTION AT
710 E. OGDEN AVE (SHIVA DURGA HINDU CULTURAL CENTER)**

WHEREAS, Shiv Durga Hindu Cultural Center ("Petitioner") has petitioned the City of Naperville for approval of a temporary use to permit a religious institution on real property located at 710 E. Ogden Avenue, #200C, Naperville, Illinois, legally described on **Exhibit A** and depicted on **Exhibit B** ("Subject Property"); and

WHEREAS, M.S. Enterprises ("Owner") is the Owner of the Subject Property; and

WHEREAS, the Subject Property is zoned B3 (General Commercial District) and is improved with a single-story brick building; and

WHEREAS, the Petitioner is operating a religious institution on the Subject Property; and

WHEREAS, per Section 6-7C (B3 General Commercial District), a religious institution is not a permitted nor a conditional use in B3; and

WHEREAS, the Petitioner is requesting approval of a temporary use to permit a religious institution to remain on the Subject Property until March 17, 2022 or until the Petitioner relocates to a permitted location, whichever occurs first; and

WHEREAS, pursuant to Section 6-2-11 (Temporary Buildings, Structures and Uses of Land), City Council can approve a temporary use which exceeds a 6 month period provided that the use does not have an adverse impact on the surrounding properties, public health, safety and general welfare; and

WHEREAS, the City Council has determined that the temporary use should be granted as provided herein.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF NAPERVILLE, DUPAGE AND WILL COUNTIES, ILLINOIS, in exercise of its home rule powers, as follows:

SECTION 1: The foregoing recitals are incorporated as though fully set forth here. All exhibits referenced in this Ordinance shall be deemed incorporated and made part hereof.

SECTION 2: Pursuant to Section 6-2-11 (Temporary Buildings, Structures and Uses of Land), a temporary use to permit a religious institution to remain in place is hereby granted for the Subject Property until March 17, 2022 or until the Petitioner relocates to a permitted location, whichever occurs first.

SECTION 3: This Ordinance is subject to all conditions and requirements set forth in the Naperville Municipal Code, as amended from time to time.

SECTION 4: The City Clerk is authorized and direct to record this Ordinance with the DuPage County Recorder.

SECTION 5: If any section, paragraph, or provision of this Ordinance shall be held to be invalid or unenforceable for any reason, the invalidity or unenforceability of such

section, paragraph, or provision, shall not affect any of the remaining provisions of this Ordinance or any other City ordinance, resolution, or provision of the Naperville Municipal Code.

SECTION 6: This Ordinance shall be in full force and effect upon its passage and approval.

PASSED this _____ day of _____, 2019.

AYES:

NAYS:

ABSENT:

APPROVED this _____ day of _____, 2019.

Steve Chirico
Mayor

ATTEST:

Pam Gallahue, Ph. D.
City Clerk