

Exhibit 1

Islamic Center of Naperville 248th Avenue

Standards for Granting or Amending a Conditional Use Section 6-3-8:2

Standards for Conditional Uses: The commission shall not recommend nor the city council grant a conditional use in a particular zoning district or districts unless it shall make findings based upon the evidence presented to it in each specific case that:

The requested conditional use is for a religious institution including the following supporting/associated uses; school, preschool, gymnasium, and multi-purpose area.

1. **The establishment, maintenance or operation of the conditional use will not be detrimental to, or endanger the public health, safety and general welfare;**

The Subject Property has been owned by, and designated as, a religious facility for many years. The proposed Conditional Use does not change the current or future use as religious facility. Neither the past, or future use has been detrimental to, nor endangers the public health, safety and general welfare ;and,

2. **The conditional use will not be injurious to the use and enjoyment of other property in the immediate area for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood;**

The surrounding is neighborhood is zoned, and is being used as, a low density single family designation, and is essentially entirely built-out. Due to the fact that the Use is not changing, the proposed Conditional Use should not diminish nor impair property values within the neighborhood; and

3. **The establishment of the conditional use will not impede the normal and orderly development and improvement of the adjacent property for uses permitted in the district. (Ord. 80-5, 1-21-1980)**

The adjacent property is entirely built-out. Additionally, 248th Avenue is designated as a minor arterial road. The City of Naperville is planning to widen and improve 248th Avenue between 95th Street and 103rd Street. Similar to the 248th Avenue cross-section south of 103rd Street, the 248th Avenue improvement will likely include the widening of the road to provide two lanes in each direction separated by a landscaped median. Separate left-turn lanes will be provided at most intersections and access drives. With no further contiguous development and the planned road upgrade, the proposed Conditional Use would not impede the normal and orderly development and improvement of the adjacent property.

4. **The establishment of the conditional use is not in conflict with the adopted comprehensive master plan:**

The comprehensive master plan indicates the use of the Subject Property as for religious purposes, therefore, there is no conflict.

Exhibit 5

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Standards for Granting a Landscape Variance Chapter 10 Section 5-2-4:1

Variance from the requirement for a solid wood fence or wall where a parking lot abuts a property zoned for residential use, along the northerly property line of the subject property. An existing pedestrian path and large, utility easement abutting the north property line provide an approximately 175 foot wide open space.

- 1. The strict enforcement of this chapter would result in practical difficulties or impose exceptional hardships;**

The variance area is currently very open with no neighbors within 175 feet of the property line. The general purpose and intent of this title is to discourage foot traffic from utilizing neighboring properties for access to the subject property. In this configuration no one could impact the neighboring properties. Additionally, the installation of a fence would be essentially in the middle of the large open area creating an eyesore with no offsetting purpose. For the above-stated reasons, the proposed variance is consistent with the general purpose and intent of this title.

- 2. The principal reason for the variance is other than an increased income or revenue from the property;**

The Petitioner is a not-for-profit religious organization. While they do accept donations, the granting of the variance would have no impact on collections. The principal reason for the variance is purely aesthetic and not monetary, and thus is for other than increased income or revenue from the property.

- 3. The variance, if granted, will not alter the essential character of the neighborhood, would not be a substantial detriment to adjacent property, and will not increase congestion or traffic hazard in the public streets, or otherwise impair the public health, comfort and general welfare.**

The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to the adjacent property. To the contrary, the variance will be appealing, tasteful and will have a positive effect to the character of the neighborhood. Allowing the variance, and not constructing the fence would achieve both

balance and harmony with the neighborhood, and blends in a visually unobtrusive manner with the surrounding area.

Exhibit 7

Islamic Center of Naperville 248th Avenue

Standards for Granting a Variance Section 6-3-8:2

Variance:

Variance to the front yard setback to allow parking to encroach 10 ft. into the required 30 ft. front yard setback. This variance would allow a larger buffer area on the east property line which is contiguous with an existing subdivision. Also, additional landscaping on the frontage would help to mitigate any perceived impacts.

1. The variance is in harmony with the general purpose and intent of this title.

The general purpose and intent of this title is to provide for consistent sight lines along the roadway and not unduly impact open spaces of neighboring properties. The subject property is uniquely located in an area on an arterial roadway, on an extremely wide lot, with no adjacent residences facing the roadway. Petitioner believes installation of the proposed parking will: (i) allow for greater buffering from contiguous residences; and, (ii) provide an overall aesthetic improvement to the area. For the above-stated reasons, the proposed variance is consistent with the general purpose and intent of this title.

2. Strict enforcement of this title would result in practical difficulties or impose exceptional hardships due to special and unusual conditions which are not generally found on other properties in the same zoning district.

The location and character of the subject property together with the nature of the surrounding neighborhood creates a unique set of circumstances. The Property is located on 248th Avenue in close proximity to the Tallgrass Subdivision. The shifting of parking spaces away from Tallgrass to the east creates additional buffering while not impacting any residences to the west. Strict enforcement of this title would have a greater impact on the neighborhood than granting the variance request.

3. The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to adjacent property.

The variance, if granted, will not alter the essential character of the neighborhood and will not be a substantial detriment to the adjacent property. To the contrary, the variance will be appealing, tasteful and will have a positive effect to the character of the neighborhood. The proposed parking will be designed, laid out, and constructed, in a

manner that achieves both balance and harmony with the neighborhood, and blends in a visually unobtrusive manner with the surrounding area.