

Bond Case Briefs

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ZONING & PLANNING - ILLINOIS

Word Seed Church v. Village of Hazel Crest

United States District Court, N.D. Illinois, Eastern Division - April 12, 2021 - F.Supp.3d - 2021 WL 1379497

Church and church association brought action against village alleging zoning ordinance that restricted religious land use unreasonably limited First Amendment free exercise rights under the Religious Land Use and Institutionalized Persons Act (RLUIPA) and Fourteenth Amendment and was causing serious, irreparable harm.

Church and association brought motion for preliminary injunction and a declaratory judgment.

The District Court held that:

- Church and association were not likely to succeed on claim that ordinance violated equal terms provision of RLUIPA;
- Church and association were not likely to succeed on claim that village did not treat similarly situated assembly uses equally in violation of equal protection;
- Church and association were not likely to succeed on claim that designation of churches as a special use in residential districts violated unreasonable limits provision of RLUIPA; and
- Church and association were not likely to succeed on claim that restriction of religious land use to three residential districts violated unreasonable limits provision of RLUIPA.