

Village of Niles Administrative Exception Process

Background:

The Village of Niles has established a procedure that allows a property owner to receive approval of certain minor zoning violations without the need to go through the Planning and Zoning board. Section 15.5(C) of the Zoning Code states that the following items listed below are eligible for an administrative exception; all other requests for relief are Variations.

1. A reduction in any required district lot width or lot area standard of no more than 10%.
2. A reduction in any required district dimensional standard of no more than 10%.
3. A Reduction of required off-street parking spaces by no more than 10% of that required, or two spaces, whichever is greater.
4. A reduction in required bicycle parking of up to 25%.

Procedure:

Step One: Initial Consultation

Call the Village of Niles Planning Department at 847-588-8075 or stop by the Community Development Department's front desk to discuss your proposal. The Planner will determine whether your project qualifies for an Administrative Exception. If it appears that you are eligible to receive one, the Planner will provide you with this application form.

Step Two: Preliminary Application for Village Staff Review

Please provide the following information for Staff Review:

3 copies of each of the following items on 8 ½" x 11" paper

- ✓ Page 1 of this application, completed and with required signatures
- ✓ Project Description, typed, of your proposal, including relevant information such as:
 - Scope of work detailing planned improvements,
 - Parking information (if applicable), including total number of spaces required and total number available
- ✓ Response to "Requirements for Administrative Exceptions"

3 copies—OF ONLY THE CHECKED ITEMS BELOW on 11" x 17" paper:

- ✓ Plat of Survey
 - Include all parcel lines, lot lines and adjacent right-of-way lines *with dimensions*
- ✓ Site Plans Drawn to Scale
 - Show all proposed building improvements, impervious areas and accessory structures
 - Dimensions/setbacks from all sides of the building to all adjacent lot lines must be shown
- Preliminary Landscape Plan,
- Preliminary Building Elevations, with building height and exterior materials
- Preliminary Floor Plans
- Other: _____

1 copy of each on 8 ½" x 11" paper:

- ✓ A copy of the most current Tax bill for the subject property
- ✓ Proof of ownership (...or signed authorization from the property owner on Page One...)

Note—Village staff requires 2-3 weeks to review your Preliminary Application.

After Village staff have reviewed your preliminary application materials, you will be informed of any required revisions that must be made and any additional information that must be provided. Please revise the plans as requested when you submit your Final Application.

Step Three: Final Application

If checked, please provide 3 copies of the following items, in the following order, collated into 3 stapled packets:

On 8 ½” x 11” paper:

- ✓ Page 1 of this application, completed and with required signatures
- ✓ Project Description, with any revisions requested by staff
- ✓ Responses to Sheet: “Requirements for Administrative Exceptions”
- Other: _____

On 11” x 17” paper:

- Revised/Final Site Plans
- Revised/Final Landscape Plans
- Revised/Final Building Elevations
- Revised/Final Floor Plans
- Other: _____

Please provide 1-each of those items that are ‘checked’ below:

- ✓ Application Fee payable to ‘Village of Niles’ for: \$150
- ✓ Postage (See ‘Mailed Notification Requirements’ below)
- ✓ Mailing labels (See ‘Mailed Notification Requirements’ below)
- ✓ Copy of mailing label sheet(s) (See ‘Mailed Notification Requirements’ below)
- Other: _____

Mailed Notification Requirements

Administrative Exceptions require notifications to neighboring property owners within 150’ of the subject property. The village will provide the applicant with the procedures for completing this required notification.

Requirements for receiving an Administrative Exception From the Village of Niles

As part of your application, please provide written responses explaining how your requested Administrative Exception meets ALL of the following requirements, as found in the Village of Niles Code of Ordinances, Appendix B, Section 15.2(E):

- (1) Explain how the strict application of the terms of this Ordinance will result in undue hardship, as distinguished from a mere inconvenience, unless the specific relief requested is granted;

- (2) Explain how the Administrative Exception, if granted, will not alter the essential character of the locality;

- (3) Explain how the plight of the owner is due to unique circumstances inherent to the subject property, related to the particular physical surroundings, shape, or topographical conditions of the specific property, and not from the personal situation of the owner.

- (4) Explain how the plight of the owner has not been created by any person presently having a proprietary interest in the property in question.

Your explanation of/answer to the questions listed above will be the basis for a decision from the Community Development Director. It is incumbent upon YOU to explain how these Village Ordinance requirements are satisfied by your request. Failure to satisfy all of the requirements above may result in the Village denying your requested Administrative Exception.