



PLANNING AND ZONING BOARD APPLICATION

RIGHT OF WAY VACATION

COMMUNITY DEVELOPMENT DEPARTMENT

VILLAGE OF NILES
1000 CIVIC CENTER DRIVE
NILES, ILLINOIS 60714

PHONE 847.588.8040 • FAX 847.588.8050
WWW.VNILES.COM

PROCESS OVERVIEW

The following information can be used to understand the Village of Niles Planning and Zoning Board (also referred to as PZB in this packet) review process for **Right of Way Vacation** applications. Questions may be directed to the Community Development Department at 847.588.8077.

1. The project applicant first meets with a representative of the Community Development Department to discuss the proposal and to determine the necessary process for approval. The Planner will explain the Village's rules and the procedure and timeline for seeking a right of way vacation.
2. Upon preliminary review of the proposal by the Community Development staff, feedback will be sought from the other Village departments to determine any preliminary issues that need to be addressed within a complete application. Any preliminary feedback will be provided to the applicant.
3. A complete application package may be submitted and should incorporate resolutions to the preliminary feedback received from Village staff. A complete application package includes all required materials, as well as application fees. Submittals will not be accepted and/or processed until all of the submittal requirements are met. Once the completed application is accepted, a case number will be assigned.
4. The completed application packet will be forwarded to the necessary Village staff/consultants (Engineering/Public Works, Fire, Police, and Building) for review and comment. Typically, there is a 14 day review cycle for this phase of the process.
5. The Planner will work with the applicant to schedule a public hearing/meeting before the PZB. Village staff will complete all notification once general information is provided by the applicant. *Please see page 6 of this packet for information on the Village's mailed notice requirements.*
6. The PZB typically meets the first Monday of the month at 7:00 PM in the Council Chambers of the Niles Village Hall. Digital and/or paper copies of all application materials must be submitted to the Community Development Department at least one week prior to the PZB hearing date. At the Public Hearing, the applicant or a designated representative makes a formal presentation to the PZB and answers any questions concerning the proposal. *Please see page 8 of this packet for general information on the order of business for PZB meetings.*
7. Following a public hearing and recommendation by the PZB, the project will be scheduled for an initial Village Board consideration, typically within a month of the public hearing. The applicant or designated representative must be present at this meeting to answer questions from the Village Board of Trustees. At the initial consideration, the Village Board shall determine the amount and type of compensation, if any, to be required as a condition to the vacation.
8. If approved, the petitioner shall be notified of the Village Board's decision. If the petitioner desires to proceed with such vacation, the petitioner shall provide a plat of vacation as well as any required compensation to the Village. Once all required documentation is received, the Village Board shall consider the Vacation Ordinance for final approval at their next scheduled meeting.



PLANNING AND ZONING BOARD APPLICATION – R.O.W. VACATION

PROJECT NO. _____

ADDRESS OF PROJECT: _____

NAME(S) OF APPLICANT: _____

ADDRESS: _____

CITY, STATE, ZIP: _____

EMAIL: _____ TELEPHONE: _____ FAX: _____

NAME(S) OF PROPERTY OWNER(S): _____

ADDRESS: _____

CITY, STATE, ZIP: _____

EMAIL: _____ TELEPHONE: _____ FAX: _____

NAME(S) OF PROPERTY ATTORNEY OR AGENT (If Applicable): _____

ADDRESS: _____

CITY, STATE, ZIP: _____

EMAIL: _____ TELEPHONE: _____ FAX: _____

PERMANENT INDEX NUMBER(S) (PIN #) OF SUBJECT PROPERTY: _____

GENERAL LOCATION OF PROPOSED VACATION (I.E. "THE EAST-WEST ALLEY BOUNDED BY MAIN ST AND FIRST ST" or "SOUTH SECOND ST BETWEEN PARK AVE AND PORTLAND AVE"):

With the submittal of this application, I hereby request that the Mayor and Village Board of the Village of Niles grant the approvals as described in the attached documents and specifications, and do hereby certify that all information contained in this application and accompanying documents is true and correct to the best of my knowledge. I also permit entrance on the Subject Property by Village officials for the purpose of inspections related to this request.

SIGNATURE OF APPLICANT: _____ DATE: _____

SIGNATURE OF PROPERTY OWNER(S): _____ DATE: _____

REQUIRED APPLICATION MATERIALS

When submitting an application, in addition to submitting the required number of hard copies outlined below, you must also submit **one electronic copy** of your application submittal.

FOR ALLEY VACATIONS WHERE THE PROPOSED VACATION IS ONLY ADDING DEPTH TO ALL ADJACENT LOTS, ONE COPY OF THE FOLLOWING:

1. **Application** (page 2 of this packet), completed and signed.
2. **Project Description** – please provide the reason for requesting the street or alley vacation and any additional comments pertinent to the consideration of the petition.
3. **Names and Addresses of Neighboring Property Owners** – please provide the names and addresses of all property owners whose property abuts any portion of the section of street or alley to be vacated, as well as the PIN numbers for all such properties.
4. **Tax Bill** - a copy of the most current Tax bill for the subject property.
5. **Completed Ownership Affidavit** – see Page 4 of this packet.
6. **Map of Proposed Vacation** – Please provide a copy of a Sidwell Map or similar map highlighting the portion of street or alley sought to be vacated. Village Staff can help provide such a map upon request.
7. **Plat of Survey** - A Plat of Survey of the petitioner's property.
8. **Utility Statement** – Complete Page 5 of this packet. (A statement by the applicant of any known improvements on or utilities lying beneath any portion of the section of the street or alley to be vacated).
9. **Title Statement** – A statement of how the applicant anticipates that title to the section of street or alley to be vacated will be transferred pursuant to the vacation.
10. **Application Fee: \$500**
11. **Mailing Labels and Postage** - Mailing Labels for of property owners within 250-feet (excluding street rights-of-way) of the subject property. See Page 6 of this packet for more information.

FOR ALL OTHER RIGHT OF WAY VACATIONS, PLEASE PROVIDE ITEMS 1-10, AS WELL AS THE FOLLOWING:

12. **Neighbor Permission** – in cases where the applicant is seeking to obtain ownership of the entire vacated right-of-way (as opposed to splitting equally between neighbors), the applicant will be required to submit signed and notarized letters from all other neighbors abutting the proposed vacation. Village staff will provide the letters and the applicant will be responsible for getting them signed.
13. **Appraisal Report** – an appraisal of the value of the property to be vacated by a licensed real estate appraiser or licensed real estate broker.

UPON RECEIVING INITIAL VILLAGE BOARD APPROVAL, PLEASE PROVIDE THE FOLLOWING:

14. **Compensation (if required)** – the amount of compensation owed to the Village, which will be based on the market value of land per linear foot of street frontage multiplied by the linear feet to be vacated. (Note: in most cases there is no compensation required for the vacation of a residential alley that results only in additional depth to the abutting lots.)
15. **Plat of Vacation** – applicant shall provide one 24" x 36" copy of the preliminary plat of vacation with legal description prepared by an Illinois Licensed Surveyor.

UTILITY STATEMENT

Place a checkmark next to the following improvements that the proposed vacated right-of-way contains:

- ☐ Pavement with curb and gutters
- ☐ Pavement (no curb or gutters)
- ☐ Gravel
- ☐ Dirt
- ☐ Unimproved and not used for traffic
- ☐ Electric (above ground)
- ☐ Electric (below ground)
- ☐ No electric
- ☐ Telephone (above ground)
- ☐ Telephone (below ground)
- ☐ No telephone
- ☐ Water main
- ☐ No water main
- ☐ Sanitary sewer
- ☐ No sanitary sewer
- ☐ Storm sewer
- ☐ No storm sewer
- ☐ Cable
- ☐ Fiber optics cable
- ☐ Other utilities (please list): _____

If any of the above utilities exist within the street or alley right-of-way, they **must** be shown on the Plat of Vacation as a recorded easement if required by the utility provider.

PUBLIC HEARING MAILING PROCESS

1. Receive list of PINS (Parcel Identification Numbers) from the Village. ***This will happen after an application has been submitted and deemed complete.***
2. Decide if you will create the labels yourself (*suggested*) or hire a company
 - a. Creating the labels yourself requires good internet, spreadsheet, and mail-merge skills, as well as the ability to print onto label-sticker sheets.
- A. If you wish to make the labels yourself (suggested):**
 - a. Create an Excel (*or similar software*) spreadsheet
 - b. Go to www.cookcountypropertyinfo.com
 - c. Enter each 14-digit PIN one-at-a-time on the website
 - i. You may need to enter 0000 after the PIN if the PINs provided to you are only 10-digits.
 - d. In the spreadsheet, create a row/record for EACH PIN and its corresponding MAILING ADDRESS that you find on the Cook County Property Info website
 - i. Type-in the MAILING ADDRESS found on the web-site for each PIN
 - ii. DO NOT type-in the 'property address', you must type-in the 'MAILING ADDRESS'
 - e. Repeat steps 4(c) and 4(d) above for ALL PINS that were given to you by the Planner
 - f. Save the spreadsheet once you have entered the Mailing Address for All PINS
 - g. Once you have found the MAILING ADDRESS for all PINS, open a Microsoft Word (*or similar software*) document and complete a 'Mail Merge' using the spreadsheet you created.
 - i. The 'Mail Merge' should include the PIN as the first row of the mailing labels, then the mailing address for the property owner as found on the web-site.
 - See the 'Sample' provided to you by the Planner
 - h. In the 'Mail Merge' process, use the option to create 'mailing labels' and select "Avery 8460"
 - i. Print the formatted mailing labels onto mailing-label sticker sheets
 - j. Give the following items to the Planner:
 - i. The label sheet(s)
 - ii. The photocopy of the label sheet(s)
 - iii. Postage for each mailing label
- B. If you wish to hire a company:**
 - a. Contact: Property Insight
1 North LaSalle Street, Suite 500
Chicago, Illinois 60602
(312) 637-4845
 - b. Give them the list of PINS that the Planner gave you.
 - c. They will charge you to produce the mailing label sheet(s).
 - d. After you receive the label sheet(s), MAKE A PHOTO COPY OF THEM to give to the Village.
 - e. Give the following items to the Planner:
 - i. The label sheet(s)
 - ii. The photocopy of the label sheet(s)
 - iii. Postage for each mailing label

Please note, hiring a company may prove to be more costly and may take longer than doing the work yourself!

INSTRUCTIONS FOR SUBMITTING ELECTRONIC FILES

When submitting your electronic application materials, we ask that you follow the instructions below.

1. The electronic copy of your submittal should be submitted via e-mail (**preferred**) or on a USB flash drive (*also known as a memory stick, see image to the right*) if the files are too large.
2. **Each electronic file must be submitted as a PDF file.**
3. The files should contain descriptive filenames and the most recent revision date; for example, landscape plans should be labeled “Landscape Plans – 10-14-2022” rather than an internal file naming system.
4. The files should be organized in the order that is consistent with the order of the hard copy documents you also submit. You should number each file and separate the number from the rest of the file name by a dash (-). For example:



- 1 – Application Form
- 2 – Project Description
- 3 – Special Use Standards
- 4 – Site Plan – 10-14-2022
- 5 – Landscape Plan – 10-14-2022

If you forget to insert a file that is located between two other files, you may want to do as follows, rather than renumber all of the subsequent files:

- 1 – Application Form
- 2 – Project Description
- 3 – Special Use Standards
- 3A – Plat of Survey – 10-14-2022**
- 4 – Site Plan – 10-14-2022
- 5 – Landscape Plan – 10-14-2022

5. If a subset of plan sheets, such as landscape plans, consists of more than one sheet, the sheets should be combined together and submitted as one electronic file. Each individual sheet should not be submitted as a separate file. If combining all of the plan sheets into one electronic file results in a file larger than 20 MB, then separating the electronic file into two files would be appropriate.

Please share the above electronic submittal requirements to everyone involved with the project.

GENERAL PROCEDURES FOR PLANNING AND ZONING MEETINGS

1. **Call to Order/Declaration of a Quorum**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Approval of Minutes** from Preceding Meeting
5. **General Public Comment**
6. **Continued Public Hearings/Old Business**
7. **New Business:** Public Hearings, each agenda item follows this process:
 - a) Statement of the Secretary regarding the nature of the case and confirmation of completed notification (**Opening of the individual Public Hearing**)
 - b) **Identification and swearing in** of Applicant and anyone else representing the Applicant.
 - c) The Applicant (and representatives) presents **testimony** regarding the petition and associated applications. The application and any accompanying exhibits will be identified and made part of the record.
 - d) **Questions** are directed to the applicant by the Board.
 - e) **Testimony and other evidence by members of the public.** All persons shall state his/her name and address before questioning a witness.
 - f) **Follow-up questions** and discussion of evidence gathered by the Board.
 - g) **Report by staff**, if any.
 - h) **Public Hearing closed**
 - i) Planning and Zoning Board Deliberation
 - j) **Recommendation/Decision**
8. **Other New Business**
9. **Discussions**
10. **Adjournment**