



# INTERPRETATION OF THE ZONING ORDINANCE

*INFORMATION IS PER ARTICLE 13.6 OF THE VILLAGE OF GURNEE ZONING ORDINANCE*

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## NOTICE TO APPLICANTS

The interpretation authority established by this Section is intended to recognize that the provisions of this Code, though detailed, cannot address every specific situation to which they may be applied. Some situations may be addressed by an interpretation of the specific provisions of this Code in light of the general and specific purposes for which those provisions have been enacted. The interpretation authority provided herein is not intended to add to or change the essential content of this Code, and is intended only to allow authoritative application this code's content to specific cases.

The Zoning Administrator may render interpretations, including use interpretations, of the provisions of this Code and of any rule or regulation issued pursuant to it, subject to the procedures, standards, and limitations of this Section. If, in the opinion of the Zoning Administrator said provision is ambiguous or open to interpretation, said provision shall be referred to the Planning and Zoning Board for review and recommendation subject to the procedures, standards, and limitations of this Section.

Applications for interpretations may be filed by any person having an interest in the circumstances giving rise to the need for an interpretation; provided, however, that interpretations shall not be sought by any person based solely on hypothetical facts or where the interpretation would have no effect other than as an advisory opinion.

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### *EFFECT OF A FAVORABLE USE INTERPRETATION*

No use interpretation finding a particular use to be permitted or specially permitted in a particular district shall authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure, but shall merely authorize the preparation, filing, and processing of applications for any permits and approvals that may be required by the codes and ordinances for the Village.

### *LIMITATION OF FAVORABLE USE INTERPRETATION*

A use interpretation finding a particular use to be permitted or specially permitted in a particular district shall be deemed to authorize only the particular use for which it was issued, and such interpretation shall not be deemed to authorize any purported similar use for which a separate use interpretation has not been issued. Such interpretation shall automatically expire and cease to be of any force or effect if the particular use for which it was issued shall, for any reason, be discontinued for a period in excess of six (6) consecutive months.

Subject to an extension of time granted by the Zoning Administrator pursuant to this Section of the Code, no use interpretation finding a particular use to be permitted or specially permitted in a particular district shall be valid for a period of longer than six (6) months after the date an interpretation or finding has been rendered, unless a building permits is issued within that period and is thereafter diligently pursued to completion, or a Certificate of Occupancy is obtained and the use is commenced within that period.



**The Village of  
Gurnee**

325 N. O'Plaine Road; Gurnee, IL 60031; phone 847.599.7550; fax: 847.623-9475 [www.gurnee.il.us](http://www.gurnee.il.us)



# INTERPRETATION APPLICATION

## VILLAGE OF GURNEE

### COMMUNITY DEVELOPMENT DEPARTMENT

TO BE COMPLETED BY THE APPLICANT:

Date: \_\_\_\_\_

Location of Subject Property (please provide all three)

A. Address: \_\_\_\_\_

B. PIN Number: \_\_\_\_\_

Present Use of Property: \_\_\_\_\_  
(i.e., single family, residential, retail business)

Zoning District: (Staff will assist if necessary) \_\_\_\_\_

Applicant Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Owner Name (if different than applicant): \_\_\_\_\_

Owner Address: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Proof of Standing Provided: \_\_\_\_\_  
(proof of ownership, control, authorization, etc.—attach with application materials)

- David Ziegler, Director of Community Development
- Molly Bacon, Associate Planner
- Ryan Mentkowski, Associate Planner
- Tracy Velkover, Planning Manager

Office Use

Date Received:

Staff Signature: \_\_\_\_\_

Fees Paid: \$ \_\_\_\_\_

Staff Notes: \_\_\_\_\_

35 Day Deadline: \_\_\_\_\_ Application Complete Date: \_\_\_\_\_

Approved  Denied  Date: \_\_\_\_\_





**II. Standards for Use Interpretations (13.6.4):**

The following standards shall govern the Zoning Administrator, and the Planning and Zoning Board on appeals from the Administrator, in issuing use interpretations. Please include adequate evidence indication compliance with the standards below:

1. That the use interpretation, except with regard to Home Occupations, is NOT located within a Residential Zoning District.
2. Is the use for which the interpretation is requested defined in Article 2 of the Zoning Ordinance? (circle one)

Yes\*    No

*\*If "yes" is circled, no interpretation is allowed by the zoning administrator and said use shall be as defined in Article 2 of the Zoning Ordinance.*

3. No use interpretation shall permit a use listed as a permitted use or a special use in any district to be established in a different district in which such use is not so listed.
4. No use interpretation shall permit any use in any district unless *evidence* shall be presented that demonstrates that it will comply with the site and structure provisions established for that particular district.
5. If the proposed use is most similar to a use permitted only as a special use permit in the district in which it is proposed to be located, then any use interpretation permitting such use shall be conditioned on the issuance of a special use permit for such use pursuant to this Article.
6. Subject to the foregoing conditions and limitations, the Zoning Administrator may, in rendering use interpretations, refer to the most recent publication of the North American Industrial Classification System, and the use classification methodology used therein as a reference.

**III. Interpretation Submittal Documents Required and Review Procedure**

1. **Application.** Submit 2 (two) copies of the application and any supplemental information to the office of the Zoning Administrator (Community Development Department, Village Hall).
2. **Fee.** A check payable to the Village of Gurnee as required by the Municipal Code shall accompany the application before it will be reviewed. (Please verify the fee amount with Staff members before submitting a check.)
3. **Action on Application.** Within thirty-five (35) days after the receipt of a properly completed application for interpretation, the Zoning Administrator will inform the applicant in writing of his or her interpretation, stating the specific precedent, reasons, and analysis upon which the determination is based. The failure of the Zoning Administrator to act within such thirty-five (35) days shall be deemed to be a decision denying the application.
4. **Appeal.** Appeals from interpretations rendered by the Zoning Administrator may be taken to the Planning and Zoning Board as provided in Section 13.8 of the Zoning Code.

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**By signing this application you hereby certify that you are a person having an interest in the circumstances giving rise to the need for an interpretation and that the interpretation is not sought by any person based solely on hypothetical facts or where the interpretation would have no effect other than as an advisory opinion. You also certify that the above statements and attached documentation are true and correct to the best of my knowledge.**

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**Name of Applicant**

**Date**

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**Signature of Applicant**

**Date**

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**Name of Owner**

**Date**

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**Signature of Owner**

**Date**