TO: Kane County Zoning Board Of Appeals
County Board Member District
Janice Hill Carl Scheodel Mark VanKerkhoff Monica Meyers
Petitioner

Zoning Request Report
County of Kane

PETITION NUMBER 2014-4332

GENERAL INFORMATION

APPLICANT: JOLANTA AND SEBASTIAN BARWIOLEK

412 WAKEFIELD LN
GENEVA 60134

PURPOSE: TO ESTABLISH A SPECIAL USE FOR AUTO SALES

EXISTING ZONING: B-3 - BUSINESS;

REQUESTED ACTION: SPECIAL USE FOR AUTO SALES

SIZE: 1.00 ACRES

LOCATION: ON THE SOUTH SIDE OF KESLINGER ROAD, 3 PARCELS WEST OF FISHER DRIVE, SECTION 8, GENEVA TOWNSHIP (12-08-200-063) (37W415 KESLINGER ROAD)

SURROUNDING ZONING USE
NORTH E-1 - ESTATE RESIDENTIAL; CITY OF GENEVA RESIDENTIAL;
SOUTH CITY OF GENEVA RESIDENTIAL;
EAST B-3 - BUSINESS;
WEST B-3 - BUSINESS;

EXISTING LAND USE: COMMERCIAL;

LAND USE PLAN DESIGNATION: COMMERCIAL

ZONING HISTORY: B-3 ZONING GRANTED IN 1967

APPLICABLE LAND USE REGULATION: ARTICLE X, SECTION 10.4-21 OF THE KANE COUNTY ZONING ORDINANCE.
New Day Investments, LLC
Sebastian Barwieleck, et ux
B-3 Special Use for an Auto Sales Lot

**Special Information:** Sebastian Barwieleck is the tenant for the west half of property at 37W415 Keslinger Rd. The property is zoned B-3 in 1967. Mr. Barwieleck is requesting a special use to allow him to operate a used car lot on the property. The business name is My luxury Imports. Vehicles sales are done over the internet and viewing the cars is by appointment. An inventory of 20 to 30 cars is kept on the property, both in the building and on the lot. The vehicles are all used. The business is operated by Mr. Barwieleck and his wife. They sell between 10 and 20 cars a month.

**Analysis:** The Kane County 2040 Land Resource Management Plan designates this area as Commercial. Commercial and industrial uses have been in this area for 50 years. Granting this special use will establish a low intensity use as this site.

**Staff recommendation:** The Kane County Technical Staff recommends approval of the special use.

**Staff recommended Finding of Facts:**

1. The rezoning and special use will establish a new business in this building.
2. The low intensity of this business will not have an effect on adjacent properties.
3. Commercial uses were established on the property in 1967.

**Attachments:**
- Location Map
- Township Map
- Petitioner’s finding of fact sheet
Findings of Fact Sheet – Special Use

Special Use Request

Date

- The Kane County Zoning Board is required to make findings of fact when considering a special use.

- Special Uses shall be considered at a public hearing before the Zoning Board of Appeals. In its report of findings of facts, recommendations shall be made to the County Board following the public hearing. The Zoning Board will not recommend a special use unless the following items are addressed:

6. Explain how the establishment, maintenance or operation of the special use will not be detrimental to or endanger the public health, safety, morals, comfort or general welfare.

7. Explain how the special use will not be injurious to the use, enjoyment and value of other property in the immediate vicinity.

8. Explain how the special use will not impede the normal, orderly development and improvement of the surrounding property.

9. Will adequate utility, access roads, drainage and other necessary facilities be provided? Please explain:

   Already existing
10. Will adequate measures be provided for ingress and egress so designed to minimize the traffic and congestion? Please explain:
   Yes, because it will be internet and by appointment. Traffic will be limited.

11. Will the special use conform to the regulations of the district in which it is located? Please explain:
   Yes, allowing on-site sales.
LEGAL DESCRIPTION

That part of the Township 39 N, Principal Meridian Commencing on the Northeast Quarter along the North 359.23 feet for continuing East feet; thence S the West Line on an angle of 9 course (measured west to the N Northwestern) along said S on the North that is 402.16 feet measured along the Northerly in beginning (exc. described as the Northwest Corner thence Easterly Northeast Quarter beginning; the North Line, 1t line parallel with Quarter, 197.6 parallel with 13.11 feet; th
foot to the s Townsend, Kan

AND ALSO the Section 8, To
the Third Plin Commencing Northeast Quarter along the Nor 541.82 feet; with the West forming an a described cov. 197.06 feet; Easterly along 13.06 feet; N with the pem to the North Northwestern along said N is parallel w1 beginning; th
171.30 feet Townsend, K

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