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**THE CITY OF BLUE ISLAND  
COOK COUNTY, ILLINOIS**

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**ORDINANCE  
NUMBER 2024-039**

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**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK  
COUNTY, ILLINOIS, GRANTING A SPECIAL USE  
PERMITTING A GAS STATION WITH A MINI-MART WITHIN  
THE C-2 HIGHWAY COMMERCIAL DISTRICT  
(12300 S. WESTERN AVENUE)**

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**FRED BILOTTO, Mayor  
RAEANN CANTELO-ZYLMAN, City Clerk  
JAIRO FRAUSTO, City Treasurer**

**DEXTER JOHNSON  
LUIZ MONTOYA  
NANCY RITA  
BILL FAHRENWALD  
GABRIEL McGEE  
CANDACE CARR  
JOSH ROLL**

**Aldermen**

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**ORDINANCE NUMBER 2024-039**

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS,  
GRANTING A SPECIAL USE PERMITTING A GAS STATION WITH A MINI-MART  
WITHIN THE C-2 HIGHWAY COMMERCIAL DISTRICT  
(12300 S. WESTERN AVENUE)**

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**WHEREAS**, the City of Blue Island, Cook County, Illinois (the “City”) is a duly organized and existing city created under the provisions of the laws of the State of Illinois and is now operating under the provisions of the Illinois Municipal Code, and all laws amendatory thereof and supplementary thereto, with full powers to enact ordinances and adopt resolutions for the benefits of the residents of the City; and

**WHEREAS**, the Mayor and the Aldermen of the City of Blue Island have heretofore exercised the power conferred on them pursuant to Chapter 11-31-1, *et seq.* of the Illinois Municipal Code by adopting Chapter 166 of the Code of Ordinances of the City (the “Zoning Code”), as amended from time to time; and

**WHEREAS**, a special use application has been submitted to the City by Ahmed Mohsin (the “Applicant”), as contract purchaser of the Property, with permission of the Property owner, Robert Zakhar (the “Owner”), to allow within the C-2 Highway Commercial District a “gas station with a mini-mart” use (the “Proposed Special Use”) on property located at 12300 Western Avenue, Blue Island, Illinois and as legally described and depicted on Exhibit A (the “Property”); and

**WHEREAS**, the Planning and Zoning Board of Appeals (“PZBA”) held public hearings on July 11, 2024 and September 5, 2024 (the “Public Hearings”) as to whether the Proposed Special Use should be approved, at which time all persons present were afforded an opportunity to be heard; and

**WHEREAS**, a public notice in the form required by law was given of said Public Hearings;  
and

**WHEREAS**, the PZBA has filed its findings of fact and recommendations that the Proposed Special Use be granted, and the Mayor and Aldermen of the City have duly considered said findings of fact and recommendations, and

**WHEREAS**, the Mayor and Aldermen of the City deem it advisable and in the best interest of the health, safety, and welfare of the residents of the City to grant the Proposed Special Use subject to the conditions identified herein.

**NOW, THEREFORE, BE IT ORDAINED** by the Mayor and Aldermen of the City of Blue Island, Cook County, Illinois as follows:

**Section 1.** The above recitals and legislative findings are found to be true and correct and are hereby incorporated herein and made a part hereof, as if fully set forth in their entirety.

**Section 2.** The Mayor and Aldermen of the City hereby adopt by reference the findings of fact of the Planning and Zoning Board of Appeals as findings of the Mayor and Aldermen of the City as if completely set forth herein. All documents and exhibits submitted at the aforesaid public hearings are also incorporated by reference into this Ordinance.

**Section 3.** In addition to the findings set forth in Section 2 hereof, the Mayor and Aldermen of the City further find in relation to the Proposed Special Use as follows:

1. That the Proposed Special Use, subject to the conditions set forth herein, is in fact, a special use listed and authorized in the C-2 (Highway Commercial) District within which the property is located;
2. That the Proposed Special Use, subject to the conditions set forth herein, is consistent with the objectives of the City's comprehensive plan and the City's Zoning Ordinance;
3. That the Proposed Special Use, subject to the conditions set forth herein, will not be detrimental to or endanger the public health, safety, morals, comfort or general

welfare.

4. That the Proposed Special Use, subject to the conditions set forth herein, will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, nor substantially diminish and impair property values within the neighborhood.
5. That the Proposed Special Use, subject to the conditions set forth herein, will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.
6. That adequate utilities, access roads, drainage, and/or necessary facilities have been or are being provided for the Proposed Special Use, subject to the conditions set forth herein;
7. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in public streets surrounding the Proposed Special Use, subject to the conditions set forth herein; and
8. That the Proposed Special Use, subject to the conditions set forth herein, complies with all additional regulations in the City's Zoning Ordinance specific to the C-2 Commercial Highway District.

**Section 4.** A special use, subject to the conditions set forth below, is hereby granted and issued to Ahmed Mohsin for a "gas station with a mini-mart" use in the C-2 Highway Commercial District located at 12300 Western Avenue, Blue Island, Illinois, and as legally described on Exhibit

A.

This special use permit is subject to the following conditions:

1. That this special use shall be limited to the Applicant and shall not be transferable except upon reapplication, hearing and approval in the manner provided in the Zoning Code;
2. That this special use approval authorizes the conduct of the special use only on the Property and is not transferable to other properties;
3. That any modification or intensification of a special use that alters the essential character or operation of the use in a way not intended at the time the special use was granted, as evidenced by the record or text of the ordinance, shall require a new special use approval;
4. That the approval of a special use authorizes the Property to be used in the manner

proposed, in accordance with the plans submitted, but does not alone authorize the establishment or extension of any use, nor development, construction, reconstruction, alteration, or moving of any building, structure, or parking lot without first obtaining any other required permit, including a zoning certificate, building permit and certificate of occupancy;

5. That the special use, subject to the conditions set forth herein, complies with all other codes and ordinances of the City of Blue Island, the County of Cook, the State of Illinois, and the federal government;
6. That the special use, subject to the conditions set forth herein, does not involve uses, activities, processes, materials, equipment and conditions of operation that will be detrimental to any persons, property or the general welfare by reason of excessive production of traffic, noise, smoke, fumes, glare or odors; and
7. That the Applicant shall use brick for the gas canopy supports on the Property, consistent with the appearance of the convenience store and the historic aesthetic of Western Avenue;
8. That a wooden slat fence shall be installed along the western and southern lot lines of the Property to block headlights from trespassing onto residential properties. The fences shall be subject to permitting approval from the City;
9. That the lights around the Property shall be adjusted to avoid light trespass onto residential properties;
10. That all sidewalks bordering the Property shall be replaced consistent with the City's streetscape design, to be approved by the City Council or, at City Council's or City Staff's direction;
11. That all signage on the Property shall comply with the codes and ordinances of the City. Page SP1.3 of the Applicant's submittal regarding a signage plan is expressly excluded from the approvals contained in this Ordinance;
12. That the Applicant must obtain the WMO Permit and all other required approvals from MWRD and IDOT;
13. That the Applicant will work with Pace to relocate the existing bus stop to an agreeable location, or otherwise adjust plans to accommodate the bus stop; and
14. This Ordinance shall be signed by the Applicant and property owner to signify acknowledgement of the terms hereof.

**Section 5.** The Applicant hereunder shall at all times comply with the terms and conditions of the special use and, in the event of non-compliance, said permit shall be subject to revocation.

**Section 6.** If any section, paragraph, clause or provision of this Ordinance shall be held invalid, the invalidity thereof shall not affect any other provision of this Ordinance.

**Section 7.** All ordinances, resolutions, motions or orders in conflict with this Ordinance are hereby repealed to the extent of such conflict.

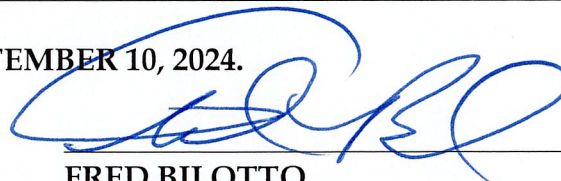
**Section 8.** This Ordinance shall be in full force and effect following its passage, approval and publication in pamphlet form as provided by law.

*[Continued on Next Page]*

ADOPTED this 10<sup>TH</sup> day of SEPTEMBER, 2024, pursuant to roll call as follows:

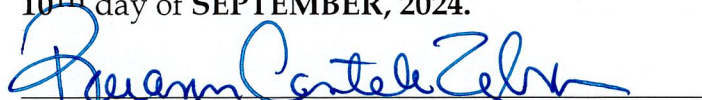
	YES	NO	ABSENT	PRESENT	ABSTAIN
Alderman JOHNSON	X				
Alderman FAHRENWALD		X			
Alderman RITA	X				
Alderman MONTOYA	X				
Alderman MCGEE	X				
Alderman CARR	X				
Alderman ROLL	X				
Mayor BILOTTO					
	6	1			

APPROVED by the Mayor on SEPTEMBER 10, 2024.




FRED BILOTTO  
MAYOR OF THE CITY OF BLUE ISLAND,  
COUNTY OF COOK AND STATE OF ILLINOIS

ATTESTED and Filed in my office this  
10<sup>TH</sup> day of SEPTEMBER, 2024.



RAEANN CANTELO-ZYLMAN, CITY CLERK

PUBLISHED in pamphlet form this  
10<sup>TH</sup> day of SEPTEMBER, 2024.



RAEANN CANTELO-ZYLMAN, CITY CLERK

STATE OF ILLINOIS     )  
  )  
COUNTY OF COOK     )     ss.

**CERTIFICATION**

I, **RAEANN CANTELO-ZYLMAN**, DO HEREBY CERTIFY THAT I am the duly elected City Clerk of the City of Blue Island, Illinois, as such City Clerk, I am the keeper of the minutes and records of the Proceedings of the City Council of the said City and have in my custody the ORDINANCE and BOOKS of the records of said City.

I DO FURTHER CERTIFY that the attached and foregoing is a true and correct copy of the certain **2024 - 039** Entitled: **ORDINANCE: AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, GRANTING SPECIAL USE PERMITTING GAS STATION WITH A MINI-MART WITHIN THE C-2 HIGHWAY COMMERCIAL DISTRICT (12300 S. WESTERN AVENUE).**

**ORDINANCE NO. 2024-039** which was adopted at a regular meeting of the City Council of the City of Blue Island, Illinois held on the **10<sup>TH</sup> day of SEPTEMBER, 2024;** that at said meeting **7** Alderman were present; that at said meeting, on motion duly made and seconded that the Ordinance did pass and on the roll being called the vote of each Aldermen present on the question of the passage of said Ordinance was duly and separately taken by Ayes and Nays and their names and votes recorded in the minutes of **6** Alderman voted Aye and **1** Alderman voted Nay and **0** Alderman voted Abstain and **0** Alderman Absent.

I DO FURTHER CERTIFY that the original Ordinance which the foregoing is a true copy, is entrusted to my care for safe keeping, and that I am the lawful keeper of the same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Corporate Seal of the City of Blue Island aforesaid, at the said City in the County and State aforesaid, this **10<sup>TH</sup> day of SEPTEMBER, 2024.**

CORPORATE SEAL

  
\_\_\_\_\_  
City Clerk





STATE OF ILLINOIS     )  
  ) SS  
COUNTY OF COOK        )

**CERTIFICATE**

I, RAEANN CANTELO-ZYLMAN, certify that I am the duly elected and acting Municipal Clerk of the City of Blue Island of Cook County, Illinois.

I further certify that on **September 10, 2024**, the Corporate Authorities of such municipality passed and approved Ordinance No. **2024-039**.

Entitled:

**AN ORDINANCE OF THE CITY OF BLUE ISLAND, COOK COUNTY, ILLINOIS, GRANTING A SPECIAL USE PERMITTING A GAS STATION WITH MINI-MART WITHIN THE C-2 HIGHWAY COMMERCIAL DISTRICT (12300 S. WESTERN AVENUE).**

Which provided by its terms that it should be published in pamphlet form.

The pamphlet form of Ordinance No. **2024 - 039** including the Ordinance and a cover sheet thereof, was prepared, and a copy of such Ordinance posted in the municipal building commencing on **September 10, 2024**, and continuing for at least ten days thereafter. Copies of such Ordinance were also available for public inspection upon request in the office of the municipal clerk.

DATED at Blue Island, Illinois, this **10<sup>TH</sup>** day of **September, 2024**.

CORPORATE SEAL

  
CITY CLERK



Exhibit A

*Legal Description*

ADDRESS: 12300 South Western Avenue, Blue Island, Illinois  
PIN: 24-25-403-033-0000, 24-25-403-041-0000, 24-25-403-042-0000  
24-25-403-043-0000, 24-25-403-044-0000

PARCEL 1: THE EAST 91 FEET OF LOTS 1 AND 2 ( EXCEPT THAT PORTION TAKEN FOR ROADWAY PURPOSES) IN BLOCK 1 IN CHARLES MORGAN'S SUBDIVISION OF THE NORTH HALF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, IN COOK COUNTY, ILLINOIS.

PARCEL 2: THE WEST 84 FEET OF THE EAST 91 FEET OF LOT 3 AND THE EAST 91 FEET (EXCEPT THE SOUTH 12 FEET AND EXCEPT THE EAST 7 FEET THEREOF) OF LOT 4 IN BLOCK 1 IN CHARLES MORGAN'S SUBDIVISION OF THE NORTH HALF OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 25, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN EXCEPT THE NORTH HALF OF THE NORTHWEST QUARTER OF THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SAID SECTION 25, IN COOK COUNTY, ILLINOIS.

PARCEL 3: LOTS 1 AND 2 (EXCEPT THE EAST 91 FEET THEREOF) IN BLOCK 1 IN CHARLES MORGAN'S SUBDIVISION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25, IN COOK COUNTY, ILLINOIS.

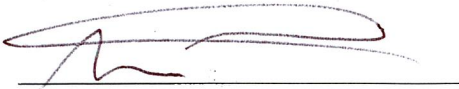
AND

LOTS 3 AND 4 (EXCEPT THE EAST 91 FEET THEREOF) THE NORTH 10 FEET OF LOT FIVE (EXCEPT THE EAST 91 FEET THEREOF) IN BLOCK 1 IN CHARLES MORGAN'S SUBDIVISION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 37 NORTH, RANGE 13 EAST OF THE THIRD PRINCIPAL MERIDIAN EXCEPT THE NORTH HALF OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST QUARTER OF SAID SECTION 25, IN COOK COUNTY, ILLINOIS.

PARCEL 4: THE SOUTH 12 FEET OF THE EAST 91 FEET OF LOT 4 (EXCEPT THE EAST 7 FEET THEREOF) AND THE NORTH 10 FEET OF THE EAST 91 FEET OF LOT 5 (EXCEPT THE EAST 7 FEET THEREOF) ALL IN BLOCK 1 IN CHARLES MORGAN'S SUBDIVISION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE NORTH 1/2 OF THE NORTHWEST 1/4 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25, ALL IN COOK COUNTY, ILLINOIS.

PARCEL 5: LOT 5 (EXCEPT THE NORTH 10 FEET THEREOF; AND EXCEPT THE EAST 6.5 FEET THEREOF) AND LOT 6 (EXCEPT THE EAST 6.5 FEET THEREOF) IN BLOCK 1 IN CHARLES MORGAN'S SUBDIVISION OF THE NORTH 1/2 OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SECTION 25, TOWNSHIP 37 NORTH, RANGE 13, EAST OF THE THIRD PRINCIPAL MERIDIAN, EXCEPT THE NORTH 1/2 OF THE NORTHWEST QUARTER OF THE NORTHEAST 1/4 OF THE SOUTHEAST 1/4 OF SAID SECTION 25, IN COOK COUNTY, ILLINOIS.

**ACKNOWLEDGMENT BY APPLICANT AND OWNER: THE UNDERSIGNED  
AUTHORIZED REPRESENTATIVES ACKNOWLEDGE THE CONDITIONS OF THIS  
ORDINANCE:**



Ahmed Mohsin, Applicant

Dated: 10-04-2024



Robert Zakhar, Owner

Dated: 9-20-24