

**LOCAL LAW NO. 1 OF 2016 — TO AMEND THE  
OFFICIAL ZONING MAP OF THE TOWN OF RUSH TO  
REZONE A PORTION OF PROPERTY IN THE TOWN OF RUSH  
LOCATED AT 7262 WEST HENRIETTA ROAD FROM  
RESIDENTIAL (R-30) TO COMMERCIAL (C)**

BE IT ENACTED, by the Town Board of the Town of Rush, Monroe County, State of New York, as follows:

Section I.     Authorization

The adoption of his Local Law is in accordance with Municipal Home Rule Law Section 10.

Section II.    Title and Purpose

This law shall be known as and may be cited as Local Law No. 1 of 2014 to amend the Official Zoning Map of the Town of Rush adopted pursuant to Section 120-3 of the Zoning Law of the Town of Rush to rezone a portion of property in the Town of Rush located at 7262 West Henrietta Road from Residential (R-30) to Commercial (C).

Section III.   Legislative Finding

The Town Board of the Town of Rush finds and hereby determines that the subject property, that is, a portion of the property located at 7262 West Henrietta Road in the Town of Rush, is most appropriately situated for commercial uses. Further, commercial zoning of such property would be consistent with the Comprehensive Plan. As a result, the Town Board believes it to be in the public interest to rezone such lands from Residential (R-30) to Commercial (C).

Section IV.    Amendment

The Town of Rush Official Zoning Map, on file in the Office of the Town Clerk, and the Zoning Law of the Town of Rush (located at Section 120-3 of the Zoning Law of the Town of Rush), inasmuch as the Zoning Map is incorporated into the Zoning Law of the Town of Rush, be and hereby is amended by this Local Law as follows:

The following property, commonly known as P/O 7262 West Henrietta Road in the Town of Rush, subject to all regulations created and established relative to the applicable zoning designations that follow.

Said property, as more particularly described in the metes and bounds description that follows, shall be rezoned from Residential (R-30) to Commercial (C).

LEGAL DESCRIPTION

All that tract or parcel of land situated in part of the Town of Rush, County of Monroe, State of New York and more particularly described as follows:

Beginning at the point on intersection of the east right of way of West Henrietta Road with the north right of way of Rush – Scottsville Road, thence;

Westerly, along the east right of way of West Henrietta Road on the bearing S 44° 56' 33" W a distance of 100.55 feet to a point, thence;

Northerly, along the east right of way of West Henrietta Road on the bearing N 01° 25' 42" E a distance of 564.07 feet to a point, thence;

Continuing northerly, along the east right of way of Interstate Route 390 on the bearing N 01° 25' 42" E a distance of 361.91 feet to a point, thence;

Southerly, along a line bearing S 50° 11' 27" E a distance of 300.36 feet to a point, thence;

Continuing southerly, along a line bearing S 07° 41' 04" W a distance of 43.05 feet to an angle point, thence;

Continuing southerly, along a line bearing S 00° 01' 38" W a distance of 514.33 feet to an angle point, thence;

Continuing southerly, along N/F Judson E. & Madely Werbela on a bearing S 01° 11' 36" W a distance of 208.01 feet to a point on the north right of way of Rush – Scottsville Road, thence;

Westerly, along the north right of way of Rush – Scottsville Road on the bearing S 89° 47' 36" W a distance of 325.95 feet to the point of Beginning.

#### Section V. Validity and Severability

Should any word, section, clause paragraph, sentence, part or provision of this local law be declared invalid by a Court of competent jurisdiction, such determination shall not affect the validity of any other part hereof.

#### Section VI. Repeal, Amendment and Supersession of Other Laws

All other ordinances or local laws of the Town of Rush which are in conflict with the provisions of this local law are hereby superseded or repealed to the extent necessary to give this local law force and effect during its effective period.

#### Section VII. Effective Date

This local law will take effect upon filing in the office of the New York State Secretary of State.