

LOCAL LAW NO. _____-2024

**TOWN OF AMHERST
COUNTY OF ERIE, STATE OF NEW YORK**

**A LOCAL LAW AMENDING CHAPTER 203 OF THE TOWN OF AMHERST CODE,
KNOWN AS THE ZONING ORDINANCE TO REZONE 3230 MILLERSPORT
HIGHWAY & 3238 MILLERSPORT HIGHWAY FROM R-3 TO MFR-4A AND TO
AMEND THE ZONING MAP ACCORDINGLY.**

Be it enacted by the Town Board of the Town of Amherst as follows:

Section 1. Title.

This Local Law shall be referred to as, "A Local Law Amending Chapter 203 of Town of Amherst Code, Known As The Zoning Ordinance, to Rezone 3230 Millersport Highway & 3238 Millersport Highway from R-3 to R-4 and to Amend The Zoning Map Accordingly".

Section 2. Legislative Findings and Intent.

The Town Board of the Town of Amherst finds that an application to Rezone 4774 and 4780 Sheridan Drive from R-3 to R-4 and to Amend The Zoning Map Accordingly has been filed and is in proper order. The Town Board further finds that the request including the rezoning is consistent with the Comprehensive Plan.

Section 3. Amherst Zoning Map.

The Town Board hereby amends its zoning map which is incorporated by reference in the Town zoning code by amending from R-3 to MFR-4A the zoning classification of 4774 and 4780 Sheridan Drive, **subject to any conditions imposed by the authorizing resolution**; legally described as follows:

ALL THAT TRACT OR PARCEL OF LAND, situate in the Town of Amherst, County of Erie, State and New York, and being part of Lot 58, Township 12, Range 7 of the Holland Land Company's Survey (so- called), bounded and described as follows:

BEGINNING AT A POINT on the northwest line of Millersport Highway, distant 347.43 feet northeasterly from the point of intersection of the northwest line of Millersport Highway with the south line of lands conveyed by a certain deed recorded in the Erie County Clerk's Office in Liber 2661 of Deeds at Page 341;

RUNNING THENCE: Westerly, parallel with the north line of Lot 58, a distance of 204.14 feet to a point;

RUNNING THENCE: Northeasterly, parallel with the northwest line of Millersport Highway, a distance of 229.67 feet to a point;

RUNNING THENCE: Easterly, parallel with the north line of Lot 58, a distance of 204.14 feet to a point on the northwest line of Millersport Highway;

RUNNING THENCE: Southwesterly, along the northwest line of Millersport Highway, a distance of 229.67 feet to the POINT OR PLACE OF BEGINNING, be the same, more or less. SUBJECT to easements, rights of way and restrictions of record.

BEING AND INTENDED TO BE lands conveyed to Emily's Garden Estates, Inc. by deeds recorded in the Erie County Clerk's Office in Liber 11212 of Deeds at Page 4724 and Liber 11259 of Deeds at Page 611.

Section 4. Validity.

This Local Law is adopted under the authority granted to the Town Board of the Town of Amherst pursuant to §§10(1)(ii)(a)(12), 20 and 27 of the Municipal Home Rule Law and §265 of the Town Law of the State of New York.

The invalidity of any provision of this Local Law shall not affect the validity of any other provision of this Local Law that can be given effect without such invalid provision.

Section 5. Effective Date.

This Local Law shall take effect immediately when it is filed in the Office of the Secretary of State in accordance with Section 27 of the Municipal Home Rule Law and published pursuant to Sections 130 & 133 of the Town Law and Chapter 28 of the Code of the Town of Amherst.

**Francina J. Spoth
Town Clerk
Town of Amherst
County of Erie, State of New York**