

RUSH TOWNSHIP
SCHUYLKILL COUNTY, PENNSYLVANIA
ORDINANCE 151

AN ORDINANCE AMENDING THE RUSH TOWNSHIP ZONING CODE SPECIFICALLY AMENDING THE ZONING MAP TO CHANGE THE ZONING OF CERTAIN PARCELS FROM S-1 TO C-2.

WHEREAS, the Rush Township Planning Commission has received various requests from property owners to rezone certain parts or all of their property currently zoned S-1 to classification C-2; and,

WHEREAS, it appears to the Rush Township Board of Supervisors that it is in the best interest of the health, safety and welfare that the recommendations of the Planning Commission be adopted and the Zoning Map of Rush Township amended in conformance with those recommendations;

NOW THEREFORE, after proper notices have been given, advertisement and hearing it is hereby adopted as follows this 4th day of MAY, 2004:

1. The official Zoning Map of Rush Township designating the boundary lines of the various areas and classifications be amended except the areas and parcels and land described in Section 2 below, currently zoned S-1 be rezoned and changed to C-2.
2. That the parcels affected consist of the land described by deeds referenced by Schuylkill County Tax Parcel Numbers (UPI Numbers) 25-8-2; 25-8-3; 25-8-3(2); 25-8-3(3); 25-8-3(4); 25-8-3(1); 25-8-14. In addition portions of certain property owned by Kenneth and Catherine Breisch consisting of approximately 52 acres of a parcel identified as 25-04-0044.000 and 25-08-0067, more fully described in Exhibit "A" attached hereto and forming a part of this Zoning Ordinance Amendment.
3. The above areas are designated on an amended Zoning Map which is hereby incorporated by reference and forms a part of this Ordinance, which map shall be kept on record by the Rush Township Board of Supervisors.
4. In all other respects the Zoning Code and Ordinance of Rush Township is hereby affirmed.
5. Any decision by any court of competent jurisdiction holding any portion or section of this Ordinance to be invalid shall affect only that portion or section of the Ordinance and the remainder of the Zoning Ordinance and this Amendment shall in full force and effect.
6. This Ordinance shall become effective at the earliest date permitted by law.

ADOPTED and ORDAINED by vote of the Rush Township Board of Supervisors in a duly advertised public meeting the date and year first written above.

ATTEST:

RUSH TOWNSHIP BOARD OF SUPERVISORS

May Gallo
Secretary, Rush Township

Joseph J. Dwyer
William J. Samuels Jr.
Frank J. Ballek

Exhibit "A"

3/10/04

TECHNICAL DESCRIPTION

PARCEL "Z"

lands of

KENNETH C. & CATHERINE A. BREISCH

TO BE CONSIDERED FOR A ZONING CHANGE

ALL THAT CERTAIN piece or parcel of ground situated on the easterly side of S.R. 1021 in The Township of Rush, County of Schuylkill, Commonwealth of Pennsylvania, bounded and described as follows:

BEGINNING at a point, an iron pin, said point being common to a corner of lands of Thomas J. and Crystal Bartolacci and also being in the easterly right-of-way line of S.R. 1021. Thence along the said easterly right-of-way line of S.R. 1021 the following seven (7) courses and distances:

1. (N 24° 40' 55" W – 357.60') to a point.
2. (N 30° 26' 04" W - 196.20') to a point.
3. (N 39° 47' 18" W – 155.43') to a point.
4. (N 43° 56' 18" W – 136.65') to a point.
5. (N 51° 50' 35" W – 233.92') to a point.
6. (N 63° 24' 54" W – 190.68') to a point.
7. (N 71° 27' 28" W – 87.64') to a point, an iron pin, said point being common to a corner of lands of The Tamaqua Area Water Authority.

Thence along said lands of The Tamaqua Area Water Authority and through lands of Kenneth C. and Catherine A. Breisch (N 86° 40' 20" E – 2,608.39') to a point.

Thence further through said lands of Kenneth C. and Catherine A. Breisch (S 06° 23' 52" E – 1,244.04') to a point, said point being in line of aforementioned lands of Thomas J. and Crystal Bartolacci.

Thence along said lands of Thomas J. and Crystal Bartolacci the following two (2) courses and distances:

1. (N 86° 40' 10" W – 556.51') to a point, an iron pin in stone pile.
2. (N 86° 22' 10" W – 1,309.12') to a point, the place of beginning.

Containing 53.75 Acres.

Being subject to a forty (40) foot wide right-of-way granted to Sun Oil Company and a thirty (30) foot wide perpetual easement granted to The Tamaqua Area Water Authority.

Being a portion of the same premises which Kenneth C. Breisch and Catherine A. Breisch, his wife, by their deed dated January 30, 2003 and recorded in the Office for the Recording of Deeds in and for the County of Schuylkill in Record Book 2026, Page 1460, granted and conveyed unto Kenneth C. Breisch and Catherine A. Breisch, his wife.

BEING A PORTION OF UPI #25-04-0044.000.
BEING A PORTION OF UPI #25-08-0067.000.

84.5 AC.S

ZONING DISTRICT
PROPOSED ZONING DISTRICT CHANGE

SR 0309

LR-185 SR 021

4(1)
2.1 AC.S

13
2.0 AC.S

12(1)
2.5 AC.S

15(2)
33.3 AC.

15(8)
4.3 AC.

5(6)
51.2 AC.S.

10(3)

SR 0309

15(10)
12.5 AC.

5(7)
2.7 AC.

15(6)
15.0 AC.S.

SEE 25-20

5
67.8 AC.S.

15(5)
34.4 AC.

CENTRAL

5(3)
6 AC.S.

5(5)
9.0 AC.S.

5(4)
1.2 AC.

7(1)
3.1 AC.S.

7
31.9 AC.S.

7(2)
1.6 AC.S.

9
4.5 AC.S

SEE 57

JOYCE STREET

SEE 25-22

SEE

57(1)

57

WHEELER