

STATE OF SOUTH CAROLINA )  
NEWBERRY COUNTY )

ORDINANCE NO. 04-06-2022

FILED COUNTY  
NEWBERRY COUNTY  
22 JUN 14 AM 10:08  
ELIZABETH P. FOSTER  
CLERK OF COURT

**AN ORDINANCE ACTING ON A REQUEST TO AMEND THE OFFICIAL ZONING MAP ESTABLISHED PURSUANT TO ZONING ORDINANCE NO. 12-24-01 AS REVISED AND AMENDED BY ZONING ORDINANCE NO. 6-11-16 AND CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES, ESTABLISHES ZONING CLASSIFICATION AND DISTRICTS SO AS TO REZONE ONE (1) REAL ESTATE PARCEL TOTALING NINETEEN AND SEVENTY-TWO HUNDREDTHS (19.72) ACRES DESIGNATED AS TMS NO. 653-61, FROM RS-SINGLE FAMILY RESIDENTIAL TO R2-RURAL.**

**WHEREAS**, Zoning Ordinance, codified in Chapter 153 of the Newberry County Code of Ordinances, establishes zoning classifications and districts, as well as an Official Zoning Map; and

**WHEREAS**, said Zoning Ordinance provides procedures for the amendment of both the text of the Ordinance and the district boundaries shown on the Official Zoning Map; and

**WHEREAS**, pursuant to the procedures established by the Zoning Ordinance, application was made for a map amendment to rezone one (1) real estate parcel totaling nineteen and seventy-two hundredths (19.72) acres located at 1001 Macedonia Church Road, between Doc Fulmer Road and Living Inn Road, to R2-Rural from RS-Single Family Residential. Tax Map No. 653-61 is currently undeveloped. The Comprehensive Plan shows the future land use for this area to be within the lake development projected area. There should be no traffic problems with this real estate parcel being placed into R2-Rural zoning district since Macedonia Church Road has a 66-foot right-of-way. The Planning Staff does recommend that this real estate parcel be rezoned to R2-Rural.

**WHEREAS**, the Newberry County Joint Planning Commission, in case number MA02-03-15-22, had this matter on its agenda and considered this request and received

comments as to both the existing and intended uses of the property. The Joint Planning Commission determined that it concurs with the recommendation of the Planning Staff. The Planning Commission has now forwarded its report on the rezoning request to Newberry County Council, as required by law, for consideration of its actions by Newberry County Council.

**WHEREAS**, Newberry County Council is familiar with the site and the existing uses of the properties along this portion of Macedonia Church Road;

**NOW, THEREFORE**, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning Tax Map No. 653-61 totaling nineteen and seventy-two hundredths (19.72) acres located at 1001 Macedonia Church Road, as more particularly shown on the plat accompanying the submitted "Official Zoning Map Amendment Application" included in the submitted Planning Commission report attached hereto, R2-Rural from RS--Single Family Residential:

A. That the proposed map amendment does promote the implementation of the Comprehensive Plan in the area.

B. This amendment is needed because the proposed development cannot be accomplished by the owner under the existing zoning district regulations.

C. That traffic patterns in the neighborhood will not be adversely affected by the change in zoning.

**NOW, THEREFORE, BE IT ORDAINED that:**

Newberry County Council hereby determines, based on the findings set forth above, that the attached rezoning request for a map amendment for TMS No. 653-61 totaling nineteen and seventy-two (19.72) acres real estate parcel as acted on by the Planning Commission, be:

\_\_\_\_\_ disapproved;

✓ approved; or

\_\_\_\_\_ approved with the following modifications: \_\_\_\_\_

\_\_\_\_\_.

**AND IT IS SO ORDAINED** by Newberry County Council this 18<sup>th</sup> day of June, 2022 in meeting duly assembled at Newberry, South Carolina.

(SEAL)

**NEWBERRY COUNTY COUNCIL**

By: Todd Johnson  
**Todd Johnson, Chairman**

**Attest:**  
Jackie Lawrence  
Jackie Lawrence, Clerk to Council

1<sup>st</sup> reading: April 20, 2022  
2<sup>nd</sup> reading: May 4, 2022  
Public Hearing: June 1, 2022  
3<sup>rd</sup> reading: June 1, 2022

Reviewed and approved as to form:

A. J. Tothacer  
A. J. Tothacer, Attorney

Christopher Inglese  
Christopher Inglese, County Administrator