

STATE OF SOUTH CAROLINA)
)
NEWBERRY COUNTY)

FILED
NEWBERRY COUNTY
ORDINANCE NO. 05-17-2022
2022 JUL 12 AM 10:18

ELIZABETH P. FOLK
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 SEVEN HUNDRED AND SEVENTY-NINE HUNDREDTHS (.779) ACRES DESIGNATED AS TMS NO. 395-39, 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 seven hundred and seventy-nine hundredths (.779) acres located at 35 Oak Hollow Road, Newberry, to R2-Rural from RS-Single Family Residential. Tax Map No. 395-39 is currently undeveloped. The Comprehensive Plan shows the future land use for this area to be within the economic development projected area. The Planning Staff does not recommend that this real estate parcel be rezoned to R2-Rural.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA01-05-17-22, 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 does not concur 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 located at 35 Oak Hollow Road, Newberry;

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. 395-39, totaling seven hundred and seventy-nine hundredths (.779) acres located at 35 Oak Hollow Road, Newberry, 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 not 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 may 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. 395-39 totaling seven hundred and seventy-nine hundredths (.779) 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 6th day of July, 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

1st reading: June 1, 2022
2nd reading: June 15, 2022
Public Hearing: July 6, 2022
3rd reading: July 6, 2022

Reviewed and approved as to form:
Christopher Inglese
Christopher Inglese, County Administrator