

STATE OF SOUTH CAROLINA)
)
NEWBERRY COUNTY)

ORDINANCE NO. 06-19-2022

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 THREE AND EIGHTY-SEVEN HUNDREDTHS (3.87) ACRES DESIGNATED AS TMS NO. 28-1-1-6, FROM R2-RURAL TO GC-GENERAL COMMERCIAL.

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 three and eighty-seven hundredths (3.87) acres located at 411 SC Highway 39, Chappells, to GC-General Commercial from R2-Rural. Tax Map No. 28-1-1-6 currently has two structures on the property. The Comprehensive Plan shows the future land use for this area to be within the rural development projected area. The Planning Staff does not recommend that this real estate parcel be rezoned to GC-General Commercial.

WHEREAS, the Newberry County Joint Planning Commission, in case number MA02-06-21-22, 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 411 SC Highway 39, Chappells;

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. 28-1-1-6, totaling three and eighty-seven hundredths (3.87) acres located at 411 SC Highway 39, Chappells, as more particularly shown on the plat accompanying the submitted "Official Zoning Map Amendment Application" included in the submitted Planning Commission report attached hereto, GC-General Commercial from R2-Rural:

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. 28-1-1-6 totaling three and eighty-seven hundredths (3.87) 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 17th day of August, 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: July 6, 2022
2nd reading: July 20, 2022
Public Hearing: August 17, 2022
3rd reading: August 17, 2022

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