

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 4-05-15

AN ORDINANCE ACTING ON A REQUEST TO AMEND THE OFFICIAL ZONING MAP ESTABLISHED PURSUANT TO ZONING ORDINANCE NO. 12-24-01, CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES, SO AS TO REZONE TWO CONTIGUOUS REAL ESTATE PARCELS TOTALING THREE AND TWO HUNDREDTHS (3.02) ACRES DESIGNATED AS TMS PARCELS NO. 399-52 AND 399-109 FROM RURAL (R2) TO GENERAL COMMERCIAL (GC).

WHEREAS, Zoning Ordinance No. 12-24-01, as 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 a two and seven hundredths (2.07) acres real estate parcel and a contiguous ninety-five hundredths (.95) acre real estate parcel containing a total of three and two hundredths (3.02) acres located on the west side of SC Hwy 76 commonly referred to as Wilson Road between Wise Street and Newberry Arms Road to General Commercial (GC) from Rural (R2). Tax Map No. 399-109 and TMS No. 399-52 are currently both undeveloped but cleared land on Wilson Road in front of the Newberry Arms Apartments. The Comprehensive Plan shows the future land use for this area to be Economic Development which is compatible with the proposed zoning district's permitted uses. The roads are adequate to handle any extra traffic this

rezoning may incur. The Planning Staff does recommend that these real estate parcels be rezoned to General Commercial (GC).

WHEREAS, the Newberry County Joint Planning Commission, in case number MA01-03-17-15, 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 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 Wilson Road;

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning TMS No. 399-109 containing ninety-five hundredths (.95) acre and contiguous TMS No. 399-52 containing two and seven hundredths (2.07) acres into a combined total three and two hundredths (3.02) acres located west of SC Hwy 76 commonly known as Wilson 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, to General Commercial (GC) from Rural (R2):

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. 399-109 comprising ninety-five hundredths (.95) acre real estate parcel and contiguous TMS No. 399-52 comprising two and seven hundredths (2.07) acres real estate parcel which combined total three and two hundredths (3.02) acres real estate parcels 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 _____ day of _____, 2015 in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: _____
Henry H. Livingston, III, Chairman

Attest:

Laurie N. Renwick, Clerk to Council

1st reading: April 1, 2015
Public Hearing: April 15, 2015
2nd reading: _____
3rd reading: _____

Reviewed and approved as to form:

A. J. Tothacer, Jr., County Attorney

Wayne Adams, County Administrator