

STATE OF SOUTH CAROLINA )  
 )  
COUNTY OF NEWBERRY )

**ORDINANCE NO. 6-12-13**

**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 A THREE (3.0) ACRES PORTION OF A REAL ESTATE PARCEL TOTALING FIFTEEN (15.0) ACRES DESIGNATED AS TMS NO. 695-44 FROM SINGLE FAMILY RESIDENTIAL (RS-1) TO RURAL (R2).**

**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 three (3.0) acres portion of a fifteen (15.0) acres real estate parcel located at 1230 Hwy 202, Little Mountain on the eastern side of SC Hwy 202 near the intersection of I-26 to Rural (R2) from Single Family Residential (RS-1). This parcel is currently farm land with one structure. There is an approximate 1,000 foot wide residential corridor along SC Hwy 202 originally extending from the intersection of Interstate 26 and SC Hwy 202 to the Town limits of Little Mountain. The remainder of this parcel and most neighboring properties with the exception of this residential corridor that is not within the town limits of Little Mountain are Rural (R2). The Comprehensive Plan shows the future land use for this area to be Economic Development which would permit farm use to complement the remainder of

the real estate parcel. The roads are adequate to handle any extra traffic this rezoning may incur. The Planning Staff does recommend that this real estate parcel be rezoned to Rural (R2).

**WHEREAS**, the Newberry County Joint Planning Commission, in case number MA 01-05-21-13, 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 SC Hwy 202 abutting the Town of Little Mountain.

**NOW, THEREFORE**, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning this three (3.0) acres portion of a fifteen (15.0) acres real estate parcel located at 1230 Hwy 202, Little Mountain, SC on the eastern side of SC Hwy. 202 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 Rural (R2) from Single Family Residential (RS-1):

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 a three (3.0) acres portion of TMS No. 695-44 comprising fifteen (15.0) 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 \_\_\_\_\_ day of \_\_\_\_\_, 2013 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

1<sup>st</sup> reading: \_\_\_\_\_  
Public Hearing: \_\_\_\_\_  
2<sup>nd</sup> reading: \_\_\_\_\_  
3<sup>rd</sup> reading: \_\_\_\_\_

Reviewed and approved as to form:  
\_\_\_\_\_  
A. J. Tothacer, Jr., County Attorney

\_\_\_\_\_  
Wayne Adams, County Administrator