

STATE OF SOUTH CAROLINA)
)
COUNTY OF NEWBERRY)

ORDINANCE NO. 02-03-17

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, TO BE CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES ESTABLISHING ZONING CLASSIFICATIONS AND DISTRICTS, SO AS TO REZONE ONE REAL ESTATE PARCEL TOTALING ONE AND ONE HUNDREDTHS (1.01) ACRES DESIGNATED AS TMS PARCEL NO. 6-6-55, FROM SINGLE FAMILY RESIDENTIAL (RSM) TO RURAL (R2).

WHEREAS, Zoning Ordinance No. 12-24-01 as revised and amended by Zoning Ordinance No. 6-11-16, and to be 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 real estate parcel located on Scurry Island Road near the intersection of Catfish Cove on Lake Greenwood to Rural (R2) from Single Family Residential (RSM). This parcel is currently undeveloped land being part of a residential subdivision named Island Place. This parcel is one of three abutting parcels that are also seeking a change in zoning district so that chickens and miniature dairy goats can be raised under the term “urban agriculture” which is a permitted use in certain municipalities. The Comprehensive Plan shows the future land use for this area to be Lake Development which would permit complementary and associated uses as agriculture, forestry according to page 10-11 of the Land Use Element

of the Newberry County Comprehensive Plan. The roads are 50 wide right-of-way which are adequate to handle traffic this rezoning may incur and are designed for residential use. The Planning Staff does not recommend that this real estate parcel be rezoned to Rural (R2).

WHEREAS, the Newberry County Joint Planning Commission, in case number MA01-01-17-17, 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 Scurry Island Road near Catfish Cove on Lake Greenwood.

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning this one and one hundredths (1.01) acres real estate parcel located on the southern side of Scurry Island Road near the intersection of Catfish Cove on Lake Greenwood 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 (RSM):

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 one and one hundredths (1.01) acres of real estate parcel TMS No. 6-6-55 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 _____, 2017 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: _____
Public Hearing: _____
2nd reading: _____
3rd reading: _____

Reviewed and approved as to form:

A. J. Tothacer, Jr., County Attorney

Wayne Adams, County Administrator