

STATE OF SOUTH CAROLINA )

NEWBERRY COUNTY

FILED  
NEWBERRY COUNTY

2024 MAR -2 AM 8:47

ORDINANCE NO. 04-01-2024

ELIZABETH P FOLK  
CLERK

**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. 06-11-16 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 SEVENTY-SIX HUNDREDTHS (.76) ACRE DESIGNATED AS TMS NO. 741-45 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 seventy-six hundredths (.76) acre located at 3 US Highway 76, Chapin, to R2-Rural from RS-Single Family Residential. Tax Map No. 741-45 currently has a dilapidated non-livable home on the property. The Comprehensive Plan shows the future land use for this area to be within the transitional projected area. The Planning Staff does recommend that this real estate parcel be rezoned to R2-Rural.

**WHEREAS**, the Newberry County Joint Planning Commission, in case number MA01-03-19-24, 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 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 3 US Highway 76, Chapin.

**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. 741-45 totaling seventy-six hundredths (.76) acre located at 3 US Highway 76, Chapin, 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 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 Tax Map No. 741-45, totaling seventy-six hundredths (.76) acre real estate parcel as acted on by the Planning Commission, be:

\_\_\_\_\_ disapproved;

approved; or

\_\_\_\_\_ approved with the following modifications: \_\_\_\_\_


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**AND IT IS SO ORDAINED** by Newberry County Council this 1st day of  
May, 2024 in meeting duly assembled at Newberry, South Carolina.


**NEWBERRY COUNTY COUNCIL**

**(SEAL)**

**By:**

  
\_\_\_\_\_  
Todd Johnson, Chairman

**Attest:**

  
\_\_\_\_\_

Andrew Wigger, Clerk to Council

1<sup>st</sup> reading: April 3, 2024  
2<sup>nd</sup> reading: April 17, 2024  
Public Hearing: April 17, 2024  
3<sup>rd</sup> reading: May 1, 2024

Reviewed and approved as to form:

  
\_\_\_\_\_  
Attorney

  
\_\_\_\_\_  
County Administrator