

STATE OF SOUTH CAROLINA )  
NEWBERRY COUNTY )

ORDINANCE NO. 08-19-21

FILED  
NEWBERRY COUNTY  
2021 OCT 14 PM 4:01  
ELIZABETH FREEMAN  
CLERK OF COURTS

**AN ORDINANCE AMENDING THE ZONING ORDINANCE OF THE COUNTY OF NEWBERRY ADOPTED JUNE 20, 2016, SO AS TO AMEND THE ZONING MAP ACTING ON A REQUEST TO AMEND THE OFFICIAL ZONING MAP ESTABLISHED, CODIFIED IN CHAPTER 153 OF THE COUNTY OF NEWBERRY CODE OF ORDINANCES, SO AS TO REZONE ONE (1) REAL ESTATE PARCEL TOTALING TWO (2) ACRES DESIGNATED AS TMS PARCEL NO. 298-37 FROM LIMITED COMMERCIAL 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 real estate parcel totaling two (2) acres located at the southwest corner of Quaker Road and Dennis Dairy Road to R2-Rural from LC-Limited Commercial. Tax Map No. 298-37 currently has one existing building on the property. The Comprehensive Plan shows the future land use for this area to within the rural development area of SC Highway 34-121. The proposed zoning district will not alter the current density or the single-family residential use with respect to the existing residential properties. There should be no traffic problems with this real estate parcel being placed into the R2-Rural zoning district since Quaker Road and Dennis Dairy Road both have a 66-foot right-of-way. 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 MA02-07-20-21, 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 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 Quaker Road;

**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. 298-37 totaling two (2) acres located at 19 Quaker Road southwest of the intersection with Dennis Dairy 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 Rural (R2) from Limited Commercial (LC) :

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. 298-37 and totaling two (2) 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 15 day of September, 2021 in meeting duly assembled at Newberry, South Carolina.

**NEWBERRY COUNTY COUNCIL**

(SEAL)

By: *Henry B. ...* 15  
Chairman

Attest:  
*Susan C. Fellers*  
Susan C. Fellers, Clerk to Council

1<sup>st</sup> reading: August 18, 2021  
Public Hearing: September 15, 2021  
2<sup>nd</sup> reading: September 1, 2021  
3<sup>rd</sup> reading: September 15, 2021

Reviewed and approved as to form:

*OR*  
Attorney

*Tony McDonald*  
County Administrator