

STATE OF SOUTH CAROLINA)

NEWBERRY COUNTY

FILED
NEWBERRY COUNTY

2021 NOV -9 PM 3:21
ORDINANCE NO. 10-25-21

ELIZABETH P FOLK
CLERK OF COURT

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 TWO (2) REAL ESTATE PARCELS TOTALING THIRTEEN AND THIRTY-EIGHT HUNDREDTHS (13.38) ACRES DESIGNATED AS TMS PARCEL NO. 27-13-44 AND 27-13-47 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 two real estate parcels totaling thirteen and thirty-eight hundredths (13.38) acres located at Cypress Point Road, Cypress Point Drive, and Scurry Church Road from RS- Single Family Residential to R2-Rural. Tax Map No. 27-13-44 and 27-13-47 are currently vacant. The Comprehensive Plan shows the future land use for this area to be within the Lake Development area of SC Highway 39, Chappells, SC. There should be no traffic problems with this real estate parcel being placed into R2-Rural zoning district since Scurry Church Road, Cypress Point Road and Cypress Point Drive all have a 50-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 MA02-09-21-21, 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 Counts 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. 27-13-44 and 27-13-47 totaling thirteen and thirty-eight hundredths (13.38) acres located at Cypress Point Road, Cypress Point Drive and Curry Church 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, 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:

✓ disapproved;

_____ approved; or

_____ approved with the following modifications:

AND IT IS SO ORDAINED by Newberry County Council this 3rd day of November, 2021
in meeting duly assembled at Newberry, South Carolina.

NEWBERRY COUNTY COUNCIL

(SEAL)

By: Henry H. Livingston III
Henry H. Livingston, III, Chairman,
County Council, Newberry County

Attest:

Susan C. Fellers
Susan C. Fellers, Clerk to Council

First Reading: October 6, 2021
Second Reading: October 20, 2021
Public Hearing: November 3, 2021
Third Reading: November 3, 2021

Reviewed and approved as to form:

A. J. Tothacer, Jr. County Attorney

Tony McDonald
Tony McDonald, Interim County Administrator