

STATE OF SOUTH CAROLINA )  
NEWBERRY COUNTY )

FILED  
NEWBERRY COUNTY  
ORDINANCE NO. 05-07-2023  
2023 JUN 23 PM 1:33

**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 AND CODIFIED IN CHAPTER 153 OF THE NEWBERRY COUNTY CODE OF ORDINANCES, ESTABLISHES ZONING CLASSIFICATION AND DISTRICTS SO AS TO REZONE TWO (2) REAL ESTATE PARCELS TOTALING THREE AND NINETY-TWO HUNDREDTHS (3.92) ACRES DESIGNATED AS TMS NO. 339-3-6-1 AND TMS NO. 339-3-6-2 FROM GC-GENERAL COMMERCIAL TO RSM-SINGLE FAMILY RESIDENTIAL.**

**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 (2) real estate parcels totaling three and ninety-two hundredths (3.92) acres located at 2209 & 2211 Wilson Rd., Newberry, to RSM-Single Family Residential from GC-General Commercial. Tax Map No. 339-3-6-1 is currently undeveloped. Tax Map No. 339-3-6-2 currently has a residential structure on the property. The Comprehensive Plan shows the future land use for this area to be within the economic development projected area. The Planning Staff does recommend that this real estate parcel be rezoned to RSM-Single Family Residential.

**WHEREAS**, the Newberry County Joint Planning Commission, in case number MA01-04-18-23, 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 property located at 2209 & 2211 Wilson Rd., Newberry.

**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. 339-3-6-1 and Tax Map No. 339-3-6-2, totaling three and ninety-two hundredths (3.92) acres located at 2209 & 2211 Wilson Rd., Newberry, as more particularly shown on the plat accompanying the submitted "Official Zoning Map Amendment Application" included in the submitted Planning Commission report attached hereto, RSM-Single Family Residential from GC-General Commercial:

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. 339-3-6-1 and Tax



Map No. 339-3-6-2, totaling three and ninety-two hundredths (3.92) 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 7th day of June, 2023 in meeting duly assembled at Newberry, South Carolina.

(SEAL)

**NEWBERRY COUNTY COUNCIL**

By: Todd Johnson  
Todd Johnson, Chairman

**Attest:**

Susan Fellers  
Susan Fellers, Clerk to Council

1<sup>st</sup> reading: May 5, 2023  
2<sup>nd</sup> reading: May 17, 2023  
Public Hearing: June 7, 2023  
3<sup>rd</sup> reading: June 7, 2023

Reviewed and approved as to form:

Danice Winters  
Attorney

[Signature]  
County Administrator