

comments as to both the existing and intended uses of the property. The Planning Commission determined it does not concur with the recommendation of the Planning Staff. It voted to approve the application to rezone this parcel to Rural (R2) for the reasons set forth in the attached submission from the Planning Commission. 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 Hawley Creek Road;

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning the twenty-seven and ninety-two hundredths acres parcel shown as TMS No. 536-5 located at 228 Hawley Creek Road, Prosperity as more particularly shown on the plat accompanying the submitted "Official Zoning Map Amendment Application" included in the submitted Planning Staff report attached hereto, to Rural (R2):

A. This amendment is needed because the proposed agricultural use cannot be accomplished by the owner under the existing zoning district regulations.

B. The proposed map amendment would have no apparent impact on the orderly growth and development of the community.

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. 536-5 comprising a twenty-seven and ninety-two hundredths acres parcel as will be 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 21st day of

April 2010 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: March 3, 2010
Public Hearing: April 7, 2010
2nd reading: April 7, 2010
3rd reading: April 21, 2010

Reviewed and approved as to form:

A. J. Tothacer, Jr., County Attorney

Wayne Adams, County Administrator