

WHEREAS, the Newberry County Joint Planning Commission, in case number MA 02-04-21-09, 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 Planning Commission determined that it concurs with the recommendation of the Planning Staff. It voted to approve the application to rezone this parcel to General Commercial (GC) 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 C. R. Koon Highway between Newberry and Prosperity.

NOW, THEREFORE, Newberry County Council makes the following findings of fact and law as to the merits of the rezoning request concerning the entirety of TMS No. 404-40 located off the west side of C. R. Koon Highway 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 General Commercial (GC) from Single Family Residential (RS 1):

A. That the proposed map amendment promotes 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.

B. The proposed map amendment would have a positive 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. 404-40 comprising a two and thirty-seven hundredths (2.37) 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 _____ day of _____, 2009 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: May 6, 2009
Public Hearing: May 20, 2009
2nd reading: June 3, 2009
3rd reading: June 3, 2009

Reviewed and approved as to form:

A. J. Tothacer, Jr., County Attorney

Wayne Adams, County Administrator