

STATE OF SOUTH CAROLINA)
COUNTY OF EDGEFIELD)

ORDINANCE NO. 18-19-756

AN ORDINANCE REZONE CERTAIN PROPERTY LOCATED AT TAX PARCEL NUMBER 106-00-00-067 AND A PORTION OF TAX PARCEL NUMBER 106-00-00-041 FROM RESIDENTIAL DEVELOPMENT (RD) TO LIMITED DEVELOPMENT (LD)

WHEREAS, two parcels of real estate identified as Tax Parcel Number 106-00-00-067 and a 1.48-acre portion of Tax Parcel Number 106-00-00-041 (as shown on a Survey, dated August 20, 2018 to be recorded, attached as Exhibit A, which is incorporated herein. Hereinafter referred to as “Property”), located on Martintown Road, North Augusta, is presently zoned Residential Development (RD); and

WHEREAS, the owners of the Property have requested that the property be rezoned to Limited Commercial (LC); and

WHEREAS, the Edgefield County Planning Commission has reviewed this request and determined by a 4-0 vote that the requested rezoning of this property, subject to the condition below, substantially complies with the Comprehensive Land Use and Transportation Plan and is essential to the general health, safety, welfare and economic stability of the County and is in the best interest of its citizens;

NOW THEREFORE, THE COUNCIL OF THE COUNTY OF EDGEFIELD HERBY ORDAINS THAT:

Section 1: The property known as Tax Map Parcel Numbers 106-00-00-067 and the portion of Tax Parcel Number 106-00-00-041 referenced above, is rezoned from Residential Development (RD) to Limited Commercial (LC).

Section 2: The August 20, 2018 Survey of the portion of Tax Parcel Number 106-00-00-041 subject to this Ordinance along with this Ordinance shall be recorded by the landowner with the Office of the Edgefield County Clerk of Court in order for this rezoning to take effect.

Section 3: The Comprehensive Plan of the County of Edgefield, the Zoning Map of the County of Edgefield, and all other maps and plans of the County of Edgefield are hereby amended accordingly.

Section 4: This rezoning is subject to the condition that landowner or their successors, shall develop the property within five (5) years of the approval of this Ordinance.

- a. If the Edgefield County Planning and Building Department inspector determines that said construction and improvements have not been made within 5 years of the signing of this ordinance, upon filing an affidavit with the Edgefield County Clerk of Court, the zoning shall revert to Residential

Development (RD), The Comprehensive Plan and Zoning Maps shall be amended accordingly at that time without the necessity of a County Ordinance.

- b. If no such affidavit is filed within six (6) months of expiration of the five-year period, this contingency shall expire with no reversion of zoning classification.
- c. The landowner's rights are considered vested in the improvements submitted to the Planning Commission subject to these terms and the terms of the South Carolina Vested Rights Act.

Section 5: All ordinances or parts of ordinances in conflict with the provisions of this ordinance are hereby repealed to the extent necessary to give the provisions of this ordinance full force and effect.

Section 6: Under the pending ordinance doctrine, this ordinance will be effective after advertisement for the public hearing.

Section 7: This ordinance shall become effective upon adoption by the Council of the County of Edgefield

Edgefield County Council

Dean Campbell, Chair

ATTEST:

Jennifer Gilley, Clerk to Council

APPROVED AS TO FORM:

Andrew C. Marine, County Attorney

First Reading _____
 Public Hearing _____
 Second Reading _____
 Third Reading _____