Biggerstaff back in front of planners Monday

BY MIKE EADS
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WALHALLA — The much-discussed Biggerstaff zoning bid comes back before the Oconee County Planning Commission on Monday.

St. John's Lutheran Church in Walhalla is fighting Ordinance 2012-12, which would impose zoning on a 5-acre parcel it owns on Lake Keowee. The ordinance, initiated by nearby resident Mike Smith, includes 457 parcels on 570 acres near Biggerstaff Road. It would put the church's property and the rest of the currently control-free land into Residential, Lake Residential and/or Agricultural Residential zoning.

Walhalla attorney Larry Brandt has said the church wants the property to remain free of zoning. He argued at a contentious August Board of Zoning Appeals (BZA) hearing that the ordinance did not get enough signatures from landowners and that the County Council is the only proper body to consider the ordinance.

The BZA sent the ordinance back to the Planning Commission for further consideration.

Josh Stephens, administrator for the county's planning staff, said there hasn't been any communication between his office and Brandt since the August BZA hearing. He said Biggerstaff is on the agenda to allow the Planning Commission to hear public input and discuss with staffers how best to proceed with the case.

Brandt was surprised to hear Friday that the ordinance is back before the Planning Commission.

"Now that I know about it, I guess I'm gonna go (Monday)," Brandt said.

The attorney said Ordinance 2012-12 is effectively dead because no one took it to circuit court within 30 days of the BZA's action, as required by the county's 2009 zoning laws. Brandt insists a whole new ordinance would have to be instigated by the County Council or petitioners, have a first reading, go to the Planning Commission and its staff, etc., just like any other zoning ordinance.

The commission will also discuss possible changes to the county's zoning laws covering subdivisions, including such things as setbacks, RV parks and more.

"As a staff, we regularly review ordinances to see if they need to be fine tuned or tweaked," Stephens said. "It's a staff development tool ... it's just an idea to discuss."

The planning commission meets Monday at 6 p.m. in the County Council chambers, 415 S. Pine St. in Walhalla.

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