Biggerstaff presumed dead

Ordinance going back to County Council

BY MIKE EADS
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WALHALLA — Biggerstaff appears to be dead, at least for now.

The Oconee County Planning Commission voted 5-1 Monday to send Ordinance 2012-12 — also known as Biggerstaff — back to the County Council with a recommendation to kill it.

The zoning bid, rejected in August by the Board of Zoning Appeals (BZA) for lack of valid petitions, would impose zoning on a 5-acre parcel on Lake Keowee owned by St. John's Lutheran Church in Walhalla. The ordinance was initiated by Mike Smith and includes 457 parcels on 570 acres near Biggerstaff Road. It would put the church's property and the rest into Residential, Lake Residential and/or Agricultural Residential zoning.

Both Smith and Jim Codner, president of the Advocates for Quality Development, tried to convince the commission that the ordinance was a work in progress and could be easily fixed and passed by the County Council.

Codner drew derisive laughter from zoning opponents on a few occasions, including when he told the commission, "I'm concerned with how we're interpreting the petition process and making it way too much of a legalistic issue."

Smith and Codner's arguments were swept aside by Walhalla attorney Larry Brandt, who has represented the church in its fight to remain free of zoning. He restated his position, expressed before the BZA, that the petitioners did not get enough good signatures to enable zoning.

"You don't have a petition," Brandt said, referring to varying language on several of the submitted forms. "They all ask for different things ... none of them defines the area specifically."

Brandt emphasized that the ordinance died when the BZA voted it down.

"(Petitioners) have a right to start over and have a single petition," Brandt added, "but they'll need 75 percent of the land area (and 51 percent of those land owners)."

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BIGGERSTAFF:

'I could be home watching Romper Room,' Moore said

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Most commission members accepted the BZA's ruling, but Dist. 1 member Andrea Heller advocated holding off action until they could receive input from Martin.

She was the sole dissenter when the commission voted for Dist. 2 member Howard Moore's motion to send the ordinance back to the County Council with a death sentence.

"As far as I am concerned, this whole thing has been a waste of time," said Moore, clearly irritated with the situation. "I could be home watching Romper Room."

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