

## Oconee landowner seeks remediation from planning commission

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WALHALLA — Landowner David McMahan has asked the Oconee County Planning Commission for remediation of a zoning decision made in December of last year.

The result, McMahan told the commission this week, was unfair treatment of his own zoning request.

McMahan, his wife and Jean Jennings were parties last year in a petition to have their property in the Fairview community of Oconee County, near Lake Keowee, zoned Traditional Rural, the least restrictive of Oconee County's zoning classifications.

Some of the parcels in the McMahan-Jennings petition were overlapped by a petition from mostly lakeshore property owners of the North Cane Creek area seeking more restrictive zoning. The North Cane Creek effort was spearheaded by Jim Codner, president of Advocates for Quality Development, which advocates controlled growth and protection of property values.

The county council ultimately zoned the McMahans' and Jean Jennings' property as Agricultural Residential, more restrictive than their original request.

McMahan on Monday asked the planning commissioners to review 288 pages of emails he obtained from Oconee County by a Freedom of Information Act request. The emails, he said, show frequent communication involving Codner, county council members and a planning commissioner where his and Jean Jennings' petitions were discussed.

"Read those emails," he said to the commissioners. "And ask yourself if the process (of the zoning petition's handling) was fair."

The emails, copies of which have been obtained by the Independent Mail, contain such communications as an Oct. 10, 2010 email from Codner to county council member Paul Corbiel, copied to county administrator Scott Moulder, council member Reg Dexter and planning commissioner Andy Heller, urging that the Traditional Rural classification be made more restrictive before the county council acted on the McMahan-Jennings petition.

"There will be major opposition to the kind of changes contemplated, particularly when people understand just how restrictive the changes might be," Codner wrote. "As I picture it, in order to provide the kind of protections appropriate for parcels near a residential area, the revisions would pretty much gut practical use of the (Traditional Rural classification) in areas like North Fairview."

Planning Commission chairman Ryan Honea and vice-chairman Howard Moore said they intended to give the emails thorough attention.

"I hear some of (the emails) talk about me," Moore said after the meeting. "I want to see if I'm as bad as I hear I am."

The commission did not, however, commit to any remediation for McMahan.

In other business, the commission heard details of another zoning petition centered on Keowee Key.

The petition involves 2,858 parcels covering 11 different subdivisions, with a classification of Lake Residential sought for all but 19 parcels.

The commission agreed to consider the merits of the petition at its next meeting.



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