

Oconee zoning clause

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WALHALLA — An all but forgotten clause in Oconee's Zoning Enabling Ordinance put a big smile on the face of Councilman Wayne McCall.

County Planner Aaron Gadsby reminded everyone of the provision at Tuesday night's Oconee County Council meeting to put to rest, it appears, any talk of a lawsuit against the county.



McCall

Community Commercial within the Stamp Creek/Keowee Key rezoning petition.

Before the petition could be

McCall had, through a spokesman, made it crystal clear that a legal challenge would be forthcoming if his McCall Brothers' commercial diving operation was rezoned as



Martin

legal liability for the county by approving the rezoning petition, even though McCall Brothers is operating with special deed cov-

put to a vote, council engaged County Attorney Tom Martin and County Administrator Scott Moulder on a long discussion over the legal implications.

Martin said he did not see any

disarms lawsuit

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Moulder said afterward that he and Martin had forgotten about the clause, which states that all covenants and restrictions in place at the time the provision was adopted would supercede any zoning provisions.

After the clarification, council approved the Stamp Creek/Keowee Key petition.

"I'm a happy camper," McCall said after the meeting.

In other developments, council approved Moulder's recommendation to have a conceptual plan of the Golden Corner Commerce Park. He said the plan would determine whether it would be possible to get the South Carolina Foothills Heritage Fair into the park on a permanent basis.

In the meantime, Moulder indicated that he is working to present a two-year contract for the Heritage Fair organizers to consider. The group has operated on a one-year deal for the past two years.



Moulder

the covenants and zoning would prevail.

"What is the most restrictive?" Councilman Reg Dexter asked.

enants from Crescent Resources.

"A lawsuit is not applicable to the review I was making," Martin said.

Martin added that in case of a conflict the most restrictive between

Martin could not say, but added that each could be enforced regardless of the other.

Moulder interjected that zoning would be more restrictive.

He said there could be a conflict if the McCall Brothers' business changes or expands.

The debate was put to rest; however, when everyone was reminded of a provision in the ZEO.

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Moulder said the conceptual plan also would consider placement of a fresh-water processing plant for the Pioneer Rural Water District and a Fair Play fire station.

Council also approved a feasibility study to determine whether a Highway 11 route would be easier and cheaper for a sewer line into the southern end of the county. The Oconee Joint Regional Sewer Authority requested the study.

Moulder also informed council of the school district's invitation to have the county partner on a sewer line needed for the new Walhalla High School.

On the economic development front, the county identified BASF as the company that was offered tax incentives in return for a \$60 million investment over five years that would create 25 new jobs. BASF is a leading chemical company.

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