Zoning Conspiracy?



JESSICA NELMS | THE JOURNAL

Gary McMahan and his wife, Michelle, pictured here with Rhett, 3, and Myla, 7, are battling to retain the farming way of life McMahan's family has enjoyed in the Fairview community for three generations.

To read the emails and attachments provided by Oconee County and referred to in this story go to: http://upstatetoday.com/index.php/rezoning

Zoning conspiracy? What do the records really say?



Tuesday: Emails suggest locals may have been shutout of efforts to change zoning law.



Wednesday: What went on during that uncommon eight-month delay in zoning action?



Thursday: Where did ag residential come from & who suggested it should be the Fairview answer?



Friday: Locals are not alone in believing that civil conspiracies can take place.



Saturday: Did county officials cross the line to help private interests effect change?

Zoning Controversy?

Couple claims their culture has been stolen

BY CARLOS GALARZA
THE JOURNAL

VOTE online

How transparent do you feel the county has been?

SENECA — David McMahan has grown into manhood in the shadow of his family's "big house" on the shores of Lake Keowee.

From what was originally several hundred acres of farmstead he has grown corn and hay, tended to cattle and horses, learned mechanics so he could fix cars and trucks, and grown and harvested timber.

He and his wife, Michelle, built their own home on the farmstead and sat on their porch watching, as a planned development rose from the red soil that had been their neighbor's farm across the road.

"We didn't try to stop that (development)," Michelle McMahan said of The Woods community. "That was The Woods' property and that's what they decided to do."

Long before, Duke Energy had "purchased" much of the McMahan farmstead for the creation of Lake Keowee. David and his brother were left with 71 acres on which to make a living.

On his 21 acres he grows some hay for his own animals, harvests a little timber and has begun to develop a vineyard.

To make ends meet, he went back to school and now works as a sheriff's deputy.

He believes what is left of his family's generational farmstead now has been stolen from him by county officials and his new lakeside neighbors.

The McMahans, Jean Jennings and several of the other 56 people who signed their petition to be rezoned "traditional rural" contend that there was collusion between county officials and private interest groups that resulted in their request being altered and a form of zoning imposed on them that they do not want.

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They believe the key to proving their claims lies in "public business being conduced outside a public forum through electronic communication ..."

This week a volley of emails among Oconee County elected officials, county staff, members of the Planning Commission and private Lake Keowee residents went viral. McMahan himself released dozens of the email exchanges that were obtained through a Freedom of Information Act request he filed in conjunction with The Journal.

McMahan went public at this week's Oconee County Planning Commission meeting, telling planners he was convinced that the Fairview zoning request had been undermined by "an email feeding frenzy over a 12-month period."

McMahan read a blistering statement that outlined how, in his opinion, the emails show a pattern of county officials huddling with influential interests on the lake to "change and alter our petition request."

The correspondence provided by the county is largely one-sided. It also describes heavy involvement on the part of Jim Codner, president of Advocates for Quality Development, Inc., an organization that protects and pursues lakeside interests.

The emails make clear the flurry of active — some of it involving the county's legal firm — that was going on behind the scenes during an uncommon eight-month delay between first and second reading of the North Fairview petition.

In the room as McMahan pleaded for the Planning Commission to reconsider the North Fairview petition were some of the people whose names are consistently found in the header of many of those emails — Council members Paul Corbeil and Reg Dexter; planning commissioners Ryan Honea and Andrea Heller; and County Administrator Scott Moulder.

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McMahan becomes coy when asked about possible legal action. He acknowledges having talked with lawyers but said he has not retained a lawyer yet.

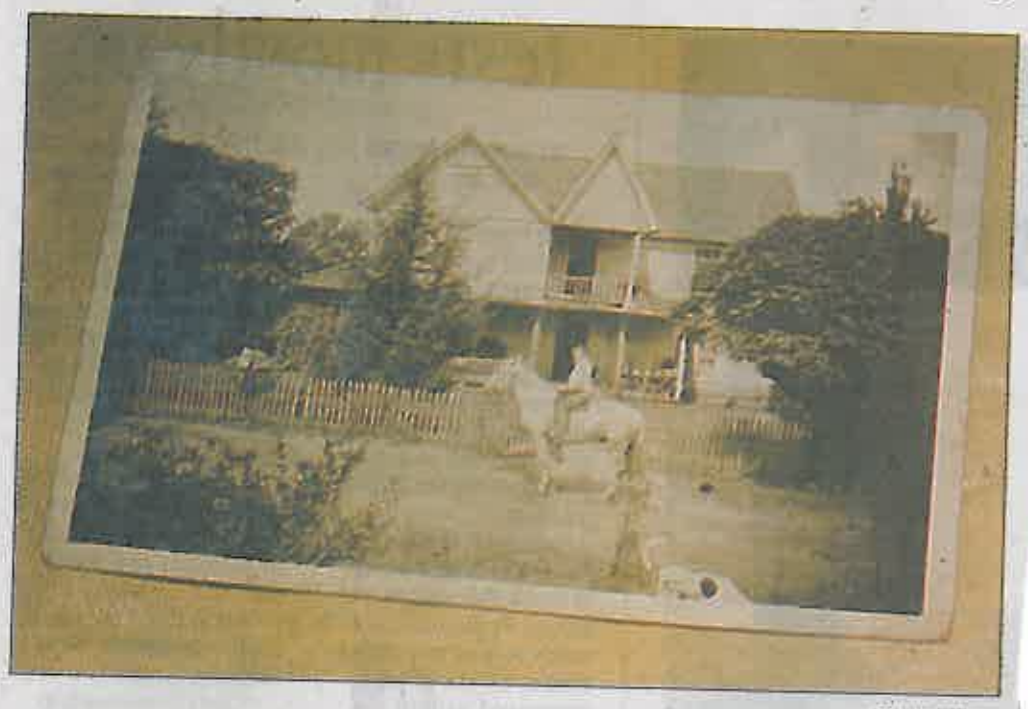
Should a civil suit develop, it could mirror another case playing out in the South Carolina courts that pits a private developer against Horry County elected officials.

This week The Journal will report on the McMahan/Jennings' claims of collusion and the findings of an in-depth analysis of the suddenly popular emails, as well as other documents the paper has obtained, interview comments and public records.

carlos@dailyjm.com | (864) 973-6685

Brett McLaughlin contributed to this report.

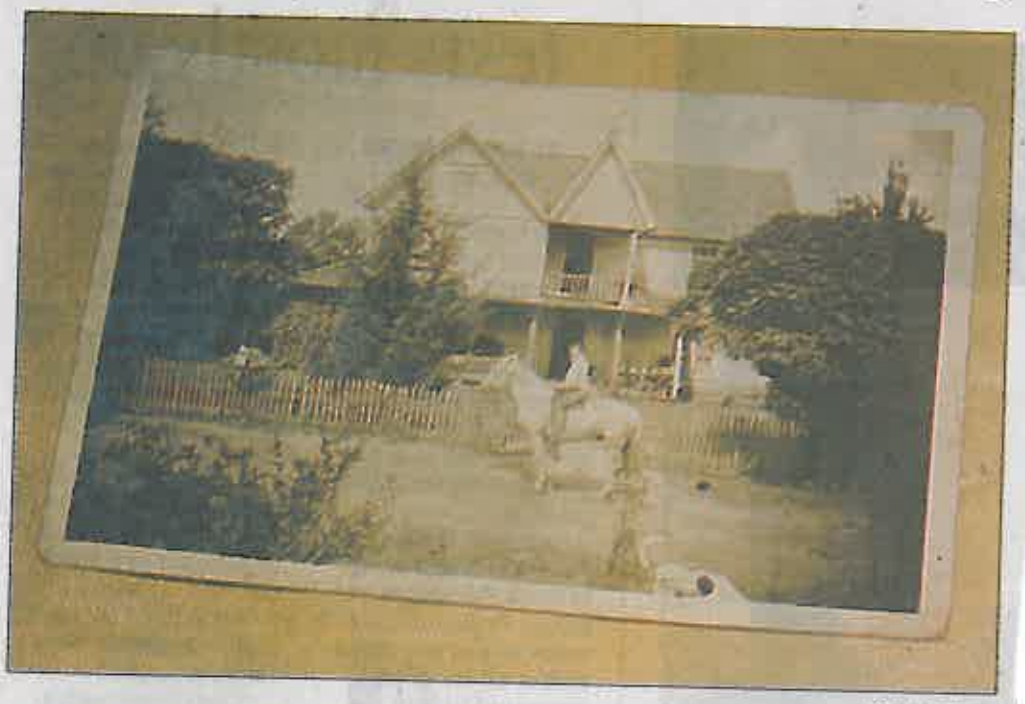
ZONING: McMahan went public at this week's Commission meeting



FOR THE JOURNAL

Farming has been a way of life for the McMahan family for generations. A young Wallace McMahan is shown here outside what the family refers to as "the big house," which still stands on the family property near the lake. McMahan's son, David, has taken up a zoning fight to preserve the family's way of life.

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