NORTH AUGUSTA

SOUTH CAROLINA'S RIVERFRONT

FOIA 2021-57

Date: July 22, 2021

TO: Brandon J. Gallagher

Brandon.gallagher@proplogix.com

RE: FREEDOM OF INFORMATION REQUEST

Copy to:

Kelly Zier - City Attorney

Tommy Paradise - Director of Planning &

Development

Mark Timmerman - Superintendent of Building

Standards

PLEASE BE ADVISED that the City of North Augusta has received your Freedom of Information Act (FOIA) request the 19th day of July 2021. Such request has been forwarded to the appropriate department for response. In addition, a copy of said request has been forwarded to the office of the City Attorney for his review.

The City Attorney will make a determination as to whether the request is a proper request under the FOIA act. The appropriate department will advise as to what materials, documents, etc. may be available. That department will also provide information indicating the approximate time involved related to the retrieval of the documentation, and also the amount of material that would need to be copied in order to comply with the request. At such time as a response is received from the City Attorney and the appropriate department, we will then notify you of the response of the City to your FOIA request. In the event that the request is deemed appropriate and permissible under the FOIA act, we will advise you of same and also provide an estimate of the costs that would be related to responding to said request. In the event that it is determined that the FOIA request is not proper and not permitted by the act, you'll also be advised of that decision.

A response to your request will be made within the time limits as established by section 20-4-30(c) of the FOIA act. Specifically, this requires that said response be provided within 10 business days for any record requested that is less than 24 months old. A request for a record that is more than 24 months old, is to be responded to within 20 business days from the date of the receipt of your request. The City would not normally require the full period in order to respond, but reserves its right under the act to do so.

The response as required by the Act as referred to in the above paragraph is NOT the delivery of the documents. It is a response advising the person making the FOIA request of the City's determination as to the public availability, of the requested public records. The ACT further provides that if the request is granted, the document must be furnished or made available for inspection or copying no later than thirty (30) calendar days from the date on which the final determination as to the availability of the documents is made, unless the record are more than twenty-four (24) months old, in which case the Public Body is to provide such records no late than thirty-five (35) calendar days from the date on which the final determination was provided. In the event that a deposit for the costs of providing the documentation is required, the providing of the

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documents would be based upon the date on which the deposit is received. In such case, the time remains thirty (30) or thirty-five (35) calendar days based upon the age of the documents requested.

In the event that the response to your request is positive and the costs associated with retrieving and providing the data is minimal, in most cases, the City would forward the documentation to you with a statement for the costs. An example of charges would be 15¢ per page for black and white copies, 20¢ per page for color copies. The City does not charge for search and retrieval for fifteen minutes or less. For any time required to research and retrieve the requested information more than 15 minutes, the City charges, a minimum of \$8.00 per 30 minutes. Pursuant to the act, the charge for searching, retrieving, and redacting records is not to exceed the hourly wage of the lowest paid employee on the public body staff, who has the skill and training to fulfill the request. Therefore, the charge could be in excess of the \$8.00 per 30 minutes, if a regular clerical person is unable to perform the services. The specific FOIA Fee schedule, as adopted by the City is available for review online. In the event that the costs are considered to be of more than a nominal amount, the City would reserve the right to require a deposit of 25% of anticipated costs to be made before assembling, copying and delivering the materials. This would also provide to you the opportunity to determine if you desired to proceed with the request in light of the costs.

NOTICE: SOUTH CAROLINA LAW PROVIDES THAT "IT IS A CRIME TO KNOWINGLY OBTAIN OR USE PERSONAL INFORMATION FROM A PUBLIC BODY FOR COMMERCIAL SOLICITATION." Section 30-2-50

Sharon Lamar, City Clerk

City of North Augusta, South Carolina

Lamar, Sharon

From:

Moody, Rachelle

Sent:

Monday, July 19, 2021 4:33 PM

To:

Paradise, Tommy; Lamar, Sharon

Subject:

RE: Zoning Letter // 309 East Martintown Road

Follow Up Flag:

Follow up Flagged

Flag Status:

Yes, this request would be a FOIA.

Sharon, can you please process this request?

From: Paradise, Tommy

Sent: Monday, July 19, 2021 12:16 PM

To: Moody, Rachelle <RMoody@northaugusta.net>
Subject: FW: Zoning Letter // 309 East Martintown Road

Please see the request below for a zoning letter. The level of this request looks more like a FOIA than a \$10 letter of the zoning. But I don't know how these type of requests have been handled in the past and want to ask for guidance. It will certainly take staff more time than \$10 to accumulate this information.

Thanks

From: Brandon.Gallagher=proplogix.com@mg.proplogix.com

[mailto:Brandon.Gallagher=proplogix.com@mg.proplogix.com] On Behalf Of Brandon Gallagher

Sent: Friday, July 16, 2021 4:08 PM

To: Paradise, Tommy < <u>TParadise@northaugusta.net</u>> **Subject:** Zoning Letter // 309 East Martintown Road

Hello,

Our firm has been requested to provide a zoning and land use verification letter for the property located at:

Property Address:

309 East Martintown Road North Augusta, South Carolina 29841

Parcel ID #: 007-07-11-053

Owner: N/A

Please provide the following:

- Subject property Zoning District and any Overlay Districts
- Is the Subject located in any Planning Areas or any other Special Districts?
- Is the Subject Property permitted by right within the Subject district?

- o If the property was approved with a Conditional or Special Use Permit. Please provide copies, if available, or details on how to request
- o If the property is a Planned Development, please include development approvals, resolutions, and ordinances and provide copies or details on how to request
- o Use and Development Standards
- o Use Table and Bulk Requirements for Subject district
- o Future Land Use Designation
- o Verification that current zoning classification is consistent with Future Land Use Designation
- o Any zoning code violations and any associated invoices
- o Any available copies of Certificates of Occupancy
- o Any known variances, special exceptions, or conditions. Please provide copies, if available, or details on how to request
- o Can the Subject Property be rebuilt in the case of a casualty?
- Copy of zoning map

We would prefer to receive the letter by email, if possible. Please contact me if you need further information. Thank you in advance for your assistance!

Thank you,

Brandon Gallagher / Property Analyst

5901 Honore Ave., Ste. 200, Sarasota, FL 34243 Email: Brandon.Gallagher@proplogix.com

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