Supreme Court Decision

The Lucas case was one of the developers of Wetlands, a most influential and seminal development in the work of the late John Weeks. This site, located near the mouth of the Winyah Bay south of Charleston, was purchased by Lucas for $750,000. In 1991, Lucas filed suit to block the construction of the development, arguing that the rezoning of the land violated the state's wetlands laws. The trial court granted Lucas' injunction, and the state appealed.

In 1992, the Supreme Court of South Carolina reversed the trial court's decision, holding that the rezoning of the land did not constitute an impermissible taking under the state's wetlands laws. The court ruled that the rezoning was made in the public interest and was necessary for the development of the land. The decision was seen as a significant victory for developers, who argued that the state's wetlands laws were too strict and were unduly hindering development.

The decision was widely criticized by environmentalists, who argued that it would undermine the state's wetlands laws and allow for the development of previously protected areas. The decision was also criticized by the United States Supreme Court, which later ruled in KPMG Peat Marwick v. Liebenthal that the decision had been reversed in error and that the rezoning had been an impermissible taking under the state's wetlands laws.

The Lucas case was one of the most significant land use cases in the state's history, and its outcome had far-reaching implications for the development of the state's wetlands laws. The decision was seen as a significant victory for developers, who argued that the state's wetlands laws were too strict and were unduly hindering development. The decision was also criticized by environmentalists, who argued that it would undermine the state's wetlands laws and allow for the development of previously protected areas.