

HALL COUNTY GOVERNMENT

BOARD OF COMMISSIONERS

November 13, 2000

Mr. John Perry
Cherokee Gun Club, Inc.
Post Office Box 941
Gainesville, GA 30503

Dear Mr. Perry:

Please be advised that in its meeting of November 9, 2000, the Hall County Board of Commissioners voted to approve the application of Cherokee Gun Club for a Use Subject to County Commission approval on a 51.72± acre tract located on the west side of SR 60, 3,300± feet southwest of its intersection with Fullenwider Road; Zoned AR-III; Tax Parcel 15-31-25A(part). Proposed Use: Expand gun club facilities. Commission District One.

The following condition applies:

1. The days of operation are limited to Monday through Saturday, opening 30 minutes after sunrise and closing 30 minutes after sunset. Sunday operating hours is 12:30 p.m. until 30 minutes after sunset.

Pursuant to section 17,380.130(G) of the Official Code of Hall County, the approval of any application for a use subject to approval of the county commission shall be effective for a period of no longer than 12 months from the date of approval unless action is taken by the applicant to implement the use proposed in the application by obtaining the proper permit and/or license, and development plat approval, and proceeding with the building, occupancy or establishment of business.

Please remember to remove all Public Notice signs posted on the property within five (5) days following the Board of Commissioners' decision, as noted in Hall County's Zoning Regulations.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Michelle Smallwood
Michelle Smallwood
Clerk of the Commission



POST OFFICE BOX 1435
GAINESVILLE, GEORGIA 30503
(770) 535-8260
FAX (770) 531-3972

W. AL GAINEY, JR.
CHAIRMAN

BRENDA R. BRANCH, DISTRICT 1
JERRY CARPENTER, DISTRICT 2
STEPHEN BLACK, DISTRICT 3
FRANCES MEADOWS, DISTRICT 4

JIM SHULER
COUNTY ADMINISTRATOR

cc: Mr. Harmon T. Smith, Jr.
Post Office Box 1276
Gainesville, GA 30503

Planning and Zoning
Business License
Tax Assessor

Building Inspection
Public Works
Tax Commissioner (W. Bryan)

**HALL COUNTY PLANNING COMMISSION
RECOMMENDATION**

ApplicantCherokee Gun Club

RequestConditional Use Subject to County Commission approval

Proposed Use.....Expand existing gun club

Size51.72± acres

Zoning.....AR-III

Location.....West side of SR 60, 3,300± feet southwest of its intersection with Fullenwider Road-
.....Tax Parcel 15-31-25A(part)

Commission District.....One

County Commission DateNovember 9, 2000

RecommendationApproval, with condition

Background Information

The Cherokee Gun Club is proposing to expand the current gun range facilities. The subject property is zoned AR-III and, for a private gun club, is subject to County Commission approval. The reason for this extra review is to determine that the specific site is suitable versus impacts to the surrounding area.

The club facilities are located on 55 acres of land at 1700 Candler Road. On March 17, 1986, Hall County approved the club as a permissive use within the I-I zoning district. In the 1990's the club purchased an additional 51± acres zoned AR-III, which is the subject property. This tract does not front on any roads, and is accessed by the adjoining tract of land.

The current hours of operation are Monday through Saturday, opening 30 minutes after sunrise and closing 30 minutes after sunset. Sunday operating hours are 12:30 p.m. until 30 minutes after sunset.

Existing Facilities

Rifle range
Pistol range
Skeet range
Trap range
Sporting Clays course

Proposed Improvements

Shelters for shooters to protect them from elements (10' x 16')
Moveable target supports and equipment
Mobile sporting clays course
Black powder range

Existing Conditions and Zoning

The subject property is currently developed with multiple firing ranges. There are no residences located on the property. Candler Road is developed heavily with both commercial and industrial land uses. There are few residential structures located in the vicinity. The western boundary of the property abuts industrial land uses on both Barber Road and Gibbs Drive.

Comprehensive Plan

The subject property is located within the "Suburban" land use district, which would allow development such as that proposed by the applicant at appropriate locations.

Impact to Public Services

The property is located between 2.5 to 5 miles from the nearest emergency service/fire station. If the request is approved it should not impact the level of service of these providers.

Most Significant Factors

The proposed request is consistent with the Comprehensive Plan. There have been no complaints on the gun club since it was approved in 1986. Only a very small portion of the land is actually developed, with the bulk of the property being a natural buffer for the shooting range. The addition of 51 acres would essentially allow for expansion while still maintaining this buffer. The applicant stated he is unaware of any complaints from adjoining property owners. There would be no adverse affects to nearby property owners if the request were approved. This development by itself should not create a problem, but it does add to the general congestion of the area, which will continue to increase as other developments are completed. The proposal will not increase the demand for public services. Denying the request should have no effect on its value. The property would maintain its economic use as currently zoned with the inherently- permitted uses allowed within the AR-IV zoning district.

Recommendation

Staff recommends approval of this request, subject to the following condition:

- 1) The days and hours of operation are limited to Monday through Saturday, opening 30 minutes after sunrise and closing 30 minutes after sunset. Sunday operating hours is 12:30 p.m. until 30 minutes after sunset.

Planning Commission Recommendation

Motion: Mr. Clark made a motion to recommend conditional approval of the request, subject to the condition contained in the Staff Report. The motion received a second from Mr. Robbins and passed unanimously.

Excerpts from the minutes of the meeting of October 16, 2000:

Applicant's Presentation: Mr. Jarrard explained the Cherokee Gun Club does have plans for future expansion, but at the present time the property will be utilized as an additional buffer. The

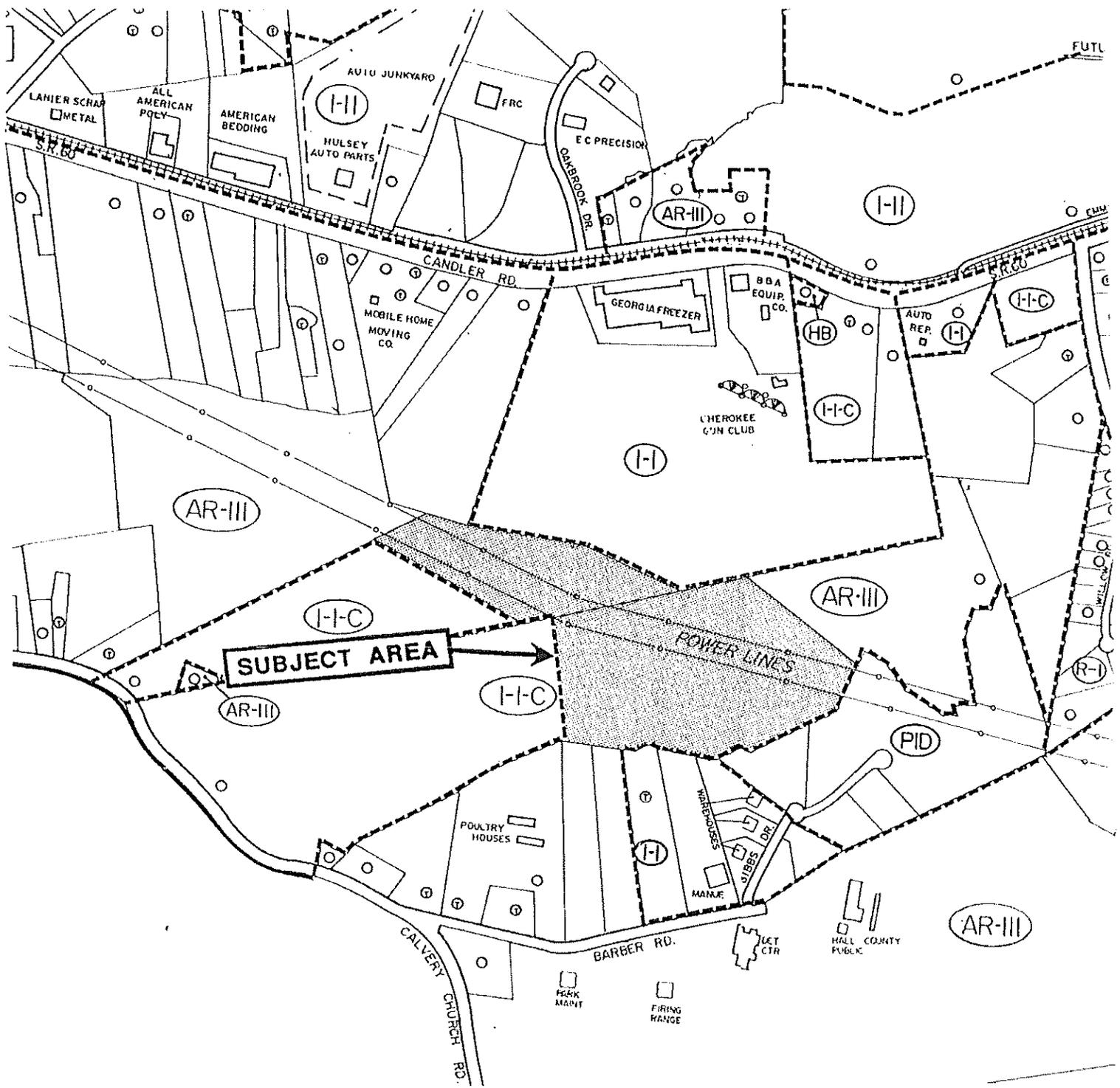
condition recommended by the planning department staff is a policy of the club and the applicant has no opposition to this recommendation.

Public Forum: Lewis Gibbs advised he has developed a little business park next to the subject property. This is a peaceful area, except when weapons are being fired. His concern is how much closer will the firing of the weapons be and how much more noise will there be. At times it scares his customers. Mr. Smallwood asked how long Mr. Gibbs had owned his property. Mr. Gibbs stated he purchased the property in 1986. He currently has three tenants and a couple of warehouses.

Charlie Craft, 2525 Thompson Mill Road, stated he is the manager of the club. The club hosts a worldwide event on Memorial Day weekend yearly with much of the proceeds going to the Hall County CASA program. There are no current plans for the area, but the club would like to expand in the future. They need extra space for parking cars. He further noted that the Hall County Correctional Institution is nearby and there is a goodly amount of pistol firing at that location.

Planning Commission Comments:None

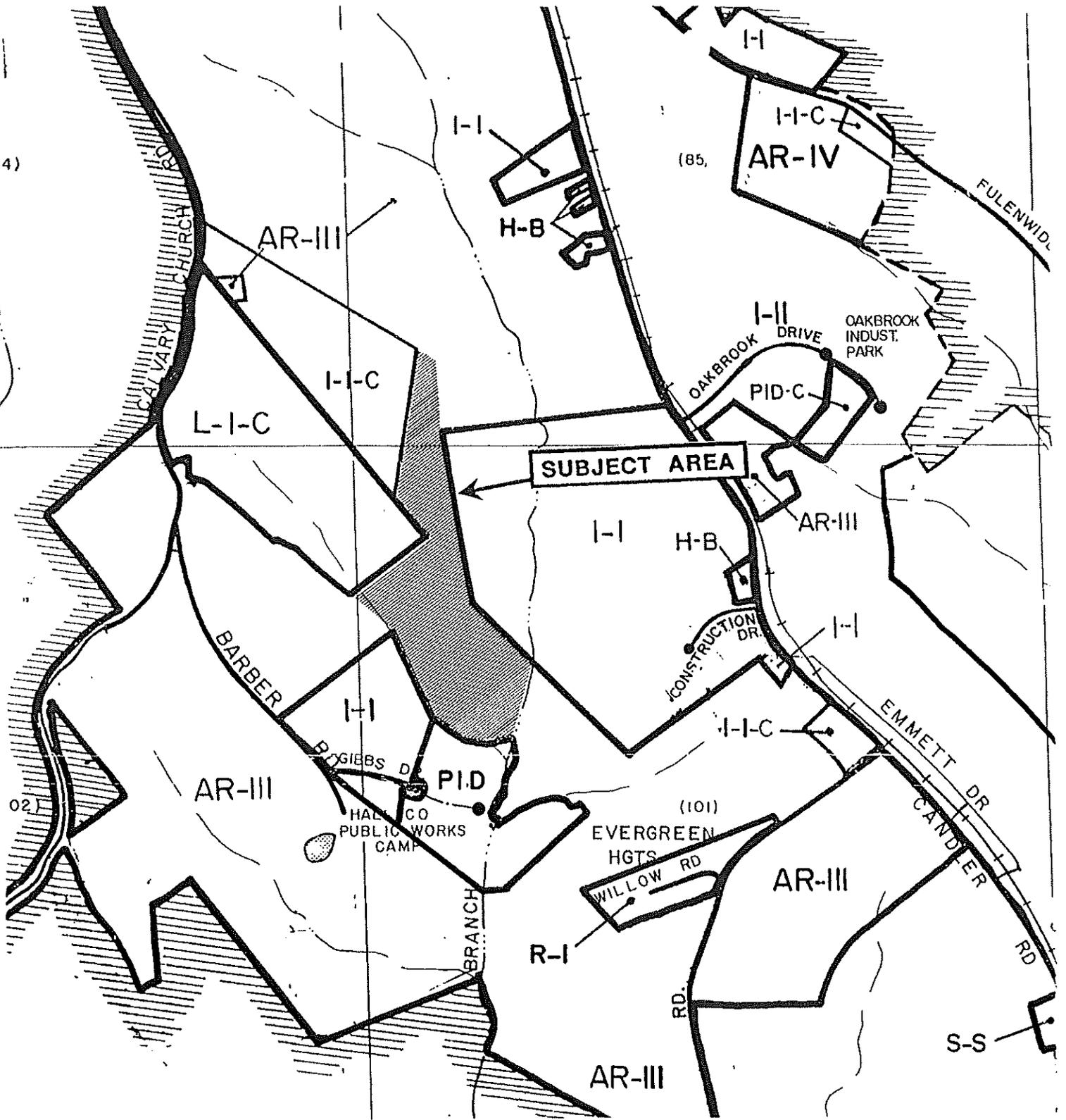
Motion: Mr. Clark made a motion to recommend conditional approval of the request, subject to the condition contained in the Staff Report. The motion received a second from Mr. Robbins and passed unanimously.



LEGEND		NORTH	
○	SITE BUILT HOME		
Ⓣ	MOBILE / MANUFACTURED HOME		
□	OTHER	SCALE IN FEET 	
- - -	ZONING BOUNDARY		
—	CITY LIMITS		
Present Zoning: AR-III		Use Subject to County Commission Approval	
		Applicant: Cherokee Gun Club	
		Request: To expand gun club facilities	
		Tax Parcel # 15-31-25A(pt) District #1	Map #

NOTE: This map is intended to show the Existing Zoning, Approximate Property Boundaries and General Land Use surrounding the Subject Property.

Prepared: 9/5/00



Applicant:

Cherokee Gun Club

Request:

To expand gun club facilities

Present Zoning: AR-III

SCALE IN FEET



0 500 1000



STATEMENT OF NEED

The Cherokee Gun Club is a Georgia corporation with the sole purpose of providing a safe and convenient location for firing handguns, rifles, and shotguns. The facility serves Hall and surrounding counties with a needed safe place for members to engage in sport shooting. This range is in the same area as the county law enforcement practice range. In the early 1980s the Cherokee Gun Club purchased a tract of property on Candler Road which is presently zoned light industrial and has approved permissive use as a gun range. In approximately 1991, the Cherokee Gun Club also purchased an additional tract of 51.72 acres that is adjacent and just to the rear of the original tract. The existing zoning of the second tract is AR-III. The Cherokee Gun Club wishes to use the second tract to expand its facilities and is requesting a permissive use for a gun range under its AR-III zoning. The subject tract is not on any public highway and has no public access except over the existing property of the applicant.

1. Hours of Operation

6 days a week (Monday -Saturday)

30 minutes after sunrise

30 minutes after sunset

7th day of week (Sunday)

12:30PM until 30 minutes after sunrise

2. Existing Facilities

Rife range

Pistol range

Sheet range

Trap range

Sporting Clays Course

3. Same hours of operation as # 1

4. The structures to be constructed would be minimum - shelters for shooters to protect them from elements (10 x 16 Approx) and moveable target supports and equipment. No structure to be closer than 75 feet of property line. Note: Property border is located along line lower in elevation than the hills of the adjoining property.

5. Use of property is in planning stages - tentative discussions of putting in a mobile Sporting Clays Course and Black Power range

0.62 MILE TO
STATE ROUTE 80

EQUIPMENT USED NILD T1000 & DISTMAT EDM

CAL VARY
CHURCH
ROAD
80 W/L

51.72 ACRES

ROBERT & O. A. DENARD, JR.

No.	Direction	Length
1	S10°30'38"E	40.41
2	S60°55'09"E	370.00
3	S17°29'44"W	9.57
4	S39°44'43"E	270.50
5	S13°10'00"E	494.87
6	S30°06'45"E	309.88
7	S27°11'38"W	121.03
8	S26°36'40"E	13.02
9	S23°21'46"W	31.14
10	S13°35'19"E	67.30
11	S00°37'51"W	124.52
12	S 7°08'43"W	50.47
13	S44°14'22"W	60.77
14	S 9°10'29"W	29.70
15	S00°26'32"E	28.00
16	S19°00'00"W	35.02
17	S24°30'32"W	45.00
18	S12°31'31"W	31.00
19	S15°27'32"W	49.40
20	S 2°49'28"W	24.50
21	S39°26'28"W	50.41
22	S34°28'38"W	43.49
23	N09°14'07"W	340.49
24	N55°52'37"W	370.43
25	N25°44'07"W	201.05
26	N 6°40'53"E	60.04
27	N44°39'37"W	144.02
28	N14°30'37"W	313.09
29	N09°30'29"W	111.50
30	N20°57'00"W	73.78
31	N20°22'00"W	113.50
32	N20°33'00"W	183.89
33	N20°33'00"W	199.25

FANNIE JANE
GODFREY EST.

CHEROKEE
GUN CLUB

L.L. GIBBS
SUBDIVISION

C/L CREEK IS PA.
GENE ENGLAND

PLAT FOR
CHEROKEE GUN CLUB
CANDLER DISTRICT GMD 1385
HALL COUNTY, GEORGIA
SCALE: 1"=300' JULY/22/1991
JOB: 9889



HALL COUNTY PLANNING COMMISSION ZONING APPLICATION

Note: The applicant must complete the top portion of this form. Failure to complete this section will result in the refusal of the application. Please also note that the planning commission and county commission dates are tentative. The planning staff will set the dates for each application.

Applicant	Property Owner
<u>Cherokee Gun Club</u>	<u>Cherokee Gun Club</u>
<u>P. O. Box 941 - 1700 Candler Rd.</u>	<u>P. O. Box 941 - 1700 Candler Rd.</u>
<u>Gainesville, GA 30503</u>	<u>Gainesville, GA 30503</u>
Phone _____	Phone <u>(770)531-9493</u>

Proposed Use: Expand Club Facilities

Status of Applicant Owner..... <input type="checkbox"/> Option to purchase..... <input type="checkbox"/> Area Resident..... <input type="checkbox"/> Other..... <input type="checkbox"/>	Requested Action <u>AR- III</u> Existing Zoning: _____ Rezone to: _____ Permissive Use: <input type="checkbox"/> HCPC <input checked="" type="checkbox"/> HCC Fee \$ _____	Supporting Documentation Plat/site plan..... <input checked="" type="checkbox"/> Written Report..... <input checked="" type="checkbox"/> Deed..... <input type="checkbox"/> Other..... <input type="checkbox"/>
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Tax Parcel Number 15031000025A Acreage 51.72

 I hereby certify that the above information and all attached information is true and correct. (Signed) *Hammit T. Laro* Date: 8-30-00

Application Withdraw:
 I hereby Withdraw the application (Signed) _____ Date _____

Staff Use Only

Application Date: 08.30.00 Taken by: *Kevin MacAnald*

Tentative Planning Commission Date: October 16, 2000
 Tentative County Commission Date: November 9, 2000

Date staff posted signs: _____
 County Commission District: _____
 Location of property (legal ad): _____

March 18, 1986

Cherokee Gun Club
Post Office Box 296
Gainesville, Georgia 30503

Gentlemen:

On March 17, 1986, the Hall County Planning Commission voted to approve your request to locate a firing range on a 55+ acre tract located on the west side of Candler Road (S.R. 60), 3,100+ feet north of Lee Land Road; zoned L-I; Tax Parcel H-31-25 (Part).

If you have any questions, please do not hesitate to contact this office.

Respectfully,

HALL COUNTY PLANNING COMMISSION



Jimmy Campbell
Chairman