

Cherokee Gun Club, Inc.
Application for Rezoning and Special Use
Narrative
December 2, 2025

Cherokee Gun Club, Inc. (“CGC” or “Applicant”) is a Georgia non-profit corporation. CGC was incorporated and has been operating as a private membership gun club since 1974. It currently owns Hall County Tax Parcel 15031 000025A (“Parcel 25A”), consisting of approximately 115.66 acres, and Hall County Tax Parcel 15031 000026 (“Parcel 26”), consisting of approximately 16.5 acres.

Parcel 25A currently has split zoning. CGG acquired the majority of the Eastern portion of Parcel 25A, consisting of approximately 63.994 acres, in 1986. On March 17, 1986, the Hall County Planning Commission approved that property for permissive use as a private gun club within the I-I zoning district. Cherokee Gun Club acquired an additional 0.629 acres, being added to the eastern portion of Parcel 25A for access to the Gun Club from Candler Road, in 1989.

CGC acquired the western portion of Parcel 25A, consisting of approximately 51.72 acres, in 1991. On November 9, 2000, the Hall County Board of Commissioners approved the western portion of Parcel 25A for Use Subject to County Commission approval to expand its gun club facilities with one condition:

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 [are] 12:30 p.m. until 30 minutes after sunset.

CGC has operated its Gun Club and located its facilities on Parcel 25A.

In 2020, CGC acquired Parcel 26, which is adjacent to Parcel 25A. Parcel 26 was then zoned AR-III and remains zoned AR-III (AR-1 under the Unified Development Code adopted in 2024, the “UDC”).

Currently, CGC has facilities including a club house, skeet and trap shooting ranges, two rifle ranges, seven pistol ranges, and a sporting clays course located on Parcel 25A. Parcel 26 currently contains no improvements.

CGC desires to unify the zoning of its property to one classification, consistent with the UDC, for operations of CGC as a private gun club. CGC has no current plans to expand its facilities, but desires the flexibility to do so in the future, including expanding its operations to Parcel 26. Of the new zoning classifications under the UDC, outdoor shooting ranges may be permitted as a Special Use under the I-1 and I-2 zoning classifications. UCD §§ 7.2.1 and 7.5.9.B. Fraternal organization and club, non-profit, is a use permitted under I-1 and I-2 zoning. UCD §§ 7.2.1 and 7.4.1.B. In accordance with the Uniform Development Code, CGC requests that the Hall County Board of Commissioners rezone Parcel 25A and Parcel 26 to I-1 and

approve Special Use of Parcel 25A and Parcel 26 as a private gun club, including shooting ranges, club house(s), and other amenities (collectively the “Application”).

CGC remains a non-profit corporation and private gun club. As stated in its Redbook (which includes CGC’s By-Laws, Policies, Range Rules, and Safety Rules):

The object of this corporation shall be the encouragement of organized rifle, pistol and shotgun shooting among citizens of the United States residing in our area with a view towards a better knowledge on the part of each citizen of the safe handling and proper care of firearms, as well as improved marksmanship. We encourage the collection of antique and developmentally significant firearms and the legal use of both muzzle-loading and modern firearms in hunting. It shall be our further object and purpose to forward the development of those characteristics of honesty, good fellowship, self-discipline, team play and self-reliance which are the essentials of good sportsmanship and the foundation of true patriotism.

CGC’s facilities may be used only by its members and their permitted guests. Some organized events are open to the public. The facilities are not available to commercial use by non-members. CGC will continue to operate under these parameters.

Constitutional Considerations And Objections

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Ante Litem Notice

While the Applicant anticipates a smooth application process, failure to raise Constitutional considerations and objections at this stage may mean that the Applicant will be barred from raising important legal claims later in the process. Accordingly, Applicant asserts the following Constitutional considerations and objections for consideration by the Hall County Board of Commissioners:

-1-

Denial of the Application will deny Applicant due process of law as provided in Article I, Section I, Paragraph I of the State of Georgia Constitution.

-2-

Denial of the Application will damage Applicant’s property interests without just and adequate compensation in violation of Article I, Section I, Paragraph I of the State of Georgia Constitution and Article I, Section III, Paragraph I of the State of Georgia Constitution.

-3-

Denial of the Application will deny Applicant equal protection under the law as provided in Article I, Section I, Paragraph II of the State of Georgia Constitution which guarantees that

“Protection to person and property is the paramount duty of government and shall be impartial and complete. No person shall be denied the equal protection of the laws.”

-4-

Denial of the Application will deny Applicant due process and equal protection under the law as provided in the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States of America and would constitute a taking of Applicant’s property interests without just and adequate compensation.

-5-

The denial of the Application will result in a violation of the Federal Civil Rights Act of 1871, as codified in 42 U.S.C. § 1983, by denying Applicant due process, equal protection, and just and adequate compensation and would discriminate against Applicant compared to other owners of similarly-situated property.

-6-

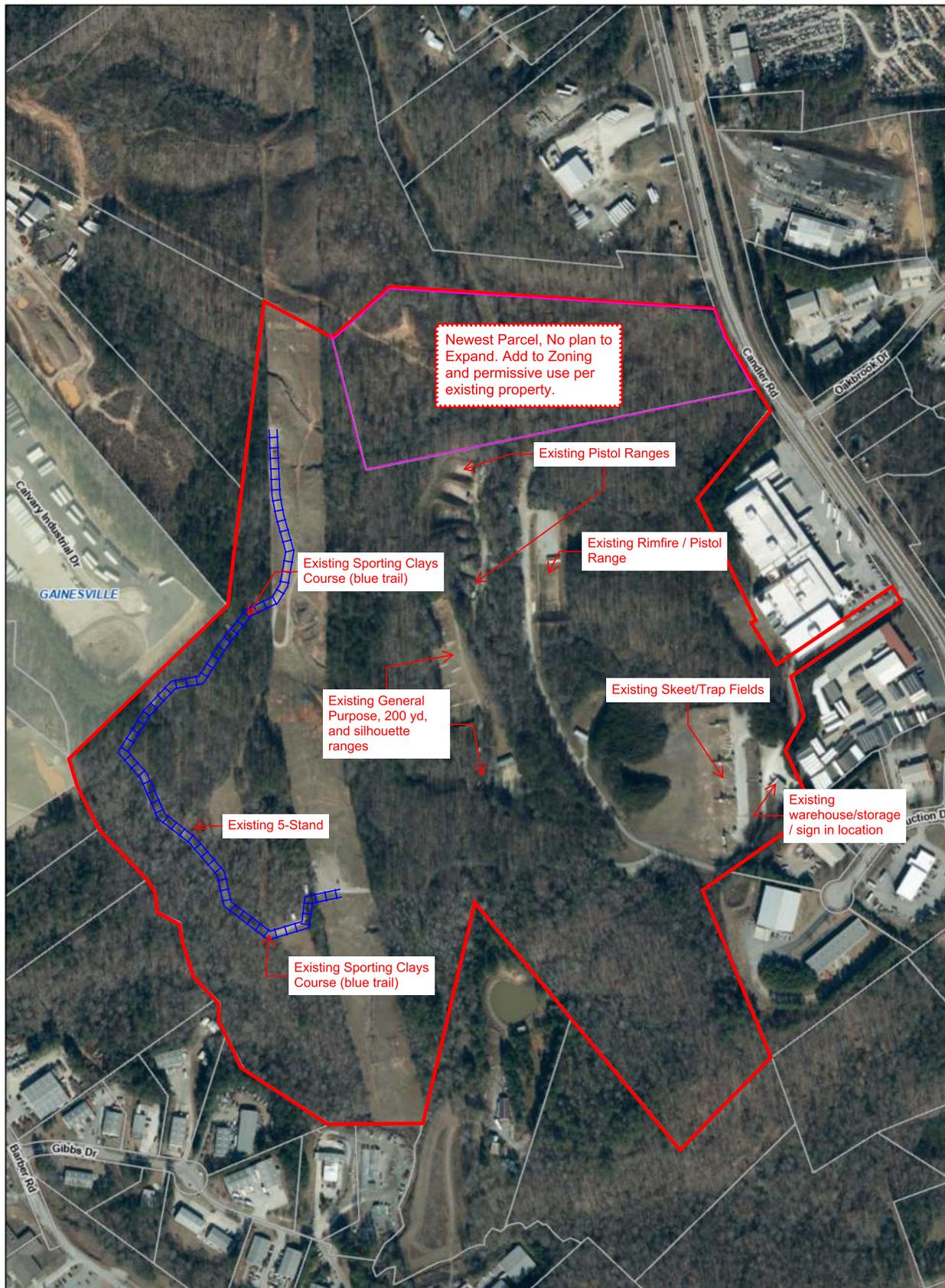
Denial of the Application will constitute an inverse condemnation in violation of O.C.G.A. § 22-1-5 and will result in a taking of Applicant’s property without just and adequate compensation.

-7-

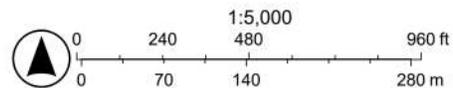
Denial of the Application will result in a significant detriment to Applicant and is not substantially related to the public health, safety, morality, or welfare of Hall County, Georgia, or the community which surrounds the subject property.

Applicant reserves all due process rights granted to it under O.C.G.A. § 36-66-5.1. *et seq.*, to petition the courts for review of a local government’s exercise of zoning, administrative, or quasi-judicial powers, as set forth in those code sections and statutes or otherwise provided by law.

CHEROKEE GUN CLUB



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Sources: Esri, Vantor, Airbus DS, USGS, NGA, NASA, CGIAR, N Robinson, NCEAS, NLS, OS, NMA, Geodatastyrelsen, Rijkswaterstaat, GSA, Geoland, FEMA, Intermap, and the GIS user community
 Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, ©