

Agenda

Board of Commissioners of Spalding County

Zoning Public Hearing

May 25, 2017

6:00 PM

119 E. Solomon St., Meeting Room 108

A. Call to Order

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

B. New Business:

1. **Application #17-02Z:** James William Campbell, Jr. and Mandy Latishia Campbell, Owners - 4129 Highway 19/41 (0.46 acre located in Land Lot 108 of the 3rd Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.
2. **Application #17-03S:** Flynn Von Roretz & Tessa Von Roretz, Owners - 105 Laketrail Drive (1 acre located in Land Lot 11 of the 3rd Land District) - requesting a Special Exception to allow a general home occupation in the R-4 District.

C. Other Business:

3. Public comment on Special Exception Application 14-07S General Home Occupation granted to Bradley D. Ward and Lisa A. Ward, Owners - 475 North Rover Road.
4. Consideration of expert reports prepared by Kramer One, Inc. and Dick Peddicord & Company, Inc. along with staff report presented at the May 15 Special Called Meeting of the Board of Commissioners with regards to Full Blown Firearms.

D. Adjournment



SPALDING COUNTY BOARD OF COMMISSIONERS Application #17-02Z

Requesting Agency

Office of Community Development

Requested Action

Application #17-02Z: James William Campbell, Jr. and Mandy Latishia Campbell, Owners - 4129 Highway 19/41 (0.46 acre located in Land Lot 108 of the 3rd Land District) - requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Requirement for Board Action

Section 414.

Is this Item Goal Related?

No

Summary and Background

The applicant has requested approval from Spalding County to rezone the property for the purpose of allowing an automotive repair business.

The repair business had been in operation on the subject property for approximately 8 years as a non-conforming (grandfathered) use in the C-1 district. Prior to the current owner, the property was also used as a non-conforming repair business.

Subsequently, the business license was not renewed and thus the grandfathering expired. C-1B zoning is required to operate an automotive repair business.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

CONDITIONAL APPROVAL.

**PLANNING COMMISSION RECOMMENDS:
CONDITIONAL APPROVAL as follows:**

a. All outdoor storage shall be neat and orderly at all times.

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #17-02Z	5/1/2017	Backup Material

SPALDING COUNTY
REQUEST FOR ZONING MAP CHANGE
APPLICATION NO. 17-022

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Phone: _____

Contact Person: _____

PROPERTY OWNER INFORMATION

Name: MANDY ^{Latishia} CAMPBELL
JAMES W. CAMPBELL JR.
William
Address: 4129 HWY 19/41
City: HAMPTON
State: GA Zip: 30228
Phone: 404-549-0244
Contact Person: _____
P.O. 1491
Hampton, GA 30228

APPLICANT IS THE:

Owner's Agent ☒ Property Owner _____ Developer

Present Zoning District(s): C1 Requested Zoning District(s): C1B

Land District(s): 3 Land Lots(s): 108 Acreage: 0.46

Address Of Property: 4129 HWY 1941 HAMPTON GA 30228

Proposed Development: SAME as Now

OTHER REQUIRED INFORMATION

Checklist

- ☒ Attach 1 copy of plat prepared by a registered land surveyor and drawn to scale showing lot lines and location of existing structures and location of proposed structures.
- ☒ Please attach a statement describing the proposed development.
- ☒ Please attach a deed, certified by the Clerk of Court, of the property proposed for rezoning.
- ☒ Please attach a copy of metes and bound description of the property for rezoning.
- ☒ Please attach 1 copy (24 x 36) and 1 copy (11 x 17) of the conceptual site plan, if applicable (see Page 7).

_____ If proposed property is within the S-2 Sensitive Land-Watershed Protection District, please submit a plat or drawing to scale showing the exact location of any surface water that is located on or within 250 feet of the subject property.

_____ Is the property recorded as one (1) or multiple parcel(s)?

OFFICE USE ONLY

Date Received: 3-21-17

Amount of Fee: \$500⁰⁰

Received By: C. McDonald

Receipt Number: 716689

REZONING APPLICANT'S RESPONSE

Pursuant to Section 414 of the Zoning Ordinances, The Board of Commissioners find that the following standards are relevant in balancing the interest in promoting the public health, safety, morality or general welfare against the right to the unrestricted use of property and shall govern the exercise of the zoning power.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether a proposed rezoning (or special use permit) will permit a use that is suitable in view of the use and zoning of adjacent and nearby property: yes

(B) Whether the property is suitable for the proposed use: yes it is a garage / shop out fitted w/ spray booth

(C) What is the length of time the property has been vacant?: NOT VACANT

(D) What is the threat to the public health, safety, and welfare, if any, if the property is rezoned?:
THERE IS NO THREAT

(E) Whether and to what extent is the subject property value diminished under the present zoning?:
CAN NOT USE IT AS IT HAS BEEN USED SINCE 1985 ITS A GARAGE (7 Bay Shop)

(F) What is the balance between the hardship on the property owner and the benefit to the public in not rezoning?: if not rezoned I can not make a living as I have done in the past 8 years on this property

Use Additional Pages, If Necessary

OFFICE USE ONLY

Date Received: 3-21-17

Received By: C. McDaniel

**PROPERTY OWNER'S CERTIFICATION OF
OWNERSHIP AND ZONING COMPLIANCE**

Certification is hereby made that the undersigned own(s) at least fifty-one (51) percent of the subject property.

The undersigned certifies that the subject property is presently in compliance with the current Zoning Ordinance for Spalding County, Georgia. The undersigned is aware that an application for a Rezoning, Variance, or Special Exception will not be received unless the subject property is in compliance with the Zoning Ordinance.

The undersigned certifies that the agent, if different from the owner, is authorized to file this application.

JAMES W. CAMPBELL
MANDY L. CAMPBELL
Print Name of Owner(s)

Print Name of Agent, If Not Same as Owner

James W. Campbell
Mandy L. Campbell 3-21-17
Signature of Owner(s) Date
or Signature of Authorized Officer or Agent
(if applicable)

Signature of Agent

Signature of Notary Public

Date

-- -Notary Seal-- -

OFFICE USE ONLY

Date Received: 3-21-17 Received By: C. McDaniel

CONFLICT OF INTEREST CERTIFICATION FOR REZONING

A. APPLICANT'S DISCLOSURE OF CAMPAIGN CONTRIBUTIONS

Have you, within the two years immediately preceding the filing of the rezoning application, made campaign contributions aggregating \$250.00 or more to a member of the Spalding County Board of Commissioners, a member of the Planning Commission, or any other government official who will consider the application?

No (Yes/No)

If the answer is Yes, please complete the following section:

Name and Official Position Of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution Was Made (within last two years)
(1) _____	(1) _____ _____	(1) _____ _____
(2) _____	(2) _____ _____	(2) _____ _____

Attach additional sheets if necessary to disclose or describe all contributions.

**B. DISCLOSURE OF CAMPAIGN CONTRIBUTIONS OF APPLICANT'S
ATTORNEY OR REPRESENTATIVE**

Have you, within the two years immediately preceding the filing of the rezoning application, made campaign contributions aggregating \$250.00 or more to a member of the Spalding County Board of Commissioners, a member of the Planning Commission, or any other government official who will consider the application?

No (Yes/No)

If the answer is Yes, please complete the following section:
ZONING MAP CHANGE
PAGE 6

Name and Official Position Of Government Official	Contributions (List all which aggregate to \$250.00 or more)	Date Contribution Was Made (within last two years)
(1) _____	(1) _____ _____	(1) _____ _____
(2) _____	(2) _____ _____	(2) _____ _____

Attach additional sheets if necessary to disclose or describe all contributions.

The undersigned below, making application for rezoning, has complied with the Official Code of Georgia Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information on the forms provided.

 3-21-17
Signature of Applicant Date

JAMES W. CAMPBELL
Type or Print Name and Title

Signature of Applicant's
Attorney Or Representative

Date

Type or Print Name and Title

OFFICE USE ONLY

Date Received 3-21-17

Case # 17-022

Accepted By C. J. Daniel

SITE PLAN REQUIREMENTS FOR ZONING

Section 416: Site Plan Requirements for Rezoning. Any Applicant seeking rezoning of property to the following zoning districts of Spalding County, Georgia, C-1, C-1A, C-1B, C-1C, C-2, C-3, PDD, PRRRD, and O-I or seeking rezoning for any property subject to the requirements of the Spalding County Subdivision Ordinance, Zoning Ordinance of Spalding County, Appendix A for residential development within the following zoning districts of Spalding County, Georgia, AR-1, AR-2, R-1, R-2, R-2A, R-3, R-4, R-5 and R-6 shall submit a conceptual site plan depicting the proposed use of the property including: (#A-03-28, 10/06/03)

- A. Vicinity map;
- B. Correct scale;
- C. The proposed land use and building outline as it would appear should the rezoning be approved;
- D. The present zoning classification of all adjacent property;
- E. The building outline and maximum proposed height of all buildings;
- F. The proposed location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement;
- G. The location of all required off street parking and loading areas;
- H. Required yard setbacks appropriately dimensioned;
- I. The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation, if required;
- J. Topography at twenty (20) foot contour intervals (USGS Quad Sheets may be used);
- K. Location and elevation of the 100 year flood plain on the property which is the subject of the proposed zoning;
- L. Delineation and dimensions of the boundary of the proposed district;
- M. Date, north arrow and datum;
- N. Location and acreage of all major utility easements greater than twenty (20) feet in width;
- O. Approximate location (outline), height, and use of all other proposed drives, parking areas, buildings, structures and other improvements;
- P. For all property for which ingress and egress must be obtained by access from a road within the state highway system, a permit from the Georgia Department of Transportation for access to the state highway system.

(Revised 10/31/03)

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 200.00

Variance: \$ 200.00

Special Exception: \$ 300.00

Multiple Parcel Rezoning: Multiple parcel rezoning of contiguous tracts will be allowed so long as all tracts are to be rezoned to the same zoning classification. All applicants owning property which is subject to the application are deemed to consent to rezoning of their property and to rezoning of any and all other tracts included within the Application. The following fees shall apply to multiple parcel rezoning applications: (#A-99-08 – 09/07/99; #A-00-11 - 07/17/00)

A. Parcel 1 - \$500.00

B. Parcel 2-5 - \$100.00 each, in addition to the fees stated in A; and

C. Parcels 6+ - \$50.00 each, in addition to the fees stated in A and B.

James Campbell
4129 Hwy 19/41
Hampton, GA 30228

Statement of Proposed Plan

To whom it may concern:

I am only rezoning the property of C-1 to C-1B to meet the zoning requirements set forth by Spalding County. The business for the previous eight years operated as a car repair shop. Due to health reasons, I was forced to close. Upon attempting to reopen the business, I am required to rezone. Previous to my ownership, the same type of business was engaged here 20 years earlier. The property is nothing more than a shop.

Thank you,

James Campbell

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA

2015 MAY 26 AM 9 40

Real Estate Transfer Tax
Paid \$ 5-26-15
Date 5-26-15
PT - 61 126- 2015-1161
Maria L. Harris
Clerk of Superior Court, Spalding Co., Ga.

BY WJ
THIS INSTRUMENT IS TO BE
RETURNED TO THE FOLLOWING:
Name: David G. Brisendine, III
Address: P. O. Box 632
Zebulon, GA 30295

WARRANTY DEED

(For Life with Remainder to Survivor)

STATE OF GEORGIA,
COUNTY OF PIKE.

THIS INDENTURE, Made this 30th day of July in the Year of Our Lord Two Thousand and Fourteen between **JAMES WILLIAM CAMPBELL** of the State of Georgia and County of Spalding of the first part, and **JAMES WILLIAM CAMPBELL, JR. AND MANDY LATISHIA CAMPBELL** of the State of Georgia and County of Spalding of the second part,

WITNESSETH: That the said party of the first part, for and in consideration of the sum of ONE AND NO/100 DOLLARS (\$1.00), AND DEED OF GIFT, in hand paid, at and before the sealing and delivery of these presents, the receipt of which is hereby acknowledged, has granted, bargained, sold and conveyed, and by these presents does grant, bargain, sell and convey unto the said parties of the second part, for and during their joint lives, and, upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

(See legal description on Exhibit "A" attached hereto and made a part hereof as fully as if copied at length herein.)

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said parties of the second part, for and during their joint lives, and upon the death of either of them, then to the survivor of them in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

AND THE SAID party of the first part, for his heirs, executors and administrators, will warrant and forever defend the right and title to the above described property, unto the said parties of the second part, as hereinabove provided, against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the said party of the first part, has hereunto set his hand and seal, the day and year above written.

Signed, sealed and delivered
in the presence of:

James William Campbell (SEAL)
JAMES WILLIAM CAMPBELL

Kimberly Burt
Witness

Notary Public

My comm. expires: _____

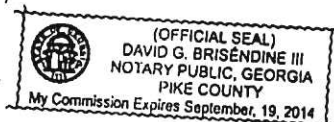


EXHIBIT "A"

All that lot, tract or parcel of land situate, lying and being in Land Lot 108 of the 3rd Land District or originally Henry, now Spalding County, Georgia, and being more particularly shown and designated as Tract A containing 0.46 acres, as shown on a plat of survey entitled, Property Survey for Elizabeth W. Jones, prepared by G. Tim Conkle, Registered Land Surveyor, dated April 18, 1988, a copy of which said plat is recorded in Plat Book 17, page 635, of the Superior Court records of Spalding County, Georgia, and which said plat together with the metes, bounds, courses and distances shown thereon with respect to said property, is incorporated herein and made a part hereof as fully as if set out herein.

SPALDING COUNTY, GEORGIA

I hereby certify that the within and foregoing is a true and correct copy of the instrument as it appears of record in the office of Clerk of Superior Court.

Book _____ Page _____
day of _____, 20____

DEPUTY CLERK, SPALDING SUPERIOR COURT
MARCIAL L. NORRIS, CLERK OF SUPERIOR COURT
SPALDING COUNTY, GEORGIA

All that tract or parcel of land lying and being in Land Lot 108 of the 3rd District, Spalding County, Georgia, and being more particularly described as follows:

Commencing at the common corner to land lots 85, 86, 107 & 108
Said point being the Point of Beginning:

Thence along the western line of land lot 108, North 00 degrees 01 minutes 29 seconds East, 83.09 feet to a point:

Thence leaving said land lot line, North 89 degrees 21 minutes 08 seconds East, 240.36 feet to a point on the western right of way of U.S. Hwy 19 & 41 (200' right of way):

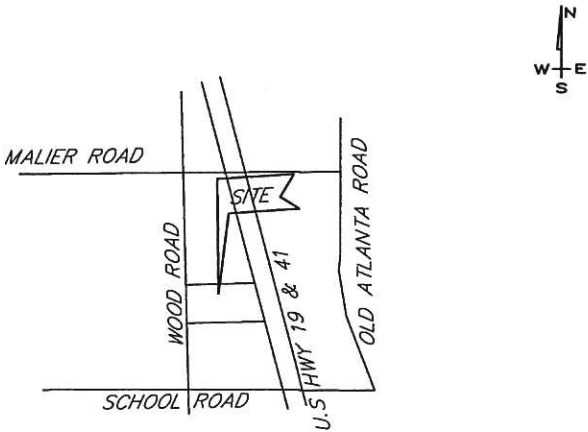
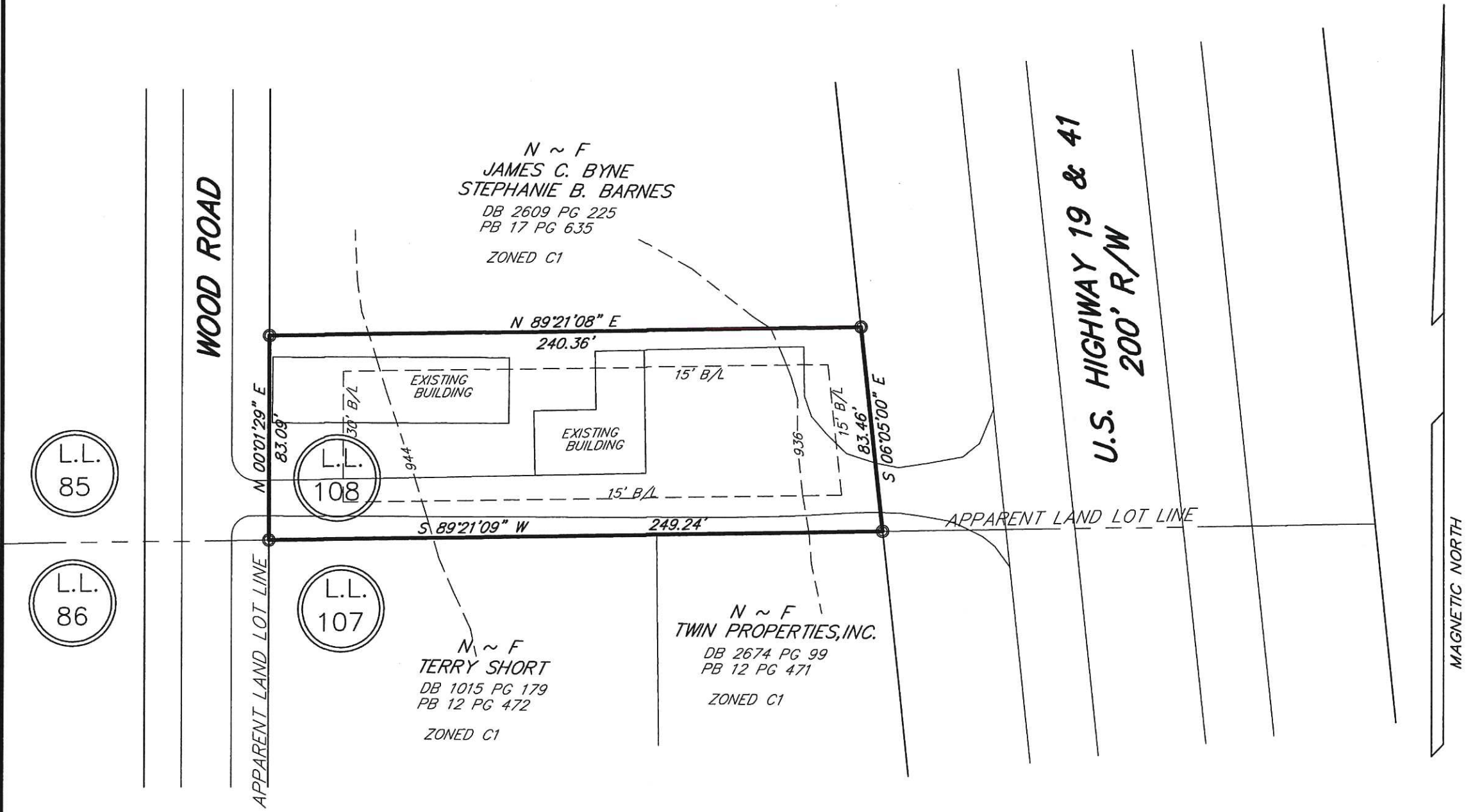
Thence continuing along fore said right of way South 06 degrees 05 minutes 00 seconds East 83.46 feet, to a point on the common line of land lots 107 & 108:

Thence leaving said right of way and continuing along line common to land lots 107 & 108 South 89 degrees 21 minutes 09 seconds West 249.24 feet to a point:

Said point being the Point of Beginning:

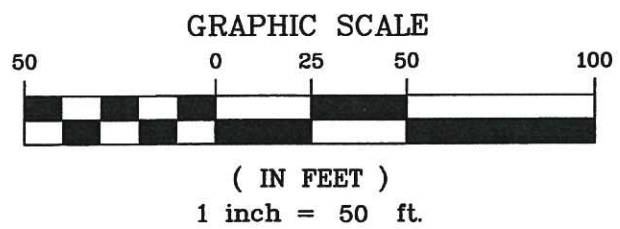
Said tract or parcel contains 0.46 Acres.

THIS PROPERTY DOES NOT LIE WITHIN A FLOOD PRONE AREA AS SHOWN ON SPALDING COUNTY, GA FEMA FLOOD INSURANCE MAP COMMUNITY PANEL NUMBER 13255C0060D MAY 3, 2010.



VICINITY MAP NTS

- NOTES:
- 1. PRESENT ZONING C-1
 - PROPOSED ZONING C-1B
 - 2. TOPO SPALDING COUNTY GIS



REFERENCES:
SPALDING COUNTY RECORDS
DB 3951 PG 326
PB 17 PG 365



DATE	: 8-20-2016	REVISIONS:	3-15-2017
SCALE	: 1"=50'	NAME CHANGE	
DRAWN BY	: AW		
CHECKED BY	: AW		
DWG NAME:	RUSS JESSICA		

**ANDY WILLIAMS
SURVEYING, INC.**

1095 HIGHWAY 42 SOUTH
JACKSON, GEORGIA 30233
770-775-0566

REZONING PLAT FOR:
JAMES CAMPBELL

LOCATED IN LAND LOT 108
3rd DISTRICT
SPALDING COUNTY, GEORGIA

SPALDING COUNTY PLANNING COMMISSION

DATE: April 25, 2017

TO: Spalding County Planning Commission
Spalding County Board Of
Commissioners

FROM: Department of Community Development

RE: Rezoning Application #17-02Z
Total acreage: .46± acres
C-1 to C-1B

The following report constitutes the assessment and evaluation by the Community Development Department staff on the above referenced rezoning application.

Identification of the Property

Size and Location:

The application requests rezoning on a total of .46 acres, more or less, located at 4129 Highway 19/41.

District and Land Lots:

The properties are located in the 3rd Land District, in Land Lots 108.

Current Owner:

The property is owned by James William Campbell, Jr. and Mandy Latisha Campbell, by virtue of Deed recorded May 26, 2015 in Deed Book 3951, Page 326-327, Office of the Clerk of the Superior Court, Spalding County, Georgia.

Agent/Developer

Same

Overview of Development:

The applicant has requested approval from Spalding County to rezone the property for the purpose of allowing an automotive repair business.

The repair business had been in operation on the subject property for approximately 8 years as a non-conforming (grandfathered) use in the C-1 district. Prior to the current owner, the property was also used as a nonconforming repair business.

Subsequently, the business license was not renewed and thus the grandfathering expired. C-1B zoning is required to operate an automotive repair business.

Current Area Development

Current Zoning/Authorized Development:

The property is currently zoned C-1, highway commercial.

C-1 permits most any retail and service business along highway corridors, however Automotive repair and unenclosed outside storage are not permitted.

Existing Use:

The property is developed and has been used as a grandfathered automotive repair business until the license was not renewed.

Land Use Plan:

Pursuant to the "Spalding County Comprehensive Plan, 2004-2024," as approved in December 2004, the request is consistent with the plan and associated Future Land Use Map classification of Commercial.

Schools:

As the proposal is for a Commercial Use, there will be no negative impact to the schools in the form of additional students.

Compliance with Zoning Ordinance Development Standards:

C-1B Development Standards:

Minimum Heated Floor Area for Buildings: None

Minimum lot area:

1. Unsewered Areas: As specified by the Spalding County Health Department.

2. Sewered Areas: None.

Minimum lot width: 100 feet.

Minimum frontage width: 75 feet.
Minimum frontage width shall be reduced to 50 feet for lots abutting the turnaround portion of dead end streets (cul-de-sacs).

Setbacks:

front: 70 feet

side: 15 feet

rear: 25 feet

Utilities & Infrastructure:

Transportation:

The following average trip numbers represent the average number of trip experienced by this type of development based on case studies from Trip Generation, 7th Edition from the Institute of Transportation Engineers:

Based on a 2,496 square foot repair facility (existing space):

Weekday

A.M. Peak Hour: 8 trips

P.M. Peak Hour: 10 trips

Total Weekday No data set

Water:

The site is accessible to County water. (Source: Spalding County Water Authority).

Sewerage:

The site is not accessible to sanitary sewer service. (Source: City of Griffin Water & Wastewater Department)

Wetlands/Watershed Area:

Per the site plan submitted and per FIRM panel #13255C0060D no portion of this site is within Flood Zones.

This site is located within the Heads Creek watershed district, as indicated by the S-2 Watershed Overlay Map.

This site is not within any recharge areas indicated on the S-3 Ground Water Recharge Overlay Map.

Criteria when considering a Rezoning Application

The following items are listed in the Spalding County Zoning Ordinance (a/k/a UDO) as criteria to consider for rezoning applications:

1. The existing uses and zoning of nearby properties.
The property is bordered by C-1, Highway Commercial zoning to the north and south.
The land uses in the general area are commercial.
2. The suitability of the property for the proposed purpose.
Per the "Spalding County Comprehensive Plan, 2004-2024," as approved in December 2004, the plan indicates that this property should be used as "Commercial". The development proposed is consistent with the Future Land Use Map for this property.
3. The length of time the property has been vacant.
The property is developed.
4. The threat to the public health, safety, and welfare, if rezoned.
There will be no increase in the threat to public health, safety, and welfare. Consideration should also be given to all uses allowed with in C-1B districts. There would be no impact on the schools in the form of new students.
5. The extent to which the value of the property is diminished by the present zoning.
Present zoning does not allow for outdoor storage or automotive repair. Rezoning will bring the subject property into zoning compliance for the proposed use.

6. The balance between the hardship on the property owner and the benefit to the public in not rezoning.

Photo(s)



View of subject property on 19/41.

Staff Recommendations:

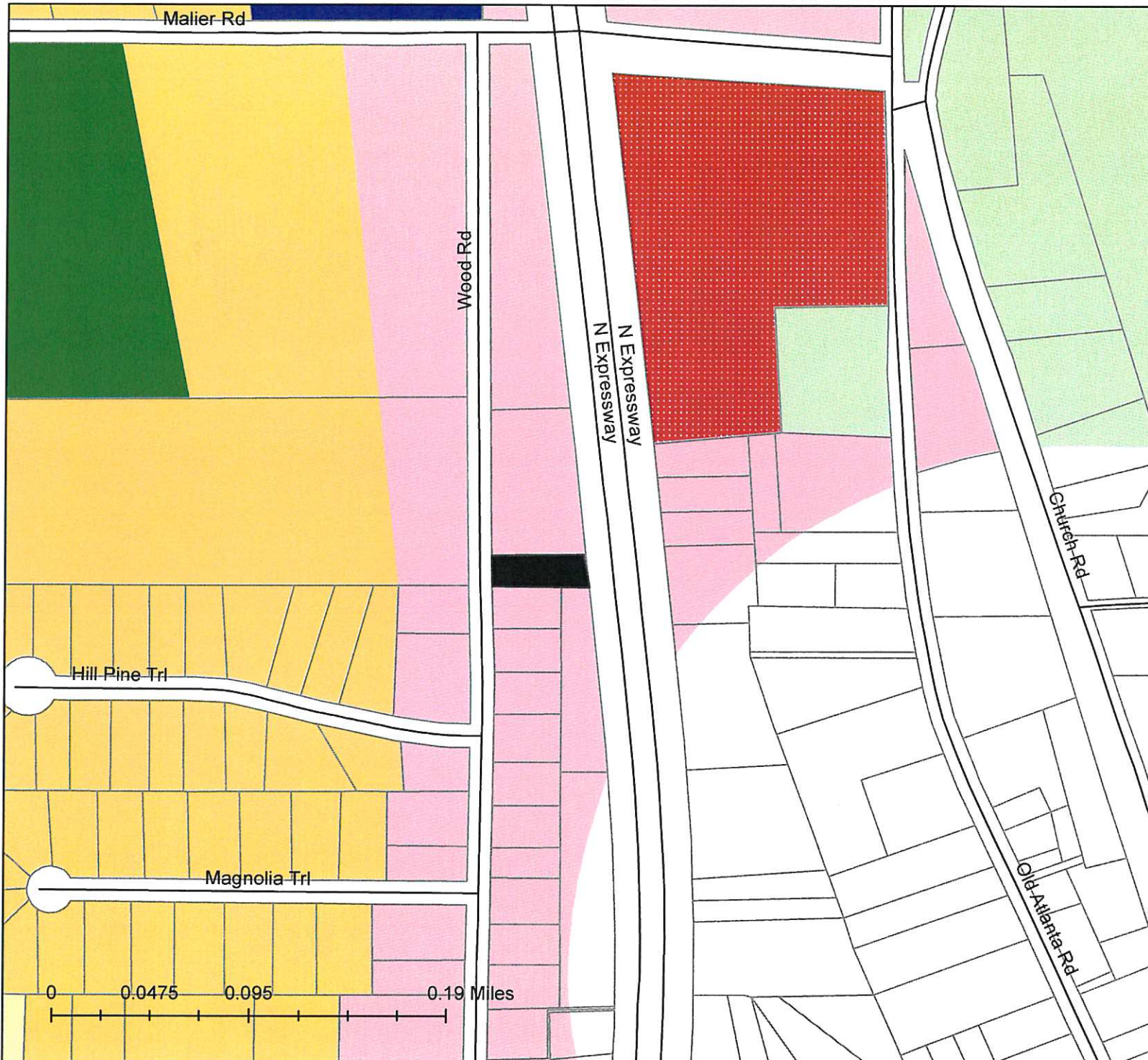
Staff recommends **CONDITIONAL APPROVAL** of the Request for the following reasons:

1. The rezoning would not increase the threat to the public health, safety and general welfare beyond acceptable measures.
2. The request is consistent with the Future Land Use Map and associated Comprehensive Plan.

The following condition(s) is/are proposed:

- a. All outdoor storage shall be neat and orderly at all times.

#17-02Z James & Mandy Campbell

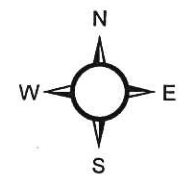


Zoning	
	PDD
	AAR
	AR1
	AR2
	C1
	C1A
	C1B
	C1C
	C2
	C3
	OI
	PRRRD
	R1
	R2
	R2A
	R3
	R4
	R5
	R6
	VN

Approximate size
of an Acre.



1 inch = 351.21 feet



Map # 241-03-021A

Spalding County GIS
(770) 467-4220
cjacobs@spaldingcounty.com

SPALDING COUNTY PLANNING COMMISSION
Regular Meeting
April 25, 2017

The Spalding County Planning Commission held its regular monthly meeting on April 25, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: John Youmans, Chair, presiding; Bruce Ballard; Walter Cox; Sonny Eubanks and Frank Harris.

Also present were: Chad Jacobs, Community Development Director; and Yvonne Langford to record the minutes. Zoning Attorney Newton Galloway was not present at the meeting.

Mr. Youmans called the meeting to order, introduced the members of the Planning Commission, and invited those present wanting to address the Board regarding any matter to sign in on the appropriate form.

Application #17-02Z: James William Campbell, Jr. and Mandy Latishia Campbell, Owners – 4129 Highway 19/41 (0.46 acres located in Land Lot 108 of the 3rd Land District)- requesting a rezoning from C-1, Highway Commercial, to C-1B, Heavy Commercial.

Mr. Jacobs said the property owner operated this business as a repair shop. It was grandfathered for almost 30 years. His business licensed lapsed and the “grandfathering” expired. He now has decided to start the business again. When he came to get a business license, this type business is not allowed in the C-1 zoning, and he is requesting the C-1B zoning which allows the repair shop. The staff recommendation is for approval with the condition that all outdoor storage shall be neat and orderly at all time.

Mr. Cox discussed the procedure for handling properties that have been grandfathered and have lost that status. Further discussion was held regarding the differences in the C-1 and the C-1B zoning. He questioned how a condition that outdoor storage be kept neat and orderly at all times can be enforced. Mr. Jacobs reviewed the differences between the C-1 and C1-B zoning. He discussed how they enforce the condition of the property being kept orderly and neat.

Mr. Harris said he is concerned regarding the condition of outside storage. There are areas around the community that are unsightly and nothing seems to get done regarding clean up. He wanted information regarding what storage would be on the outside.

Mr. Jacobs said it is his responsibility to enforce the zoning conditions. He has been working on conditions in the western part of the county regarding a home occupation for three months and would give this site the same attention.

James Campbell – 4129 Highway 19/41

Mr. Campbell said he worked for the government for 8 years. He was a building official for the City of McDonough and is very familiar with what is being discussed. He also worked for the City of Hampton. He started his shop in Riverdale and all he built was Corvette cars for a number of years. He is not a repair shop. If you go by his business, there will be cars there during the day. He closed his business for a year due to health reasons. He tried to sell the property. They have chosen not to sell the property and to go back into business. At any given

time, he had five full time employees. You would never see them because they are behind the fence and in the shop. They restore cars that sell for \$250,000. They restore cars that are shipped to Germany and Ireland. Their clients are not local. They are a regional shop. A TV show filmed his shop for two years. He also does a radio show about automobiles. They stopped filming for a year but plan to resume when they get their business license. He insures automobiles at \$17,000,000. Most of the time that was what was in his shop.

MOTION

Mr. Eubanks made a motion to approve Application #17-02Z with the condition as recommended by staff. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

MINUTES

Mr. Cox made a motion to approve the minutes of the March 28, 2017 meeting. The motion passed on a second by Mr. Eubanks with Mr. Ballard, Mr. Cox, Mr. Eubanks, and Mr. Harris voting for the motion and Mr. Youmans abstaining because he was not present.

Review and approval of revised preliminary plat for River Falls off Locust Grove Road.

Andy Welch – 2200 Keys Ferry Court - McDonough, Georgia

Mr. Welch said he is an attorney representing Mr. Hinton regarding this application. Mr. Hinton has purchased this conservation subdivision. The infrastructure is in but no construction has ever been started. He wants to abandon the roadway that goes to the back portion of the property. He does not plan to develop that portion of the property. He wants to revise the plat and not develop Phase II.

Mr. Jacobs said the staff recommendation is for approval. It was originally approved as a 44-lot subdivision and he now wants it to be a 20-lot subdivision. It still complies with regulations for a conservation subdivision. If this is approved, he will prepare a final plat.

MOTION

Mr. Harris made a motion to approve the revised preliminary plat for River Falls. The motion passed on a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

Review and approval of revised preliminary plat for Sun City Peachtree off Teamon Road and Jordan Hill Road.

Tim Poff - Pulte Homes Corporation

Mr. Poff said they need to renumber some of their pods in this development. When they initially numbered them, Pod 37A, Pod 37B, and Pod 37C each had a lot 1. The corporate software could not take three lot #1's in a Pod 37. They have renumbered all three pods.

Mr. Jacobs said everything stayed the same except for the numbering. Pod 37 is one of the larger pods and was broken down into three sections. The staff recommends approval.

MOTION

Mr. Cox made a motion to approve the revised preliminary plat for the Sun City Peachtree development. The motion passed on a second by Mr. Harris with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

Mr. Jacobs said the vision workshops are scheduled for Thursday, April 27th at 10:00 a.m. at the Spalding County Courthouse Annex, Thursday, April 27th at 6:00 p.m. at Griffin Center Point Church, and Saturday, April 29th – at 10:00 a.m. at Spalding High School. They are trying to get this information to the public. He reminded the members they needed to try to make one of those meetings.

ADJOURN

The meeting was adjourned on a motion by Mr. Eubanks and a second by Mr. Ballard with Mr. Ballard, Mr. Cox, Mr. Eubanks, Mr. Harris and Mr. Youmans voting for the motion.

John Youmans – Chair

Yvonne M. Langford - Recorder



SPALDING COUNTY BOARD OF COMMISSIONERS

Application #17-03S

Requesting Agency

Office of Community Development

Requested Action

Application #17-03S: Flynn Von Roretz & Tessa Von Roretz, Owners - 105 Laketrail Drive (1 acre located in Land Lot 11 of the 3rd Land District) - requesting a Special Exception to allow a general home occupation in the R-4 District.

Requirement for Board Action

Section 413.

Is this Item Goal Related?

No

Summary and Background

Applicant requests a Special Exception to have a home occupation on property in the R-4 district. The proposed home occupation will consist of creating paracord products including dog leashes and bracelets.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL

**BOARD OF APPEALS RECOMMENDATION:
APPROVAL**

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #17-03S	5/18/2017	Backup Material
<input type="checkbox"/> Minutes 05-11-17 BOA	5/18/2017	Backup Material

**SPALDING COUNTY
REQUEST FOR SPECIAL EXCEPTION
APPLICATION**

NO. 17-03S

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: _____

Address: _____

City: _____

State: _____ Zip: _____

Phone: _____

Contact Person: _____

PROPERTY OWNER INFORMATION

Tessa Von Roretz
Name: Flynn Von Roretz

Address: 105 Lake Trail Dr

City: Griffin

State: GA Zip: 30223

Phone: (404) 552-6175

Phone: _____

APPLICANT IS THE:

Owner's Agent

☒ Property Owner

Developer

Present Zoning District(s): R-24

Land District(s): 3rd Land Lot(s): 11 Acreage: 1

Address of Property: 105 Lake Trail Dr

Identify the use for which you seek a Special Exception and cite the section of the Spalding County Zoning Ordinance which provides that the Special Exception may be granted:

Special exception to allow a general home
occupation on premises

OTHER REQUIRED INFORMATION


- Attach a statement describing the Special Exception and the reason you are requesting this Special Exception.
- Attach 1 copy (11 x 17) of plat prepared by a Registered Land Surveyor and drawn to scale showing lot lines and location of existing structures and location of proposed structures.

Some developments (i.e. subdivisions, Church's, etc.) may require a 24 x 36 copy of the plat.

- Please attach a deed, certified by the Clerk of Court, which includes a metes and bounds description of the property proposed.

Signature(s):

Agent/Developer


Tessa Van Roretz
Elenna Van Roretz

Property Owner

Date


4/4/17

Date

OFFICE USE ONLY

Date Received: 4- -17

Amount of Fee: \$300⁰⁰

Received By: C. McDaniel

Receipt Number: VISA 030352

SPECIAL EXCEPTION

PAGE 3

SPECIAL EXCEPTION APPLICANT'S RESPONSE

Pursuant to Section 413 of the Zoning Ordinance, the Board of Commissioners of Spalding County finds that the following standards are relevant in granting a Special Exception.

Please respond to the following standards in the space provided or use an attachment as necessary:

(A) Whether granting a Special Exception would be detrimental to the use of development of adjacent properties or the general neighborhood: NO, it will not be

detrimental to any of the neighborhood.

(B) Whether granting a Special Exception would adversely affect the health or safety of residents or workers: No, nothing will adversely affect the health or

safety of residents or workers.

(C) Whether granting a Special Exception would have depreciating effects and damages to the neighboring properties that are greater than the benefits or need for the Special Exception: NO,

nothing to a damaging effect to the neighboring properties.

(D) Whether granting a Special Exception would adversely affect existing uses: NO, it

won't affect the existing users.

(E) Whether the subject property is sufficient in size to satisfy the space requirements for the use: Yes the property is sufficient in size for

use.

(F) Whether granting a Special Exception will meet the requirements of the Spalding County Ordinance: Yes, all ordinances will be met.

OFFICE USE ONLY

Date Received: 4-6-17

Received By: C. McDaniel

**PROPERTY OWNER'S CERTIFICATION OF
OWNERSHIP AND ZONING COMPLIANCE**

Certification is hereby made that the undersigned own(s) at least fifty-one (51) percent of the subject property.

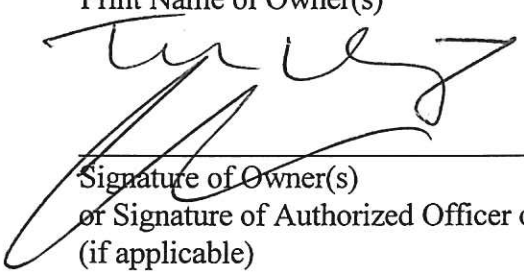
The undersigned certifies that the subject property is presently in compliance with the current Zoning Ordinance for Spalding County, Georgia. The undersigned is aware that an application for a Rezoning, Variance, or Special Exception will not be received unless the subject property is in compliance with the Zoning Ordinance.

The undersigned certify that the agent, if different from the owner, is authorized to file this application.

Tessa Von Rortz
Flynn Von Rortz

Print Name of Owner(s)

Print Name of Agent, If Not Same as Owner


Signature of Owner(s)
or Signature of Authorized Officer or Agent
(if applicable)

4/6/17

Date

Signature of Agent

Title of Authorized Officer or Agent (if applicable)

Cynthia L. McDaniel

Signature of Notary Public

Expires 4-17-20

4-6-17

Date

-- Notary Seal --

OFFICE USE ONLY

Date Received:

4-6-17

Received By:

C. McDaniel

SPECIAL EXCEPTION

PAGE 5

SITE PLAN REQUIREMENTS FOR SPECIAL EXCEPTION

Section 416: Special Exception.

A site plan meeting the requirements of Section 416 of this Ordinance shall be submitted with any application for a special exception which shall require a building permit for the purpose of commencing construction on a new structure on the property which is the subject of the special exception application; provided however, that any site plan for a special exception for a certified hardship allowed in Sections 503(D)(2-3), 603(D)(2-3), 703(D)(3-4), 803(D)(3-4), 803A(D)(3-4), 1003(D)(3-4), 1103(D)(3-4) and 1103A(D)(3-4) shall not be required to comply with the provisions of subparts (g), (i), (j), (k), (o) and (p) of Section 416.

- A. Vicinity map;
- B. Correct scale;
- C. The proposed land use and building outline as it would appear should the rezoning be approved;
- D. The present zoning classification of all adjacent property;
- E. The building outline and maximum proposed height of all buildings;
- F. The proposed location of all driveways and entry/exit points for vehicular traffic, using arrows to depict direction of movement;
- G. The location of all required off street parking and loading areas;
- H. Required yard setbacks appropriately dimensioned;
- I. The location and extent of required buffer areas, depicting extent of natural vegetation and type and location of additional vegetation, if required;
- J. Topography at twenty (20) foot contour intervals;
- K. Location and elevation of the 100 year flood plain on the property which is the subject of the proposed zoning;
- L. Delineation and dimensions of the boundary of the proposed district;
- M. Date, north arrow and datum;
- N. Location and acreage of all major utility easements greater than twenty (20) feet in width;
- O. Approximate location (outline), height, and use of all other proposed drives, parking areas, buildings, structures and other improvements;
- P. For all property for which ingress and egress must be obtained by access from a road within the state highway system, a permit from the Georgia Department of Transportation for access to the state highway system.

(Revised 01/18/00)

Spalding County Fee Schedule:

Appeal from Action of Administrative Officer: \$ 200.00

Variance: \$ 200.00

Special Exception: \$ 300.00

Multiple Parcel Rezoning: Multiple parcel rezoning of contiguous tracts will be allowed so long as all tracts are to be rezoned to the same zoning classification. All applicants owning property which is subject to the application are deemed to consent to rezoning of their property and to rezoning of any and all other tracts included within the Application. The following fees shall apply to multiple parcel rezoning applications:
(#A-99-08 – 09/07/99; #A-00-11 - 07/17/00)

A. Parcel 1 - \$500.00

B. Parcel 2-5 - \$100.00 each, in addition to the fees stated in A; and

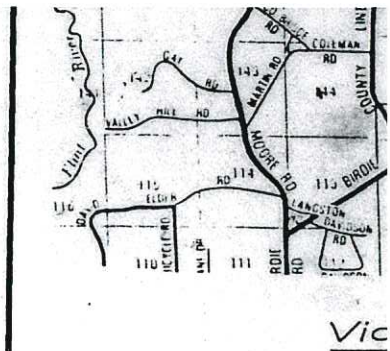
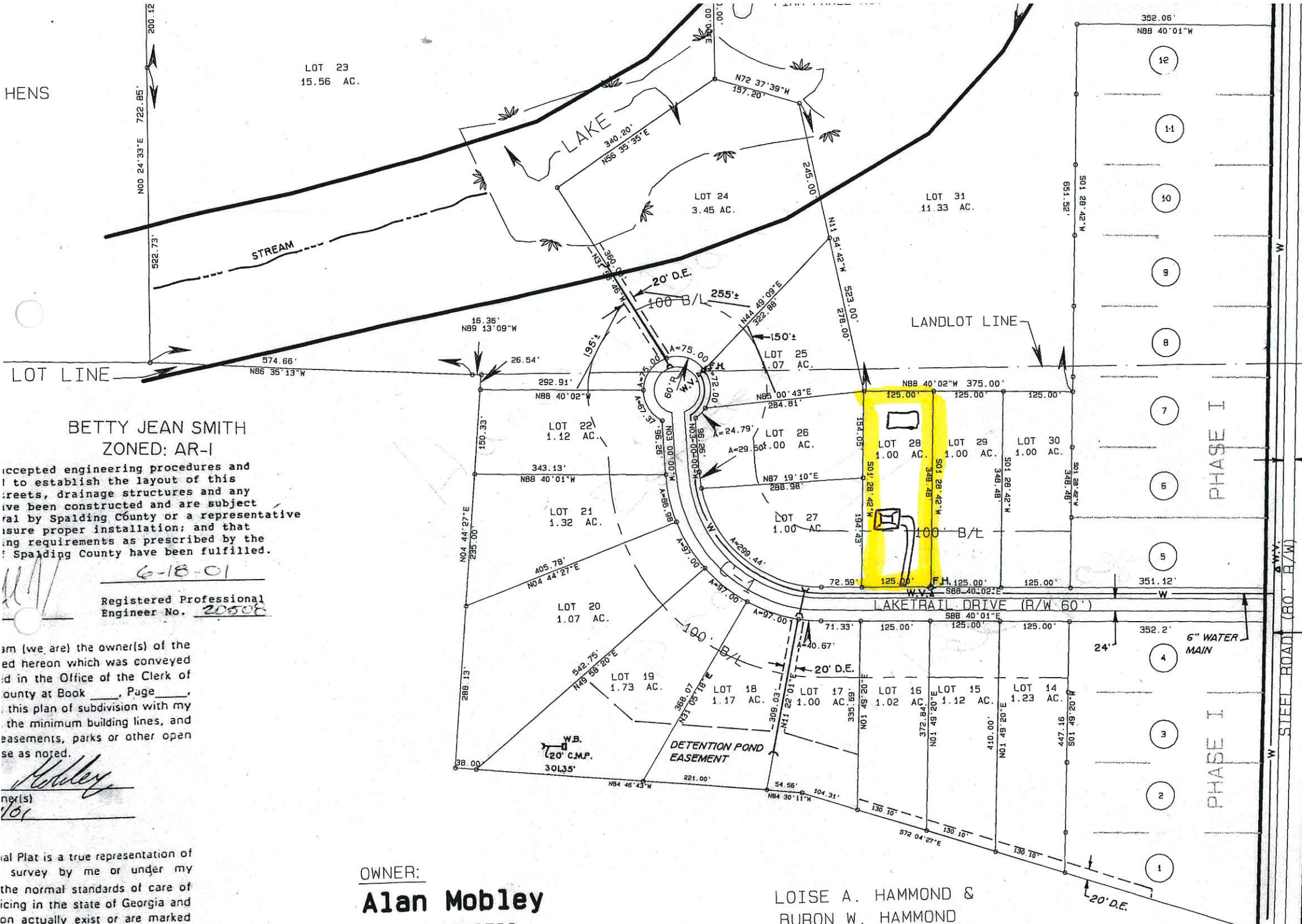
C. Parcels 6+ - \$50.00 each, in addition to the fees stated in A and B.

4/5/2017

REASON FOR SPECIAL EXCEPTION

The reason I am requesting a special exception is because I love working for myself. I am a Service Disabled Veteran Owned Small Business. I make Paracord products for our military, veterans, Law Enforcement, EMS and anyone who request my services. My products range from dog leashes to some one of a kind survival bracelets. I love what I do and for every person that request my services I get to not only have a customer but meet a new person every day. I am a registered LLC , the name of my company is Green Wolf Tactical LLC. I officially opened my business this year and plan to grow and become better each day. I put 100% in everything I do rather its sweeping the floor to maintaining my business so I look forward to growing this business and even more myself!

HENS



BETTY JEAN SMITH
ZONED: AR-1

I have accepted engineering procedures and I have established the layout of this subdivision, streets, drainage structures and any other improvements have been constructed and are subject to the approval of Spalding County or a representative of the county to ensure proper installation; and that the requirements as prescribed by the Spalding County have been fulfilled.

6-18-01
Registered Professional
Engineer No. 20508

I am (we are) the owner(s) of the land hereon which was conveyed to me in the Office of the Clerk of Spalding County at Book ____, Page ____. This plan of subdivision with my plat is a true representation of the minimum building lines, and easements, parks or other open space as noted.

Alan Mobley
Owner(s)
101

This Plat is a true representation of the survey by me or under my supervision in accordance with the normal standards of care of a professional surveyor in the state of Georgia and on actually exist or are marked

OWNER:
Alan Mobley
OWNER'S ADDRESS:

LOISE A. HAMMOND &
BURON W. HAMMOND

Linear measure:
angular measure:
theodolite apparatus:
per angle point,
Error of closure:

Note:
Iron stakes on

BOOK 4053 PAGE 321

Return Recorded Document to:
Wessels & Dixon, P.C.
175 Corporate Center Dr. Ste. A
Stockbridge, GA 30281
678-759-2211
File 16-0309

Real Estate Transfer Tax
Paid \$ 152.00
Date 5-16-16
PT - 61 126- 2016-991

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA

2016 MAY 16 A 10:18

Marcia L. Norris
Clerk of Superior Court, Spalding Co., Ga.

BY *[Signature]*
MARCIA L. NORRIS, CLERK

JOINT TENANCY WITH SURVIVORSHIP WARRANTY DEED

STATE OF GEORGIA
COUNTY OF HENRY

THIS INDENTURE, made this 26th day of April, 2016 between Chris Lokey and Megan Lokey, County of SPALDING and State of Georgia of the first part, hereinafter called Grantor, and Flynn Von Roretz and Tessa Von Roretz, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 11 of the 3rd District of originally Henry, now Spalding County, Georgia and being more particularly shown and designated as Lot 28, 1.00 acres, HUGHLEY DAIRY ESTATES SUBDIVISION, PHASE II, as per plat recorded in Plat Book 23, Page 795, Spalding County, Georgia records, to which reference is hereby made for the purpose of incorporating the same herein.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

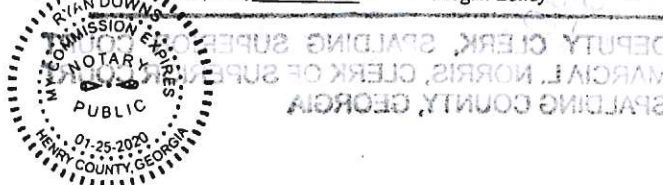
THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed this 26th day of April 2016 in the presence of:

[Signature] *[Signature]*
Unofficial Witness Chris Lokey, Jr.
[Signature] *[Signature]*
Notary Public (My commission expires) 1-25-2020 Megan Lokey



SPALDING COUNTY BOARD OF APPEALS

DATE: May 11, 2017

TO: Spalding County Board of Appeals
Spalding County Board Of Commissioners

FROM: Department of Community Development

RE: Special Exception Application 17-03S

The following report constitutes the assessment and evaluation by the Community Development staff on the above referenced application.

Identification of the Property:

Size and location:

The property is located at 105 Lake Trail Drive; Land Lot 11 of the 3rd Land District of Spalding County. Property consists of 1 +/- acre.

Current owner:

Tessa and Flynn Von Roreta
105 Lake Trail Drive
Griffin, Georgia 30223

Agent/Developer:

None

Proposed use:

Applicant requests a Special Exception to have a home occupation on property in the R-4 district. The proposed home occupation will consist of creating paracord products including dog leashes and bracelets.

Compliance with Zoning Ordinance Development Standards:

The property is currently zoned R-4.

Section 1003:D(1) allows for Home Occupation, general, excluding garage, repair garage and kennel. Section 202:LL defines Home Occupation, General as: An occupation for gain or support conducted by residents on the premises, ancillary and accessory to the main agricultural or

residential use on the property, meeting the following criteria:

1. No home occupation shall employ more than two (2) persons who work on the premises but who do not reside in the dwelling located on the premises.
2. The home occupation must be incidental and subordinate to the residential use of the dwelling and must not change the residential character of the property.
3. No display of products shall be visible from the street.
4. Use of the principal and/or accessory building(s) for the home occupation shall not exceed twenty-five (25) percent of the combined gross floor area of the principle and accessory buildings.
5. No internal or external alterations shall be permitted which would change the fire rating for the structure.
6. No continuous unenclosed outside storage of materials or supplies used in connection with the home occupation shall be permitted, provided that this restriction shall not preclude the conduct of minor outside home gardening activities in conjunction with a home occupation.
7. All parking for the home occupation shall be located on the property and only in the side or rear yards.
8. Only vehicles designed and used primarily as passenger vehicles (including pickup trucks) shall be used in connection with home occupations in R-1, R-2, R-4 and R-5 zoning districts.

Spalding County Unified Development Ordinance, Section 413, Subsection G states as follows:

The Board of Appeals will consider the following points in arriving at a decision on the Special Exception:

1. It must not be detrimental to the use or development of adjacent properties, or to the general neighborhood; it must not adversely

affect the health or safety of residents or workers.

The Home Occupation proposed in this request will not adversely affect the health or safety of residents or the general neighborhood nor will it be detrimental to the use or development of adjacent properties.

2. It must not be that any possible depreciating effects and damages to the neighboring properties are greater than the benefits or need for the Special Exception.

Staff does not anticipate any depreciating effects on neighboring property with the request use.

3. It must not adversely affect existing uses, and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use.

The subject property is of sufficient size for the request.

The subject dwelling is 1,518 square feet along with 800 square feet of accessory building. 25% of the total square footage of the dwelling unit and accessory building is 579.

Photos



View of subject property from Laketrail Drive.



View of the accessory building.

Staff Recommendations:

Staff recommends **APPROVAL** of this application.

This recommendation was made for the following reasons:

1. Satisfies the requirements for Home Occupation in Section 202:LL and the Special Exception Criteria in Section 413G of the Spalding County UDO.

SPALDING COUNTY APPEALS BOARD
Regular Meeting
May 11, 2017

The Spalding County Appeals Board held its regular monthly meeting on May 11, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Ed Brown, Vice-Chair presiding; Curtis Keys; Patricia McCord; Bill Slaughter; and Tangela Williams.

Also present were: Chad Jacobs, Community Development Director; Newton Galloway, Zoning Attorney and Yvonne Langford to record the minutes.

Mr. Brown called the meeting to order and invited anyone present that was not the applicant and wanted to address the Board on any of the applications to come forward and sign the request form.

LIFT FROM THE TABLE – ELECTION OF CHAIR

MOTION

Ms. Williams made a motion, seconded by Mr. Keys, to lift from the table election of a chair. The motion passed with Mr. Brown, Mr. Keys, Ms. McCord, Mr. Slaughter, and Ms. Williams voting for the motion.

ELECTION OF CHAIR

Mr. Brown called for nominations for a chair.

Mr. Slaughter nominated Mr. Brown. Mr. Keys seconded the nomination. There were no other nominations.

MOTION

Mr. Keys made a motion to close the nominations and declare Mr. Brown elected by acclamation. The motion passed on a second by Ms. Williams with Mr. Keys, Ms. McCord, Mr. Slaughter, and Ms. Williams voting for the motion and Mr. Brown abstaining.

LIFT FROM THE TABLE – ELECTION OF VICE-CHAIR

MOTION

Ms. Williams made a motion, seconded by Mr. Keys, to lift from the table election of a vice-chair. The motion passed with Mr. Brown, Mr. Keys, Ms. McCord, Mr. Slaughter, and Ms. Williams voting for the motion.

ELECTION OF VICE-CHAIR

Mr. Brown opened the nominations for a vice-chair.

Mr. Slaughter nominated Mr. Keys. Ms. Williams seconded the nomination. There were no other nominations.

MOTION

Ms. Williams made a motion to close the nominations and declare Mr. Keys elected by acclamation. The motion passed on a second by Ms. McCord with Mr. Brown, Ms. McCord, Mr. Slaughter, and Ms. Williams voting for the motion and Mr. Keys abstaining.

Application #17-03S: Flynn Von Roretz & Teesa Von Roretz, Owners – 105 Laketrail Drive (1 acre located in Land Lot 11 of the 3rd Land District) – requesting a Special Exception to allow a general home occupation in the R-4 District.

Flynn Von Roretz – 105 Laketrail Drive

Mr. Von Roretz said he was in the service and deployed from his family and returned home to a two year old son that did not know him. He wants to be a better father and spend time with his son. He started a business in January 2017 and manufactures bracelets in his home. He showed a sample of the bracelet that he makes. He takes pride in what he makes and everything he makes is made in America. His operation is very silent. He ships everything by mail or UPS. He is available to answer any questions.

Billy Ray McFarlin – 103 Laketrail Drive

Mr. McFarlin lives next door to Mr. Von Roretz. He said he holds veterans in high regard and this has nothing to do with veterans. He loves this country; loves his family and loves veterans. This is about the continuity of the subdivision. When it was established, it was established for homeowners. To change that even in a small way is like a control burn. All of sudden he got this and I want this and I want that. Three months ago he bought a house right beside this. There was no sign up. If he had known this was going to be like this, he would not have gotten this house. He bought this house so he could set it up for his wife. He has a terminal illness. He still works with UPS and cannot retire because he has to have the insurance for the drugs that keep him alive. He wants to get this house finished for his wife. He pleads with the commissioners. This is his home forty feet from their garage. He does not want this. This is going to be a problem. It is not the fact he is a veteran. If there is anything that is going to be manufactured out of that home as a business, the continuity of the subdivision will be changed. He requested the Board accept the wishes of the majority of the subdivision over the wishes of one particular person. He will help him in anyway but he does not want any type business in the subdivision. He was asked whether or not there has been any traffic problems. He has had some problems but it is not necessarily traffic. There has been no increase in traffic; they fear what will happen. There have been some issues, disagreements. If you stop this now, you don't have to stop it later. They are afraid their property values will drop. His big fear is what is going to happen in months ahead with property values. The product is a great thing but you have to look ahead. Do not allow any business in their subdivision and they will be happy. He was asked about any noise. He said he thinks they are made by hand. Right now there is no noise but he fears what will happen.

Ed Harper – 108 Laketrail Drive

Mr. Harper said he is against this. He is a minister and he moved out on Laketrail to get away from the traffic on Dobbins Mill Road hoping he could retire and spend the rest of his life in peace. He feels this will certainly hinder that. He is not against him being a veteran. He loves veterans for what they do and he was at one time one himself. He would like to see the neighborhood remain as it is. He has seen more traffic. He saw him ride down on a motorcycle and came back in a little orange car. He has seen vehicles in his yard, jacked up with him working on them more than one day. He is against this. He wants to see the neighborhood stay family dwellings and that is it. He would be satisfied if he rented a place. If it is a lucrative business, he can rent a small area to perform his manufacturing.

Tim Haynes – 106 Laketrail Drive

Mr. Haynes said he got some misinformation and did not get both sides of the story before he signed the petition. The sales are online and it is not going to cause any problems in the neighborhood. It is going to be quiet and there is no reason to give these people a hard time. They do not make any noise. They don't bother anybody. They keep to themselves. He works a night shift. It is not going to hurt anything.

Mr. Von Roretz responded to the Board regarding some questions. He only sells via mail and online. The vehicles referred to by Mr. McFarlin belong to his father and he was working on it to help him.

Randy Williams – 113 Laketrail Drive

Mr. Williams said he would like to see the neighborhood stay as it is. He does not have a problem if he wants to run his business there and make a little money. If it is approved, can it be for six months temporarily to see how it works?

Jamey Latham – 107 Laketrail Drive

Ms. Latham said she lives next door to the applicant. She was not acquainted with them prior to this application. When Ms. McFarlin came to her house and asked her to sign the petition, she made it seem like this business was a front for drugs. She said there was already traffic and there is going to be more traffic. She asked me to sign this paper. Her aunt almost signed the petition but she asked her to wait and discuss this with the neighbor. She talked with some of the neighbors that had signed the petition and some of the neighbors want their names removed because it was misrepresented to them that there was something illegal about the business. She and her aunt went and talked with the Von Roretzs and then with some of the neighbors. The neighbors said Ms. McFarlin had told them it might be a drug business. The neighbors have all lived together for years with no issues and the McFarlins have been living there four week and have polarized the whole neighborhood. It is the craziest thing ever. She was able to get all the signatures because she made it seem like something illegal.

Allison Smith 1853 Steele Road

Ms. Smith noted that Steele Road is part of this subdivision. When she was asked to sign the petition, she was told these were horrible people; they were selling drugs out of their garage; people were coming there all hours of the night. She wants her name and her son's name taken off of the petition. She went and visited the Von Roretzs, saw what they did; there is no machinery; everything is clean. Ms. Smith works from home as a health care consultant. She knows what happens in the neighborhood. She moved to this location last July. According to what she was told, the neighborhood covenants expired in 2015. These are good people and she does not feel they are trying to do anything wrong. The information they were given at the time the petition was signed was not factual.

Mr. McFarlin returned for further comments. He said he has not personally asked one person to sign a petition. He said he went outside and his grass had been cut a few feet over the property line. He told Mr. Von Roretz that he did not like his grass cut that short and to please not cut it in the future. It ignited a "war" for no reason at all. This needs to focus on one thing and one thing only. Are we going to allow one household to change the continuity of the whole subdivision? All of the other stuff is "he said, they said". He has begged everyone to get along. If he wins, he is going to be his neighbor. It is an unfortunate situate and he wishes it had never occurred. If he has offended anyone in the subdivision, he apologizes. He does not want to cause any trouble.

Mr. Jacobs said the petition being discussed was received after all the information was forwarded to the Board members. One person has already removed his name from the petition. There were 32 names on the petition. He read the petition to the members of the Board. Issues of covenants were brought up and the County does not enforce covenants of any sort. They only enforce zoning codes. He explained the different types of home occupations and the requirements. The staff has reviewed all the requirements this applicant has to follow and finds he meets all the requirements and the recommendation is for approval.

MOTION

Ms. Williams made a motion to approve Application #17-03S. The motion passed on a second by Mr. Slaughter with Mr. Brown, Mr. Keys, Ms. McCord, Mr. Slaughter, and Ms. Williams voting for the motion.

MINUTES

Mr. Keys made a motion, seconded by Mr. Brown, to approve the minutes of the December 8, 2016 meeting. The motion passed with Mr. Brown and Mr. Keys voting for the motion and Ms. McCord, Mr. Slaughter, and Ms. Williams abstaining because they were not present.

Ms. Williams made a motion, seconded by Mr. Brown, to approve the minutes of the April 13, 2017 meeting. The motion passed with Mr. Brown, Mr. Keys, Ms. McCord, and Ms. Williams voting for the motion and Mr. Slaughter abstaining because he was not present.

ADJOURN

The meeting was adjourned on a motion by Ms. Williams and a second by Mr. Keys with Mr. Brown, Mr. Keys, Ms. McCord, Mr. Slaughter, and Ms. Williams voting for the motion.

Ed Brown – Chair

Yvonne M. Langford - Recorder



SPALDING COUNTY BOARD OF COMMISSIONERS FBF Public Comment

Requesting Agency

County Manager

Requested Action

Public comment on Special Exception Application 14-07S General Home Occupation granted to Bradly D. Ward and Lisa A. Ward, Owners - 475 North Rover Road.

Requirement for Board Action

Is this Item Goal Related?

Summary and Background

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

n/a

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> February 26, 2015 Zoning Public Hearing Minutes	5/22/2017	Backup Material

MINUTES

The Spalding County Board of Commissioners held their Zoning Public Hearing in Room 108 of the Courthouse Annex, Thursday, February 26, 2015, beginning at 6:00 p.m. with Chairman Rita Johnson presiding. Commissioners Bart Miller, Raymond Ray, Gwen Flowers-Taylor and Donald F. Hawbaker were present. Also present were County Manager William P. Wilson Jr., Assistant County Manager, Eric Mosley, Community Development Director, Chad Jacobs, County Zoning Attorney Newton Galloway and Kathy Gibson, Executive Secretary to record the minutes.

A. Call to Order led by Chairman Rita Johnson.

Note: Persons desiring to speak must sign in for the appropriate application. When called, speakers must state their names and addresses and direct all comments to the Board only. Speakers will be allotted three (3) minutes to speak on their chosen topics and relate to matters pertinent to the jurisdiction of the Board of the Commissioners. No questions will be asked by any of the commissioners during citizen comments. Outbursts from the audience will not be tolerated. Common courtesy and civility are expected at all times during the meeting.

B. New Business:

1. Application #14-07S: Bradly D. Ward and Lisa A. Ward, Owner - 475 North Rover Road (22.655 acres located in Land Lot(s) 64 & 65 of the 1st Land District) - requesting a Home Occupation, General, excluding public garage, repair garage and kennel in the AR-1 District.

Chad Jacobs, Director Community Development, stated that what is being considered this evening is a Special Application for a Home Occupation. The application is a dual purpose application, the nature of the business is a gun range and gun smith business.

Mr. Ward will run a gun smith business on the property as well as offer a gun safety training and gun range on the property. Staff has recommended denial of the application in that it doesn't satisfy the requirements of Section 413(G). Specifically it must not adversely affect the health or safety of residents, the development of adjacent property or the general neighborhood. Staff has concerns regarding depreciating effects with respect to the use as well. Staff has no concern with regard to the gun smith portion of the application. At the last regularly scheduled meeting the Board of Zoning Appeals, recommended conditional approval by a vote of 3-2 based on the following conditions:

- 1) Proof of either:
 - a. Completion of the NRA "Range Development and Operations Course"; or
 - b. Ownership of the NRA "Sourcebook"; and
 - c. Knowledge of NRA "Sourcebook" contents and guidelines.
- 2) Compliance with industry, NSSF or NRA, design standards for outdoor shooting ranges including, but not limited to the following:

- a. A ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property.
 - b. A backstop or berm constructed to industry standards.
 - c. Side berms constructed to industry standards.
 - d. Sufficient fencing to prevent indiscriminate access from:
 - i. The ready line to the firing line; and
 - ii. The area between the firing line and the backstop.
 - e. Adequate sound abatement, either natural vegetation or artificial structures, to ensure the surrounding properties and residents are not unreasonably hindered from enjoying the use of those properties.
 - f. A safety area where customers can handle their unloaded firearms unsupervised.
 - i. The range must inform customers that no live ammunition is allowed in this area.
 - g. Consultation with or review of the range by a professional shooting range designer or equivalent professional.
 - h. Shoot Range/Gun Safety Rules of the NRA shall be posted on the site.
- 3) Compliance with the EPA's "Best Management Practices for Lead at Outdoor Shooting Ranges".
 - 4) The above listed conditions and approval of same shall be tied to the current applicant and not transferrable to any future property owners.

The special exception will not be tied to the property and will not be moved to future owners of the property. Traditionally, special exceptions transfer at the time ownership transfers; however in this case the exception will not be transferred.

Mr. Jacobs then advised the Board that they had three options for consideration:

- Denial application in full.
- Deny only the gun range portion of the application.
- Approve the application with the conditions suggested.

Spoke in favor of the application:

Bill Bryant, 282 North Rover Road, has resided there for approximately 27 years. He stated that his main concerns are with noise and safety. He requested that the Board consider the addition of the follow conditions to the application should it be approved:

- Hours of Operation be Monday through Friday from 9:00 a.m. to 6:00 p.m.; Saturday from 8:00 a.m. to Noon and that there be no shooting on Sundays.
- No evening hours of operation except by County Permit. Permit to be applied for based on customer need, must be applied for in advance by 14 days; all shooting operations to be concluded by 8:00 p.m. No evening shooting on weekends.
- No military grade firearms (for example, full automatic fire or large caliber). Only firearms suitable for home defense,

- competition, hobby use or hunting.
- Proof of Sufficient Property and Casualty Insurance above normal homeowners insurance. He requested that a General Liability Insurance policy in the amount of not less than \$1,000,000 per occurrence be obtained as required by other counties.

Francis Cavender, 249 McIntosh Road, stated the range would provide a safe environment for the citizens of Spalding County to learn the proper use and handling of firearms. Most ranges cater to fire arm competitions and sporting events and are not available to the private citizen.

James Klemm, 119 Canaan Court, stated that he is a neighbor to Mr. Ward and that he has used his range. Mr. Klemm stated that Mr. Ward has operated his facility privately for friends that he and his family for many years and that he and his family have learned firearm safety from Mr. Ward. Mr. Klemm stated that it is nice to know there is a place where people can go to learn how to operate a firearm safely.

Dwayne Howard, 55 Calhoun Road, stated that he is a retired law enforcement officer. He is in favor of the range. This range would benefit not only the citizens of the county but will benefit law enforcement in Spalding County. Mr. Howard further stated that law enforcement many times will just learn the basics for their position; however, the services being offered by Mr. Ward can take their training to the next level.

Woody Ward, 110 Bethel Lane, spoke in favor of the gun range.

Brad and Lisa Ward, 475 North Rover Road, stated that they have lived at this location more than 14 years. They stated that the property has housed a private shooting range from “the day we walked onto the property.”

Mr. Ward stated that he has a Degree in Criminal Justice and that he has been an NRA Instructor for the last 20+ years. This is not a public range, we are asking for a private business. There will be no business operations on Sunday.

Mr. Ward stated that all of his direct neighbors are on board with this business. He stated that they did a sound study in Mr. Bryant’s driveway and he gave a copy of the results to the Board. Mr. Ward further stated that his business hours will be from 9 AM until 6 PM, six days a week. He further stated that there would be no business conducted on Sundays.

Mr. Ward further stated that it is rare for there to be evening shooting. He stated that recently he had to hold an evening shoot to accommodate law enforcement to prepare for certification. Mr. Ward further stated that the 14 day waiting period proposed by Mr. Bryant would prohibit his ability to assist law enforcement with their certifications as in most cases there is not enough time between notification and the test to allow for a 14 day permit period. He stated that he would abide by whatever the Board required. Mr. Ward assured the Board that it is rare for him to have a class into the night, he stated that in the last year he had approximately two night shoots.

Motion/Second by Flowers-Taylor/Miller to approve Application #14-07S: Bradly D. Ward and Lisa A. Ward, Owner - 475 North Rover Road (22.655 acres located in Land Lot(s) 64 & 65 of the 1st Land District) - requesting a Home Occupation, General, excluding public garage, repair garage and kennel in the AR-1 District under the conditions as stated by the Spalding County Board of Appeals at their meeting on February 12, 2015:

1) Proof of either:

- a. Completion of the NRA “Range Development and Operations Course”; or***
- b. Ownership of the NRA “Sourcebook”; and***
- c. Knowledge of NRA “Sourcebook” contents and guidelines.***

2) Compliance with industry, NSSF or NRA, design standards for outdoor shooting ranges including, but not limited to the following:

- a. A ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property.***
- b. A backstop or berm constructed to industry standards.***
- c. Side berms constructed to industry standards.***
- d. Sufficient fencing to prevent indiscriminate access from:***
 - i. The ready line to the firing line; and***
 - ii. The area between the firing line and the backstop.***
- e. Adequate sound abatement, either natural vegetation or artificial structures, to ensure the surrounding properties and residents are not unreasonably hindered from enjoying the use of those properties.***
- f. A safety area where customers can handle their unloaded firearms unsupervised.***
 - i. The range must inform customers that no live ammunition is allowed in this area.***
- g. Consultation with or review of the range by a professional shooting range designer or equivalent professional.***
- h. Shoot Range/Gun Safety Rules of the NRA shall be posted on the site.***

3) Compliance with the EPA’s “Best Management Practices for Lead at Outdoor Shooting Ranges”.

4) The above listed conditions and approval of same shall be tied to the current applicant and not transferrable to any future property owners.

as well as the condition that if there will be shooting after 9:00 p.m. notification will be given to Community

Development and, if such amplification it is addressed in the noise ordinance, then an Amplification Permit will be applied, investigated, voted on and issued prior to the evening shoot.

Newton Galloway, Zoning Attorney, stated that the State of Georgia has a Special State Statute that governs noise from shooting ranges, and it provides as follows:

“A shooting range will not be subject to Public or Private Nuisance Actions because of changes in conditions that occur at lease within one year after a range begins operations.”

It further the statue provides that:

“No shooting range will be subject to any civil or criminal action relating to noise if the range remains in compliance with noise statues, ordinances, regulations or rules that were applicable to it on the day that it commenced operation.”

Mr. Ward then advised that his range was established 14 years ago and that the statue outlined by Mr. Galloway covers private ranges.

Commissioner Miller asked if night shooting would be limited to law enforcement officer training. He further asked that the property containing the actual shooting range be fenced and signage be placed on the fencing notifying anyone in the area that there is a shooting range on the other side of the fence.

Motion/Second by Flowers-Taylor/Hawbaker to amend her motion to include the conditions as stated in her initial motion and to add the following conditions:

- ***The business is to maintain at least a \$2,000,000 liability policy.***
- ***To request permission if night shooting is to accommodate law enforcement and is to go past 9:00 p.m.***
- ***That sufficient fencing be added to prevent indiscriminate access to the firing range.***
- ***Additionally, no expansion will be allowed to the current range without prior approval of the Spalding County Board of Commissioners. Motion carried 4-1 (Ray). Commissioner Ray stated that he does not believe this type of operation is appropriate as a home occupation.***

Commissioner Hawbaker asked that proof of \$2,000,000 in liability insurance coverage be required annually when the license for this range is applied for through Community Development.

Motion/Second by Flowers-Taylor/Ray to amend the agenda to add an additional new business item. Motion carried unanimously by all.

Motion/Second by Ray/Flowers-Taylor to place a moratorium on the acceptance of applications on the

home occupation of firing range for a period of six months providing the Board with a better opportunity to solidify the requirements and to see how the decision of this evening impacts the community. The motion failed for lack of a vote.

C. Other Business:

D. Adjournment

Motion/Second by Flowers-Taylor/Ray to adjourn at 7:45 p.m. Motion carried unanimously by all.

/s/ Rita Johnson
Chairman

/s/ William P. Wilson, Jr.
County Manager



SPALDING COUNTY BOARD OF COMMISSIONERS FBF Expert Reports

Requesting Agency

County Manager

Requested Action

Condiseration of expert reports prepared by Kramer One, Inc. and Dick Peddicord & Company, Inc. along with staff report presented at the May 15 Special Called Meeting of the Board of Commissioners with regards to Full Blown Firearms.

Requirement for Board Action

Is this Item Goal Related?

No

Summary and Background

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

n/a

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> 05-15-2017 Minutes	5/22/2017	Backup Material
<input type="checkbox"/> Kramer One Report	5/22/2017	Backup Material
<input type="checkbox"/> Kramer One Summary	5/22/2017	Backup Material
<input type="checkbox"/> Peddicord Report	5/22/2017	Backup Material
<input type="checkbox"/> Peddicord Summary	5/22/2017	Backup Material
<input type="checkbox"/> Request for Information - Neighborhood	5/23/2017	Backup Material
<input type="checkbox"/> Request for Information - Full Blown Firearms	5/23/2017	Backup Material

MINUTES

The Spalding County Board of Commissioners held a Special Called Meeting in Room 108 in the Courthouse Annex, Monday, May 15, 2017, beginning at 10:00 a.m. with Chairman Bart Miller presiding. Commissioners Rita Johnson, Raymond Ray, Gwen Flowers-Taylor and Donald Hawbaker were present. Also present were County Manager, William P. Wilson Jr., Assistant County Manager, Eric Mosley, County Zoning Attorney, Newton-Galloway, County Zoning Attorney, Steven Jones, Community Development Director, Chad Jacobs and Executive Secretary, Kathy Gibson to record the minutes.

I. Call To Order by Chairman Bart Miller.

Invocation led by Commissioner Rita Johnson.

Pledge to Flag led by Commissioner Gwen Flowers-Taylor.

II. Agenda Items:

1. Discussion of consultants reports with regard to Full Blown Firearms compliance with Special Exception conditions and Home Occupation Regulations.

Newton Galloway, Zoning Attorney stated that the purpose of the meeting is to provide the Board with a report of the inspection that was conducted at Full Blown Firearms on North Rover Road. He then introduced Dick Peddicord of Dick Peddicord & Company Inc. and Jack Giordano of Kramer One, Inc. who were present via Skype.

The Board of Commissioners requested that the Community Development Department retain Mr. Peddicord and Mr. Giordano to assess whether the operation of Full Blown Firearms is in compliance with the conditions the Board imposed on its operation back in 2015. That inspection was conducted on March 31, 2017.

Mr. Galloway then turned the meeting over to Steven Jones who gave the background on how the consultants were chosen and retained for this inspection and the work that was performed. Mr. Galloway added that following Mr. Jones, Chad Jacobs, Spalding County Community Development Directory would review a staff report that has been prepared based upon the export reports received from the consultants. Mr. Galloway stated that as Mr. Jacobs reviews staffs' report, Mr. Peddicord and Mr. Giordano will be available to answer any questions the Board may have regarding their reports.

Steven Jones stated that Mr. Peddicort and Mr. Giordano were retained by Spalding County to conduct this investigation. One of the conditions imposed at the time the Special Exception was approved was that the business would have to comply with EPA Best Management Practices for lead and outdoor shooting ranges. The EPA developed those BMPs after a paper that was authored by Mr. Peddicort and published by the National Shooting Sports Foundation's on their website. Mr. Jones then turned the podium over to Mr. Peddicord via Skype to discuss how the BMPs were developed and to present an overview of his experience in assessing compliance with those BMPs. He added that he would then introduce Mr. Giordano who will also give an overview of his experience and qualifications in performing the type of analysis that he performed for the County.

Mr. Peddicord then reviewed for the Board his 43 years of experience and his background with the EPA, development of the BMPs and his experience in

assessment and management of environmental risks. He stated that for the last 30 years he has been directly involved with helping shooting ranges operate in an environmentally sound and sustainable way. For the past 15 years shooting ranges have been his exclusive business.

Mr. Peddicord worked with the National Shooting Sports Foundation and assisted in the development and publication of "The Environmental Aspects of Construction and Management of Outdoor Shooting Ranges." This publication deals with rifle, pistol and shotgun ranges and the environmental responsibilities involved in managing these facilities. The EPA used this publication as a basis for their document entitled "Best Management Practices for Lead in Outdoor Shooting Ranges." These two documents form the industry standards for environmental management of outdoor shooting ranges.

Mr. Jones then advised that prior to contacting Mr. Peddicord, they had determined there were very few firms in the continental United States that do the type of work that Kramer One does which is the analysis of shooting ranges to determine their compliance with the NRA Source Book. Based on Mr. Peddicord's recommendation, we contacted and contracted with Kramer One which is an architectural planning firm where Mr. Giordano works.

Mr. Giordano stated that he is the primary safety and health specialist for Kramer One and the travels over the entire country. Mr. Giordano stated that he is a retired law enforcement officer. He stated that he spent 14 years in the fire arms training academy for the Port Authority in New York and during that time the National Rifle Association contacted him and asked him to join their Range Technical Team which was developed in 1991. The Range Technical Team consisted of a group of individuals who resided throughout the Country who had experience in firearms safety and shooting ranges who would be able to assist ranges in their development to make sure they are operating in a safe manner.

Mr. Giordano stated that he worked as a Range Technical Team advisor from 1991 until 2012 when he retired. At one time he was the Range Technical Team Supervisor and was responsible for Technical Teams in 20 states. Mr. Giordano stated that Kramer One is an Architectural Design firm that designs shooting ranges and has designed shooting ranges in 28 states and the primary work the he does is health and safety related.

Chad Jacobs, Community Development Director, then began his review of staff findings and recommendations with regard to the home occupation conditions imposed at the time of the Special Exception Application and the Home Occupations Requirements as set forth in the Unified Development Ordinance of Spalding County.

Mr. Jacobs then reviewed the staff report:

The following Staff Report constitutes Staff's findings of fact in reference to complaints received by the County regarding the operation of Full Blown Firearms ("FBF") and the approved Special Exception for a Home Occupation, General for the operation of a shooting range and training facility at 475 North Rover Road, Williamson, Spalding County, Georgia. The Special Exception was approved by the Board of Commissioners ("BOC") on February 26, 2015 with conditions. (Special Exception Application 14-07S/Bradley D. Ward and Lisa A. Ward). Staff has reviewed each condition imposed on the development and operation of FBF as well as compliance of FBF with the home occupation requirements set forth in the Unified Development Ordinance ("UDO"). Staff's findings regarding FBF's compliance with each are set out below.

Staff's findings are based on the following:

- a. A Request for Information sent to FBF via email on March 24, 2017, with response received on April 10, 2017;
- b. A Request for Information sent to a representative of the neighborhood via email on March 24, 2017, with response received on April 10, 2017;
- c. An inspection report prepared by Kramer One, based on a site inspection conducted on March 31, 2017;
- d. An inspection report prepared by Dick Peddicord & Company ("Peddicord"), based on a site inspection conducted on March 31, 2017;
- e. Staff's information and investigation resulting from its knowledge and information regarding the Special Exception developed since the date of filing of the initial Special Exception application, as well as its review of home occupation criteria (including signage) pursuant to Section 202(LL') and other applicable provisions of the of the UDO.

I. Conditions of Approval of Special Exception Application 14-07S

Though "[t]he NRA Range Source Book is NOT a code book or certification standard, but rather a publication listing general suggestions," its provisions govern the operation of FBF (where applicable) because BOC's approval of the Special Exception was expressly conditioned on the NRA guidelines.

(1) Proof of either:

- a. **Completion of the NRA "Range Development and Operations Course;" or**
- b. **Ownership of the NRA "Sourcebook;" and**
- c. **Knowledge of NRA "Sourcebook" contents and guidelines;**

FBF possesses a copy of the NRA "Sourcebook" per Exhibit B of their response to Staff's Request for Information. FBF is therefore compliant with this condition.

(2) Compliance with industry, NSSF or NRA, design standards for outdoor shooting ranges, including but not limited to the following:

- a. **A ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property;**

FBF does not have a ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds which miss the backstop do not pose a danger to any other persons or property. FBF does not own or control sufficient property to provide a ballistic background extending a sufficient distance passed the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property. There is evidence of uncontrolled shooting on the west property boundary. The bullet impacts are 10-15 feet above ground level. This also raises the question of trespass by the missed rounds. Many ranges do not have sufficient property to provide a ballistic background, and a back stop of sufficient height can suffice. To this condition, Staff finds that FBF is non-compliant. Staff's finding is based on the Kramer One report, pp. 6-10.

Mr. Giordano stated that the only comment he would like to add is the ballistic background is usually referenced as the surface danger zone. Full Blown Firearms does not have the surface danger zone; however, he must add in fairness to the range, that most ranges in this country do not have surface danger zones. They depend on the back stops to stop the bullets. They have to depend on engineering

controls and administrative controls to stop the bullets from leaving the property.

Mr. Giordano stated that the NRA recommendation for a backstop is <20'. He further stated that Full Blown Firearms has intermediate impact areas or intermediate backstops; one at 25 yards, one at 50 yards and one at 100 yards. The primary backstop being utilized is a natural area of terrain that is beyond the 100 yard backstop and the property does not belong to the owner of Full Blown Firearms. Mr. Giordano stated that he was not aware if Full Blown Firearms has permission from the owner of the property to use that property as a back stop; however, if he does have permission of the owner to utilize that property as a backstop that would be within the guidelines of the Source Book.

b. A backstop or berm constructed to industry standards;

Backstops being utilized are not consistent with NRA suggested guidelines and practices. Staff's finding is based on the Kramer One report, pp. 6-10.

Mr. Giordano stated that the backstops that are on the rifle range would be considered intermediate backstops and as intermediate backstops they would fit the general guidance of the National Rifle Association's Source Book; however, when you have intermediate backstops you need a primary back stop which would also have to meet the standard or the suggestion of 20' high.

Mr. Giordano stated that as he mentioned before, the owner is depending on the natural terrain that is beyond his property line for a primary backstop. He reiterated that unless he has permission from the owners of the two pieces of property serving as the backstop and he had the ability to limit the access to that property during the hours of operation it would not fall within the guidelines of the National Rifle Association.

Mr. Giordano added that on the pistol range there is a backstop that ranges in height from 10' high to approximately 20' high and in order for that backstop to fall within the guidelines of the National Rifle Association Range Source Book the entire backstop would have to be 20' high.

Mr. Jacobs stated that Mr. Ward through his attorney had expressed concerns that they have with respect to the findings and the interpretations and these documents have been forwarded to the Board.

c. Side berms constructed to industry standards;

There is no side berm on the right side (north side) of the rifle range, which in Kramer One's opinion is not consistent with NRA suggested guidelines and practices. Staff's finding is based on the Kramer One report, pp. 10-12.

Mr. Giordano stated that he is basing his opinion on a statement contained in the National Rifle Association Range Source Book that says: "with regard to side berms, the NRA Range Source Book states 'side berms are necessary near residential areas or in areas not large enough except hilly or mountainous areas'". This points out that in residential areas side berms are necessary. The location of Full Blown Firearms is in a residential area.

d. Sufficient fencing to prevent indiscriminate access:

- i. From the ready line to the firing line;**
- ii. From the area between the firing line and the backstop; and**
- iii. To the firing range.**

FBF is compliant with this condition. Staff's finding is based on the Kramer One report, pp. 16 – 18.

- e. Adequate sound abatement, either natural vegetation or artificial structures, to ensure the surrounding properties and residence are not unreasonably hindered from enjoying the use of those properties;**

FBF appears to be compliant with this condition. The berm as a sound abatement device is consistent with suggested guidelines. The baffle is also consistent with sound abatement guidelines. Detailed information is found in the Kramer One report, pp. 13 and 14.

Mr. Giordano stated that there is never any guarantee that the neighbors are not going to be disturbed by the sound of gunfire no matter what type of sound abatement devices a range operator may have in place. The National Rifle Association, based on studies that were done by the EPA states in their Source Book that if you have residences located in a ½ mile radius of the range, you are more likely to have complaints regarding sound.

- f. A safety area where customers can handle their unloaded firearms unsupervised;**

FBF is compliant with this condition. Staff's finding is based on the Kramer One report, p. 15.

Mr. Giordano stated that it is not really a good idea and it typically is not allowed where people will be permitted to handle a loaded firearm on a shooting range other than on the firing line. He advised that both stations appear to be more of a reload and unloading station where if people carry their firearm loaded to the range, and a lot of people do that for personal defense, they will unload their firearm at the unloading station, re-holster their firearm and take it to the firing line and utilize the range in that manner. Typically shooting range operations do not allow people who are using the range to handle firearms any place except on the firing line.

- i. The range must inform customers that no live ammunition is allowed in this area;**

FBF is compliant with this condition. Staff's finding is based on the Kramer One report, p. 15.

- g. Consultation with or review of the range by a professional shooting range designer or equivalent professional; and**

In FBF's response to question 1 of the Request for Information, the designers of the facility were/are Brad Ward, John Joines - NRA Range Development, Cameron Kerr – Southeastern Resource Management, Rich Nable – Atlanta PD Range Director and Randy Pifer – NRA Range Technical Advisor. Staff has not corroborated the involvement of all those mentioned.

- h. Shooting Range/Gun Safety Rules of the NRA shall be posted on the site;**

FBF is compliant with this condition. Staff's finding is based on the Kramer One report, p. 16.

Additional general compliance concerns were referenced in the Kramer One report, but not specifically conditioned above are, as follows:

- Shooters are positioned closer than 10 yards to steel targets, which is not consistent with NRA suggested guidelines and practices. (Kramer One report, p. 21).
- Shooters are positioned closer than 10 yards to an earth backstop, which is not consistent with NRA suggested guidelines and practices. (Kramer One report, p. 21).

Mr. Giordano added that for a shooting range to generally in compliance with following the guidelines and practices within the Source Book guidelines and practices to the degree that Full Blown Firearms has done is pretty commendable. Although they do have some issues with backstop height and side berm standards, they are actually doing pretty well.

- The structure being utilized as a safety baffle on the rifle range is not consistent with NRA suggested guidelines and practices. (Kramer One report, p. 23)

Mr. Giordano stated there are two types of baffle, one is the sound baffle and the other is a safety baffle. A safety baffle is used to contain bullets on a range to a specific area. The baffle that is in place looked relatively new and there were no holes in it; however, it did appear as though the intent may be to utilize it as a safety baffle and the structure does not meet the suggested guidelines as it would not be impenetrable to the types of ammunition being utilized on that range, in fact, any of the firearms being utilized on that range would be capable of firing through that roof structure. Therefore, if it is being utilized as a safety baffle it would not meet the guidelines of the National Rifle Association. If it is being used as a sound containing device then it would meet the guidelines.

- The Range operator may not be consistently following the Standard Operating Procedures requiring Range Safety Officer supervision of all shooting activity, which is not consistent with NRA suggested guidelines and practices. (Kramer One report, p.22)

Mr. Giordano stated that when he had asked Mr. Ward if the shooting range activity was 100% supervised, his answer was that it is supposed to be. He added that it was only him and his wife, but it is supposed to be. He then stated that if the Standard Operating Procedure is that the range will be 100% supervised as the Shooting Range Operator it is your responsibility make sure that this is done.

Mr. Giordano then stated that it was noted that on trees forward of the firing line on the rifle range trees had been shot at approximately 15' or more above the ground surface which appears that someone would have to elevate the muzzle of the firearm relatively high to shoot those trees from the firing line. Any range officer on duty would notice that right away, especially if there is only two or three firing positions on that range. It leads him to believe that there may be situations where the shooting is not being supervised.

Commissioner Ray asked Mr. Giordano if two people would be sufficient to supervise the different locations on the shooting range.

Mr. Jacobs added that the Home Occupation allows for two full time employees who are not residents of the home, so there would be those two employees plus the owners. Mr. Jacobs then restated Commissioner Ray's question as "would 2 to 4 people be a sufficient number to supervise the range as RSOs?"

Mr. Giordano stated that the general answer is "yes" again a lot of range safety issues depend on how the range is operated, one Range Safety Officer could supervise a three position rifle range adequately. When it comes to the pistol range many more people can utilize that range simultaneously and he doesn't know if that occurs, so it would be a matter of operational practice or administrative practice and control to insure that the supervision and the shooters match.

(3) Compliance with the EPA's "Best Management Practices for Lead at Outdoor Shooting Ranges;"

Pursuant to FBF's response to question 18 of the Request for Information, FBF has a protocol in place regarding Lead Abatement per their Standard Operating Procedures. Therein, those procedures include a section for Control and Containment which lists the following:

1. Bullet containment via earthen berms
2. Prevent migration
 - a. Mulch/compost/organic material. Change/ add as needed. Minimum of once every 12 months.
 - b. Lime
 - Addition every 6 months
 - Rate of 100 lbs. per 1,000 sq. ft.
 - c. Phosphate addition
 - 80 lbs. per 1,000 sq. ft.
 - Normal agricultural fertilizer
 - Twice yearly as filtration plots are planted spring and fall
3. Professional lead reclamation with preferred vendor when financially feasible.
4. Document
 - a. Date of soil testing – test every 24 months
 - b. Date of lime and phosphate addition to soil
 - c. Record of # of shooters per day/month on range

Pursuant to the Peddicord report, soil testing completed on March 31, 2017 indicated the application of lime at the rifle range backstops and in the pistol range backstop based on the pH measurements which are consistent with EPA's Best Management Practices for Lead at Outdoor Shooting Ranges. (Peddicord Report, p. 4, 8-12) It was also noted that efforts to minimize the effects of erosion were also present. (Peddicord Report, p. 4)

The Peddicord report also found some issues of noncompliance with the Best Management Practices for Lead at Outdoor Shooting Ranges. The primary issue is the need for management of lead shot resulting from shotgun activity on both the rifle range and the portion of the property utilized for clay target shooting. (Peddicord report, p. 6) The Peddicord report also references failure to manage lead flakes created by bullet impact from the pistol range which

affects the south side of the property near the pistol range. (Peddicord report, p. 8-9) From the shotgun area, the Peddicord report finds FBF's possible inability to fully manage clay fragments along with lead shot pellets from being deposited on a neighboring property to the north. (Peddicord report, p. 10-12) More detailed information can be found in the Peddicord report. Staff finds that FBF is not compliant with this condition to the extent set forth in the Peddicord report.

Mr. Peddicord stated that the protocols set forth by Full Blown Firearms are concentrated on the pistol and rifle range with no consideration of the shotgun area. Those protocols should apply to any shooting that takes place on the property.

Mr. Peddicord stated that the concern regarding the shotgun area is that clay target fragments and shot may be deposited off of the Full Blown Firearms property and onto the adjacent property to the north. We do have coordinates as to where target fragments and shot were absorbed, but we would need a surveyor to determine the property line as the property line is not clearly marked for the entire property. It is also a consideration that shot will travel generally 700 feet. The spread of the shot charge as it travels down range must be considered in determining whether it is likely the shot will go off of the property.

Shot and target fragments that are off the property raise access issues for managing that shot consistent with environmental protocol. So you have the question of shot and target fragments leaving the property and the associated issue is the environmental protocols, at this point, are not applied to the shotgun area. This can simply be corrected by one sentence in the protocols that states "we now apply these to the shotgun area." The can be applied, but at present are not.

The other issue is that outside of the pistol range, to the south of the pistol range there are a number of flakes of lead which is the kind of thing that happens when a bullet hits the hard targets that are used on the pistol range. How these flakes got outside of the range to the south, he does not know, but they are there in sufficient quantities and they should be managed the same as though they were on the range. The solution would be to find out how those flakes are getting outside of the range and to stop that so that they are contained within the range. Another approach would be to simply apply the environmental protocols to the areas south of the range where the flakes are found.

Mr. Peddicord stated that the items mentioned were the primary items of concern that he observed.

- (4) The above listed conditions and approval of same shall be tied to the current applicant and not transferrable to any future property owners;**

This condition is not applicable at this time.

- (5) If there will be shooting after 9:00 p.m. (and to accommodate law enforcement), notification must be given to Community Development and, if such amplification is addressed in the noise ordinance, then an Amplification Permit will be applied, investigated, voted on and issued prior to the evening shooting;**

In response to question 10 of the Request for Information, three

neighbors stated that shooting takes place after 9:00 p.m. (Neighbor statements are in the electronic data provided by the neighbors.) FBF responded to the same question that no shooting has taken place after 9:00 p.m. (FBF, Response to Question 17). Staff makes no finding due to disputed factual evidence.

(6) The business is to maintain at least a \$2,000,000 liability policy; and

FBF is compliant with this condition. Staff has some concern that the owner of FBF is Aqua Camp Diving Academy, LLC. ("ACDA") The County has requested verification that one or both of owners of 475 N. Rover Road are members of ACDA. In response to question 29 of the Request for Information, FBF identified Mr. Ward as the CEO and the registered agent of ACDA, but not as a member of the LLC.

Commissioner Ray then asked the question if we have evidence that this business has \$2,000,000 in liability insurance.

Mr. Galloway stated that if Brad Ward or Lisa Ward are listed as members of the ACDA then there is not a question. They have consistently reported there is a policy, the problem is in confirming that the people who are insured are members.

(7) No expansion will be allowed to the current range without prior approval of the BOC.

Staff reviewed the information provided with the Special Exception application and a site visit conducted at the time the application was under review. Staff also attended the site visit conducted on March 31, 2017. Staff has determined that the range has been expanded without approval of BOC. The expansion primarily consists of the pistol range area which did not exist at the time the Special Exception was approved. This is confirmed by photographic evidence, comparing photos of the pistol area attached to Application 14-07S to photos of an enlarged pistol area that currently exists. The degree of the expansion could also be in violation Erosion and Sedimentation Control permitting as any land disturbance of one acre or more is subject to first submitting an erosion and sedimentation control plan for approval by the local issuing authority. Once approved, a land disturbance permit would be required. Community Development received no plan for review and did not issue a land disturbance permit for the pistol range expansion.

Mr. Jacobs advised that this concludes the provisions that were issued as conditions for the Special Exception approval for this property.

II. Home Occupation, General – Ordinance Criteria – § 202(LL')

(1) No home occupation shall employ more than two (2) persons who work on the premises but who do not reside in the dwelling located on the premises;

FBF's response to questions 9 and 10 of the Request for Information indicated that it has only one full time employee who does not reside in the dwelling and no part time employees. Based on its response, FBF is compliant with this requirement.

(2) The home occupation must be incidental and subordinate to the residential use of the dwelling and must not change the residential character of the property;

FBF admits that its conducts retail sales on site. (Response to questions 12-13). On site retail sales are generally inconsistent with a Home

Occupation, General. (UDO, Section 202(LL')) The retail sales business component of FBF changes the residential character of the property. Additionally, the expansion of the range to provide more shooting areas which have not been approved by the BOC pursuant to condition 7 brings this issue further into question. This evidence suggests that FBF's operation is no longer incidental or subordinate to the residential character of the property.

The Special Exception approval allowed gunsmithing which is also understood to include the occasional sale of a firearm for services in lieu of payment. But, Special Exception approval never included or even considered as part of the discussion, the retail sales currently taking place at the property which includes new firearms, ammunition and other miscellaneous items for sale. FBF states that 25% of their revenue comes from retail sales. (Response to question 13 of the Request for Information).

(3) No display of products shall be visible from the street;

FBF is compliant with this requirement.

(4) Use of the principal and/or accessory building(s) for the home occupation shall not exceed twenty-five (25) percent of the combined gross floor area of the principal and accessory buildings;

Historically, Home Occupation, General analysis has focused entirely on the size of the residence and accessory dwellings. FBF's range is primarily outside the residence and does not relate to the size of the residence or accessory structures.

(5) No internal or external alterations shall be permitted which would change the fire rating for the structure;

The use of the accessory building as a retail store is possibly in violation of both building codes and life safety codes. The conversion of an accessory building to be accessible by the general public in a retail environment changes its classification under these codes. For example, a public handicap accessible restroom would be required. The Fire Marshal would also have to establish a maximum occupancy of the building. The building would have to be built to commercial standards. None of this has been reviewed or approved.

(6) No continuous unenclosed outside storage of materials or supplies used in connection with the home occupation shall be permitted, provided that this restriction shall not preclude the conduct of minor outside home gardening activities in conjunction with a home occupation;

FBF's firing range and the equipment, such as targets for its operation, are usually stored outside. Application of this requirement is unclear and may be unique to this use.

(7) All parking for the home occupation shall be located on the property and only in the side or rear yards;

FBF's response to question 26 of the Request for Information regarding cars present on the property is that 3 to 5 are present on an average day and 12 to 15 on a busy day. Compliance with this requirement could be difficult based on the busy day information provided given the layout of the property.

(8) Only vehicles designed and used primarily as passenger

vehicles (including pickup trucks) shall be used in connection with home occupations in R-1, R-2, R-4 and R-5 zoning districts.

A semi-truck was seen at FBF on December 27, 2016. (Photo provided by neighbors) No other information is known.

Mr. Jacobs asked if there were any questions with respect to the Home Occupation General Criteria.

Commissioner Flowers-Taylor asked if the parking in the side or rear yards are we saying these yards all the way up to the road or on the side and rear yards for the dwelling.

Mr. Jacobs stated that it would be the side yard as defined in the UDO which is defined as the area to the side of the house. This is to prevent a parking lot that moves out towards the road.

III. Sign Ordinance – Z/O App. E, Article 7 Prohibited Signs

All signs not expressly authorized by this section are prohibited. Such signs include but are not limited to:

(L) Home occupation signs

The property currently displays a flag along with a mail box covering which clearly advertises FBF by business name and a logo. The flag along with the mail box cover are noncompliant with the ordinance.

Mr. Jacobs advised that this concludes the staff report. He stated that Mr. Ward through his attorney's office did provide a statement to the Board that referenced concerns that they have with the consultants' reports. There are also emails that were provided by some of the neighborhood residents that expressed some concerns and they have been forwarded to the Board as well.

Mr. Galloway then advised that the next part is to discuss what happens from here. He thanked Mr. Peddicord and Mr. Giordano for their work on this, for coming down here to do the inspections that we requested and for their thorough and comprehensive reports on the conditions they found. Mr. Galloway reiterated that the instructions that were given to the consultants were to simply assess the conditions and determine whether or not the conditions found are compliant with the conditions that are imposed for the Special Exception and the ordinance. He then stated that he realized that the people on both sides of this problem disagree with their reports. The purpose of this meeting was to have their reports discussed, their findings assessed and to have those findings put into a staff analysis as to whether the conditions were satisfied.

Mr. Galloway stated that from here we will allow everyone in the room to assess and determine whether they agree or disagree with the reports and the findings of the staff, they will be given a period of time in which to formulate their comments, objections or possibly agreements with the finds and the staff report. Those comments will be heard at the Zoning Hearing on May 25th. In the interim we anticipate doing a memorandum on options available for dealing with this and those options will be provided to the Board under Attorney/Client privileged documents.

2. Zoning Attorney requests an Executive Session to discuss pending or threatened litigation.

Mr. Wilson advised that we had tentatively scheduled an Executive Session; however, it is not necessary at this time as Public Comment will be taken on May

25th at the Zoning Public Hearing.

III. ADJOURNMENT

***Motion/Second by Ray/Hawbaker to adjourn the meeting at 11:10 a.m.
Motion carried unanimously by all.***

/s/ _____
Bart Miller, Chairman

/s/ _____
William P. Wilson, Jr., Clerk

**Shooting Range Evaluation
of
Full Blown Firearms
Shooting Range Facility
Williamson, GA**

19 April 2017

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Brief Summary

Shooting Range Evaluation Report dated 19 April 2017

by

Kramer One, Inc.

of

Full Blown Firearms

Shooting Range Facility

Williamson, GA

Galloway & Lyndall, LLP, council for Spalding County, has requested that Kramer One, Inc. supply a brief summary of our findings with regard to Full Blown Firearms and the conditions of the Conditional Use Permit.

Summary

It is our opinion that Full Blown Firearms meets the conditions of the Conditional Use Permit except for the following:

Item 2a. The range does not have a ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property.

Item 2b. Backstops being utilized would not be consistent with NRA suggested guidelines and practices.

Item 2c. There is no side berm on the right side (north side) of the rifle range, which in our opinion would not be consistent with NRA suggested guidelines and practices.

General compliance issues:

Shooters are positioned closer than 10 yards to steel targets, which would not be consistent with NRA suggested guidelines and practices.

Shooters are positioned closer than 10 yards to an earth backstop, which would not be consistent with NRA suggested guidelines and practices.

The structure being utilized as a safety baffle on the rifle range would not be consistent with NRA suggested guidelines and practices.

The Range Operator may not be consistently following the SOP requiring RSO supervision of all shooting activity, which would not be consistent with NRA suggested guidelines and practices.

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	<u>Conditions of Approval</u>	
	A ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property	6
	A backstop or berm constructed to industry standards	7
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	Sufficient fencing to prevent indiscriminate access from: The ready line to the firing line; and The area between the firing line and the backstop	12
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	A safety area where customers can handle their unloaded firearms unsupervised. The range must inform customers that no live ammunition is allowed in this area	15
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APPENDIX A

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|------------|--|
| Exhibit A1 | Approximate Location and Orientation of Ranges and Property Boundary |
| Exhibit A2 | Approximation of adjoining property currently being utilized as a main backstop (or safety barrier) by Full Blown Firearms |
| Exhibit A3 | Approximate northern limit of the line of fire from the firing line of the rifle range |
| Exhibit A4 | ½ Mile radius from approximate center of shooting range facility |
| Exhibit A5 | Approximate suggested shotfall zone/Expected shotfall zone |

1 Background and Scope of Work

Kramer One, Inc. has been retained by Spalding County, Georgia (hereafter referred to as “the County”), acting by and through its counsel Galloway & Lyndall, LLP, to conduct an independent physical inspection of Full Blown Firearms shooting range facility located at 475 North Rover Road, Spalding County, Williamson, Georgia 30292.

The purpose of the inspection is to determine compliance or non-compliance with suggested guidelines and practices published in the National Rifle Association (NRA) Range Source Book and any applicable guidelines of the National Shooting Sports Foundation (NSSF) related to shooting range safety.

In a letter from the County dated March 4, 2015 to Bradly D. and Lisa A. Ward owners and operators of Full Blown Firearms conditions for approval include, but are not limited to: “Compliance with industry, NSSF *or* (emphasis added) NRA, design standards for outdoor shooting ranges...”

NSSF is a trade association for the firearms industry in the United States. Although they will occasionally publish articles written by firearms and shooting range experts related to shooting range issues, this firm is unaware of any guidelines, practices, or design standards documents published by NSSF related to range safety that would be applicable or useful in this case.

It should be noted that the NRA Range Source Book states: “The NRA Range Source Book is NOT a code book or certification standard, but rather a publication listing general suggestions.”¹ The County is specifically requiring “compliance” with these general suggestions and that Kramer One, Inc. provide an expert opinion as to “compliance” or “non-compliance”. Therefore this evaluation will not include design standards or operational policy from any other organization or established by Kramer One, Inc. that do not appear in the NRA Range Source Book.

Conditions for approval also include “Compliance with EPA’s “Best Management Practices for Lead on Outdoor Shooting Ranges”. Although the NRA Range Source Book does include information on environmental lead issues, this report will be limited to issues regarding safety.

The conditions that this document will address are general compliance with the suggested standards and practices contained within the NRA Range Source Book regarding safety as well as addressing specific conditions of approval. Those specific conditions addressed are enumerated as follow:

¹ NRA Range Source Book, Article 2 Disclaimer 2.01.1

2a. “A ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property.”

2b. “A backstop or berm constructed to industry standard.”

2c. “Side berms constructed to industry standards.”

2d. “Sufficient fencing to prevent indiscriminate access from:

- i. The ready line to the firing line; and
- ii. The area between the firing line and the backstop.”

2f. “A safety area where customers can handle their unloaded firearms unsupervised. The range must inform customers that no live ammunition is allowed in this area.

2h. “Shooting Range/Gun Safety Rules of the NRA shall be posted on this site.”

5. “That sufficient fencing be added to prevent indiscriminate access to the firing range.”

We will briefly discuss environmental sound as it applies to issues addressed in the NRA Range Source Book in relation to the condition of approval that requires: “Adequate sound abatement, either natural vegetation or artificial structures, to ensure the surrounding properties and residents are not unreasonably hindered from enjoying the use of those properties.”

On 31 March 2017, Jack Giordano, Shooting Range Safety & Health Specialist with Kramer One, Inc., conducted an onsite inspection of Full Blown Firearms shooting range facility. The opinions expressed in this document are based on observations of physical conditions and operating practices which existed on 31 March 2017. Opinions are also based on review of documents supplied to our firm by Mr. Bradley Ward, which include Standard Operating Procedures, Basic Handgun Course syllabus, Range/Training Facility Safety Procedures, and release of liability document. Information was also obtained from examination of aerial photographs, facility photographs, video clips of shooting activity and property boundary data supplied to our firm by Galloway & Lyndall. We also reviewed topographic data supplied to our firm by Spalding County Office of Community Development.

Additional information was obtained through interviewing Mr. Bradley Ward (Range Operator). Interviewing persons familiar with range operations affords us the opportunity to obtain information not typically available in printed documents and not obtainable through physical inspection.

2 General Discussion on Range Safety and Managing Risk

Managing risk in the shooting range industry is accomplished in the same manner as all other industries. It is a multi-component process requiring continuous monitoring and adjustment. Our industry is not unique when it comes to managing risk. Once a hazard associated with conducting a particular activity is identified we must determine how that hazard can be controlled in order for us to continue the activity while providing a reasonable expectation of safety.

The shooting range industry has adopted a method of managing risk which was carried over from the highway traffic safety industry. This proven method continues to be effective in enabling range operators to satisfy the reasonable expectation of safety for range participants and the public at large which the industry standard of care requires.²

This method is referred to as “The Four E’s of Range Safety” and is outlined in the National Rifle Association’s (NRA) Range Source Book.³ The NRA Range Source Book is recognized by industry professionals as the industry standard for shooting range planning, design and operation.

The Four E’s of Range Safety are **Evaluate – Engineer – Educate – Enforce**.

We cannot, and should not, assess the safety of any shooting range by engineering features alone. In actuality, a modern shooting range with the most advanced engineering features may not be safe if the operator fails to recognize the importance of adherence to the methods of managing risk. Conversely, the most primitive informal shooting range may be deemed safe by virtue of the range operator being very attentive to managing risk utilizing the Four E’s of Range Safety.

Therefore, it is important to recognize that there is no such thing as a “safe range”. Safety is dependent upon many factors, most importantly strict adherence to the principals of the Four E’s of Range Safety.

EVALUATE

The first step in managing risk on any shooting range is to evaluate. The range operator must evaluate the needs of the user and determine what type of range will be necessary to accommodate the planned activity. In many cases existing ranges must be evaluated to determine range limitations. In our industry it is not uncommon to see a single outdoor shooting range utilized for multiple shooting disciplines. This is not advisable and can lead to undesired consequences. We must evaluate planned shooting activities to assure an existing range can accommodate the activity safely. A very important part of the

² NRA Range Source Book 2012, Section I, Introduction, Article 1, 1.02.3

³ NRA Range Source Book 2012, Section I, Chapter 2, Safety Plan, 2.02.1

evaluation process is to consider shooter position in relation to the target and intended bullet impact area. Range operators must assure that every round of ammunition fired on a particular range will go from the firearm through the intended target and directly into the intended bullet impact area. As intuitive as it may seem, it is not uncommon for range operators to ignore this important step in managing risk. The vast majority of bullet escapement incidents our firm has investigated have been the result of range operators failing to properly evaluate their ranges and shooting activities.

ENGINEER

The next step is to engineer the range to accommodate the specific planned shooting activity. In many cases the range operator may be required to re-engineer an existing range as shooting requirements change, or as the use of property surrounding the range changes. It is also important to recognize that it is possible in most cases to re-engineer a particular shooting activity in order to maintain the reasonable expectation of safety. Engineering features a range owner/operator chooses to incorporate into his or her planned or existing facility (*see note below*) will be site specific, fact sensitive, and risk driven.⁴ It is not expected that every range would incorporate every suggested range engineering feature listed in the NRA Range Source Book.

Note: Although the NRA strongly suggests relying upon design professionals such as engineers and architects familiar with shooting range planning, design and construction to develop site plans, range specifications and engineering features, the fact is the vast majority of private and commercial outdoor shooting ranges in our country have been designed and constructed by the range owners and operators themselves.⁵

Once the range owner/operator has determined the type of shooting activity to be conducted decisions on the type of engineering features are determined by a variety of factors. Factors will include but may not be limited to range location, existing topographic features, type of firearms utilized, type of shooting activity, public use versus private use, recreational use versus training, number of shooters per day, passive supervision⁶ versus active supervision⁷, maintenance requirements, cost of construction, etc.

EDUCATE

In order for any range to operate in a manner that will afford a reasonable expectation of safety, range operators have a responsibility to educate everyone involved with the operation of the range as well as the individuals utilizing the range. As stated in the NRA

⁴ NRA Range Source Book 2012, Section I, Introduction, Article 2, 2.01.1

⁵ NRA Range Source Book 2012, Section I, Introduction, Article 2, 2.01.2

⁶ Passive supervision refers to self-supervision relying upon the knowledge, skill and attitude of the shooter.

⁷ Active supervision refers to actual range officer or other range official oversight of all range operations during live fire activities.

Range Source Book, education should be based on the premise that, “Few shooters know how to use a range properly.”⁸ As with all risk management issues in every industry EDUCATION is without question the most important part of maintaining safety.

The range operator must be knowledgeable as to the way the range must be utilized and must recognize the limitations of each range. This information must be conveyed to each person responsible for oversight of live fire range operations. In order to maintain range safety it is also very important to educate the users of the range. The range operator has a responsibility to assure range users have the knowledge, skill, and attitude necessary to utilize their firearm safely and utilize the range safely.

Education of users of the shooting range can be accomplished in a variety of ways. Formal training programs, range orientations, written questionnaires, testing, posted signs, printed range rules, personal interaction with range personnel are all ways range users are educated in our industry. It should be noted that although formal training programs are most effective, it is not typical in our industry for a commercial (non-membership, open to the public, pay to shoot) shooting range operator to require range users to complete a formal training program prior to being able to utilize a shooting range.

ENFORCE

Once range rules have been established, which would include firearm handling rules, live fire rules, operational rules and administrative rules, a method of assuring compliance by all range users must be established. The best method for enforcement of range safety rules is active supervision by means of Range Safety Officers present during all hours of operation. However in our industry it is more common to see the passive supervision method utilized as a means to enforce rules and maintain safety both on indoor and outdoor private and commercial ranges.

Violation of Range Rules should carry strict consequences. Range users should be made familiar with the consequences of violation of established rules.

⁸ NRA Range Source Book 2012, Section I, Chapter 2, Safety Plan, Article 2, 2.04.4

3 Existing Conditions, Conditions of Approval and Comparison to Suggested Guidelines and Practices contained in the NRA Range Source Book

This facility consists of a 100 yard rifle range, a pistol range, and an area occasionally utilized for aerial target shotgun shooting. The facility is referred to as a Range/Training Facility by the Range Operator. In this section only the 100 yard rifle range and the pistol range will be discussed. This is due to the fact that the features and requirements listed in the conditions of approval generally would not apply to an informal aerial target shotgun shooting area. The shotgun shooting area is described below, but will be discussed further in Section 4 of this document.

The rifle range is utilized from a fixed firing line with fixed target lines located at 25, 50, and 100 yards. There are earth mound backstops located behind each target line. There is an earth side berm on the left side (south) and a wood fence on the right side (north) of this range.

The pistol range is located in a flat open area and utilizes one fixed target line. According to the Range Operator, shooting is conducted from 25, 15, 7, and 3 yards. There is an earth mound backstop behind the fixed target line. The pistol range has earth side berms on both sides and an earth berm in the rear of the range.

Informal aerial target shotgun shooting is occasionally conducted in a clearing approximately 115 feet wide and 100 feet deep. The property boundary is approximately 300 yards (in the direction of fire) from the area utilized as a firing station when shotgun shooting is conducted.

Exhibit A1 in Appendix A depicts the approximate location of the rifle range, pistol range and informal shotgun area on the property as well as the direction of fire.

As stated, the conditions that this document will address are general compliance with the suggested guidelines and practices contained within the NRA Range Source Book regarding safety as well as addressing specific conditions of approval. Each of the conditions of approval will be addressed individually to avoid confusion. General safety issues that may be in conflict with suggested guidelines and practices published in the NRA Range Source Book will also be discussed.

Conditions of Approval

2. “A ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property.”

The NRA Range Source Book does not suggest that a “ballistic background” is necessary on any shooting range unless the range lacks a backstop, bullet trap or other device intended to stop bullets and prevent them from leaving the property owned or controlled

by the range operator. The NRA Range Source Book suggests that it is the responsibility of the range operator to assure all bullets fired on a range remain on range property. This is most commonly accomplished through engineering and administrative controls, rather than providing a “ballistic background”.

With regard to projectile containment, the NRA Range Source Book States: *“Techniques for limiting projectiles to range property include: backstops, sideberms, and sidewalls, baffles, target placement, mountains or rolling hills, sloping floor of the range, and utilizing the range for its intended purpose.”*⁹

In the case of Full Blown Firearms, the Range Operator does not own or control sufficient property to provide a ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property. However, it should be noted that most ranges in the United States do not have sufficient property to provide such a “ballistic background”.

2b. “A backstop or berm constructed to industry standards”

As stated, the rifle range accommodates rifle shooting from a fixed firing line at distances of 25, 50, and 100 yards. There are what would be considered intermediate backstops located at approximately 25, 50, and 100 yards from the firing line. Photo #1, which was taken from the firing line of the rifle range, shows the location of the three intermediate backstops.¹⁰

The height of the intermediate backstops located at 25 and 50 yards are approximately 7 feet high. The intermediate backstop located at 100 yards is approximately 8 feet high. With regard to backstops the NRA Range Source Book states: *“The recommended height for a backstop is 20 feet high, except where existing terrain features or the amount of land owned or controlled in the down range area may preclude, alter or possibly even eliminate this requirement, especially in hilly or mountainous areas. Terrain and topographical features should always be considered when designing a range. This is especially true with a 50 foot range, often used by youth shooting sports programs, where 10 feet is commonly recognized as the appropriate height.”*¹¹

⁹ NRA Range Source Book, 2012, Section I Chapter 1, General Information, Article 3 Outdoor Ranges, 3.02.1.1.

¹⁰ NRA Range Source Book, Section I, Chapter 1, General Information, Article 3 Outdoor Ranges, 3.04.5.2, Intermediate Backstops

¹¹ NRA Range Source Book, Section I, Chapter 1, General Information, Article 3 Outdoor Ranges, 3.04.5.1(c), Main Backstop (Height)

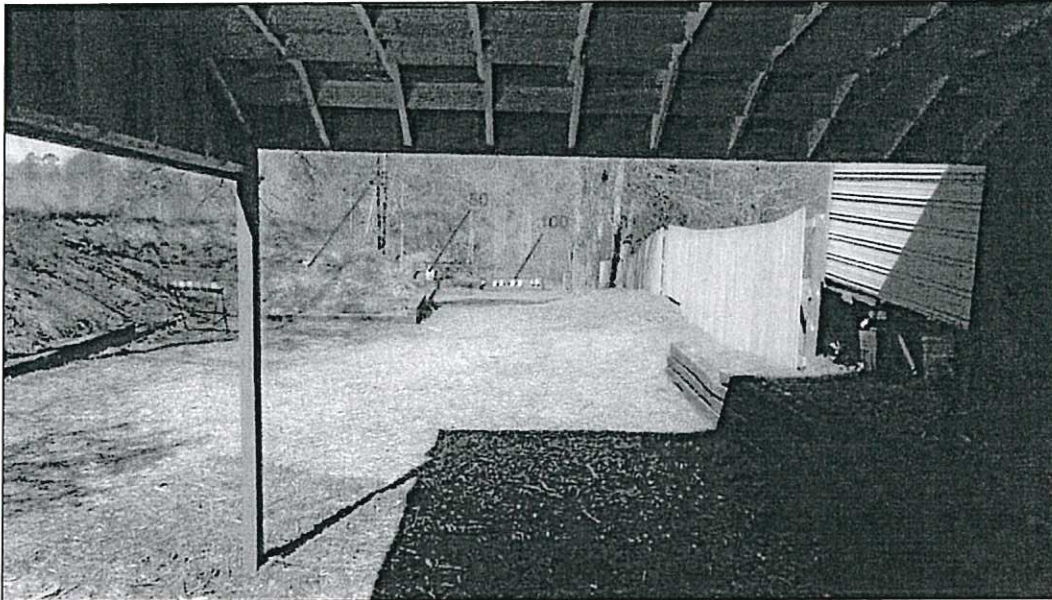


Photo #1 Intermediate backstops on the rifle range.

In our opinion, the Range Operator is relying on an area of high natural terrain located in the direction of fire to serve as the main backstop or safety barrier. Photo #2 depicts this high terrain feature. Review of County Tax Map indicates this area encompasses a portion of two separate plots of land along the Range Operators western property line. Exhibit A2 in Appendix A identifies the approximate location of the area being discussed.

This area of high terrain rises to an elevation of approximately 36 feet above the elevation of the firing line of the rifle range.¹² To our knowledge, the Range Operator does not own or control this area of high natural terrain. Therefore, it would not be consistent with NRA suggested guidelines and practices to rely upon this terrain feature as a main backstop or safety barrier. If the Range Operator had consent of the adjacent property owners to utilize this terrain as a backstop, and the ability to restrict access to the area in question during hours of range operation, it would be considered consistent with NRA suggested guidelines and practices.

¹² Based on available satellite data and topographical data supplied by the County.



Photo #2 Natural high terrain feature downrange of the rifle range.

During the site inspection, the Range Operator stated he was planning to increase the height of each of the three backstops on the rifle range to 21 feet. If this were accomplished the area of natural high terrain would no longer be considered the main backstop. Once raised, each of the existing intermediate backstops would be considered main backstops and would be consistent with NRA suggested guidelines.

It should be noted that NRA guidelines suggest that the width of a backstop extend a minimum of 5 feet (measured from the top 20 foot height portion) beyond the end targets on both sides. The exception would be if the range incorporated "high side berms, walls, or other barriers".¹³ The NRA Range Source Book does not define "high side berms". Side berms, side walls, or other side barriers intended to protect persons or property to the right and left of a range are suggested to be 8 feet high.¹⁴

The pistol range backstop varies in height from approximately 10 feet high on the left (south side) to approximately 20 feet high on the right (north side). Photo #3 is an overview of the pistol range.

This pistol range is utilized for a variety of pistol shooting activities. The Range Operator stated it is used for basic and advanced civilian training as well as law enforcement training and qualification shooting.

¹³ NRA Range Source Book, Section II, Chapter 2, Outdoor Range Design Criteria, Article 2 Range Facility Components, 2.04 Backstop, 2.04.1.1

¹⁴ NRA Range Source Book, Section II, Chapter 2, Outdoor Range Design Criteria, Article 2 Range Facility Components, 2.05 Side Berms, Walls, 2.05.1.4

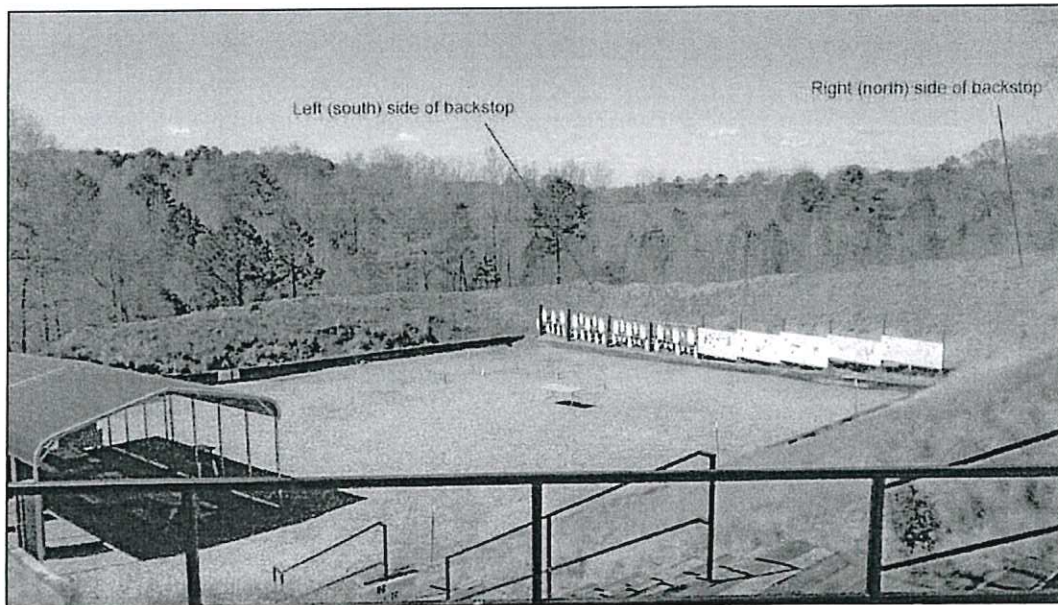


Photo #3 Overview of the pistol range including the backstop.

It is also utilized for general recreational pistol shooting. NRA Range Source Book suggests a backstop height of 20 feet on Bullseye Pistol Ranges, Law Enforcement Ranges, and Action Pistol Ranges. The types of pistol shooting activities being conducted on this range can fall within all three of these categories therefore the suggested height of the backstop would be 20 feet.¹⁵ A large portion of the backstop on this range would not be consistent with suggested guidelines in the NRA Range Source Book. During the site visit, the Range Operator stated he was in the process of increasing the height of the low portion (left) of the pistol range backstop to be consistent with the high portion (right) which appears to be approximately 20 feet high. If this were accomplished the backstop would be consistent with the suggested guideline in the NRA Range Source Book.

2c. "Side berms constructed to industry standards"

With regard to side berms, the NRA Range Source Book states: "*Side berms are necessary near residential areas* (emphasis added) *or in areas not large enough (except hilly or mountainous areas).* Side berms are built similar to a backstop, but may be replaced by walls, side baffles or other artificial barriers to conserve space. Earthen side berms should be 8 feet high, but this also depends upon the width of the range and

¹⁵ NRA Range Source Book, Section I Chapter 1, General Information, Article 3 Outdoor Ranges, 3.04 Range Layout and Considerations, 3.04.5.1(c)
NRA Range Source Book, Section II Chapter 8, Outdoor Bullseye Pistol, 3.02 Dimensions and Materials, 3.02.10.1
NRA Range Source Book, Section II Chapter 18, Outdoor Law Enforcement, Range Dimensions, 3.02.3.3.2
NRA Range Source Book, Section II Chapter 9, Outdoor Action Pistol, 3.01 Technical Specifications, 3.01.3.4.1 and Section IV Drawing C-1

whether the surrounding areas are ever occupied by people. Therefore, while 8 feet-high side berms are recommended for ranges adjacent to other inhabited areas, particular geographic areas may also require the installation of other safety barriers to supplement side berms. Range planners must consider all of the external factors concerning safety and sound as they relate to the surrounding area."¹⁶

The NRA Range Source Book also states: "*Side berms, walls or barriers are suggested to be 8 feet high. Side berms may be used on ranges which extent to 1,000 yards but are expensive. Such berms are used to allow shooters and range personnel to shoot on different firing lines on adjacent ranges*"¹⁷

The NRA Range Source Book also states: "*Side berms may be needed for ranges where adjacent areas are in use.*"¹⁸

The NRA Range Source Book also states: "*The height of side protection (side berms) is determined by the extent the adjacent areas must be protected and by the width of the range, the firing line and targets above the horizontal plane. Recommended height for side berms is 8 feet, but depending upon adjacent land use and topography, higher side berms may be desirable. Side berms may be in the form of earthen embankments, concrete walls or wooden crib/earth embankment combinations...*"¹⁹

There is an earth side berm on the left side (south side) of the rifle range which extends from the firing line to the 100 yard intermediate backstop. There is a stone wall on the right side of the firing line of the rifle range which is a portion of the foundation of the adjacent building. There is also a wood fence which runs from the end of the building, down range toward the 100 yard intermediate backstop. There is no earth side berm (or other ballistic barrier) on the right side (north side) of the rifle range. Due to the fact that the firing line is located directly next to a building, the line of fire in a northerly direction (to the right) would be limited. The structure directly to the right of the rifle range firing line is seen in Photo #4.

¹⁶ NRA Range Source Book, Section II Chapter 8, Outdoor Bullseye Pistol, Article 3 Technical Specifications, 3.02 Dimensions and Materials, 3.02.12.2 Side Berms, 3.02.12.2.1

¹⁷ NRA Range Source Book, Section II Chapter 2, Outdoor Range Design Criteria, 2.05 Side Berms, Walls, 2.05.1.4

¹⁸ NRA Range Source Book, Section II Chapter 7, Outdoor Highpower Rifle, Article 3 Technical Specifications, 3.01.7.2 Side Berms, 3.01.7.2.1

¹⁹ NRA Range Source Book, Section II Chapter 7, Outdoor Highpower Rifle, Article 3 Technical Specifications, 3.01 Technical Considerations, 3.02.4.2 Side Berms, 3-02-4-2-1

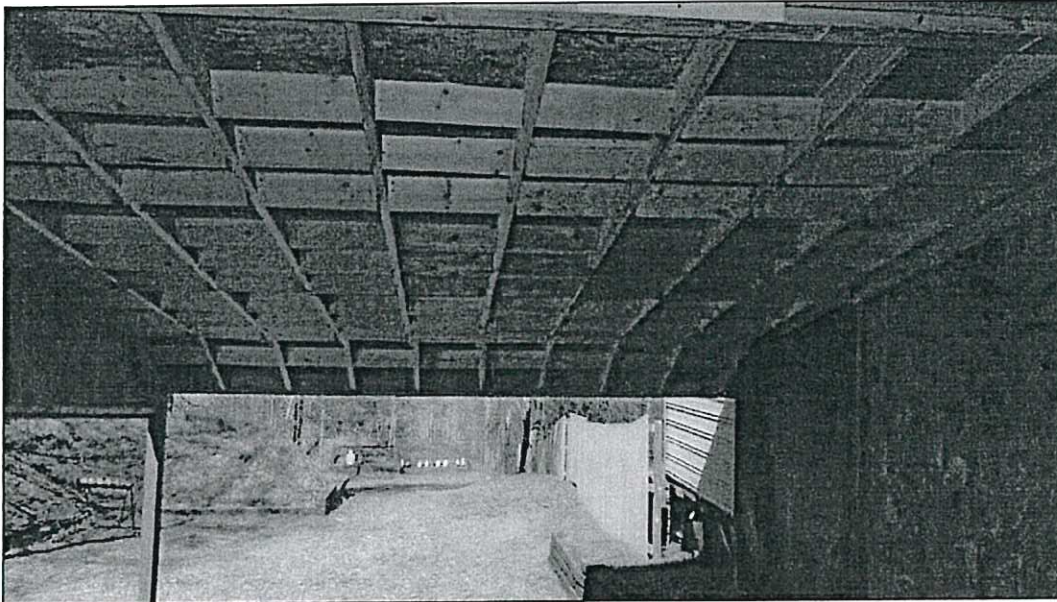


Photo #4 Wall of building to the right of the firing line of the rifle range.

Exhibit A3 in Appendix A is a diagram of an approximation of the limited line of fire to the north. From the firing line of the rifle range it is unlikely an unintentional shot would cross the northern property line. However, the Range Operator has stated that occasionally shooting is conducted by law enforcement agencies from areas other than the firing line on the rifle range close to the intermediate backstops. The rifle range is located approximately 75 yards from the property line to the north. In order to be consistent with NRA suggested guidelines, one would have to consider the surrounding (especially to the north) property use. This shooting range facility is located in a residential area. The property directly to the north and south are residential properties. Although it is ultimately the decision of the range designer whether to include side berms on any range, because of the residential adjacency it is our opinion that having side berms on both the north and south sides of the rifle range would be considered consistent with the suggested guidelines of the NRA Range Source Book.

The pistol range has earth side berms on both the right side (north side) and the left side (south side). The pistol range also has a rear or back berm (east side). According to the Range Operator this berm was constructed to mitigate sound.

The existing earth side berms on the south side (left) on the rifle range and the side berms on the pistol range appear consistent with the suggested guidelines of the NRA Range Source Book.

2d. "Sufficient fencing to prevent indiscriminate access from: i. The ready line to the firing line; and ii. The area between the firing line and the backstop."

The NRA Range Source Book does not suggest, address, or mention fencing to prevent indiscriminate access from the ready line to the firing line or from the firing line to the

backstop. The NRA Range Source Book does address separation of “spectator areas” and “normal range operations”.

With regard to this issue the NRA Range Source Book states: *“Spectator areas or seating should also be arranged so as not to interfere with normal range operations. This is usually accomplished by adding a 10 yard-to-15 yard buffer area behind the ready line area and set off behind a temporary fence (rope or ribbon). The size and shape of this area will vary according to the event or amount of activity.”*²⁰ However in our opinion, this suggestion would only apply to high power rifle ranges while being utilized for competition events. There is no mention of utilizing any type of fencing to prevent indiscriminate access from the ready line to the firing line or from the firing line to the backstop on a Bullseye Pistol Range, Action Pistol Range or Law Enforcement Range.

2e. “Adequate sound abatement, either natural vegetation or artificial structures, to ensure the surrounding properties and residents are not unreasonably hindered from enjoying the use of those properties.”

With regard to sound complaints, the NRA Range Source Book states: *“No set distance eliminates noise complaints entirely. However, studies conducted for the Environmental Protection Agency (EPA) indicate noise complaints are likely when inhabited dwellings exist less than one half (1/2) mile from the facility. Beyond that distance, the chance of generating noise complaints is reduced...”*²¹

Examination of Exhibit A4 in Appendix A, reveals there are a number of residences within the ½ mile radius of the range facility. However, it is important to note that most of the residences within this radius are behind (east) of the range facility.

The Range Operator has constructed a wood overhead roof structure on the rifle range forward of the firing line and firing line cover (see Photo #4). This structure appears to have been constructed to serve two purposes. It obscures the shooters view of the area above the 100 yard intermediate backstop, and it serves as a sound baffle. The NRA Range Source Book defines a baffle as follows: *“Barriers designed to contain, deflect, or fragment bullets, may be used to limit the height or direction the muzzle end of a firearm can traverse. May be designed to reduce, redirect, or suppress sound waves. Baffles are placed either overhead, alongside or at ground level and can be used to restrict barrel movement or interrupt errant or off-the-target shots.”*²²

With regard to sound abatement, the NRA Range Source Book states: *“What are some practical examples of noise control on outdoor ranges? The most common type of sound abatement used on shooting ranges is barriers. Since a firing line cover provides shelter for the shooters, it is a common starting point in noise control. Across the country, cover*

²⁰ NRA Range Source Book, Section II Chapter 7, Outdoor Highpower Rifle, Article 3 Technical Specifications, 3.01.4.4 Open Space, 3.01.4.4.3

²¹ NRA Range Source Book, Section I Chapter 1, General Information, Article 3 Outdoor Ranges, 3.02 Site Selection, 3.02.2 Sound Transmission, 3.02.2.1

²² NRA Range Source Book, Section I, Article 4 Terminology, 4.02 Definitions, Baffles

designs vary greatly. They range in height from 7 to 10 feet. Some have flat roofs, some slanted, and others gabled. Many are made with 4x4 posts, while others use metal poles or I-beams. Roofing materials range from corrugated metal to a full wooden-shingle construction. Corrugated metal roofs have a limited number of attachment points and are very resonant. This means that the material is likely to ring when excited, either by a stone hitting it or a pressure pulse from discharging firearms (e.g. a giant drum). A more damped firing line cover made from typical roof material (e.g. wood and shingles) is desirable.”²³

This structure is made of typical roofing materials and would be considered consistent with NRA guidelines for sound abatement application. The baffle structure, overhead firing line cover and wall behind the firing line of the rifle range would all be considered consistent with suggested guidelines in the NRA Range Source Book regarding sound abatement.

During the site visit the Range Operator stated he constructed an earth berm behind the ready area of the pistol range (see Photo #5) to abate sound to the east. With regard to utilizing berms as sound abatement, the NRA Range Source Book states: *To eliminate the direct source-to-receiver path of noise, construct a barrier, berm or wall...*²⁴ It is our opinion that the construction of this berm as a sound abatement device is consistent with suggested guidelines in the NRA Range Source Book.



Photo #5 Sound abatement berm behind the ready area on the pistol range.

²³ NRA Range Source Book, Section I Chapter 6 Sound Abatement, Article 3 Concepts and Methodology, 3.04 Selection of Sound Abatement Applications, 3.04.2

²⁴ NRA Range Source Book, NRA Range Source Book, Section I Chapter 6 Sound Abatement, Article 3 Concepts and Methodology, 3.04 Selection of Sound Abatement Applications, 3.04.3

2f. “A safety area where customers can handle their unloaded firearms unsupervised. The range must inform customers that no live ammunition is allowed in this area.”

The NRA Range Source Book does not suggest, address, or mention safety areas where shooters can handle unloaded firearms unsupervised. However, the Range Operator has designated two “Safety Areas”, one on the pistol range and one near the entrance to the facility, where customers can unload their firearms and handle their unloaded firearms unsupervised (see Photo’s #6 and #7).

It is important to note that this requirement, which has been imposed by the County, is in direct conflict with typical shooting range safety practices. These “Safety Areas” would be considered unloading stations and although common, are not addressed in the NRA Range Source Book. They provide a safe location to unload loaded firearms that were carried for personal defense loaded to the facility. They may also be used to reload firearms, which will be carried for personal defense prior to leaving the facility. In both cases, live ammunition will be present. Typically the only area firearms should be handled unsupervised when on a shooting range (loaded or unloaded) is on the firing line. The only other situation where handling unloaded firearms unsupervised on a shooting range would be an acceptable practice would be at a gun cleaning station. Live ammunition should be prohibited at a gun cleaning station. However, commercial shooting ranges typically do not have gun cleaning stations.



Photo #6 Safety area located near the entrance to the facility.



Photo #7 Safety area located in the rear of the pistol range.

2h. "Shooting Range/Gun Safety Rules of the NRA shall be posted on site."

There are Gun Safety Rules posted on the rifle range and the pistol range. The rules posted are consistent with suggested guidelines in the NRA Range Source Book.

5. "That sufficient fencing be added to prevent indiscriminate access to the firing range."

The NRA Range Source Book does not suggest that the use of fencing is the only way to prevent indiscriminate access to a shooting range area. With regard to range control and devices utilized to restrict access to a shooting range, the NRA Range Source Book states: *"Safety devices control the physical use of a range and are usually restrictive in nature. They include warning lights on traphouses, and red flags (see highpower rule 6.9) or barriers to warn that someone is down range. Safety flags and signs posted at strategic points around the perimeter of the range will alert would-be trespassers, and warn intruders that going beyond a given boundary constitutes trespass and may be hazardous..."*²⁵

Currently the entire property boundary of the range facility is not fenced. However, there are signs posted at strategic points around the property boundary to warn that firearms are in use and not to enter (see Photos #8 and #9). The signs vary from NRA Official Range Signs (as seen in Photo #8) to "Posted No Trespassing" signs (as seen in Photo #9).

²⁵ NRA Range Source Book, Section I Chapter 1 General Information, Article 3 Outdoor Ranges, 3.05 Range Control, 3.05.3 Control Devices, 3.05.3.1

Although the property boundary is not fenced, it should be noted that indiscriminate access to the direct fire zone of the pistol range would, in our opinion, not be possible due to the high berms and gates surrounding this range. The rifle range also has a berm on the left side (south) and is partially fenced on the right side (north). These features, together with the posted signs would further limit the possibility of indiscriminate access to the direct fire zone of the rifle range. The direct fire zone is defined as: *"The area on a shooting range established according to the relationship of the shooting position and the target position. Typically set up on a one-to-one basis (one target to each firing point)."*²⁶

The various methods of range control to prevent indiscriminate access to the range areas being utilized at this facility are consistent with suggested guidelines in the NRA Range Source Book.



Photo #8 Gate and sign limiting access to the direct fire zone of the rifle range.

²⁶ NRA Range Source Book, Section I Introduction, Article 4 Terminology, 4.02 Definitions, Direct Fire Zone.



Photo #9 Posted No Trespassing sign on a tree located on the north side of the rifle range downrange of the 100 yard intermediate backstop.

4 Aerial Target Shotgun Shooting Area, Existing Conditions, and Comparison to Suggested Guidelines and Practices contained in the NRA Range Source Book

The Range Operator occasionally uses an open area on the north side of the property for aerial target shotgun shooting. (See Exhibit A1 in Appendix A) This area would not be considered a formal shotgun range. There are no permanent shooting stations, trap or skeet houses, or target machines. According to the Range Operator this area is only used for aerial target shotgun shooting approximately eight times per year. This area is not available for public use and is only utilized during special events.

Typically shotgun ranges are designed and constructed in a specific manner to accommodate specific types of competitive shotgun shooting activities. In these cases there are specific shooting stations, target areas, direct fire zones, and shotfall zones. Shotfall zones are defined as the area in which expended shot will fall after being shot at a target. The shotfall zone includes the area where shot is expected to fall and also includes a safety area beyond the maximum range of the ammunition being used which compensates for air density and wind. In general, the suggested shotfall zone is 300 yards in distance. However the horizontal angle will vary depending on the angles of fire. The 300 yard shotfall zone is based on the use of 7 ½ size shot (or smaller), which is the maximum size shot typically utilized for aerial target shotgun shooting.

With regard to shotfall zones the NRA Range Source Book states: *On shotgun ranges, shotfall zones are determined by the largest size shot fired on the facility. Additional yardage must be included to compensate for displacement of shot by adverse wind conditions, and elevations above sea level. For skeet, a nominal angle of 180 degrees from station eight is used. For trap 90 to 100 degrees are allowed for the wider target flights. Shot sizes for trap and skeet facilities are usually restricted to No. 7 ½ or smaller, except on a patterning range. Shotfall zones extend 300 yards for most shotgun ranges, but can be reduced to the maximum distance that shot travels by testing at the site. Should this method be utilized, then the range owner or operator is responsible to see that the range rules specifying specific shot sizes are adhered to. It is the range owner's responsibility to verify the test results. At some point the data may be challenged in court. At sea level No. 7 ½ shot does not travel 300 yards, but at higher elevations the density of the air is less and shot will travel greater distances.*²⁷

As with rifle or pistol ranges, it is the responsibility of the range operator to assure all projectiles fired on the range, remain on range property. The purpose of establishing a shotfall zone is to assure shot remains on range property.

Exhibit A5 depicts the expected shotfall zone for the area in question. It should be noted that the angle depicted is random. The actual angle would be dependent upon target trajectory and shooter location and orientation. The 300 yard shotfall zone extends

²⁷ NRA Range Source Book, Section I Chapter 1 General Information, Article 3 Outdoor Ranges, 3.02 Site Selection, 3.02.1.3

slightly (approximately 25 yards) over the western property line. However, an approximation of the actual distance No. 7 ½ shot size will travel is also depicted and falls within the property boundary. This distance was determined by data contained in the NRA Range Source Book, Section I Chapter I General Information, Chart C, Journeés' Formula. According to the chart No. 7 ½ shot will travel 238 yards at sea level and 270 yards at 5000 feet above sea level. This shotgun shooting area is approximately 900 feet above sea level. The expected shot boundary depicted in Exhibit A5 is located approximately 275 yards from the shooting station.

The Range Operator utilizes shotgun swing stops to limit shooting angle. (see Photo #10) As long as these devices are properly positioned when utilized, the Range Operator should be able to contain shot to range property.



Photo #10 Shotgun swing stops in storage.

With regard to restricting shotfall zone by utilizing shotgun swing stops, the NRA Range Source Book states: *"...Depending upon each field layout, the angles encompassing the shotfall zone may be restricted further by use of shotgun swing stops, especially where space is limited."*²⁸

It is our opinion that as long as the Range Operator restricts the ammunition used to No. 7 ½ shot or smaller when conducting aerial target shotgun shooting in the area in question, and shotgun swing stops are utilized to restrict the shotfall zone to range property, the use of this area for informal aerial target shotgun shooting would be consistent with suggested guidelines in the NRA Range Source Book.

²⁸ Section II Chapter 11 Competition Shotgun, Article 3 Technical Specifications, 3.03 Sporting Clays, 3.03.2.1

5 General Safety Issues in Conflict with Suggested Guidelines and Practices contained in the NRA Range Source Book

During the site visit a general safety issue was noted. This is a shooter/range occupant safety issue and has no bearing on the safety of the surrounding community.

It was noted that there are two types of target frame structures on the pistol range, one structure which holds steel hanging targets (left side) and one structure which is designed to attach paper targets (right side). Both structures are located directly in front of the backstop. These target structures can be seen in Photo #3. The Range Operator stated that shooting on the left side of the range (at steel targets) is permitted no closer than 7 yards (21 feet) and shooting on the right side of the range (at paper targets) is permitted at 3 yards (9 feet). As stated prior in this document, this range is utilized for multiple shooting disciplines including law enforcement training and qualification.

The NRA Range Source Book suggests that shooters and range officers be positioned no closer than 10 yards (30 feet) from metallic targets. This is to prevent injury from bullet bounce back or backsplatter. Bullet bounce back is defined as an intact bullet or large fragment thereof bouncing back toward the shooter after striking a hard target. At close distances these bullets or bullet fragments can cause serious injury. Bullet backsplatter is a similar condition with smaller bullet fragments deflecting back toward the shooter which can also cause serious injury.

With regard to metallic targets the NRA Range Source Book states: “...*Metallic targets must be made according to the specifications in Chapter 10, Outdoor Silhouette, and firing distances must not be less than 10 yards*”.²⁹

The NRA Range Source Book also suggests when shooters are positioned close to targets as in law enforcement type training, that targets be positioned no closer than 10 yards from the backstop. Conducting shooting activities closer than 10 yards to an earth backstop can also result in serious injury from bullet bounce back. In this case shooting is being conducted within approximately 4 yards of the backstop while shooting on the right side of the pistol range.

With regard to positioning shooters closer than 10 yards to a backstop, the NRA Range Source Book states: “*Conduct no live fire activities closer than 10 yards from a backstop, unless the backstop is designed to prevent backsplatter or is modified with backsplatter shields, such as curtains.*”³⁰

²⁹ NRA Range Source Book, Section II Chapter 18 Outdoor Law Enforcement, Article 3 Technical Specifications, 3.02 Range Dimensions, 3.02.1

³⁰ NRA Range Source Book, Section II Chapter 1 General Outdoor Range Information, Article 2 Safety and Personal Health, 2.01 General Outdoor Safety, 2.01.3d

6 Administrative/Additional Engineering Controls and Comparison to Suggested Guidelines and Practices contained in the NRA Range Source Book

As stated in Section 2 of this document how a facility is utilized has a significant impact on the safety of that facility. As part of this evaluation shooting range rules and standard operating procedures were reviewed. The standard operating procedure and rules and regulations of Full Blown Firearms appear consistent with suggested guidelines and practices in the NRA Range Source Book.

However, a range control issue was observed during this evaluation, which should be noted due to its importance and impact on safety in general and the safety of the surrounding community.

In Full Blown Firearms Standard Operating Procedures document (SOP), page 4, in the section entitled Range Safety Officers, paragraph 2 states: *"Range Safety Officers (RSO) are required as part of open shooting at the outdoor Range/Training Facility. A designated RSO will be in charge of the firing line(s) and Range/Training Facility at all times"*. During the site evaluation Mr. Ward was asked if RSO's were present during all shooting activities. His response was, "they're supposed to be". This response leads us to believe there may be times when shooting is occurring without the supervision of an RSO, which would be a direct violation of the SOP.

We also observed evidence of uncontrolled shooting on the rifle range, which could have resulted in direct fire bullet escapement to the west of the range property boundary. A direct fire bullet may leave the range when a rifle or pistol bullet is fired at an angle such that it passes over or to the side of the backstop. These types of incidents represent the greatest potential for property damage or injury because the projectile retains the greatest possible energy.

It is evident that trees forward of the rifle range firing line have been shot. Evidence of this condition can be seen in Photo #11. These bullet impacts are approximately 10 to 15 feet above ground level. Bullets impacting trees in this area would have required significant muzzle elevation. Firing at trees with the muzzle elevated to this angle would result in bullets passing over all the intermediate backstops and possibly leaving range property. It is our opinion that this should not have occurred if there was a RSO on duty during all firing activities. It should be noted that there are only three firing points on the rifle range.

We can assume these bullet impacts occurred prior to the Range Operator constructing the baffle, which extends forward of the rifle range firing line. This baffle can be seen in Photo #4. The baffle, which appears newly constructed, is effective in limiting the view of shooters on the firing line of the rifle range to target areas only, as well as serving as a sound absorbing device, but the baffle would not meet the NRA's definition of a safety baffle.

The use of safety baffling can effectively prevent direct fire projectiles from leaving a shooting facility property. Safety baffling is constructed of overhead or side barriers designed to prevent projectiles from traveling into an undesired area or direction.



Photo #11 Bullet impacts in a tree forward of the rifle range firing line.

With regard to safety baffles, the NRA Range Source Book states: *“Overhead, ground and side baffles are barriers used to keep errant bullets confined to a restricted area of the range property. These devices are often made necessary due to encroachment or the building of residential areas, commercial parks and other land development inside or very near the range. Adding these barriers is often expensive, but properly installed they can reduce acreage requirements. Baffling ranges over 300 meters in length is not practical.”*³¹

The NRA Range Source Book definition of a safety baffle is: *“Vertical or sloping barriers designed to prevent a projectile from traveling into an undesired area or direction. Most often used to prevent bullets from leaving a confined area (the range proper). May also be constructed to limit movement of the muzzle of the firearm.”*³²

Due to the design and construction materials utilized, this structure, which is a typical wood frame roof structure, would not be sufficient to stop bullets being fired from the firing line of the rifle range from leaving range property. There are no ammunition restrictions on the rifle range. All rifle ammunition up to and including .50 BMG is permitted. Therefore utilizing this device as a safety baffle would not be consistent with suggested guidelines in the NRA Range Source Book.

³¹ NRA Range Source Book, Section II Chapter 7 Outdoor Highpower Rifle, Article 3 Technical Specifications, 3.01 Technical Considerations, 3.01.7.3.1

³² NRA Range Source Book, Section I Introduction, Article 4 Terminology, 4.02 Definitions, Safety Baffles

An unusual statement in the Full Blown Firearms SOP document leads us to believe this baffle structure is being utilized as a safety baffle.

Page 11 item #5 states: *“Pistol Range/Training Facility: bullets may not leave the impact area. Baffles will not be installed on the pistol Range/Training Facility. (Emphasis added) Anyone caught firing over the berm will be escorted off the Range/Training Facility by the RSO after calling a Cease Fire. No warnings will be given.*

It is very unusual to see a statement proclaiming that “baffles will not be installed” in a range rule or SOP. The possibility exists that the Range Operator might have identified that individuals were firing over the backstop on the rifle range, which prompted the construction of the baffle as a safety baffle, with a warning in the SOP that there will be no such device constructed on the pistol range.

It should be noted that during the site evaluation Mr. Ward referred to the pistol range as a “pistol bay”. This term is usually used to describe a range specifically designed and constructed to accommodate “Action Pistol” shooting events. Action Pistol shooting events require firing at various angles up to 180 degrees.

With regard to Action Pistol, the NRA Range Source Book states: *“Because of wide variations in angles of fire, projectile containment must be laid out in a half circle (180 degrees)...”*³³

This pistol range is not designed to accommodate Action Pistol shooting events. Conducting shooting activities at angles other than perpendicular to the main backstop (west) would not be consistent with suggested guidelines and practices in the NRA Range Source Book. When asked, Mr. Ward did state that all shooting was being conducted perpendicular to the main backstop (west).

³³ NRA Range Source Book, Section II Chapter 8 Outdoor Action Pistol, Article 3 Technical Considerations, 3.01.4 Projectile Containment, 3.01.4.1

7 Conclusion

Our scope of work required us to evaluate the Full Blown Firearms shooting range facility to determine “compliance” or “non-compliance” of the shooting ranges with the NRA Range Source Book and any applicable standards or guidelines of the National Shooting Sports Foundation.

We determined that it would be most useful to utilize the NRA Range Source Book exclusively in this case.

There were several instances documented in this evaluation where we believe certain aspects of existing range design and operation is not consistent with suggested guidelines and practices in the NRA Range Source Book. The most significant being the issue of main backstop height on the pistol range and use of property apparently not owned or controlled by the Range Operator for a main backstop or safety barrier on the rifle range.

We have also pointed out that the Range Operator may not be consistently following the SOP requiring RSO supervision of all shooting activity. This lack of supervision may have resulted in shooters firing at trees outside the direct fire zone on the rifle range, which may have resulted in direct fire bullet escapement.

Questions or comments regarding information contained in this document may be addressed to Kramer One, Inc., 6839 East Avalon Drive, Scottsdale, AZ 85251, by telephone at 480-941-9179.

Jack J. Giordano
Shooting Range Safety & Health Specialist
Kramer One, Inc.

APPENDIX A

Exhibit A1

Approximate Location and Orientation of Ranges
and Property Boundary

300 Yards Shotfall Distance

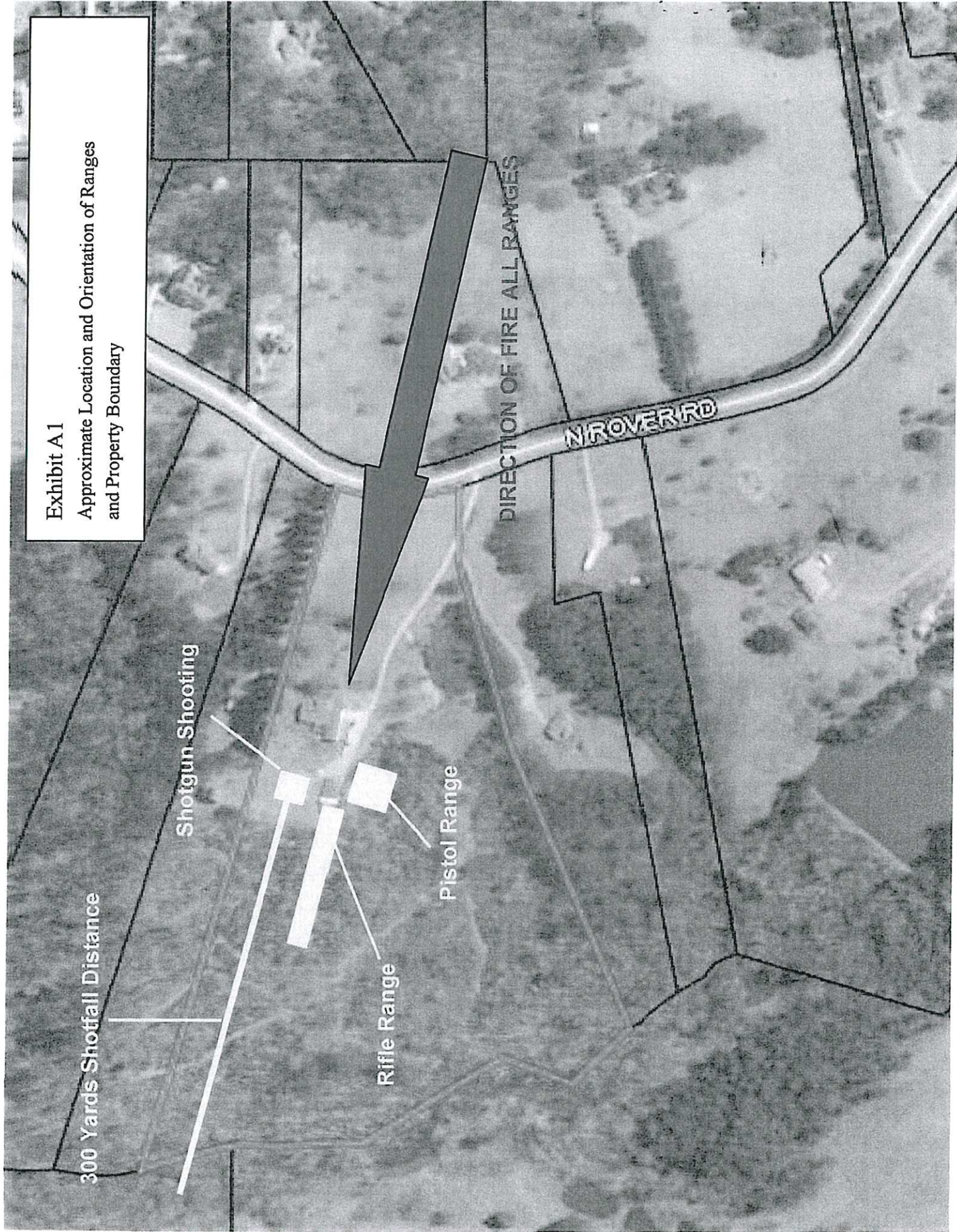
Shotgun Shooting

Rifle Range

Pistol Range

DIRECTION OF FIRE ALL RANGES

N ROVER RD



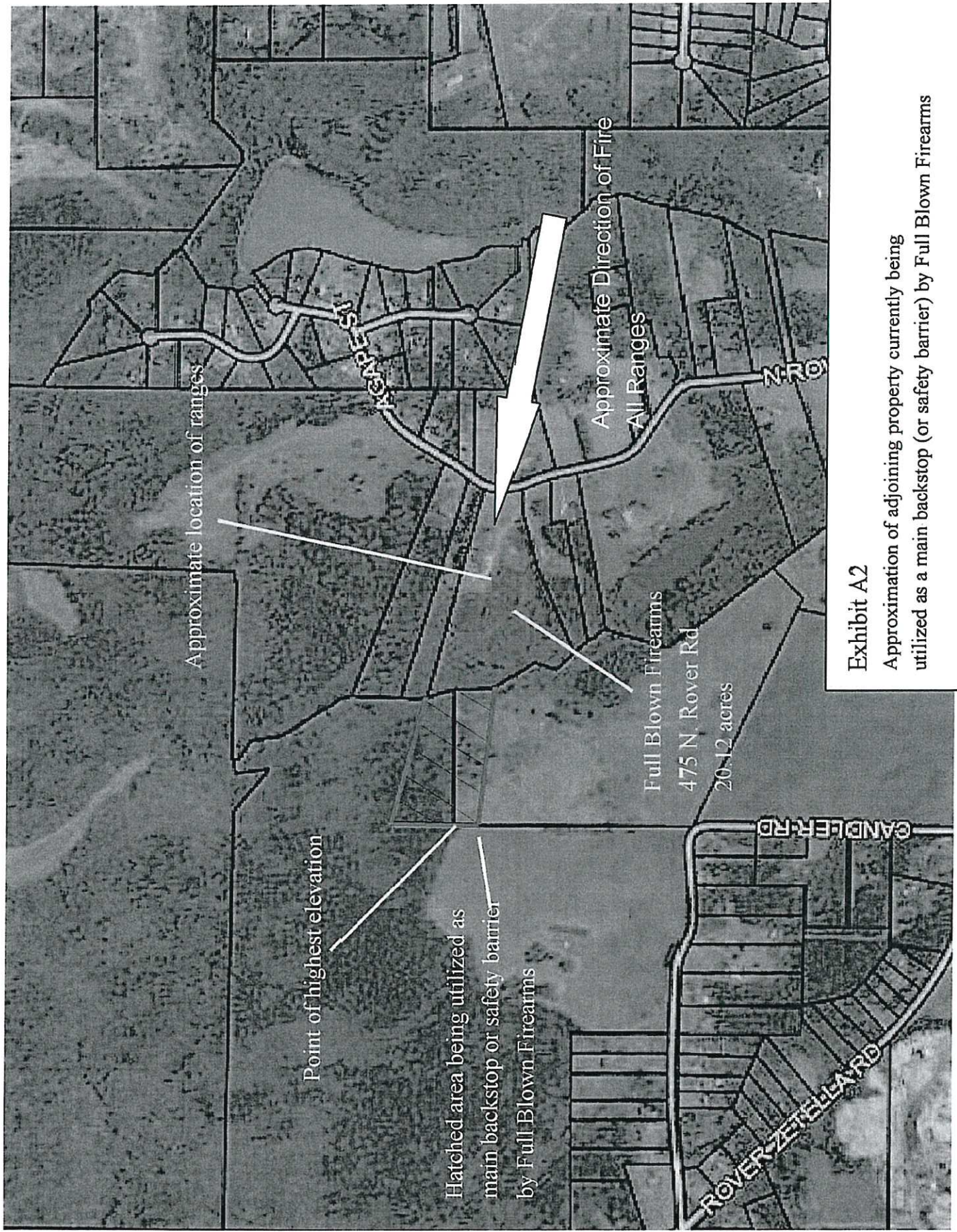


Exhibit A2

Approximation of adjoining property currently being utilized as a main backstop (or safety barrier) by Full Blown Firearms



Exhibit A3

Approximate northern limit of the line of fire from the firing line of the rifle range

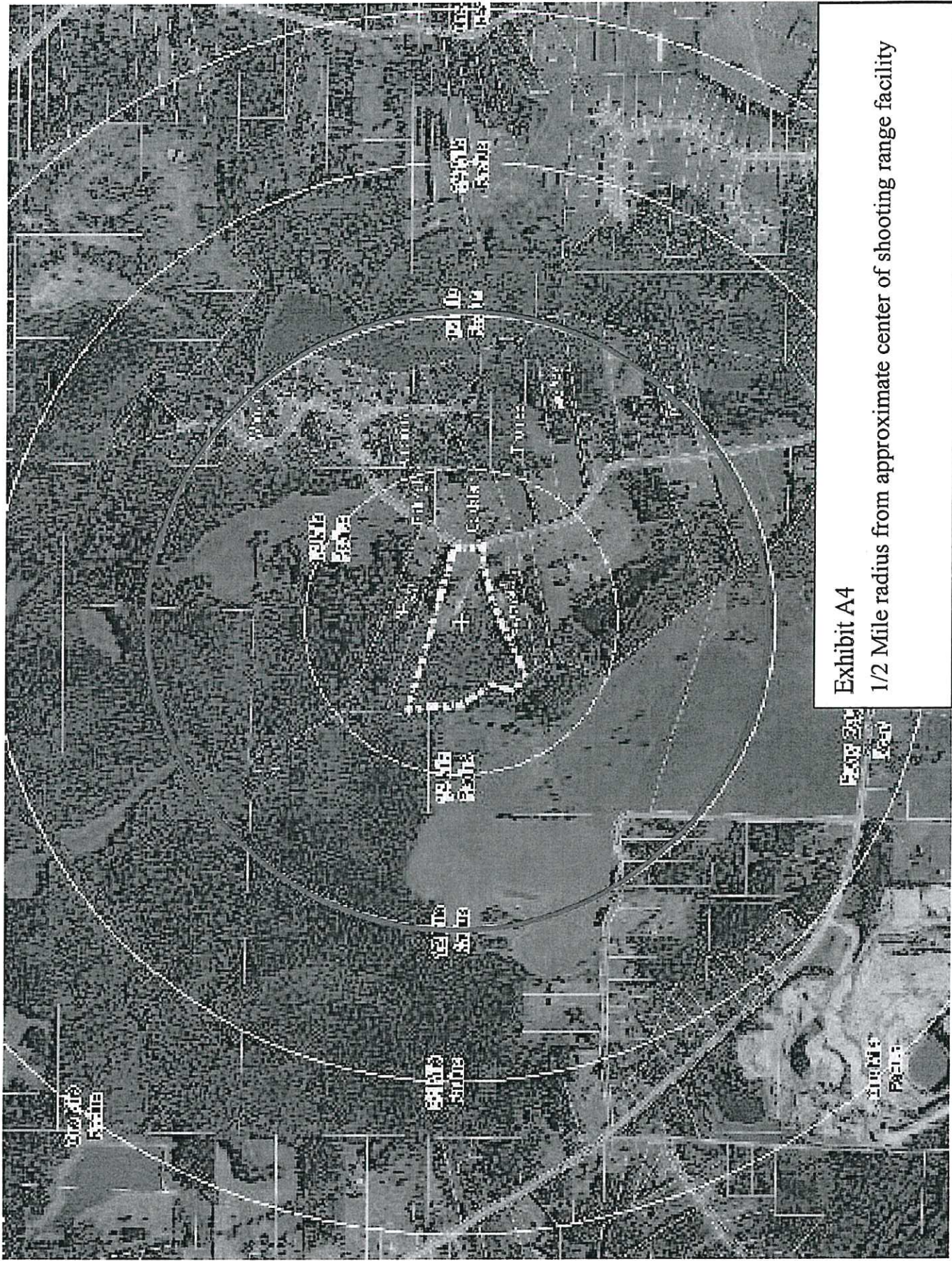
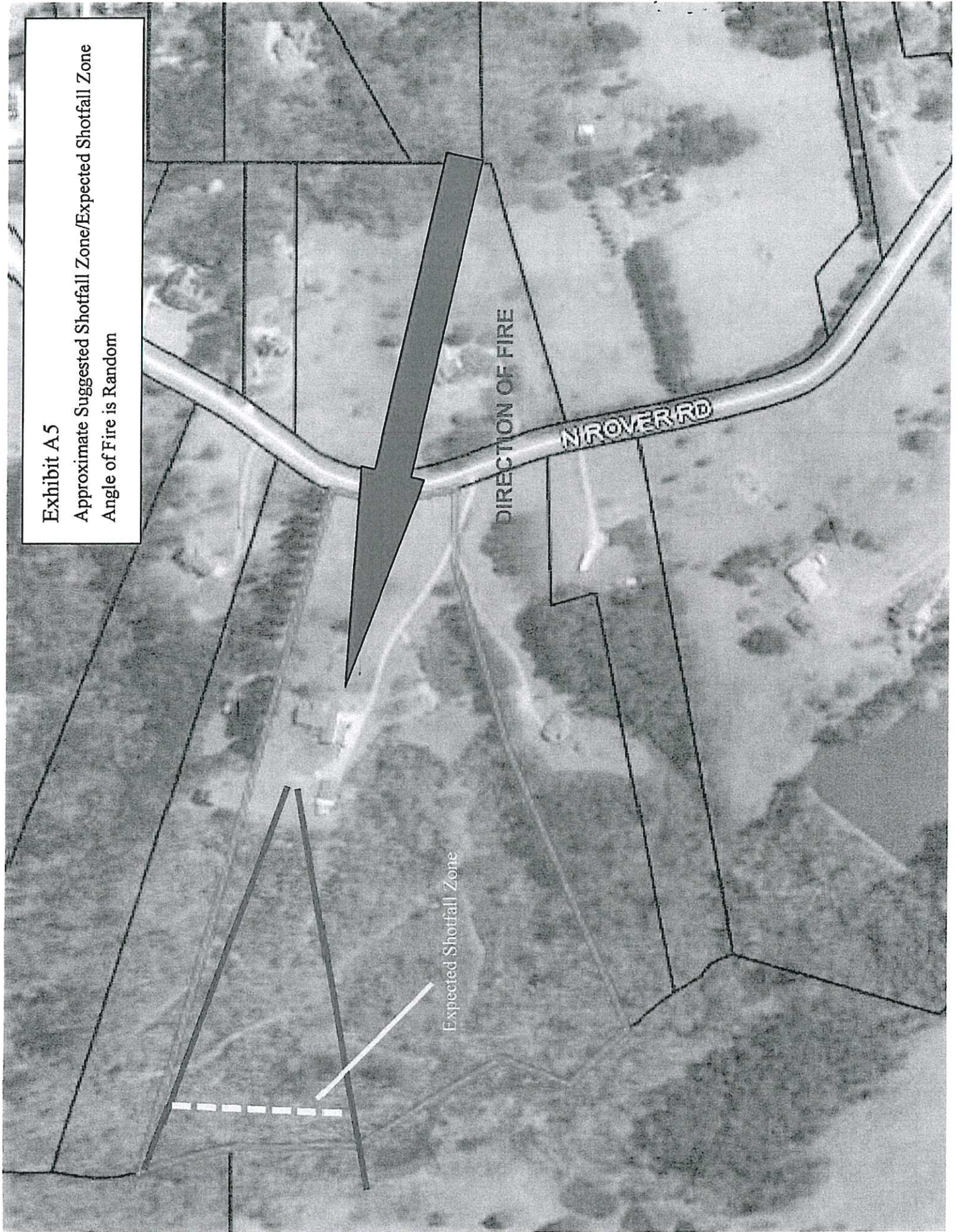


Exhibit A5

Approximate Suggested Shotfall Zone/Expected Shotfall Zone
Angle of Fire is Random



Brief Summary

Shooting Range Evaluation Report dated 19 April 2017

by

Kramer One, Inc.

of

Full Blown Firearms

Shooting Range Facility

Williamson, GA

Galloway & Lyndall, LLP, council for Spalding County, has requested that Kramer One, Inc. supply a brief summary of our findings with regard to Full Blown Firearms and the conditions of the Conditional Use Permit.

Summary

It is our opinion that Full Blown Firearms meets the conditions of the Conditional Use Permit except for the following:

Item 2a. The range does not have a ballistic background that extends for a sufficient distance past the end of the range to ensure that rounds that miss the backstop do not pose a danger to any other person or property.

Item 2b. Backstops being utilized would not be consistent with NRA suggested guidelines and practices.

Item 2c. There is no side berm on the right side (north side) of the rifle range, which in our opinion would not be consistent with NRA suggested guidelines and practices.

General compliance issues:

Shooters are positioned closer than 10 yards to steel targets, which would not be consistent with NRA suggested guidelines and practices.

Shooters are positioned closer than 10 yards to an earth backstop, which would not be consistent with NRA suggested guidelines and practices.

The structure being utilized as a safety baffle on the rifle range would not be consistent with NRA suggested guidelines and practices.

The Range Operator may not be consistently following the SOP requiring RSO supervision of all shooting activity, which would not be consistent with NRA suggested guidelines and practices.

FULL BLOWN FIREARMS: ANALYSIS OF ENVIRONMENTAL COMPLIANCE

Prepared for:

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May 2017

**FULL BLOWN FIREARMS:
ANALYSIS OF ENVIRONMENTAL COMPLIANCE**

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**FULL BLOWN FIREARMS:
ANALYSIS OF ENVIRONMENTAL COMPLIANCE**

1.0 INTRODUCTION

1.1 PURPOSE

Spalding County's approval of a Special Exemption to allow Full Blown Firearms operation of shooting ranges at 475 North Rover Road was conditioned on, among other things, "compliance with industry, NSSF, or NRA design standards for outdoor shooting ranges, including but not limited to, ... compliance with EPA's *"Best Management Practices for Lead at Outdoor Shooting Ranges"*.

In March 2017, Dick Peddicord & Company, Inc. was contracted by Spalding County through the law firm of Galloway & Lyndall, LLC, to inspect the shooting ranges and activities of Full Blown Firearms to determine compliance or non-compliance with environmental aspects of the Special Exemption approval and provide a written report documenting findings and conclusions. The scope and content of this report are limited to fulfillment of this charge based on the information provided (Section 2.1) and a site visit (Section 2.2); this report and its conclusions should not be construed as reflecting an exhaustive and comprehensive professional environmental evaluation of the Full Blown Firearms shooting ranges.

1.2 ENVIRONMENTAL ASPECTS OF THE SPECIAL EXEMPTION APPROVAL

1.2.1 Industry Standards

Industry standards constituting the present state of the practice for environmental management of outdoor shooting ranges are reflected in the three sources specified in the Special Exemption approval:

- National Shooting Sports Foundation (NSSF) *"Environmental Aspects of Construction and Management of Outdoor Shooting Ranges"* (Facilities Development Series No. 2. National Shooting Sports Foundation, Facilities Development Division, 11 Mile Hill Road, Newtown, CT 06470-2359. 1997)
- National Rifle Association (NRA) *"Range Source Book"* (NRA Range Services, 11250 Waples Mill Road, Fairfax VA 22030. NRA# NR60401AR14865. 2012)
- U.S. Environmental Protection Agency (EPA) *"Best Management Practices for Lead at Outdoor Shooting Ranges"* (EPA-902-B-01-001. U.S. EPA Division of Enforcement and Compliance Assistance, RCRA Compliance Branch, 290 Broadway, 22nd Floor, New York, NY 10007-1866. January 2001, revised June 2005)

The environmental guidance in all three of these documents involves not only range design as explicitly mentioned in the Special Exemption approval, but also range operations and

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management. The interaction of range design, operation, and management are considered in this determination. The environmental guidance in the NRA *Range Source Book* is largely derived from the NSSF and EPA documents, which provide the most extensive guidance and compliment each other with each emphasizing different aspects and perspectives. The publishers consider each of these documents to contain guidance, not requirements; the publishers, including EPA, do not intend them to have any regulatory status. Whatever regulatory status they have has been conferred on them by Spalding County by including them in its approval of the Special Exemption for Full Blown Firearms.

1.2.2 Summary of Industry Standards

The major aspects of industry standards specified in the Special Exemption approval are that lead:

- Be periodically reclaimed and recycled to the extent practical
- Between reclamation intervals be managed to minimize environmental mobility and activity by a combination of approaches appropriate to site characteristics, which may include:
 - Liming as necessary to maintain soil pH above 6.5
 - Application of phosphate as appropriate
 - Optimizing organic matter in and on range soil
 - Minimizing standing water in the presence of lead
 - Minimizing erosion of lead particles or soil that may contain lead by
 - Maintaining ground cover vegetation
 - Grading, dikes, swales, sedimentation areas, etc. to reduce runoff velocity and increase particle settling
 - Containing lead on the ranges by:
 - Effective backstops, side berms, etc.
 - Location and orientation of ranges, especially shotgun shooting

2.0 SITE ASSESSMENT

2.1 INFORMATION CONSIDERED

The determination was based on information provided by Spalding County and Galloway & Lyndall, in addition to observations made during a visit to the ranges (Section 2.2). Sources of information considered included:

- Special Exemption approval letter dated March 4, 2015 from Spalding County to Bradley and Lisa Ward
- Property plat dated December 7, 1990
- Bing Maps™ image “Property Owners Near Full Blown Firearms” with radii of ¼ -mile increments
- A factual file (pictures, PDFs, videos and a Google Earth file) that was viewed at: https://1drv.ms/f/s!Akgre3BZLBBHgbRNhMdVLTKJac-_zA
- A link to the property on Spalding County’s GIS Map at: <https://qpublic.schneidercorp.com/Application.aspx?AppID=766&LayerID=11802&PageTypeID=1&KeyValue=275%2001045#>

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- A Google Earth™ image “Approximate Location of Shotgun Shooting”
- *Full Blown Firearms Standard Operating Procedures* (hand marked “Feb 2015, Rev 3/17”)
- *Full Blown Firearms Training Course Offerings*

2.2 SITE VISIT

On March 31, 2017, Richard K. “Dick” Peddicord, Ph.D. discussed background and context of the determination with Steven Jones and Newton Galloway of Galloway & Lyndall, Spalding County Community Development Director Chad Jacobs, and Jack Giordano, who is performing an analogous determination of compliance with other aspects of the Special Exemption approval. The group, without Mr. Galloway, then drove to Full Blown Firearms, where we met with Mr. and Mrs. Ward and their associates. Mr. Ward briefed us on the ranges and activities conducted there. The group then walked each of the ranges and surrounding areas of the property (Figure 1), discussing observations and issues as they arose. Mr. Ward and his associates were cordial, cooperative, and informative, readily offering information and answering whatever questions were posed. During approximately 2 ½ hours at Full Blown Firearms, soil acidity was measured with a field pH meter at several locations of interest and numerous photographs were taken, including those in shown at the end of this report.

The Rifle Range, located behind the Full Blown Firearms building (Figure 1), provides a roofed firing line and shooting benches, with backstops at approximately 25, 50, and 100 yards. Appendix A, photo 1016, is a standing view from the firing line, in which light-colored targets can be recognized on target holders in front of the 25, 50, and 100-yard backstops. The floor of the rifle range is covered with shredded wood. On the left (southern) side of the range, the earthen side berm visible in photo 1016 extends downrange from the firing line to between the 50- and 100-yard backstops. The wooden fence on the right (northern) side of the range extends approximately the same distance downrange. Mr. Ward stated plans to extend the side berm and fencing to the 100-yard backstop, enclosing the Rifle Range.

The Pistol Range is southeast of the Rifle Range firing line (Figure 1) at perhaps 30 feet lower elevation. The hillside forms a side berm of this height on the north side of the Pistol Range, and an earthen side berm perhaps 15 feet high has been constructed on the south side of the Pistol Range. The Pistol Range backstop slopes from the elevation of the Rifle Range to the top of the southern side berm (photo 1028). The floor of the Pistol Range is covered with shredded wood like the Rifle Range.

The portion of the property referred to herein as the Shotgun Area encompasses the location from which Mr. Ward stated shooting takes place a short distance north of the front corner of the Full Blown Firearms building widens to the west through the grassy area from which clay targets are launched to be shot at, expands into the eastern portion of the wooded area where targets fall, and shotfall extends perhaps 700-800 feet into the wooded area. The Shotgun Area is not set up as a formal shotgun range, and is simply an area where shotguns are used for informal shooting at clay targets launched into the air in a somewhat “skeet-like” target presentation.

3.0 FINDINGS

Important findings and observations related to environmental aspects of the Special Exemption approval are provided below, organized by the ranges and areas in which they were observed. Coordinates provided with some photos are those recorded with the photos on the cell phone with which the photos were made, which are generally within perhaps 10 feet of the true location.

3.1 RIFLE RANGE

- Mr. Ward stated there is some tactical/home defense shotgun training on the 25-yard portion of the Rifle Range using “bird shot. Marks from impacts of this shot on trees in that area indicate scatter of this shot generally northwestward beyond the berm-and-fence perimeter of the Rifle Range.
- Mr. Ward stated that lime and phosphate are periodically applied to the backstops consistent with “environmental protocols” for the Full Blown Firearms ranges written by Southeastern Resource Management. During the site visit, Dr. Peddicord measured soil acidity in the bullet impact area in the center of the 25-yard backstop as pH 6.7 using a field pH meter. During the site visit, pH was 5.4 on the outer toe of the 100-yard backstop, and in the bullet impact area in the center of the backstop pH was 6.2.
- Little indication of erosion of material from the range floor or backstop faces was observed during the site visit, nor were indications of water standing in areas where lead deposition might be expected.

3.2 PISTOL RANGE

- Mr. Ward stated that perhaps 80% of the total shooting at Full Blown Firearms occurs on the Pistol Range.
- In the bullet impact area of the Pistol Range backstop, the measured pH was 6.9 on the northern portion which Mr. Ward stated was used predominantly for tactical shotgun training, and pH was 6.8 on the southern portion used primarily for pistol shooting.
- Little indication of erosion of material from the Pistol Range floor or backstop face was observed during the site visit, nor were indications of water standing in areas where lead deposition might be expected. The Pistol Range is graded and bermed in such a way that little runoff from upgradient runs onto areas where lead is likely to be deposited. The range floor drains to the southwest corner, where a pipe carries it under the side berm and the adjacent food plot to the woods south of the food plot.
- Mr. Ward stated much pistol shooting is at steel targets of the type commonly used in such applications. Lead flakes from bullets flattened by impact on the steel targets are readily visible (photo 1029) over a substantial portion of the Pistol Range floor.

3.3 SOUTH SIDE OF PROPERTY

- The property adjacent to the south side berm of the Pistol Range is graded, tilled, and planted as a wildlife food plot perhaps several hundred feet wide.
- On the site visit, lead flakes like those created when bullets strike steel targets were observed outside the south side berm of the Pistol Range.
 - Photo 1053 – Lead flakes just outside the east end of the Pistol Range south side berm (Latitude: 33° 13' 26.082" N, Longitude: 84° 21' 30.102" W)
 - Photo 1034 – Lead flakes just beyond the southeast corner of the food plot roughly aligned with the eastern end of the Pistol Range (Latitude: 33° 13' 24.978" N, Longitude: 84° 21' 30.21" W)
 - Photo 1036 – Photo taken from the same location as photo 1034 showing relationship to south side berm of the Pistol Range and the access road (Latitude: 33° 13' 24.972" N, Longitude: 84° 21' 30.21" W)
 - Photo 1054 – Lead flakes on the outer toe of the Pistol Range south side berm; the base of the easternmost "Posted-Keep Out" signpost is visible at the top center of the photo (Latitude: 33° 13' 26.082" N, Longitude: 84° 21' 31.2" W)
 - Photo 1057 – Lead flakes on the outer toe of the Pistol Range south side berm; the base of the third "Posted-Keep Out" signpost is visible at the top center of the photo (Latitude: 33° 13' 26.64" N, Longitude: 84° 21' 31.5" W) Lead flakes were not seen on the south side berm around the fourth "Posted-Keep Out" sign, which is west of the Pistol Range backstop.
 - Photo 1058 – Lead flakes approximately 2/3 of the way across the wildlife food plot between the second and third "Posted-Keep Out" signs (Latitude: 33° 13' 25.848" N, Longitude: 84° 21' 31.878" W)
- On the site visit no deposition of lead flakes or material eroded from the Pistol Range was observed around the end of the drainpipe south of the food plot.

3.4 WEST PERIMETER OF PROPERTY

- The natural small stream along the south side of the property curves and extends along the western perimeter of the property, widening into a small pond. No indications of bullets, shot, or clay targets were observed on western perimeter of the property during the site visit.
- Signs alerting those approaching the ranges (photo 1037) were posted at frequent intervals around the sides of the property.

3.5 SHOTGUN AREA AND NORTH SIDE OF PROPERTY

- Mr. Ward stated shooting at aerial clay targets took place on the Shotgun Area perhaps 4-6 times per year in addition to use by a school shooting team 1-2 days a week for about 6 weeks.

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- Mrs. Ward stated that biodegradable targets were used predominantly. Fragments of both biodegradable targets and standard pitch targets were observed on the site visit. Photos and other information considered (Section 2.1) indicated that clay targets are launched generally north and south across the western side of the grassy area, with shooting in an arc generally westward from the east-central edge of the grassy area (Figure 1). This is consistent with the location of clay target fragments and shot observed on the ground observed during the site visit.

Clay Target Fragments

- Clay target fragments were observed on the western portion of the grassy area and into the eastern edge of the wooded area near the northern property boundary.
- Pieces of targets broken in flight by shooters were found in the grassy area (photo 1052), well into the woods to the west (photo 1041), and near the red barn that is reportedly on the adjacent property to the north:
 - Photo 1044 – target fragment (shiny whitish “trapezoid” in foreground) with barn in background to the east to illustrate photo location (Latitude: 33° 13' 30.822" N, Longitude: 84° 21' 31.002" W)
 - Photo 1047 – target fragment (black “square” in foreground above large brown leaf) with weathered red south side of barn in background to the north to illustrate photo location (Latitude: 33° 13' 30.378" N, Longitude: 84° 21' 30.318" W)
 - Photo 1051 – target fragment (black object in center foreground) with back (west side) of barn in shadow in background to illustrate photo location (Latitude: 33° 13' 30.648" N, Longitude: 84° 21' 30.228" W)

Shot

- As evident from the following photographs, lead shot pellets of the sizes typically used in clay target shooting (sizes 7½, 8 or 9) are small, dark, and difficult to find among grass, leaves, and mineral and organic matter in soil unless more shooting than has occurred at the Full Blown Firearms Shotgun Area has resulted in considerably more extensive deposits of shot than presently exist here. However, with several hundred pellets in each shotgun shell, even irregular and infrequent shooting would scatter pellets widely over several acres that would be difficult to find in the leaves.
- Lead shot pellets that appeared to be of the sizes indicated above were observed in two bare spots in the wooded area, both at locations that may be near the boundary of the adjacent property to the north:
 - Photo 1038 – A single shot pellet visible on bare soil (Latitude: 33° 13' 30.78" N, Longitude: 84° 21' 32.82" W)
 - Photo 1039 – Two pellets visible on bare soil (Latitude: 33° 13' 30.888" N, Longitude: 84° 21' 32.868" W)

3.6 ENVIRONMENTAL PROTOCOLS

The only material provided to me that could comprise the “environmental protocols” to which Mr. Ward referred (Section 3.1) is page 22 of the *Full Blown Firearms Standard Operating Procedures*. Under the heading “Range/Training Facility Lead Containment and Removal” are four paragraphs that make the following points:

- “Working within the guidelines of the EPA’s Best Management Practices Manual, Full Blown Firearms does not expect any adverse environmental issues or concerns.”
- “Full Blown Firearms will keep daily records on the numbers of shooters utilizing the training facility.”
- “These daily records will then be collected and analyzed annually for the estimated number of rounds fired into the berm containment.”
- “The annual round analysis will then be used by Full Blown Firearms and a licensed contractor in lead removal to determine when the soil and lead should be reclaimed from the existing berms.”
- “At the point where it becomes financially viable to Full Blown Firearms to harvest the lead, a professional lead reclamation service will be contracted for their services.”
- “Full Blown Firearms and the licensed contractor will follow all applicable Federal, State, and local laws in the proper and safe removal and disposal.”
- “Additionally, Full Blown Firearms will to take soil samples every 24 months in an effort to track any change of conditions in the soils surrounding the earthen berm containment structures.”
- Contact information for three “companies that provide lead removal services to gun ranges” is provided “to help locate and acquire licensed professional services”.
- The Full Blown Firearms environmental consultant is identified as Southeastern Resource Management, LLC, Cameron C. Kerr, GISP, and contact information is provided.

A letter dated 14 April 2017 from Galloway & Lyndall, LLP, to Dr. Richard K. Peddicord provided responses to Data Requests from Full Blown Firearms and neighbors of Full Blown Firearms. The only material in the responses that was directly related in environmental issues in a way affecting this report was Question 18 to Full Blown Firearms:

Question18: “State how FBF complies with the EPA’s “best management practices for lead at outdoor shooting ranges” and provide any documentation showing compliance.”

Full Blown Firearms Response: “See exhibit “C” – Lead abatement plan, also see FBF’s SOP’s provided on 3-31-2017.”

The SOP provided on 3-31-2017 is summarized above. The page referenced in the response that was labeled “Exhibit C” and titled Full Blown Firearms Lead Abatement Plan repeats information from the SOP summarized above on lead removal or abatement contractors, and the Full Blown Firearms environmental consultant. The new material is under the heading “CONTROL AND CONTAIN” and is repeated in its entirety below:

1. Bullet containment via earthen berms
2. Prevent migration

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- a. Mulch/compost/organic material. Change/add as needed. Minimum of once every 12 months.
- b. Lime
 - i. Addition every 6 months
 - ii. Rate of 100 lbs. per 1,000 sq. ft.
- c. Phosphate addition
 - i. 80 lbs. per 1,000 sq. ft.
 - ii. Normal agricultural fertilizer
 - iii. Twice yearly as filtration plots are planted spring and fall
3. Professional lead reclamation with preferred vendor when financially feasible.
4. Document
 - a. Date of soil testing – test every 24 months.
 - b. Date of lime and phosphate addition to the soil.
 - c. Record of # of shooters per day/month on range.

4.0 CONSISTENCY WITH ENVIRONMENTAL ASPECTS OF THE SPECIAL EXEMPTION APPROVAL

The findings in Section 3 are discussed in Section 4 in relation to compliance with environmental aspects of the Special Exemption approval.

4.1 RIFLE RANGE

- An important aspect of compliance with the industry standards specified in the Special Exemption approval is the application of lime to the Rifle Range backstops as findings (Section 3.1) indicate. The measurements of pH during the site visit indicate that lime has been applied to backstops and is raising the pH toward the range recommended in the EPA guidance. This subject is discussed further in Section 4.6 dealing with the Full Blown Firearms environmental protocols.
- An important aspect of compliance with the industry standards specified in the Special Exemption approval are the findings of minimal indication of (a) erosion of material from the Rifle Range floor or backstop faces, or (b) water standing in areas where lead deposition might be expected (Section 3.1).
- That the Full Blown Firearms environmental protocols do not address reclamation or other management of lead shot scattered beyond the Rifle Range by tactical shotgun training (Section 3.1) is not in compliance with the industry standards specified in the Special Exemption approval. It appears that this situation might be brought into compliance, if feasible, by:
 - Determining the perimeter of the area over which shot from tactical shotgun training on the Rifle Range is scattered, and applying the environmental protocols in that area
 - Moving shotgun tactical training from the Rifle Range to a location and orientation on the Shotgun Area such that the shot would be distributed within

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the shotfall area of other shotgun shooting on the Shotgun Area, and applying the environmental protocols there

- Ceasing tactical shotgun training
 - Other approaches as may become apparent and prove appropriate
- Other aspects of environmental compliance and non-compliance on the Rifle Range are addressed in relation to the Full Blown Firearms environmental protocols in Section 4.6.

4.2 PISTOL RANGE

- An important aspect of compliance with the industry standards specified in the Special Exemption approval is the application of lime to the Pistol Range backstop as findings (Section 3.2) indicate.
- An important aspect of compliance with the industry standards specified in the Special Exemption approval is the finding of minimal indication of (a) erosion of material from the Pistol Range floor or backstop face, or (b) water standing in areas where lead deposition might be expected (Section 3.2).
- Implications of lead flakes apparently from the Pistol Range (Section 3.2) that are found outside the Pistol Range on the south side of the property are discussed in Section 4.3.
- Other aspects of environmental compliance and non-compliance on the Pistol Range are addressed in relation to the Full Blown Firearms environmental protocols in Section 4.6.

4.3 SOUTH SIDE OF PROPERTY

- Lead flakes from the Pistol Range found on the south (outer) side of the south side berm and in the wildlife food plot (Section 3.3) are not in compliance with the industry standards specified in the Special Exemption approval. The locations at which these flakes were found (Section 3.3) indicate flakes may be distributed over the south side berm face and perhaps much of the wildlife food plot east of the alignment of the Pistol Range backstop. Given their thin, flat configuration the flakes may be susceptible to being distributed progressively more widely by high-volume runoff, despite their density. Regardless of their ultimate distribution, the industry standards specified in the Special Exemption approval expect that lead be managed by appropriate means as summarized in Section 1.2.2. No indication was seen or provided that Full Blown Firearms plans to reclaim or otherwise manage lead outside the bermed ranges. It appears that this situation might be brought into compliance, if feasible, by:
 - Determining how these flakes are leaving the Pistol Range and being deposited on the outer side berm and wildlife food plot, and making changes to contain them within the Pistol Range where lead management is planned (see Section 4.6)
 - Determining the perimeter of the area where lead flakes occur, and applying the environmental protocols in that area
 - Other approaches as may become apparent and prove appropriate

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- The absence of observed lead flakes or material eroded from the Pistol Range around the end of the drainpipe south of the food plot may be considered positive in the sense that it indicates soil and visible lead particles are being retained within the range where management is planned (see Section 4.6).
- Other aspects of environmental compliance and non-compliance on the south side of the property are addressed in relation to the Full Blown Firearms environmental protocols in Section 4.6.

4.4 WEST PERIMETER OF PROPERTY

- An important aspect of compliance with the industry standards specified in the Special Exemption approval is the finding of no indications of bullets, shot, or clay targets along the western perimeter of the property. This is outside the ranges where such materials should not occur, and no management should be necessary.

4.5 SHOTGUN AREA AND NORTH SIDE OF PROPERTY

- The distribution of fragments of both standard and biodegradable clay targets from the Shotgun Area on the north side of the property (Section 3.5) is *potentially* not in compliance with the industry standards specified in the Special Exemption approval. Determination of whether this distribution is, in fact, non-compliance requires further analysis per the following discussion. The locations at which some target fragments were found (Section 3.5) appeared to be near the northern property boundary, which was not precisely determined during the site visit. Using the coordinates given in Section 3.5, a surveyor or other qualified professional should determine the locations of the photographed target fragments in relation to the property boundary within the variability inherent in the cell phone location system. If target fragments occur on adjacent property:

- Full Blown Firearms would not have access to manage these target fragments consistent with the industry standards specified in the Special Exemption approval. All three documents comprising the industry standards (Section 1.2.1) are based on management, which requires access to the property on which it is to occur. The NRA *Range Source Book* (Section II, Chapter 3, page 10) explicitly states that a range's Environmental Stewardship Plan (e.g., the Full Blown Firearms environmental protocols) should address "retention of bullets, shot, wads, and targets on range property".
- These target fragments might be considered litter and/or trespass on the adjacent property.

If target fragments are found to occur on adjacent property, it appears that Full Blown Firearms might bring this non-compliance into compliance, if feasible and agreeable to all parties, by:

- Purchasing the property on which target fragments occur
- Obtaining a lease, easement, or other agreement allowing access to the property on which target fragments occur for purposes of management

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- The absence of management of clay target fragments in the Full Blown Firearms environmental protocols, even fragments on the property, is not in compliance with the industry standards specified in the Special Exemption approval, and is addressed in Section 4.6.
- The distribution of shot pellets from the Shotgun Area on the north side of the property (Section 3.5) is *potentially* not in compliance with the industry standards specified in the Special Exemption approval. As with target fragments discussed in the first point of this section, determination of whether the distribution of shot is, in fact, non-compliance requires further analysis to determine shot distribution in relation to the property boundary. The locations at which some shot pellets were found (Section 3.5) appeared to be near the northern property boundary, which was not precisely determined during the site visit. The coordinates given in Section 3.5 should allow a surveyor or other qualified professional to determine the locations of the photographed shot pellets in relation to the property boundary within the variability inherent in the cell phone location system. Even though the two locations at which shot pellets were observed may be on the Full Blown Firearms property, the possibility that some shot may cross the property boundary must be recognized in consideration of:
 - The difficulty of finding shot pellets among grass, leaves, and soil material of similar size and color
 - The number of pellets in each shotgun shell
 - The distance pellets may travel
 - The area over which pellets may be deposited as indicated by Figures 4-2 and 4-3 on pages 39 and 40 of the NSSF guidance (Section 1.2.1)
 - The shooting location on the Shotgun Area in relation to the property boundary
 - The angles at which some shotgun shooting may occur in relation to the property boundary as indicated by information considered (Section 2.1), especially photographs and videos in the “factual file”

If shot pellets were to occur on adjacent property, they might pose a safety risk as well as being inaccessible for management and possibly being considered litter and/or trespass, as discussed for target fragments in the first point of this section. If shot pellets were to occur on adjacent property, it appears that this non-compliance might be brought into compliance by one or more of the following:

- If possible and feasible after appropriate evaluation, retaining shot on Full Blown Firearms property by such means as, for example:
 - Relocate/reorient the shooting position so that shooting is less northerly
 - Reorient target presentations so that shooting is less northerly
 - Change shooting from a somewhat “skeet-like” target presentation to amore “trap-like” target presentation so that shooting is over a narrower arc oriented westerly with less northerly component
 - Lower the maximum height of target trajectories to minimize the distance shot travels
 - Limit shotgun shooting to low velocity loads and number 9 shot to minimize the distance shot travels

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- Obtaining access for management to the entire area containing shot, as discussed for target fragments
- The absence of reclamation or other management of lead shot on the Shotgun Area in the Full Blown Firearms environmental protocols is not in compliance with the industry standards specified in the Special Exemption approval, and is addressed in Section 4.6.
- Other aspects of environmental compliance and non-compliance on the Shotgun Area are addressed in relation to the Full Blown Firearms environmental protocols in Section 4.6.

4.6 ENVIRONMENTAL PROTOCOLS

- Important aspects of compliance with the industry standards specified in the Special Exemption approval are that the environmental protocols (Section 3.6) address the following on the Rifle Range and Pistol Range:
 - Lead reclamation
 - Application of:
 - Lime (The EPA guidance [Section 1.2.1] recommends that lime be applied as necessary to maintain range soil between pH 6.5 and 8.5. Lime application according to the Full Blown Firearms environmental protocols appears likely to accomplish this, but it would be preferable for the protocols to explicitly state that lime will be applied to maintain this pH range in soil where lead is present.)
 - Phosphate (The EPA guidance [Section 1.2.1] states that phosphate application may be advantageous, but does not provide quantitative guidance.)
 - Organic matter (The EPA guidance [Section 1.2.1] states that application of organic matter may be advantageous, but does not provide quantitative guidance.)

Other major aspects of compliance with the industry standards (Section 1.2.2), while not addressed in the environmental protocols, were apparently considered in Rifle Range and Pistol Range siting and construction:

- Topography and grading minimize runoff velocity, erosion, and standing water in the presence of lead
- Shredded wood on the Rifle Range and Pistol range floors helps optimize organic matter and minimize runoff velocity and erosion
- Non-compliance related to the environmental protocols not being applied to shot scattered by tactical shotgun training on the Rifle Range is addressed in Section 4.1.
- That the environmental protocols do not apply to the Shotgun Area is not in compliance with the industry standards specified in the Special Exemption approval. The environmental protocols do not mention the Shotgun Area and no intention to apply the protocols to the Shotgun Area was indicated. The industry standards (Section 1.2.1) clearly address not only rifle and pistol shooting, but also apply to shotgun shooting and

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both shot pellets and target fragments. The NSSF guidance (page 43) explicitly discusses environmental management of clay target fragments. It appears that this situation might be brought into compliance with the industry standards by:

- Explicitly applying the environmental protocols to the Shotgun Area
- Providing access to target fragments and shot as may be necessary (Section 4.5)
- Expanding the environmental protocols so that management of the Shotgun Area includes the provisions of the industry standards specific to shotgun shooting as well as those that apply to all types of shooting (e.g., those discussed above for the Rifle Range and Pistol Range). Note that lead reclamation, the cornerstone of the industry standards, is generally considered infeasible and impractical in wooded areas. Therefore, reclamation of shot on the Shotgun Area would likely require that:
 - The shotfall area be modified as necessary consistent with the third point of Section 4.5
 - The perimeter of the shotfall area on the Full Blown Firearms property be determined
 - The shotfall area be cleared, and graded as necessary, to allow shot reclamation and other management (i.e., lime application)
- Ceasing shotgun shooting at aerial targets on the present Shotgun Area



FIGURE 1. Overview of Full Blown Firearms property. Red pin is on FBF building. Rifle Range firing line is under the roof at the base of the pin; 100-yard backstop is near the white line west of the pin. Pistol Range is the earthen bermed square south of the pin. Shotgun Area shooting location is the barren oval about 1/3 of the distance across the grassy area north of the building.

PHOTOGRAPHS: FULL BLOWN FIREARMS



Photo 1016. View downrange from the Rifle Range firing line. 25-yard backstop and targets are to left, 50-yard backstop and single white target is in the center, 100-yard backstop and 8 white targets are directly downrange.

FULL BLOWN FIREARMS ENVIRONMENTAL COMPLIANCE

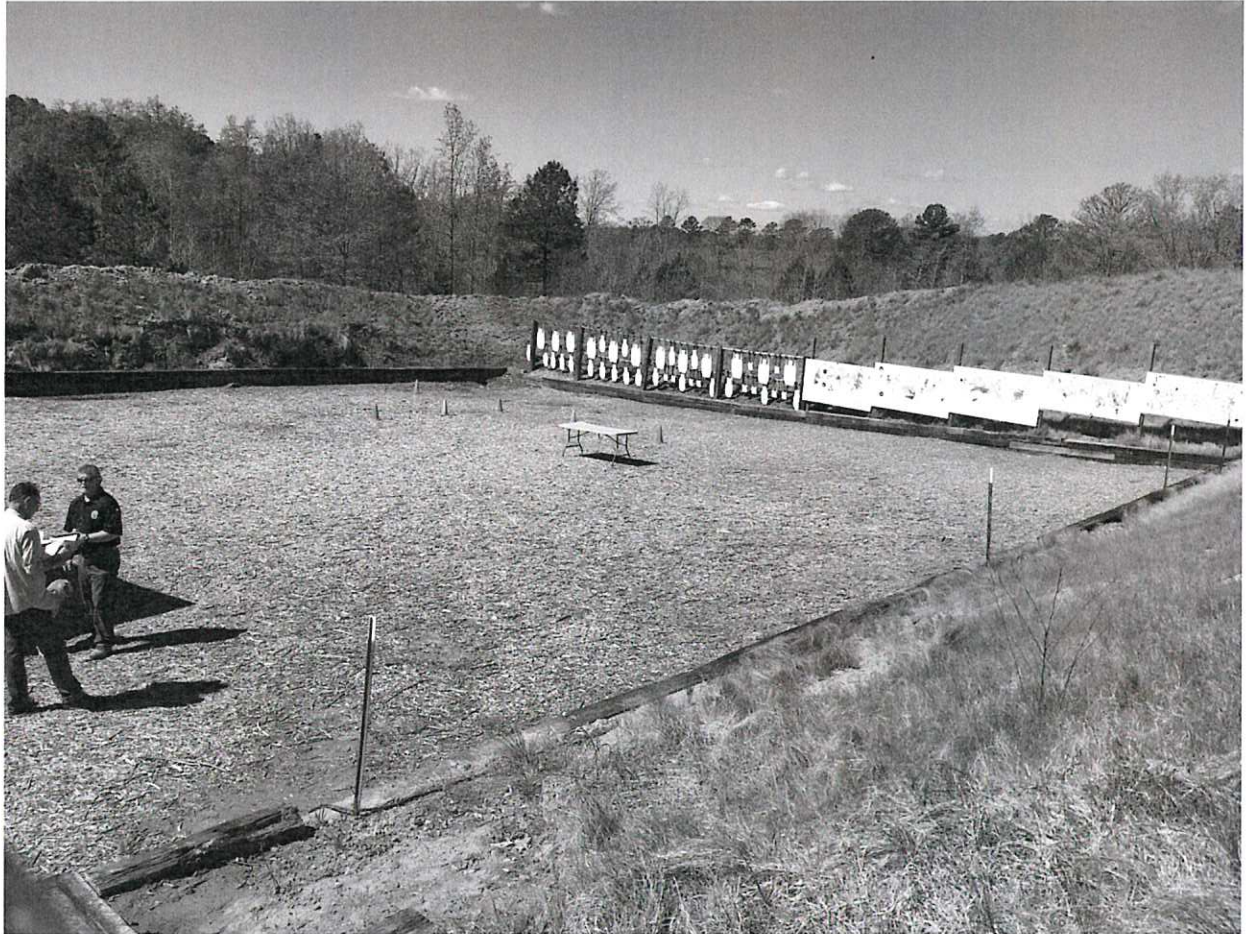


Photo 1028. Pistol Range, with targets and backstop to the right (west), north side berm in right foreground, and south side berm beyond personnel.



Photo 1029. Lead flakes on Pistol Range floor from bullets flattened by impact on steel targets.



Photo 1053. Lead flakes just outside the east end of the Pistol Range south side berm.



Photo 1034. Lead flakes just south of the southeast corner of the food plot, roughly aligned with the eastern end of the Pistol Range.



Photo 1036. Photo taken from the same location as photo 1034, showing the relationship to the south side berm of Pistol Range and the access road.



Photo 1054. Lead flakes on the outer toe of the Pistol Range south side berm. The base of the easternmost "Posted - Keep Out" signpost is visible at the top center of the photograph.

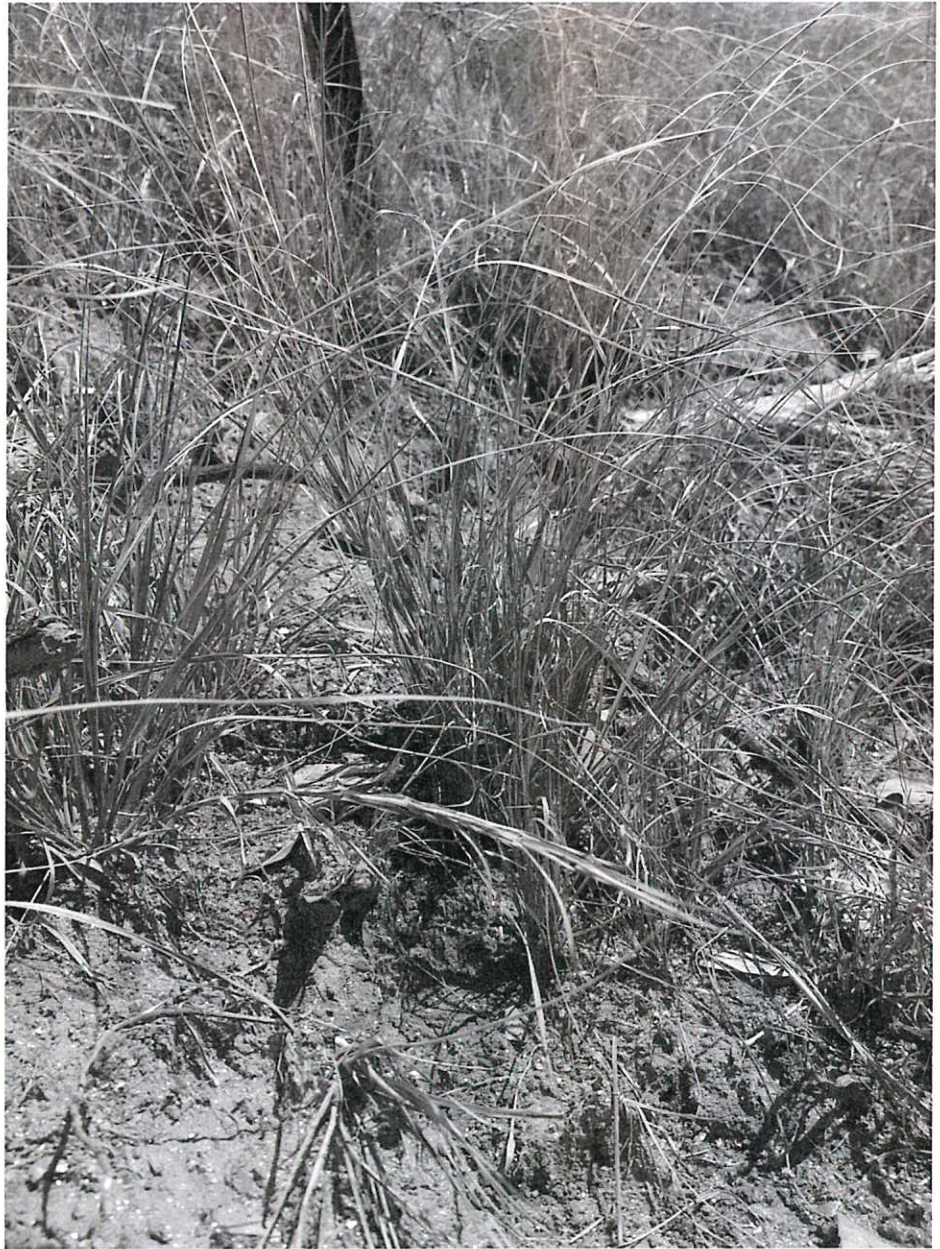


Photo 1057. Lead flakes on the outer toe of the Pistol Range south side berm. The base of the third "Posted - Keep Out" signpost is visible at the top center of the photograph.



Photo 1058. Lead flakes approximately 2/3 of the way across the wildlife food plot between the second and third "Posted - Keep Out" signs.

**FULL BLOWN FIREARMS
ENVIRONMENTAL COMPLIANCE**

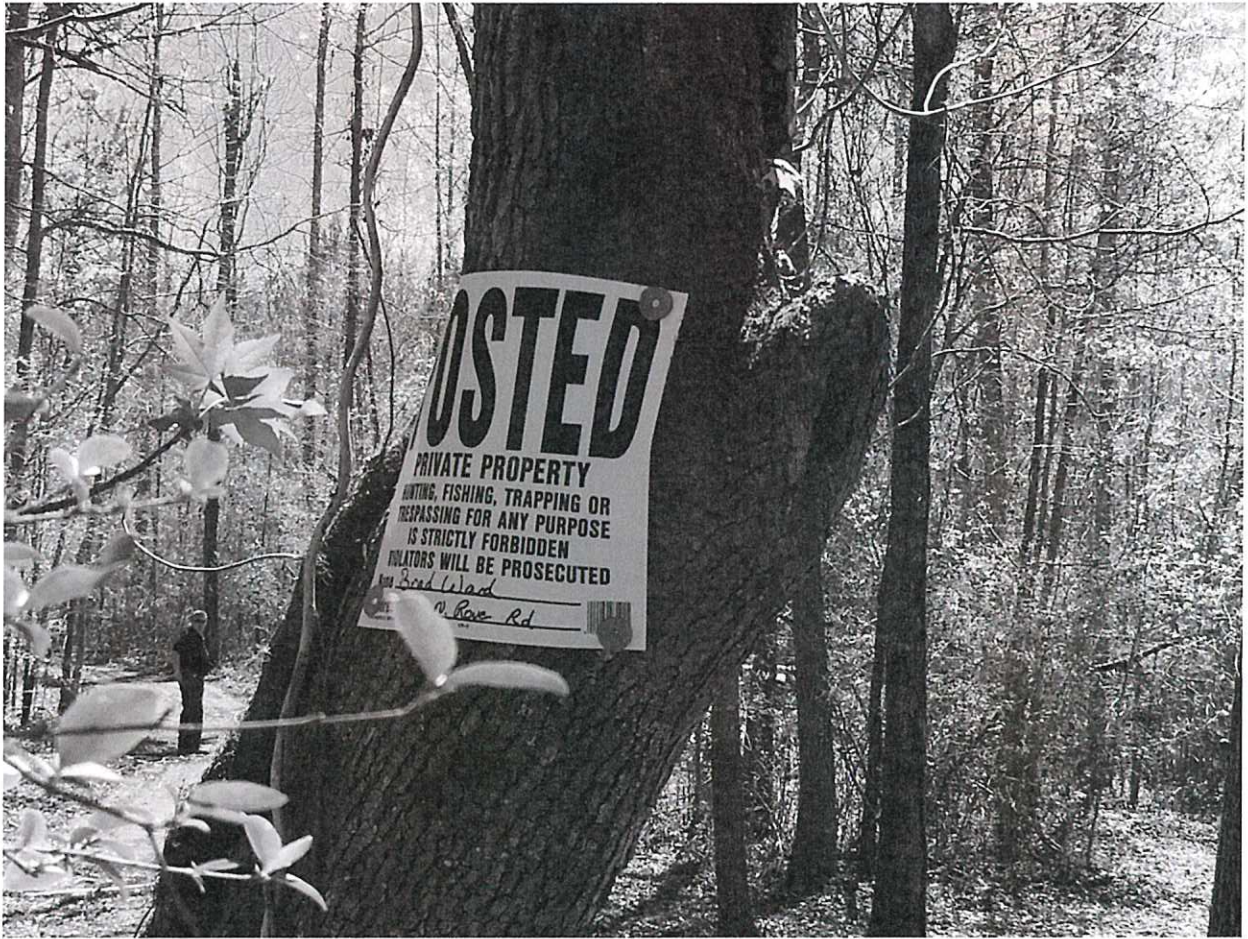


Photo 1037. One of the signs posted at frequent intervals around the sides of the property.



Photo 1052. Off-white fragments of biodegradable clay targets in the grassy portion of the Shotgun Area.



Photo 1041. Large target fragment in the wooded portion of the Shotgun Area.



Photo 1044. Target fragment (“trapezoid” near bottom center edge of photograph that appears whitish due to reflection). The red barn in the background to the east illustrates the location of the photograph.



Photo 1047. Target fragment (black “square” in center foreground just above the large brown leaf). The south side of the red barn in the background to the north illustrates the location of the photograph.



Photo 1051. Target fragment (black object in right-center foreground just behind the first clump of grass). The back (west side) of the red barn in the shadow in the background (to the east) illustrates the location of the photograph.



Photo 1038. A single shot pellet visible on bare soil.



Photo 1039. Two shot pellets visible on bare soil.

**FULL BLOWN FIREARMS
ENVIRONMENTAL COMPLIANCE**

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SUMMARY

FULL BLOWN FIREARMS: ANALYSIS OF ENVIRONMENTAL COMPLIANCE

Prepared by:

Dick Peddicord & Company, Inc.

May 2017

Dick Peddicord & Company, Inc. was contracted to inspect and prepare a report on the shooting ranges and activities of Full Blown Firearms to determine compliance or non-compliance with environmental aspects of the Special Exemption for the ranges approved by Spalding County. That approval was conditioned on, among other things, "compliance with industry, NSSF, or NRA design standards for outdoor shooting ranges, including but not limited to, ... compliance with EPA's *"Best Management Practices for Lead at Outdoor Shooting Ranges"*. Major compliance points of the report related to environmental aspects of the specified standards may be summarized as follows. If this summary appears to be inconsistent with the full report on any matter, the full report should be relied upon.

1. Rifle Range

- a. Appears to be in compliance or in process of being brought into compliance with the specified standards by
 - i. plans for periodic reclamation and recycling of lead
 - ii. minimizing potential for lead to dissolve by
 - 1. bringing soil acidity (pH) into recommended range
 - 2. eliminating standing water in areas with lead
 - iii. minimizing erosion
- b. Appears not to be in compliance with environmental aspects of the specified standards by not managing lead shot scattered beyond the Rifle Range by tactical shotgun training on that range

2. Pistol Range

- a. Appears to be in compliance or in process of being brought into compliance with the specified standards by
 - i. plans for periodic reclamation and recycling of lead
 - ii. minimizing potential for lead to dissolve by

1. bringing soil acidity (pH) into recommended range
2. eliminating standing water in areas with lead
- iii. minimizing erosion

- b. Appears not to be in compliance with environmental aspects of the specified standards by not managing lead flakes created by bullet impacts on steel targets on the Pistol Range that are deposited outside that range to the south, as addressed in Point 3

3. South Side of Property

- a. Appears not to be in compliance with environmental aspects of lead management in the specified standards in regard to lead flakes from the Pistol Range that are deposited outside that range on portions of the south side of the property

4. West Perimeter of Property

- a. Appears to be in compliance with environmental aspects of lead management in the specified standards in that no indications of bullets, shot, or clay targets were found along the western perimeter of the property. This is outside the ranges, where such materials should not occur, and no management should be necessary.

5. Shotgun Area and North Side of Property

- a. Appears not to be in compliance with the specified standards by
 - i. No plans for environmental management of clay target fragments wherever they may be deposited
 - ii. Clay target fragments from shotgun shooting may be deposited off the Full Blown Firearms property, although determination of this remains to be confirmed
 - iii. No plans for environmental management of lead shot pellets wherever they may be deposited
 - iv. Lead shot pellets from shotgun shooting may be deposited off the Full Blown Firearms property, although determination of this remains to be confirmed

6. Environmental Protocol

- a. Appear to be in compliance with the specified standards in regard to the Rifle Range and Pistol Range as summarized in Points 1a and 2a above
- b. Appear not to be in compliance with the specified standards in not being applied to
 - i. the Shotgun Area, including clay target fragments
 - ii. lead flakes south of the Pistol Range
 - iii. lead shot scattered outside the Rifle Range by tactical shotgun training on that range

April 10, 2017

In December 2016, we alerted the Spalding Board of Commissioners (SBOC) that Full Blown Firearms was not meeting the requirements expected of a Home Occupation. We therefore asked the SBOC to close Full Blown Firearms down. Almost all of the North Rover Road neighbors in the vicinity of Full Blown Firearms (475 North Rover Road) have been patiently waiting for the SBOC to take action.

The Spalding County Zoning Ordinance is clear about what is permissible for a Home Occupation allowance. Since 2015, Full Blown Firearms has failed to meet provisions for a Home Occupation. Full Blown Firearms has even failed to meet the Conditions imposed by the Board of Commissioners in February 2015.

We do not understand how a Home Occupation can remain in operation if zoning ordinance provisions are violated or ignored. We do not understand how a commercial retail business, open to the general public, can continually operate in the midst of an appropriately zoned, large lot single-family residential setting.

From the Spalding County Zoning Ordinance, Section 104, Purposes: "The promotion of sound land use patterns is intended to reduce or eliminate the occurrence of certain conditions that can threaten the general health, safety, and welfare of the residents of Spalding County".

We do not have extensive, detailed documentation about the operations of Full Blown Firearms. We, the North Rover Road neighbors, did not know that we were expected to fulfill the role of a "record keeper" for the County and provide documentation about any instance or example when Full Blown Firearms ignored or violated a zoning ordinance provision. We, the North Rover Road neighbors, have tried to maintain a sense of residential normalcy despite the wrong business being allowed to operate in our neighborhood. While we take issue with the nature and timing of the set of questions, we have faithfully tried to respond to Exhibit A, Questions To Neighbors.

Spalding County has a duty to act.

Respectfully,
The North Rover Road Neighbors

North Rover Road Neighbors Summary Document

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Exhibit "A" QUESTIONS TO NEIGHBORS

1. Have any neighbors been on the Subject Property and seen the shooting facilities at FBF?
If so, who and when.
 - a) Harold Ammons: "Yes, Jan 2015, Feb 2015, June 2016, Nov 2016".
 - b) Robbie Medley: "Yes, multiple times".
 - c) Tara Sams: "Yes. Clint went over when it first opened and also recently this year."
2. Do any neighbors have any information regarding whether there has been any change, relocation, modification or enlargement of any FBF's facilities and ranges located on the Subject Property since February 16, 2015. If so who, and detail the information.
 - a) Harold Ammons: "Yes, many modifications, skeet shooting area, added roof covering of the two bay original shooting platform, built another shooting range approx. 100x200".
 - b) Bill Bryant: specific, referenced examples are in organized within Bill Bryant's folder.
 - One screen capture PDF's from 2016 video,
 - One screen capture PDF from FBF Facebook page dated October 16, 2016, and
 - Three screen capture PDF's made from FBF Facebook page dated January 16, 2017;
 - Two videos (April 29, 2016 and August 2, 2016); and
 - Two PDF screen captures (April 29, 2016 and August 2, 2016).
 - c) Debby Daniel-Bryant: "I am aware from pictures on FACEBOOK that FBF has added an additional shooting range. Large earth moving equipment had been brought in to do the work".
 - d) Fern Goldstein: "I have no personal knowledge of modifications, but I have seen lots of large machinery on the property".
 - e) Dr. Michael Goldstein: "I have not been on property to verify modifications to facility, but I have witnessed massive trucks and machinery on property".
 - f) Robbie Medley: "Yes. Added a bigger shooting area to left of original range; has been expanded twice".
 - g) Wendy and Todd Pritchard: "On 3/26/17, Brad Ward informed Todd that he would be putting up No Trespassing signs on our property line". **NOTE:** For representative example, see picture obtained by Robbie Medley on March 27, 2017 of sign example on Sams' property in Sams' attachment folder.
 - h) Tara Sams: "Yes. Clint states the range was extended down the hill to the left side of the garage".
 - i) Christine Thomas: see individual attachment in her folder.
 - j) Larry and Malinia Wright: "Yes we noticed from the road a new roof structure added to the side of the building. We noticed a skeet shooting area added near

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Clint and Taralyns property line. We heard large equipment operating on his property, shortly after that we saw the announcement on Facebook for the completion and opening of the new range. By counting the cross ties from the pictures from Facebook the range is estimated to be 100 feet by 200 feet. We also sing [sic] expansion and widening at the end of the driveway".

3. Have any neighbors participated in any firearms training or shooting practice on the Subject Property? If so, who and when.
 - a) Harold Ammons: "Yes, wife and daughter, they received gift certificates from FBF from family member".
 - b) Robbie Medley: "Yes, multiple times".
4. Does any neighbor have any information regarding the number of full-time employees who may work at FBF? If so, who and what information.
 - a) Bill Bryant: specific, referenced examples are organized within Bill Bryant's folder. Three files of non-employees (subcontractors) using range or advertising classes will be held at FBF:
 - One JPG about S.M.A.R.T. Firearm Training on February 27, 2016, curated on January 19, 2017.
 - Two PDF's about Elite Defense Tactics, curated on January 16, 2017 (July 23, 2016 and November 13, 2016)
 - b) Debby Daniel-Bryant: "FBF has Mr. and Mrs. Ward as full-time employees. I am unaware of any other full-time employees".
 - c) Robbie Medley: "Brad Ward, Lisa Ward and Dwayne Howard".
 - d) Wendy and Todd Pritchard: "Brad & Lisa Ward".
 - e) Tara Sams: "4".
 - f) Christine Thomas: see individual attachment in her folder.
5. Does any neighbor have any information regarding the number of part-time employees who may work at FBF? If so, who and what information.
 - a) Bill Bryant: specific, referenced examples are in organized within Bill Bryant's folder. Three files of non-employees (subcontractors) using range or advertising classes will be held at FBF:
 - One JPG about S.M.A.R.T. Firearm Training on February 27, 2016, curated on January 19, 2017.
 - Two PDF's about Elite Defense Tactics, curated on January 16, 2017 (July 23, 2016 and November 13, 2016)
 - b) Debby Daniel-Bryant: "Mr. Ward has offered employment to persons to serve as shooting instructors. I do not know how many individuals have accepted employment".

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- c) Robbie Medley: "Jeremy Dean".
 - d) Tara Sams: "Possibly 1".
 - e) Christine Thomas, see individual attachment in her folder.
6. Has any neighbor obtained gunsmith or gun repair services from FBF? If so, who, when and what was the nature of the service?
- a) Robbie Medley: "Two rifles from start of business. Had to retrieve them – never finished – in worse shape than when I obtained services".
7. Has any neighbor purchased a fire arm from FBF by means of retail sale? If so, who, when and what type of fire arm?
- a) Harold Ammons: "Two purchases, at retail prices before I knew they were not allowed by sale as commercial business". Specific, referenced examples are organized within Harold Ammons' folder.
 - November 22, 2016, handgun
 - June 30, 2015, New SCCY CPX-2 9mm semiautomatic pistol
 - My father-in-law also bought two guns there at different times.
 - b) Robbie Medley: four specific purchases
 - October 2016, Used Winchester 300 rifle
 - December 23, 2015, New SKKY 9mm semiautomatic pistol
 - April 2015, New SKKY 9mm semiautomatic pistol
 - April 2015 Used H&R 22 pistol
 - c) Valerie Warren: Kellan Nunn (nephew of Valerie), one purchase; specific, referenced example is organized within Valerie Warren's folder
 - December 22, 2016, New Smith & Wesson M&P 15-22 sport rifle.
8. Has any neighbor purchased ammunition from FBF? If so, who, when and what type of fire arm?
- a) Harold Ammons: "When I bought the guns, 9mm ammo".
 - b) Bill Bryant: three specific, referenced examples showing ammunition for sale and commercial / retail nature of sales area are organized within Bill Bryant's folder;
 - Two curated on December 28, 2016 and one on January 2017 from FBF Facebook page.
 - c) Robbie Medley: April 2015, 9mm ammunition when bought SKKY 9mm semiautomatic pistol.
9. Does any neighbor have any information regarding skeet or sporting clays shooting on the Subject Property? If so, who and describe the information, giving specific dates if possible.

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- a) Harold Ammons: "When I was on the property I seen [sic] a clay trap throwing machine for skeet and 2 pvc built removable structures for skeet shooting".
- b) Bill Bryant: specific, referenced examples are organized within Bill Bryant's folder;
 - 501_N_Rover_Rd_Sams_Red_barn_032817 copy, PDF aerial photo (Spalding County Tax Assessor web site imagery) of Sams Property, 501 N_Rover_Rd, clearly showing location of red barn.
 - Five PDF files made from screen captures of various images from FBF Facebook page; obtained on December 30, 2016, January 17, 2017 and April 5, 2017. Red barn visible in background is on Sams Property.
 - PDF and Vimeo video footage of Cratiz trap shooting at FBF; Vimeo uploaded on April 2, 2016. Red barn visible in background is on Sams Property.
 - PDF of physical debris of broken and shattered clay pigeon target debris found on Sams Property on February 2, 2017.
 - Video footage (IMG_4849copy.mov) curated on December 6, 2016 demonstrating examples of extreme noise caused by shotgun discharges; discharges are towards Sams property.
- c) Debby Daniel-Bryant: "FBF has offered their space on Tuesdays and Thursday to two high schools for skeet shooting. I talked to one of the schools back in January and confirmed they used FBF for practice. It was a private school in Hollonville. I have also seen evidence of clay pigeon debris from the Sams property".
- d) Robbie Medley: "Only witnessed one time in September 2015".
- e) Tara Sams: "Yes. Unsure of dates but on multiple occasions Clint and I found clay pigeons on our property. Some were collected while on video by other neighbors. During hunting season (2016) Clint was showered w/ shotgun pellets while in a tree stand on our property".
 - See PDF file of clay pigeon debris found on Sams Property on March 28, 2017; photo taken by Robbie Medley.
 - See IMG955342.3gp video / audio file of shot gun discharge on April 4, 2017 at 3:59 PM; made by Clint Sams.
- f) Christine Thomas: see individual attachment in her folder.
- g) Larry and Malinia Wright: Yes we do we have a video of skeet Shooters shooting.
 - Video footage (IMG_4849copy.mov) curated by Bill Bryant on December 6, 2016 demonstrating examples of extreme noise caused by shotgun discharges; discharges are towards Sams property.

10. Does any neighbor have any information regarding whether shooting occurred on the Subject Property after 9:00p.m?

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- a) Robbie Medley: "Confronted him (Brad Ward) by text – claimed it wasn't him, but positive it was December 31, 2015".
- b) Tara Sams: "Infrequently".
- c) Christine Thomas: see individual attachment in her folder.
- d) Larry and Malinia Wright: "No we have no solid proof".

11. Was any neighbor provided or did any neighbor receive any written materials from FBF that describe the anticipated business of FBF when Special Exception 14-07S was first submitted.

- a) Fern Goldstein: "Brad Ward originally came to our house to solicit our approval for a gunsmith shop. He never told us that it was going to be a commercial shooting range, as it turned out to be. He assured us that there would be little noise since he would only occasionally be testing guns. Quite the contrary, the shooting range has been an intolerable distraction for us in our own home. Our lives have forever been altered in that we have to cope with this noise EVERY, SINGLE DAY, except Sunday".

12. Identify each neighbor (by name and address) who was contacted by FBF when Special Exception 14-07S was submitted. For each, state what they were told and when the contact occurred.

- a) Harold Ammons, 109 Bethel Lane, Williamson GA 30292: "Brad contacted me when he found out I was going to be against his request and he assured me that nothing was going to change and that it was just a gun smith business. I did not believe that, I felt that he would grow the business because that's the type person he is and I also felt that the gun smith business would not be enough to sustain or replace his salary at the NRA" [sic].
 - Also, see PDF of notarized statement made on January 12, 2017.
- b) Fern Goldstein, 474 North Rover Road, Williamson GA 30292: see PDF of notarized statement made on January 12, 2017.
- c) Dr. Michael Goldstein, 474 North Rover Road, Williamson GA 30292: see PDF of notarized statement made on January 12, 2017.
- d) Todd and Wendy Pritchard, 445 North Rover Road, Williamson GA 30292: "Brad Ward came to our house and asked us to sign a petition because he wanted to open a Gun Smith business".
 - Also see PDF of notarized statement made on January 24, 2017.
- e) Taralyn Sams, 501 North Rover Road, Williamson GA 30292: "While trying to open the gun range Brad Ward brought around a petition to sign & stated he wanted to open a gunsmith shop & gun safety classes a couple days a week. Indicating shooting would be minimal."
 - Also see PDF of notarized statement made on January 31, 2017.
- f) Cristine Thomas, 400 North Rover Road Williamson GA 30292: see PDF of notarized statement made on January 11, 2017.
- g) Larry Wright, 531 North Rover Road Williamson GA 30292: see PDF of

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notarized statement made on January 17, 2017.

- h) Malinia Wright, 531 North Rover Road Williamson GA 30292: see PDF of notarized statement made on January 17, 2017.

13. Identify each neighbor in the vicinity of FBF that has contacted Mr. Ward or any person affiliated with FBF since Special Exception 14-07S was approved to complain about FBF's operation. For each, state their name and address, how contact was made, when the contact was made, the subject of the complaint and FBF's response.

- a) Bill Bryant, 282 North Rover Road, Williamson GA 30292: Telephone call made to Spalding Code Enforcement on December 27, 2016 about tractor trailer improperly blocking part of North Rover Road in front of 474 North Rover Road; safety concerns due to location of truck being unloaded and weather conditions. See three JPG files organized within Bill Bryant's folder.
- b) Todd and Wendy Pritchard, 445 North Rover Road, Williamson GA 30292:
- "Several months ago Brad came to our house to speak with Todd, during our conversation, I told him that we didn't sign a petition for a Shooting Range, it was for a Gun Smith business only. He acted surprised, and said Let me check into that".
 - "On 9/4/16 Brad came over while Todd was cutting grass. Brad came over to ask if we had any issues, because someone had called and complained. I told him it was loud as hell, and we can hear it very well in our house. I also said I don't understand why you were not honest from the beginning when he misrepresented what he was doing".
- c) Tara Sams, 501 North Rover Road, Williamson GA 30292:
- "Clint Sams spoke with Brad Ward multiple times discussing our concerns with the gun range. I do not have specific dates because it has been multiple times Clint discussed Brad Ward & customers shooting skeet over our yard. Brad responded by stating that by the time the pellets or clay pigeons come down the velocity will not be great enough to cause harm. Brad Ward continued to shoot skeet so Clint contacted Spalding County Sheriff but decided to confront Brad again. The incident of Clint being showered with shot gun pellets occurred after talking to Mr. Ward. Clint also spoke with Brad several times about the fact the petition we signed was not for a gun range at which time Brad never responded".
- d) Valerie Warren, 110 Canaan Court, Williamson GA 30292: Telephone call made to Sheriff's Department on March 28, 2017 because of excessive and continuous gunshots from FBF. See Microsoft Word and PDF files organized within Valerie Warren's file.
- e) Larry and Malinia Wright, 531 North Rover Road, Williamson GA 30292:
- "We complaint [sic] to Brad Ward personally by text his response was" this is how it's going to be".

14. For an average week, can any neighbor state how many days shooting occurs on the Subject Property related to FBF's business and how many hours per day? If so, identify the neighbor

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by name and address, provide the response and state how the information is known.

- a) Harold Ammons, 109 Bethel Lane, Williamson GA 30292, "6+ days".
- b) Bill Bryant, 282 North Rover Road, Williamson GA 30292: "While no log has ever been maintained, several circumstances seem to be common when shooting noises occur, regardless of which day of the week: when there is good weather (makes no difference if winter, spring, summer or fall) and from mid morning to late afternoon, can be very frequent and for long time periods. Shooting discharges are most pronounced outside at the front or rear of my house. During sustained long instances of discharges, the sounds travel into my home office area."
- c) Debby Daniel-Bryant, Debby Daniel-Bryant, 282 North Rover Road, Williamson GA 30292: "FBF has had shooting 6 days per week, as often as 6-8 hours per day. I have heard it as soon as I come home mid-afternoon from work until 6 pm many days of the week. I have heard it on Saturdays when I am home, all day long. There are times when there is no shooting. It is irregular, but intense when it occurs. It is too unpleasant to stay outside of my house when the shooting occurs. I have to go inside and turn on the TV to block the sound".
- d) Fern Goldstein, 474 North Rover Road, Williamson GA 30292: "In an average week, the shooting happens a lot. I do not keep a log, but I can hear it from my house".
- e) Dr. Michael Goldstein, 474 North Rover Road, Williamson GA 30292: "I don't keep a log".
- f) Robbie and Cherie Medley, 384 North Rover Road, Williamson GA 30292: "Six days weekly, all day long. I'm home or my wife (Cherie) is here".
- g) Todd and Wendy Pritchard, 445 North Rover Road, Williamson GA 30292: "6 days a week, 8 hours per day. Wendy & Todd Pritchard, 445 N Rover Rd. We are neighbors, and we can hear the Shooting Range from inside our home".
- h) Tara Sams, 501 North Rover Road, Williamson GA 30292: "Monday – Saturday (6 days/week) Open 10AM-6PM. Strady shots heard throughout the day".
- i) Christine Thomas, 400 North Rover Road, Williamson GA 30292: see individual attachment in her folder.
- j) Larry Wright and Malinia Wright, 531 North Rover Road, Williamson GA 30292: "6 days a week Monday thru Saturday 90% of the business hours his open".

15. In an average week, can any neighbor state how many people are on the Subject Property to shoot at FBF? If so, identify the neighbor by name and address, provide the response and state how the information is known.

- a) Harold Ammons, 109 Bethel Lane, Williamson GA 30292: "I pass by every day and usually see 2-4 extra cars in the driveway other than their personal vehicles".

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- b) Bill Bryant, 282 North Rover Road, Williamson GA 30292: "No log has been maintained".
 - c) Fern Goldstein, 474 North Rover Road, Williamson GA 30292: "On an average day, there are usually 5-7 cars there. On several Saturdays, there were at least 10. I know this because I counted them".
 - d) Dr. Michael Goldstein, 474 North Rover Road, Williamson GA 30292: "I don't keep a log. I did observe five extra cars parked there on March 28, 2017 at 12:00 PM. There was also continual loud shooting for more than one hour".
 - e) Todd and Wendy Pritchard, 445 North Rover Road, Williamson GA 30292: "Average 2-3 daily. Some weekends may be a lot more. Wendy & Todd Pritchard, 445 N Rover Rd. We Share a driveway with Wards".
 - f) Christine Thomas, 400 North Rover Road, Williamson GA 30292: see individual attachment in her folder.
 - g) Larry Wright and Malinia Wright, 531 North Rover Road, Williamson GA 30292: "We passed by multiple times everyday and witness 3 /5 cars other than their own".
16. Can any neighbor state whether some days are busier for FBF's business than others? If so, identify the neighbor by name and address, provide the response and state how the information is known.
- a) Harold Ammons, 109 Bethel Lane, Williamson GA 30292: "Friday and Saturday I can hear and more cars in the drive way as I pass by".
 - b) Debby Daniel-Bryant, 282 North Rover Road, Williamson GA 30292: "Saturday appears to be the busiest day, as more customers are available to go shoot. However, there are many busy evenings when customers get off work or school".
 - c) Fern Goldstein, 474 North Rover Road, Williamson GA 30292: "Saturdays are busier than other days. Tuesday and Thursday afternoons are also very loud".
 - d) Dr. Michael Goldstein, 474 North Rover Road, Williamson GA 30292: "Saturdays are typically busier".
 - e) Robbie Medley, 384 N. Rover Road, Williamson GA 30292: "Pretty much all the same, more in the afternoon; hearing it from my house".
 - f) Todd and Wendy Pritchard, 445 North Rover Road, Williamson GA 30292: "Friday & Saturdays".
 - g) Tara Sams, 501 North Rover Road, Williamson GA 30292: "Saturdays tend to be busier. Live next door".
 - h) Christine Thomas, 400 North Rover Road, Williamson GA 30292: see individual attachment in her folder.
 - i) Larry Wright and Malinia Wright, 531 North Rover Road, Williamson GA 30292: "Tuesday Friday and Saturday seem to be busier and 2 times a year there is a special event held at full-blown firearms and his yard all the way to the street is covered with vehicles".

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17. Can any neighbor state how many cars are present on the Subject Property related to FBF's business on an average day? If so, identify the neighbor by name and address, provide the response and state how the information is known. Same question for a busy day.

- a) Harold Ammons, 109 Bethel Lane, Williamson GA 30292: "Same question for a busy day 6-8".
- b) Bill Bryant, 282 North Rover Road, Williamson GA 30292: specific, referenced examples are organized within Bill Bryant's folder;
 - Home occupation parking provision states that all parking shall be located in the side or rear yards. Five examples (one video and four JPG/PDF's) clearly show parking in front of FBF identified facility. Quantity of vehicles is in excess of those identified as belonging to Ward family (PDF identifies those belonging to Wards).
 - The PDF named "d_too_many_cars_parked_Goldstein_home" clearly shows part of the Goldstein home in upper left background.
 - See three representative folders showing vehicles entering FBF property and locations of parked vehicles:
 - Wednesday January 11 2017 – 15 images
 - Monday January 16 2017 -10 images
 - Tuesday January 17 2017 – 18 images
- c) Fern Goldstein, 474 North Rover Road, Williamson GA 30292: "I don't keep a log, but I can just look over there and see there are more than 3 cars".
- d) Dr. Michael Goldstein, 474 North Rover Road, Williamson GA 30292: "I don't keep a log".
- e) Todd and Wendy Pritchard, 445 North Rover Road, Williamson GA 30292: "Average 2-3 daily other than personal vehicles".
- f) Christine Thomas, 400 North Rover Road, Williamson GA 30292: see individual attachment in her folder.
- g) Larry Wright and Malinia Wright, 531 North Rover Road, Williamson GA 30292: "We passed by multiple times everyday and witness 3 /5 cars other than their own".

18. Has any neighbor measured the noise level at their property coming from FBF? If so, who, by what means, and if the results are in written form, provide them in response.

- a) Bill Bryant:
 - Curated a total of 60 audio/video recordings (58 audio/videos at Cristine Thomas residence and two audio/video recordings at Taralyn Sams residence), organized within Bill Bryant's folder.
 - Personally obtained two audio recordings made at 282 North Rover Road; acquired using Voice Recorder 2.1.2, Device iPhone 8,2 (10.3.1), unaltered, organized within Bill Bryant's folder.
 - FBF Shooting 040717.m4a

North Rover Road Neighbors Summary Document

April 10, 2017

- FBF Shooting 121016.m4a

- b) Fern Goldstein: "I do not have the equipment to professionally measure the noise level. When there is shooting going on, there is nowhere in my home I can go to escape the distraction of gunshots. On nice weather days, I do not open my windows or enjoy my property outside. The traffic on our residential street has increased significantly".
 - c) Dr. Michael Goldstein: "I have not professionally measured the noise level. I do know that even living in a 7,000 square foot house on 7-acres of property, when shooting is going on, there is nowhere I can go to escape being disturbed by the gunfire".
 - d) Christine Thomas: see individual attachment in her folder.
 - e) Larry Wright and Malinia Wright: "Yes we have on a limited decibel reader that reads 100 decibels just about anywhere we stand".
19. Identify each neighbor who contributed to providing answers to these questions by name, address and email.
- a) Harold Ammons, 109 Bethel Lane, Williamson GA 30292,
hdammons@bellsouth.net
 - b) Bill Bryant, 282 North Rover Road, Williamson GA 30292,
wfbryant@comcast.net
 - c) Debby Daniel-Bryant, 282 North Rover Road, Williamson GA 30292,
debby.danielbryant@comcast.net
 - d) Fern Goldstein, 474 North Rover Road, Williamson GA 30292,
fernsgoldstein@gmail.com
 - e) Dr. Michael Goldstein, 474 North Rover Road, Williamson GA 30292,
mgold535@aol.com
 - f) Robbie Medley, 384 North Rover Road, Williamson GA 30292,
gabowhunter@yahoo.com
 - g) Todd Pritchard, 445 North Rover Road, Williamson GA 30292,
toddpritchard@hotmail.com
 - h) Tara Sams, 501 North Rover Road, Williamson GA 30292,
tbutler@tiger.brenau.edu
 - i) Christine Thomas, 400 North Rover Road, Williamson GA 30292,
cristine_thomas@msn.com
 - j) Valerie Warren, 110 Canaan Court, Williamson GA 30292,
vjwarren@yahoo.com
 - k) Larry Wright, 531 North Rover Road, Williamson GA 30292,
larryw98@yahoo.com
 - l) Malinia Wright, 531 North Rover Road, Williamson GA 30292,
wrightmalinia@yahoo.com

North Rover Road Neighbors Summary Document

April 10, 2017

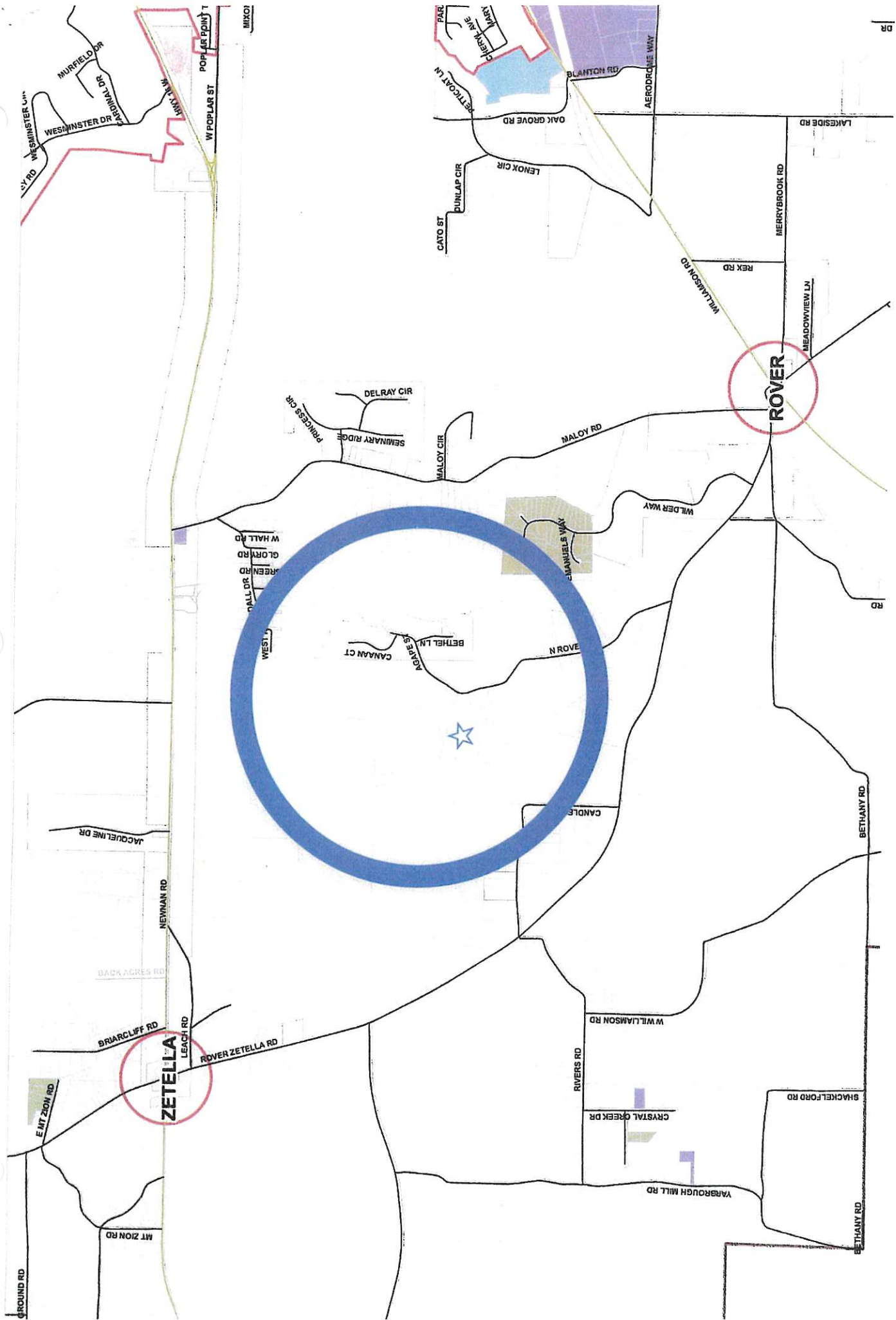
Additional Statements Provided by Some Respondents

A. Dr. Michael Goldstein, 474 North Rover Road:





















I did not realize that I had a duty to keep a log of my neighbor's activities. I can tell you that when gunfire is going on at Full Blown Firearms my concern is not timing or measuring the activity, or counting the flow of customers. My only concern is moving inside the house if I'm outside, closing my doors and windows, and doing everything possible in an attempt to lessen the disturbance from the gunfire. I never would have moved to N. Rover Road if the business had existed at that time. I'm in disbelief that I'm expected to cope with having a busy commercial gun firing range directly across the street from my personal residence. I can't imagine that any of our county commissioners, or FBF customers would tolerate such a disturbance in their own neighborhoods.

B. Cristine Thomas , 400 North Rover Road, .25 miles from Brad Wards Firing line and Gun Range

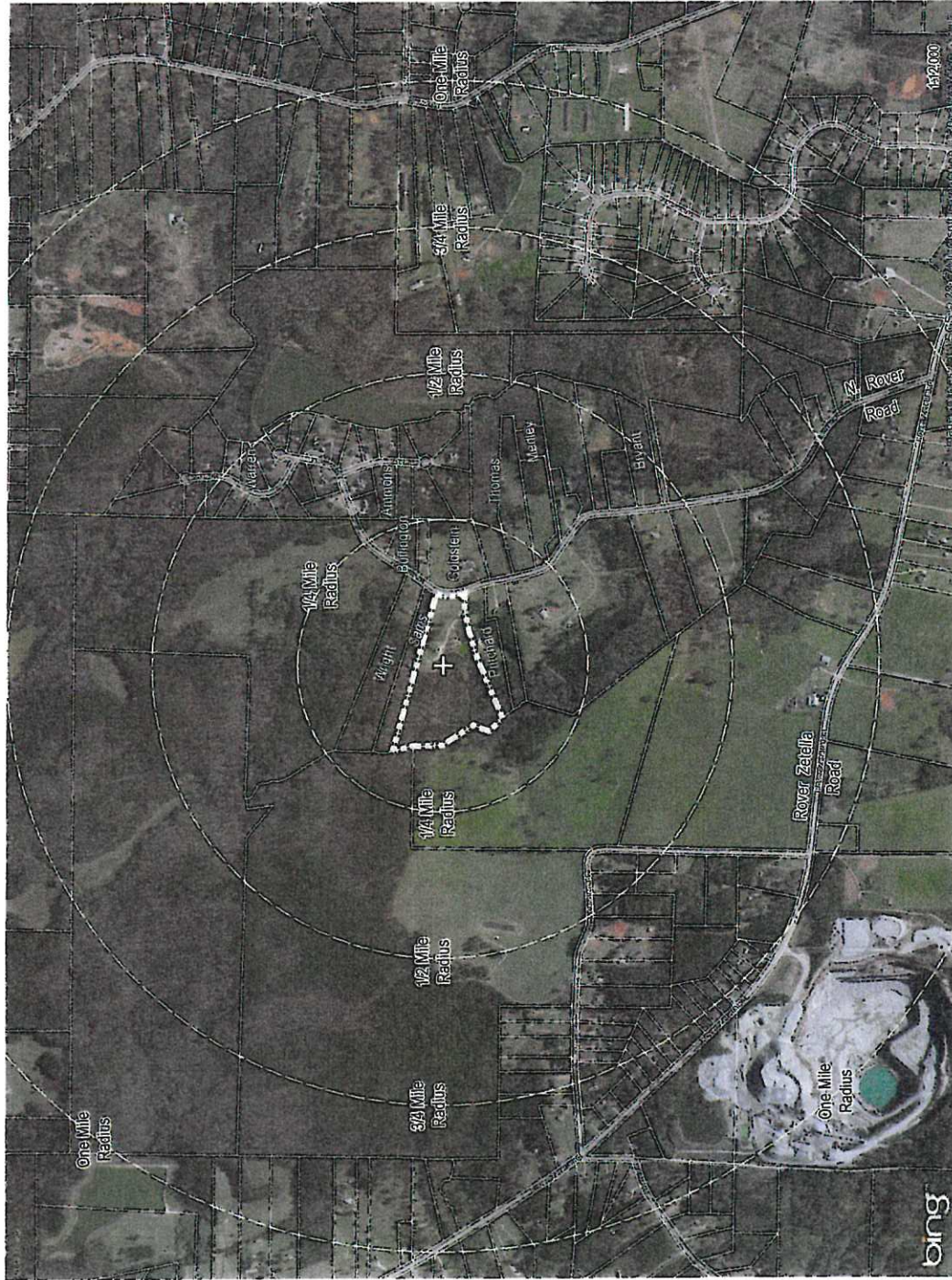
First, I would like to state that I feel this line of questioning feels like an interrogation of the neighbors having to prove their innocence and Brad Ward and Full Blown Firearms are being given the benefit of the doubt and proclaimed the victim. This statement we are giving can be used in a court of law if you chose to do so. So, I am not going to give you pictures that I copied at different times throughout the year from Full Blown Firearms Website, Facebook Page, and Other Subcontracting Webpages, as well as Full Blown Shooter Facebook page and Instagram photos and links to videos, because all this is already public domain, so do your due diligence and look for it, it is not that hard to find. Since Deputy Lummus on the audio of the incident that occurred on February 2, 2017 at 1:30 p.m. threatened my arrest and issuance of criminal trespassing warrant if pictures given to the BOA or BOC are showing any trespassing, I will only be releasing my gathered intel through a court order.



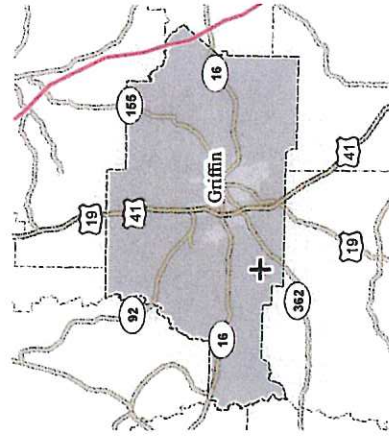
Spalding County | Zoning Map Legend

AAR	ACTIVE ADULT RESIDENTIAL		AAR
AR1	AGRICULTURAL AND RESIDENTIAL		AR1
AR2	RURAL RESERVE		AR2
C1	HIGHWAY COMMERCIAL		C1
C1A	NEIGHBORHOOD COMMERCIAL		C1A
C1B	HEAVY COMMERCIAL		C1B
C1C	LIGHT MANUFACTURING		C1C
C2	MANUFACTURING		C2
C3	USED VEHICLE FACILITIES		C3
OI	OFFICE & INSTITUTIONAL		OI
PDD	PLANNED DEVELOPMENT DISTRICT		PDD
PRRRD	PLANNED RESIDENTIAL & RECREATIONAL		PRRRD
R1	SINGLE-FAMILY RESIDENTIAL		R1
R2	SINGLE-FAMILY RESIDENTIAL		R2
R2A	SINGLE AND TWO-FAMILY RESIDENTIAL		R2A
R3	MULTIPLE-FAMILY RESIDENTIAL		R3
R4	SINGLE-FAMILY RESIDENTIAL		R4
R5	SINGLE-FAMILY RESIDENTIAL		R5
R6	PLANNED RESIDENTIAL COMMUNITY DISTRICT		R6
VN	VILLAGE NODE		VN

Property Owners near Full Blown Firearms



SOURCES: Aerial Imagery from Bing Maps aerial imagery, obtained at various dates.
Spokane County Tax Assessor's Office



Existing Conditions

Full Blown Firearms
Ward, Bradley & Lisa
475 N Rover Rd
20.12 acres
275_01045



Shooting Range,
approximate location

REVIEW
COPY

Aerial Photo

January 19, 2017

	A	B	C	D	E
1		Distance from Full Blown Firearms Range to:			
2	Sams Home	370 feet	501 North Rover Road Williamson, GA 30292		
3	Pritchard Home	390 feet	445 North Rover Road Williamson, GA 30292		
4	Wright Home	628 feet	531 North Rover Road Williamson, GA 30292		
5	Goldstein Home	915 feet	474 North Rover Road Williamson, GA 30292		
6	Thomas Home	1,390 feet	400 North Rover Road Williamson, GA 30292		
7	Ammons Home	1,750 feet	109 Bethel Lane Williamson, GA 30292		
8	Medley Home	2,229 feet	384 North Rover Road Williamson, GA 30292		
9	Warren Home	2,570 feet	110 Canaan Court Williamson, GA 30292		
10	Bryant Home	2,620 feet	282 North Rover Road Williamson, GA 30292		
11					
12					
13					
14					
15					...

Questions to Full Blown Firearms:

1. Who designed the shooting facilities at FBF?
 - a. Brad Ward
 - b. John Joines, NRA Range Development
 - c. Cameron Kerr, Southeastern Resource Management
 - d. Rich Nable, Atlanta PD Range Director
 - e. Randy Pifer, NRA Range Technical Advisor "RTTA"
2. Provide copies of any engineering/construction plans or other development drawings or plans showing the facilities at FBF existing as of February 16, 2015.
 - a. See Exhibit "A-1" – aerial photograph with existing facility as of February 2015 outlined and color coded.
3. Provide copies of any engineering/construction plans or other development drawings or plans showing the facilities at FBF existing as of today.
 - a. See Exhibit "A-1" – aerial photograph with existing facility as of today outlined and color coded.
4. Have FBF's facilities and ranges changed in location on the subject property, been enlarged or reduced in size since February 16, 2015.
 - a. The range remains within the borders of the original boundary fence as licensed in February 2015, see Exhibit "A-1" & Exhibit "A-2"
 - b. The range remains within the borders of the original boundary fence as licensed in February 2015, see Exhibit "A-1" & Exhibit "A-2"
 - c. The range remains within the borders of the original boundary fence as licensed in February 2015, see Exhibit "A-1" & Exhibit "A-2"
5. Provide documentation of FBF's completion of the National Rifle Association ("NRA") "Range Development and Operation Course;" FBF's ownership of the NRA "Sourcebook;" and/or FBF's knowledge of the NRA "Sourcebook" contents and guidelines;
 - a. See Exhibit "B" – photograph of NRA Sourcebook 2012
6. Describe each fire arms training course conducted on the Subject Property by FBF, and state how each course is conducted and (on average) how many people attend.
 - a. This documentation was provided to Chad Jacobs on 3-31-2017.
 - b. Average class size 4 participants.
7. Is group firearms training or practice provided on subject property by FBF?
 - a. Yes
8. If group training is provided or if group practice is permitted, state how many groups, and the number of persons in each training or practice group that use FBF for that purpose and the schedule for their use.
 - a. One group, Crosspointe Christian Academy
 - b. Numbers of participants varies, 2-6

- c. Scheduled practice September through November, one or two practice sessions per week, each practice session last 1 hour.
9. How many full time employees work at FBF?
- a. One not including FBF's owners.
10. How many part time employees work at FBF?
- a. "0"
11. Are Gunsmith Services done at FBF, and if so, by whom?
- a. Yes, Brad Ward, Jeremy Dean, and Dwayne Howard (unpaid volunteer).
12. Does FBF sell retail firearms?
- a. Yes
13. In percentages, how much of FBF's revenues come from
- | | |
|---|-----|
| a. Gunsmith work | 60% |
| b. Arms training and education | 15% |
| c. Lease of facility for shooting events/fundraising, etc... | 0% |
| d. Lease of facility for training or practice | 0% |
| e. Use by Law Enforcement (LAW ENFORCEMENT TRAINS AT NO CHARGE) | 0% |
| f. Retail gun Sales | 10% |
| g. (added category) Other Retail Sales | 15% |
14. State whether FBF conducts or allows skeet shooting and or sporting clays on the subject property.
- a. As approved by the BOC in February 2015 FBF sets up temporary Clay pigeon stations for special events only, no "skeet or sporting clays" is in operation at FBF.
- b. As a community service FBF helped Crosspointe Christian Academy starting in the Fall of 2016. Again with a temporary clay pigeon setup.
15. Provide documentation that shows FBF's compliance with industry, NSSF or NRA, design standards for outdoor shooting ranges, including, but not limited to the following:
- a. Refer to the pictures and Reports from the 3-31-2017 County inspection to fulfill this request.
16. Provide documentation that FBF maintains a \$2,000,000 liability insurance policy?
- a. On file with the county already, provided yearly as requested.
17. Has FBF ever allowed shooting to occur on the subject property after 9:00 pm?
- a. No
18. State how FBF complies with the EPA's "Best Management practices for lead at outdoor shooting ranges" and provide any documentation showing compliance.
- a. See exhibit "C" - Lead abatement plan, also see FBF's SOP's provided on 3-31-2017.
19. Does FBF comply with Brady law related, Bureau of Alcohol, Tobacco, Firearms and Explosives regulations as well as related State law? State How.
- a. Yes, electronic background checks via the FBI, NICS system, and all 4473 documentation pursuant to Federal and State law.
20. Provide any written material that you provided to residents living on North Rover Road or in the general vicinity of FBF to describe the anticipated business of FBF when special exceptions 14-07S was submitted?
- a. See Exhibit "D"

21. Identify each resident living on North Rover Road or in the general vicinity of FBF that you contacted when special exception 14-07S was submitted?
 - a. See Exhibit "E1- E5"
 - b. Exceptions not listed on Exhibits- Bill Bryant and Dr. Goldstein
22. Identify each resident living on North Rover Road or in the general vicinity of FBF that has contacted you since special exception 14-07S was approved to complain about FBF's operation, and state how contact was made, the subject of the complaint, and FBF's response.
 - a. Larry Wright via text, in almost every complaint text there was no specific subject listed as to the actual complaint or detailed issue other than a concern over the possibility of lead being sprayed on his land, cars turning around in his driveway, and the very last complaint he reference the BOC "adequate sound abatement" stipulation. As of each complaint, except for the last, Mr. Wright was invited to sit down and discuss his issues in a civil manner so that we could work together as neighbors, and each time Mr. Wright declined the invitation.
 - b. Clint Sams called via cell phone one time- subject , shotgun spraying shot around him in his deer stand, situation was resolved by FBF immediately with a "cease fire" and moving the one clay pigeon thrower causing the issue, Mr. Sam's sent text he was happy with immediate resolution.
23. For an average week, state how many days shooting occurs on the subject property related to FBF's business and how many hours per day.
 - a. 4 days a week.
 - b. 2.3 hours per day.
24. In an average week, how many people are on the subject property to shoot at FBF?
 - a. 2016 average- 13.8 people per week.
25. Are some days busier for FBF's business than others?
 - a. Yes
26. State how many cars are present on the subject property related to FBF's business on an average day? Same question for a busy day?
 - a. 3 to 5 on an average day
 - b. 12 to 15 on a busy day
27. Provide any written SOP's, range rules, or training syllabi used in the operation of FBF as of January 1, 2017?
 - a. Provided 3-31-2017
28. Does any person/entity other than FBF utilize the subject property for firearms training or practice for profit?
 - a. Yes (one group)
29. What is the relationship between FBF and Aqua-Camp Diving Academy, LLC? Is Brad Ward a member of Aqua-Camp Diving Academy, LLC?
 - a. Aqua-Camp Diving Academy, LLC is the Corporate name of the business.
 - b. Brad Ward is the CEO of Aqua-Camp Diving Academy, LLC
30. Who provided answers to these questions?
 - a. Brad & Lisa Ward

I, Bradley D. Ward, do hereby petition Spalding County to approve and issue a Special Exception business license in the name of Full Blown Firearms for a home based business located at 475 North Rover Road, Williamson Georgia 30292. The main purpose of this business is to consist of Firearms training for Civilians and Law Enforcement personnel in both Safety and Personal Defense disciplines. Proper safety training is important to our community and to each individual that chooses to own a firearm.

If you support this business in our local neighborhood/community, please sign below to indicate your support.

Name	Address (optional)	Signature	Date
Seay Bingham	100 Nape St.	Seay Bingham	11/24/14
BRIAN DUDLEY	127 CANAAN CT	Brian Dudley	11/24/14
Chip Davis	126 BETHEL LANE	Chip Davis	11/24/2014
Wendy Pritchard	445 N. Rover Rd.	Wendy Pritchard	11/24/14
Todd Pritchard	445 N. Rover Rd	Todd Pritchard	11/24/14
J. Shaiss Cain	125 Leach Rd	J. Shaiss Cain	11-25-14
Fulton Mass	1117 Rover Rd	Fulton Mass	12-12-14
LARRY mSmith	1696 ROVER Zetella RD.	Larry m Smith	12-12-14
Kimothy A. Thum	64 Shoal Creek Rd	Kimothy A. Thum	12-13-14
DAVID R STERN	800 West Williamson Rd	David R Stern	12-14-14
Michael O. Jones	266 CLARK Road	Michael O Jones	12-14-14
Jasper Woodroof	4294 GA Hwy 3 Griffin GA 30223	Jasper Woodroof	14 DEC 14
Eric Moyer	132 CANAAN CT. 30292 Williamson, GA	Eric Moyer	14 Dec 14
Nancy A Dean	361 N. Rover Rd	Nancy A Dean	Dec 31-2014
Malina Wright	531 N Rover Rd Williamson GA 30292	Malina Wright	Jan 4 2015
Lacy Wright	531 N. Rover Rd Williamson GA 30292	Lacy Wright	1-4-15
Nathan Buffington	536 N Rover Rd	Nathan Buffington	1-4-15
Mr. McDaniel	502 N. Rover Rd	Mr. McDaniel	1-4-15

EXHIBIT "E1"

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Name	Address (optional)	Signature	Date
COLIN LEE	113 BETHEL LN	Colin Lee	11/26/14
COLIN LEE	113 BETHEL LN	Colin Lee	11/26/14
Christine Lee	113 Bethel Ln	Christine Lee	11/26/14
Henry Ferrier	118 Bethel Ln	Henry Ferrier	12/26/14

EXHIBIT "E2"

I, Bradly D. Ward, do hereby petition Spalding County to approve and issue a Special Exception business license in the name of *Full Blown Firearms* for a home based business located at 475 North Rover Road, Williamson Georgia 30292.

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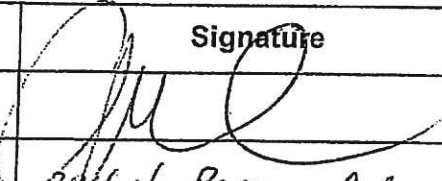
Name	Address (optional)	Signature	Date
RISTINE THOMAS	4608 Revere Road		1/6/2015
ROBBIE MEDLEY	Revere Road	384 N. ROVER Rd.	1/6/15
Cherie Medley	Cherie Medley	384 N ROVER Rd	1/6/15

EXHIBIT "E3"

I, Bradly D. Ward, do hereby petition Spalding County to approve and issue a Special Exception business license in the name of *Full Blown Firearms* for a home based business located at 475 North Rover Road, Williamson Georgia 30292.

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Name	Address (optional)	Signature	Date
<i>Bradley D. Ward</i>	<i>110 Bethel Lane</i>	<i>Bradley D. Ward</i>	<i>11-22-14</i>
L. W. WARD	<i>110 Bethel Lane</i>	<i>L. W. Ward</i>	<i>11-22-14</i>
Tim Whitmore	<i>1151 Bethel Way Williamson GA 30292</i>	<i>Tim Whitmore</i>	<i>11-22-14</i>
Emily Mac	<i>435 N. ROVER Rd.</i>	<i>Emily Mac</i>	<i>11/22/14</i>
Michael M. Pote	<i>108 Lake Chase Dr. SW</i>	<i>Michael M. Pote</i>	<i>11/22/14</i>
Mark McBlair	<i>325 Anderson Rd</i>	<i>Mark McBlair</i>	<i>11/23/14</i>
Dani McBlair	<i>325 Anderson Rd</i>	<i>Dani McBlair</i>	<i>11/23/14</i>
Steven Bailey	<i>1017 Moreland Rd</i>	<i>Steven Bailey</i>	<i>11/23/14</i>
Brandy Bailey	<i>1017 Moreland Rd 30292</i>	<i>Brandy Bailey</i>	<i>11/23/14</i>
James Klemm	<i>119 CANAAN CT.</i>	<i>James Klemm</i>	<i>11-23-14</i>
KRISTY KLEMM	<i>119 CANAAN CT.</i>	<i>Kristy Klemm</i>	<i>11-23-14</i>
Madeline Klemm	<i>119 Canaan Ct.</i>	<i>Madeline Klemm</i>	<i>11-23-14</i>
John C Sams	<i>501 N ROVER Rd</i>	<i>John C Sams</i>	<i>11-23-14</i>
Taryn Sams	<i>501 N ROVER Rd</i>	<i>Taryn Sams</i>	<i>11-23-14</i>
Thomas Dukes	<i>178 Wilder Way</i>	<i>Thomas Dukes</i>	<i>11-23-14</i>
BARBARA McTigue	<i>475 N. ROVER RD</i>	<i>Barbara McTigue</i>	<i>11-24-14</i>
William Bingham	<i>100 Hazzard St</i>	<i>William Bingham</i>	<i>11-24-14</i>

EXHIBIT "E 4"

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Name	Address (optional)	Signature	Date
John Hardigree	1704 Rover Zetella Road	[Signature]	12-19-14
Lacey Davis	1701 Rover Zetella Rd	[Signature]	12-19-14
Charlie Hamm	1700 Rover Zetella	[Signature]	12-19-14
Dwight Kelley	171 H 326 Williamson	[Signature]	12-26-14

EXHIBIT "E5"

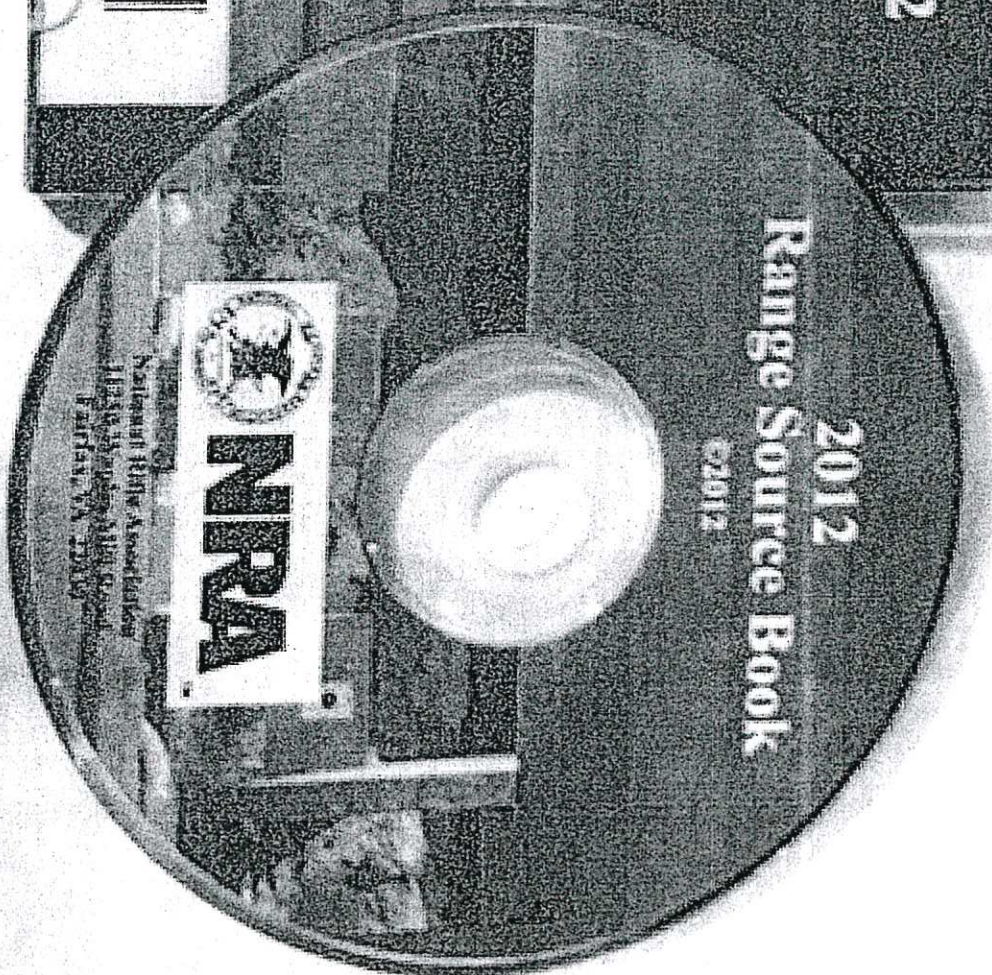
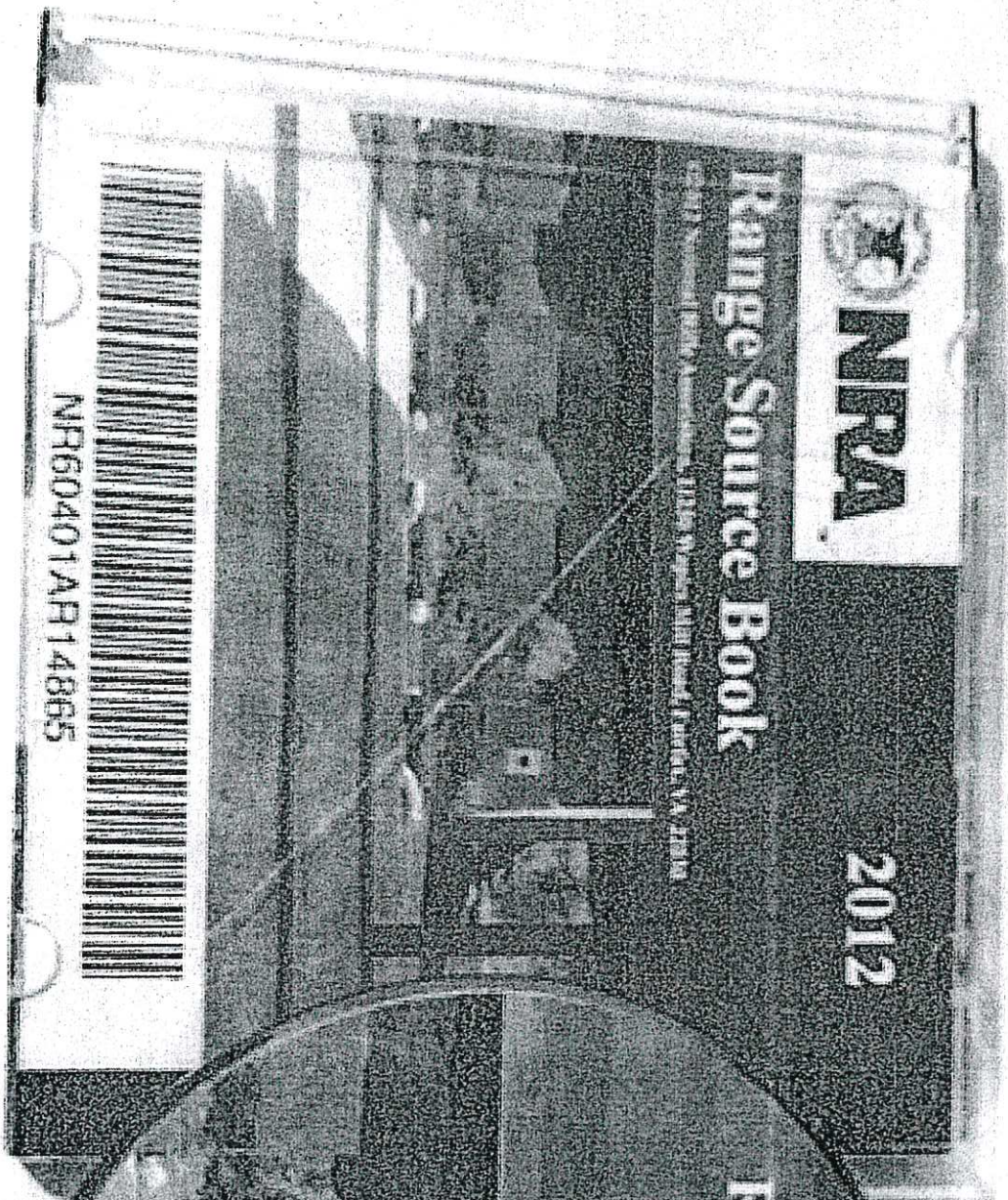


EXHIBIT "B"

Proper safety training is important to our community and to each individual that chooses to own a firearm.

If you support this business in our local neighborhood/community, please sign below to indicate your support.

[illegible]

EXHIBIT "D"