

Agenda

Board of Zoning Appeals of Spalding County

Thursday, August 10, 2017

7:00 PM

One Griffin Center, Solomon Street Entrance, W.
Elmer George Municipal Hall

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 Zoning Appeals. 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 #17-09V:** Nancy W. Wood as Trustee of the William A. Wood, Jr. Trust, Owner - RaceTrac Petroleum, Inc., Agent - East corner at intersection of Zebulon Road (US Hwy 19) and Martin Luther King Jr. Parkway (US Hwy 41) (9.16 acres located in Land Lot(s) 119 & 120 of the 2nd Land District) - requesting a Variance from Sign Ordinance total sign area allowed and freestanding sign requirements.
2. **Application #17-04S:** Terry Dunn, Owner - Alex Scott, Agent - 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) - requesting a Special Exception to allow indoor gun range in the C-1 District.

C. Approval of Minutes:

3. Consider approval of July 13, 2017 minutes.

D. Other Business:

E. Adjournment



SPALDING COUNTY BOARD OF ZONING APPEALS

Application #17-09V

Requesting Agency

Office of Community Development

Requested Action

Application #17-09V: Nancy W. Wood as Trustee of the William A. Wood, Jr. Trust, Owner - RaceTrac Petroleum, Inc., Agent - East corner at intersection of Zebulon Road (US Hwy 19) and Martin Luther King Jr. Parkway (US Hwy 41) (9.16 acres located in Land Lot(s) 119 & 120 of the 2nd Land District) - requesting a Variance from Sign Ordinance total sign area allowed and freestanding sign requirements.

Requirement for Board Action

Article 4. General Procedures - Section 411. Variances.

Is this Item Goal Related?

No

Summary and Background

The applicant is seeking a variance to increase the total aggregate sign area from the allowed 200 square feet per business to 500 square feet. The applicant is asking this in lieu of utilizing space for a billboard on nearby property they own which would allow up to 672 square feet of sign area for advertising of the neighboring business. If approved, the applicant will deed restrict the property to now allow billboards.

The applicant is also requesting two freestanding monument signs instead of only one as allowed per the ordinance as the property is a corner lot and has two access points.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

APPROVAL

ATTACHMENTS:

Description	Upload Date	Type
<input type="checkbox"/> Application #17-09V - RaceTrac	8/2/2017	Backup Material

**SPALDING COUNTY
REQUEST FOR VARIANCE
APPLICATION**

NO. 17-09V

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: RaceTrac Petroleum, Inc.

c/o Andy Welch @ Smith, Welch, Webb & White

Address: PO Box 10, 2200 Keys Ferry Court

City: McDonough

State: GA Zip: 30253

Phone: 678-583-4867

Contact Person: Becky Bius

PROPERTY OWNER INFORMATION

Name: William Wood Trust, Nancy Wood Estate

Address: 416 E. Taylor St.

City: Griffin

State: GA Zip: 30223

Phone: _____

Phone: _____

APPLICANT IS THE:

_____ Owner's Agent

_____ Property Owner

X Developer

Land District(s): 2nd

Land Lot(s): 119/120

Acreage: _____

Address of Property: East corner @ intersection of Zebulon Road (US Hwy. 90) and
Martin Luther King, Jr. Parkway (US Highway 41)

Identify the existing district requirement(s) for which you seek a Variance: _____

Sign Ordinance

State what you propose the district requirement(s) be varied to: _____

1. Increase aggregate sign area from 200 s.f. to 500 s.f. in lieu of billboard. Applicant is willing to execute and record a deed restrictive covenant upon closing stating that there shall not be any billboards located or constructed on the subject property.

2. Allow 2 freestanding monument based signs, 1 at each access point

VARIANCE
PAGE 2

Describe what use is proposed and the reason that a Variance is required: Gasoline service station
with convenience store

OTHER REQUIRED INFORMATION

Please 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.

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

Signature(s):

Andrew J. Welch III
Agent/Developer /BB

Property Owner

07/06/2017

Date

Date

OFFICE USE ONLY

Date Received: 7-6-17

Amount of Fee: \$200⁰⁰

Received By: C. McDaniel

Receipt Number: 716746

**MEMORANDUM OF UNDERSTANDING
CONCERNING VARIANCES**

Section 411: Variances.

- A. A Variance is a permit, issued by the Board of Appeals, which allows use of a parcel of land in a way that varies from requirements from the district in which the property is located. A Variance may be granted *only* in an individual case where a hardship would result if all of the requirements of this Ordinance were applied stringently to a particular piece of property. A hardship means that reasonable use of the land is not possible if all of the requirements of this Ordinance are to be met. The hardship cannot be self-created such as:
1. A lot purchased with knowledge of an existing restriction.
 2. A claim of hardship in terms of prospective sales.
 3. An expressed economic need requiring a Variance, when such a need can be met in other ways, which would not require a Variance.
- B. Relief from the hardship—the Variance—must not cause substantial detriment to the public good or impair the purposes of this Ordinance.
- C. When a Variance is issued, the spirit of this Ordinance must be observed and the public safety and welfare secured. A Variance may be granted *only* for permitted uses in the zoning district in which the property in questions is located. (For example, a two-family dwelling would not be allowed to be placed in an R-1 district under a Variance).

I hereby certify that I have read the above statements and understand fully the basis for the Board of Appeals to grant a variance.

Applicant Signature Andrew J. Welch #1/BB Date 07/06/2017

Witness Stacy Buloney Date 07/06/2017

Application No. 17-09V

OCT 17, 2016

William A. Wood, Jr. Trust, Terri Ann Howle, Trustee
Nancy W. Wood Estate, Terri Ann Howle, Executrix
416 E. Taylor St
Griffin, GA 30223

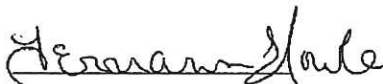
**Re: Development of Property Located at the southeast corner of US 41 & US 19, Griffin, GA
(the "Property")**

Dear Sir/Madam:

The undersigned ("Owner") is the owner of the Property and has entered into a Real Estate Purchase Contract to sell the Property to Del Lago Ventures, Inc. ("Del Lago") By executing this letter, Owner hereby authorizes Del Lago (and its affiliates, including, without limitation, Andalusia Properties, Inc. and Racetrac Petroleum, Inc. (collectively, "Purchaser")) to execute, on behalf of Owner, such applications, documents and requests desired by Purchaser to pursue all necessary permits, variances, and approvals necessary to develop the Property for Purchaser's intended purpose.

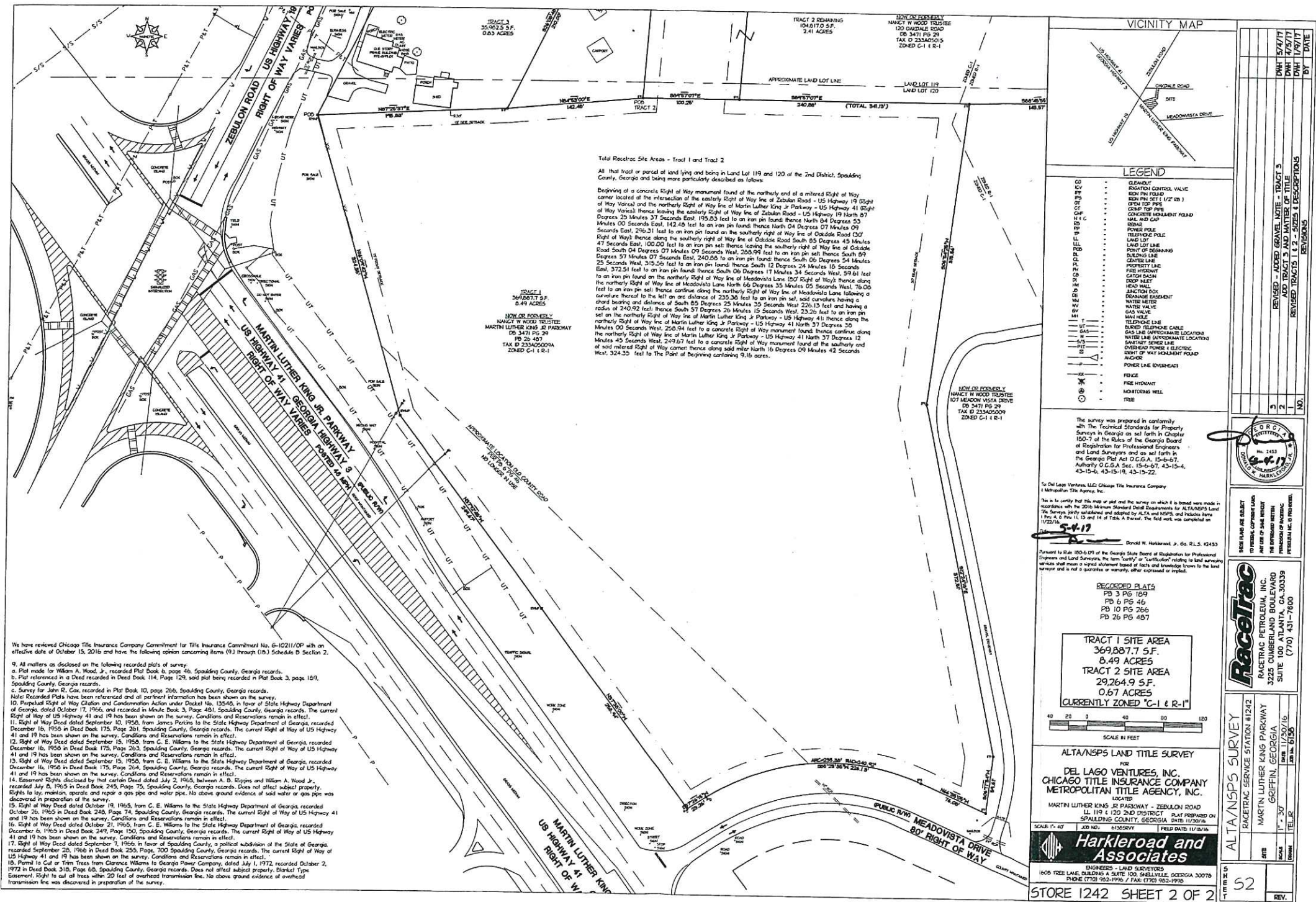
Please do not hesitate to contact the undersigned if you have any questions. Thank you for your assistance in this matter.

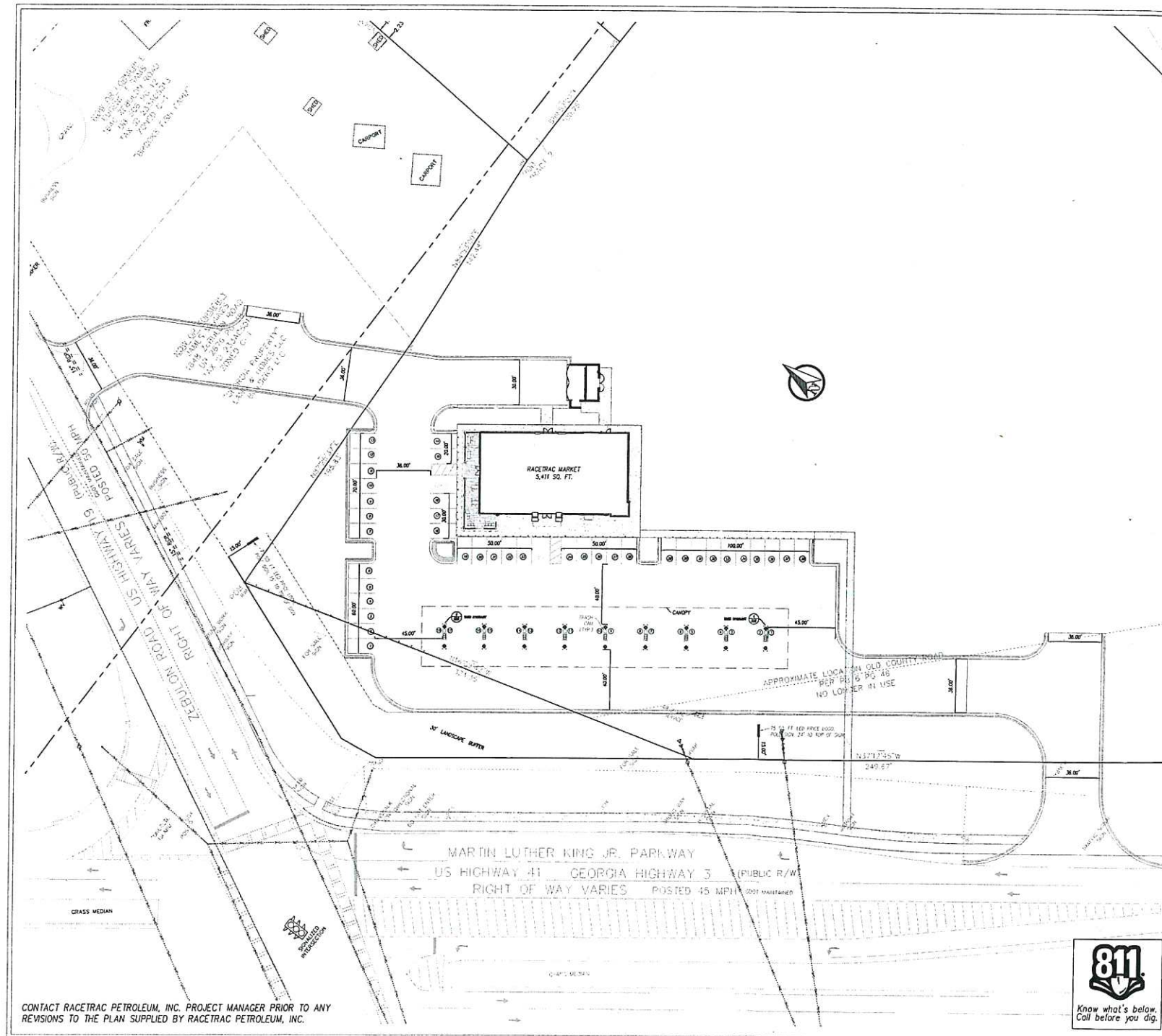
Sincerely,



By: Terriann Howle

Its: Trustee





ESTIMATED COST ANALYSIS	
PROPERTY:	
DEVELOPMENT (ENG/SURVEY):	
STANDARD BUILDING COST:	
STANDARD SITE COST:	
ROW IMPROVEMENT COST:	
TOTAL COST:	

THESE PLANS ARE
SUBJECT TO FEDERAL
COPYRIGHT LAWS: ANY
USE OF SAME WITHOUT
THE EXPRESSED WRITTEN
PERMISSION OF RACETRAC
PETROLEUM, INC. IS
PROHIBITED.

RaceTrac.
RACETRAC PETROLEUM, INC.
3275 CUMBERLAND BOULEVARD SUITE
100 ATLANTA, GA 30319
(770) 431-7600

US 41 0 US 19
Griffin, Georgia
Spalding County

WV-BY	KSL
E	03/30/2017
E	1" = 40'
ING NAME:	
-RT3.5 Y2.dwg	
	2

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.Real Estate Transfer Tax
Paid \$ 0
Date 8-6-10
PT - 61 126-2010-1874
Marcia L. Norris
Clerk of Superior Court, Spalding Co., Ga.

2010 AUG 6 AM 11 35

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

SPACE ABOVE THIS LINE FOR RECORDING INFORMATION

After recording return to:

Mark Schaefer, Esq.
P.O. Box 1566
Richmond Hill, GA 31324

STATE OF GEORGIA)

DEED OF ASSENT

COUNTY OF BRYAN)

THIS INDENTURE, made and entered into this 2ND day of August, 2010, by and between **Nancy W. Wood** of Bryan County, Georgia, as Executor under the Last Will and Testament of **William A. Wood, Jr.**, deceased, Grantor, and **Nancy W. Wood**, as Trustee of the **William A. Wood Jr. Trust**, as Grantee.

WITNESSETH

WHEREAS, William A. Wood, Jr. died a resident of Bryan County, Georgia, on the 14TH day of May, 2009, leaving a will which has been probated in solemn form in the Probate Court of said County by order dated March 8, 2010; and

WHEREAS, under the terms of said will decedent's interest in the property described in Exhibit A attached hereto was devised to Nancy W. Wood as Trustee of the William A. Wood Jr. Trust, a testamentary credit shelter trust; and

WHEREAS, the undersigned has duly qualified as Executor of the estate of the said William A. Wood, Jr. and is now administering the estate under the terms of said will; and it has been determined that all debts and claims against the estate have been fully paid or the Estate has sufficient assets to satisfy in full all debts and claims.

NOW, THEREFORE, the undersigned, as Executor of the will of the said William A. Wood, Jr. hereby assents to the devise of said property under the terms of said will, so that full fee-simple title thereto is vested in the said Nancy W. Wood, as Trustee of the William A. Wood, Jr. Trust, as provided in said will.

nww

IN WITNESS WHEREOF, Grantor has hereunto set her hand and seal the day and year first above written.

Nancy W. Wood (Seal)
Nancy W. Wood
As Executor under the Last Will and
Testament of William A. Wood, Jr.

Signed, sealed and delivered
in the presence of:

Kathleen Schaefer
Unofficial Witness

Mark Schaefer
Notary Public, State of Georgia

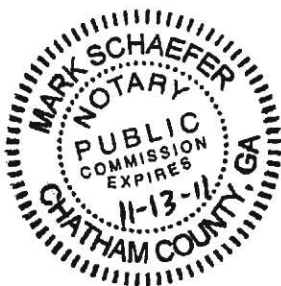


EXHIBIT "A"

Tract 1:

All that tract or parcel of land containing 21.517 acres located in Land Lot 120 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, and being more particularly shown on that plat of survey entitled "Property of William A. Wood, Jr.", dated November 14, 1960, made by Griffin Engineering & Manufacturing Company, a copy of which said plat is recorded in Plat Book 6, page 46, of the Spalding County Superior Court records, and which said plat is hereby expressly incorporated herein and made a part of this description by reference.

Said tract is bounded now or formerly as follows: On the North by lands now or formerly owned by J. O. Pitts; on the East by other lands of C. E. Williams; on the South by a county road; and on the West by lands of James Perkins.

Tract 2:

All that tract or parcel of land situate, lying and being in Land Lot 120 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, containing 0.91 acres and being bounded as follows: Northeasterly by property of William A. Wood, Jr.; Southerly by Meadovista Lane; and Westerly by the four-lane Barnesville By-Pass, U.S. Hwy 341.

The above described property is that portion of the C. E. Williams property lying North of Meadovista Lane and between the abandoned right of way of County Line Road and the Barnesville By-Pass.

Tract 3:

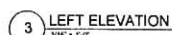
All that tract or parcel of land situate, lying and being in Land Lot 119 of the 2nd Land District of originally Monroe, now Spalding County, Georgia, and more particularly described as 3.07 acres as shown on that plat of survey entitled "Property Survey for John R. Cox" dated December 9, 1974, by Kenneth E. Presley Associates, Inc. and recorded in Plat Book 10, page 266, Spalding County, Georgia records, and which said plat is incorporated herein and made a part of this description by reference.

The above-described property is bounded now or formerly as follows: On the North by Oakdale Drive; on the East by A. B. Riggins; on the South by property of William A. Wood, Jr.; and on the West by property of Mrs. W. W. Lawler.

Located on the above-described property is a dwelling known and designated as 120 Oakdale Drive, according to the present system of numbering houses in Spalding County, Georgia.

THIS DEED WAS FILED FOR RECORD IN THE CLERK'S OFFICE OF SPALDING COUNTY, GEORGIA, ON 11/10/2010 AT 11:00 AM.

new

[illegible]

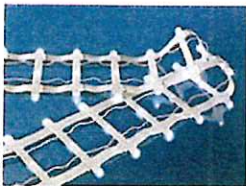


FUEL CANOPY MATERIAL LEGEND			
ID	MANUF.	MATERIAL	COMMENTS
BRICK			
BS-1	BORAL	BLARE DO BRICK	MORTAR CANO TIGHT BULF
BS-2	FASCIA		
BS-3	REF D		P BLUE STRIPE
BS-4			REF TO SPECIFICATION
BS-5			CHART ON BS-11 100
BS-6			R WHITE STRIPE
BS-7			
BS-8			
BS-9	SHERWIN WILLIAMS	EXTENSION PAINT TO MATCH DARK BRONZE	
BS-10			
BS-11	BORAL	ASPHEN GROUTLY RED DECORATIVE	INLET STRUCK APPLICATION
BS-12			MORTAR CANO TIGHT BULF
BS-13	BORAL	TUSCAN UNVEL CHAMPAGNE	MORTAR CANO TIGHT BULF
BS-14			
BS-15			
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BS-100			

C100
NOT FOR CONSTRUCTION

File 158

QUANTITY 1



Sloan Sign Box II
LED Interior Illumination

- Logo panel: Aluminum panel painted Bronze C3 with parallelogram mounted to the surface. Parallelogram to be channel letter-type construction with .177" thick Polycarbonate face panels with 2nd surface applied translucent vinyl graphics. Parallelogram copy to be digital print provided by Miratec Systems with red background stripes and white border with blue area of logo graphic also printed. Cabinet and trim cap to be painted Red C1.
- Regular Unleaded Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied opaque vinyl Black C6; "Regular" to be show-through white.
- Diesel Product Panel: Solar Grade Polycarbonate; Background to be 1st surface applied translucent vinyl Green C7; "Diesel" to be show-through white.
- UNL E15 Product Panel: Solar Grade Polycarbonate; background to be 1st surface applied translucent vinyl Orange C9; "UNL E15" to be show-through white.

External steel sign support to meet building and local sign codes. Size of steel and footing as required per site requirements.



See Color Schedule on Page 2

GENERAL NOTE: ALL WORK SHALL BE IN COMPLIANCE WITH RECOGNIZED INDUSTRY STANDARDS, MANUFACTURER'S RECOMMENDATIONS AND ALL APPLICABLE STATE AND LOCAL CODES. NO SUBSTITUTIONS ALLOWED.

SPALDING COUNTY BOARD OF APPEALS

DATE: August 10, 2017

TO: Spalding County Board of Appeals

FROM: Department of Community Development

RE: **Variance Application 17-09V**

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

Identification of the Property:

Size and location:

The property is located at the east corner of Zebulon Road and U.S. Highway 41. The property is 9.16 acres, more or less, located in Land Lots 119/120 of the 2nd Land District.

Current Owner:

William Wood Trust Nancy Wood Estate
416 E. Taylor Street
Griffin, GA 30223

Agent/Developer

RaceTrac Petroleum, Inc.
c/o Andy Welch@Smith, Wlech, Webb & White
P.O. Box 10, 2200 Keys Ferry Court
McDonough, Georgia 30253

Development:

The applicant is seeking a variance to increase the total aggregate sign area from the allowed 200 square feet per business to 500 square feet. The applicant is asking this in lieu of utilizing space for a billboard on nearby property they own which would allow up to 672 square feet of sign area for advertising of the neighboring business. If approved the applicant will deed restrict the property to not allow billboards.

The applicant is also requesting two freestanding monument signs instead of only one as allowed per the ordinance as the property is a corner lot and has two access points.

Compliance with Zoning Ordinance Development Standards:

The applicant is requesting to vary from the following section(s):

Appendix E – Sign Ordinance Article Nine: Sign Table Total sign area shall not exceed 200 square feet of signage per establishment and only one (1) freestanding sign shall be allowed per lot.

Considerations of a Variance Request:

Section 411 of the UDO lists the following considerations for the granting of a rezoning application:

1. The hardship cannot be self-created such as:
 - A. A lot purchased with knowledge of an existing restriction.
There is no indication that this property was purchased with knowledge of an existing restriction.
 - B. A claim of hardship in terms of prospective sales.
There is no evidence for a claim in hardship of prospective sales.
 - C. An expressed economic need requiring a Variance, when such a need can be met in other ways, which would not require a Variance.
No expressed economic need was identified by the applicant.
2. The Board of Appeals shall, in granting a variance, determine that:
 - A. There are extraordinary and exceptional conditions pertaining to the particular parcel because of its size, shape, location and topography.
 - B. Application of this Ordinance to the particular parcel would create a practical difficulty or unnecessary hardship on the property owner.
 - C. Such conditions are peculiar and unique to the particular parcel.

- D. The variance, if granted, would not cause substantial detriment to the public good or impair the purpose and intent of this Ordinance.
- E. A literal interpretation of this Ordinance would deprive the Applicant of any rights that others owning property within the same zoning classification are allowed.
- F. The variance, if granted, shall not go beyond the minimum necessary to afford relief and does not constitute a grant of special privilege inconsistent with the limitations upon other properties within the same zoning classification.
- G. The variance may be granted with such conditions imposed as may be necessary to protect the health, safety, welfare and general value of the property in the general neighborhood.
- H. Granting the variance shall not be based on consideration of any existing nonconforming uses on nearby parcels and no permitted use of any parcel in any other zoning classification.

Staff Recommendations:

Staff recommends **Approval** of all the requested Sections except for Appendix E (Signage) this application for the following reasons:

1. Granting this variance would not cause substantial detriment to the public good nor would impair the purpose and intent of this Ordinance.
2. Conditions are peculiar and unique to the particular parcel.

Photos:



View of the property from corner of Zebulon Road and Highway 41.



SPALDING COUNTY BOARD OF ZONING APPEALS

Application #17-04S

Requesting Agency

Office of Community Development

Requested Action

Application #17-04S: Terry Dunn, Owner - Alex Scott, Agent - 3616 Fayetteville Road (19.5 acres located in Land Lot 6 of the 3rd Land District) - requesting a Special Exception to allow indoor gun range in the C-1 District.

Requirement for Board Action

Article 4. General Procedures - Section 413. Special Exceptions.

Is this Item Goal Related?

No

Summary and Background

The applicant is requesting a special exception approval from Spalding County to allow the development of the property as an indoor shooting range utilizing an existing 6,000 square foot building which will serve as a support area and training area. A second 6,000 square foot building is proposed to be constructed on the property which will house the indoor range. Per the application, the indoor range will be constructed pursuant to the NRA range source book guidelines. The applicant indicates the range will not be a public facility and for training purposes only.

It must be noted the applicant did provide the following statement within the documentation provided, "Our company reserves the right to change or alter any range facilities (sic) in the interest of safety as it sees fit as long as the changes comply with county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code."

The applicant has made application to both amend the Future Land Use Map to commercial and rezone the property to C-1, Highway Commercial.

Fiscal Impact / Funding Source

STAFF RECOMMENDATION

DENIAL

ATTACHMENTS:

Description

Upload Date

Type

Last

SPALDING COUNTY
REQUEST FOR SPECIAL EXCEPTION
APPLICATION

NO. 17-045

AGENT/DEVELOPER INFORMATION

(If not owner)

Name: Alex Scott

Address: 109 Cedar Point

City: Peachtree City

State: CA Zip: 30269

Phone: 678-274-8030

Contact Person: Alex Scott

PROPERTY OWNER INFORMATION

Name: Terry Dunn

Address: 208 Sylvan Lane
3616 Fayetteville Rd

City: GRIFFIN

State: CA Zip: 30223 30224

Phone: (770) 584-0371

Phone: _____

APPLICANT IS THE:

____ Owner's Agent

____ Property Owner

/ Developer

Present Zoning District(s): AR-1, R-2, C-1

Land District(s): 3rd Land Lot(s): 6 Acreage: 19.99 19.5

Address of Property: 3616 Fayetteville Rd Griffin, CA

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:

I wish to build an Indoor gun Range
and Training center. This special exception is
available Text Amendment # A-17-01, an amendment
to the Zoning Ordinance of Spalding County.

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


Property Owner

4/24/17
Date

4/24/17
Date

OFFICE USE ONLY

Date Received: 4-25-17

Amount of Fee: \$300⁰⁰

Received By: C. Smith

Receipt Number: 15019A

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: The Special Exception

For An Indoor Gun Range will not be detrimental to the neighborhood

(B) Whether granting a Special Exception would adversely affect the health or safety of residents or workers: The Special Exception will not have
a negative health or safety effect

(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 it will not.

(D) Whether granting a Special Exception would adversely affect existing uses: There
are currently no existing uses of the property

(E) Whether the subject property is sufficient in size to satisfy the space requirements for the use: The subject property is sufficient. An
additional building will need to be built.

(F) Whether granting a Special Exception will meet the requirements of the Spalding County Ordinance: Granting the Special Exception will meet
the new Spalding Co ordinance for an Indoor Gun Range

OFFICE USE ONLY

Date Received: 4-25-17

Received By: C. Goul

SPECIAL EXCEPTION
PAGE 4

**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.

TERRY DUNN

Print Name of Owner(s)

Alex Scott

Print Name of Agent, If Not Same as Owner

Terry Dunn 4/21/17

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

Alex Scott

Signature of Agent

Title of Authorized Officer or Agent (if applicable)

Claire E Petree

Signature of Notary Public



---Notary Seal---

4-21-17

Date

OFFICE USE ONLY

Date Received: _____

Received By: _____

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.

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.

Index

Section 1 - Project Overview

Section 2 - Site Plan

- Site Plan legend
- Site plan map

Section 3 - Attachments

- Spalding County Plat
- Vicinity / Zoning map
- Topography map
- Flood plain map

Section 4 - Property Deed

Project Overview

Our company will operate a firearms training facility that will focus on firearm safety and personal protection skills. Our primary focus will be private citizens that have an interest on improving these skills. As a component to the business, we will also be offering the facility to be utilized by local law enforcement as an additional training facility to meet their growing training needs.

The business will operate under the guidelines set forth by the National Rifle Association (NRA) and the Georgia Police Officers Standards and Training Council (POST). The NRA is a national organization that establishes the "best practices" and what is considered the gold standard on civilian firearms safety, range safety and range design. We will utilize the NRA's Range Source Book, a technical source book for shooting range builders and operators, when designing this facility (Figure 1). Georgia POST is the agency that trains and certifies peace officers in Georgia. POST's Certified Firearms Instructor Program requires certified peace officers to demonstrate advanced firearm skills as well as attend a multi-week training class focusing on weapons safety, range safety, range operations and instruction skills. In the class each instructor must successfully demonstrate their ability to safely run a range.

Our business will be owned by current and retired POST certified police officers. The instructors are POST certified general instructors as well as firearms instructors. Collectively, the owners of our business have over 80 years firearms experience and have trained thousands of students. Some of the owners have operated as the Firearms Program Coordinators for their respective state and county agencies. One of the respective owners has also designed and implemented firearms training programs in multiple countries to include Afghanistan and Guatemala. The owners have the ability and knowledge to exceed POST and NRA's stringent safety standards.

Unlike many ranges in the surrounding area, our business is not a range open to the public or a gun club and you cannot rent a lane or range time. The training facility will only be open when a class is scheduled. Class scheduling will be done via our website and limited to approximately 15 students. Our business will not operate as a storefront business nor will we maintain regular business hours. All of our training will be conducted during daylight hours as defined by the NRA from 7am to 7pm. These classes may be scheduled Monday thru Sunday and the frequency of these classes will be dictated by the need and market demand. No one will be allowed at the facility unless they are a registered student or government agency with staff present.

In the classes offered, live fire or firearms usage is a very small part of the class. The majority of the class will consist of classroom instruction. The classroom instruction will focus on firearms safety, legal responsibility and mechanics of the skills to be learned (Figure 2). Students will also utilize Simunitions or Airsoft weapons to further enhance skills. The Simunitions is a reduced-energy, non-lethal cartridge that leaves a detergent based marking compound (Figure 3). Airsoft is a CO2 powered system that fires a small plastic ball (Figure 4). Both systems allow students to safely participate in skill enhancement exercises without endangering other students, staff or themselves. All training, to include live fire exercises, will be conducted indoors at the facilities' indoor main building or indoor live fire range building (Figures 5 & 6)

The training facility will be located on the "Math Fields" property located at 3616 Fayetteville Rd. in Spalding County, Georgia. The property is approximately 20 acres of primarily cleared land. It is accessed by a deeded driveway easement from Fayetteville Rd. The property currently consist of three buildings: a main building, a shop building and a mobile home.

The actual training facility will consist of the main building and a proposed range building. The shop building will continue to be a shop. The mobile home is currently rented and will not be part of the training facility.

The main building, approximately 6000 sq ft, will consist of two parts: the support area and a training area. The support area will consist of classrooms, two restrooms, break area, storage rooms, office area and additional support or utility rooms. This portion of the facility will be located in the present building currently acting as an event center. This area will be climate controlled and be equipped for student and staff safety and comfort.

The training area of the main building will be located in the center of the structure. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate

controlled. This area will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3.

The proposed Range building will be 120 feet in length and 50 feet wide. The roof will be peaked at 12 feet high. It will be constructed of a steel frame and be metal sided, approximately 6000 sq ft in size. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate controlled but will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3. This building will match the existing buildings in construction and appearance. This proposed building will be landscaped to match the current appearance of the property.

All facilities in which training will be conducted will contain NRA sound abatement measures. The purpose of these measures is to restrict and reduce decibel levels both inside and outside of the facility.

Ballistic containment also known as a bullet trap is a significant issue in an indoor range. One must consider the environmental impact, operational, and safety requirements of the firing range. Lead management, noise abatement and shooter safety are the primary concerns. Lead dust is created when a projectile strikes a solid surface and fragments. This lead dust then can build up inside of the range area creating a hazard. There are two ways to eliminate this hazard.

First, our business will utilize a rubber bullet trap (Figure 7). This trap safely stops and captures projectiles intact with virtually no lead dust or bullet fragmentation. The rubber bullet trap is an environmentally-friendly bullet containment system that utilizes a thick layer of granulated recycled rubber. When a bullet strikes the trap, the rubber material absorbs the energy and decelerates and captures it in the rubber media. This process creates no lead dust and eliminates the noise that is generated from bullets impacting a steel bullet trap. This is beneficial in lowering the noise level in the range and reducing airborne lead contaminants. When the trap is full, the lead is removed and recycled. This combined with the range being constructed in accordance with the NRA Range Source Book section 3.03 will create ballistic safe environment (Figure 8).

Secondly, this range will utilize a Total Air Exhaust ventilation system in accordance with the NRA Range Source Book section 3.11.3. This system will pull in fresh air into the range building at one end, move across the building and exhaust it out the other end. This air current will move any residual lead out of the building. Prior to the air being exhausted from the building it will be filtered to comply with NRA Range Source Book section 4.01 and OSHA 29 CFR1910.1025.

Our company reserves the right to change or alter any range facilities if the interest of safety as it sees fit as long as the changes comply with county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code.

Figure 1

NRA Range Book

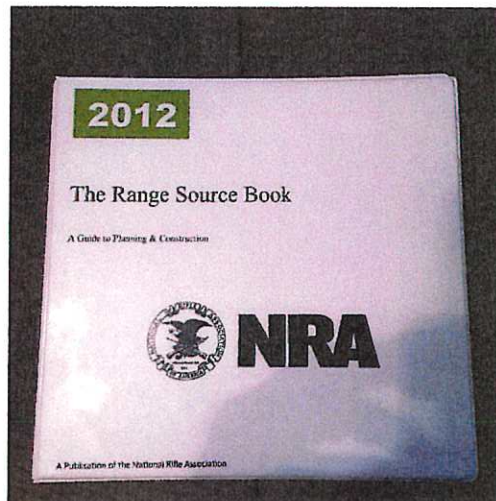


Figure 2

Classroom instruction



Figure 3

Simunition and marking rounds

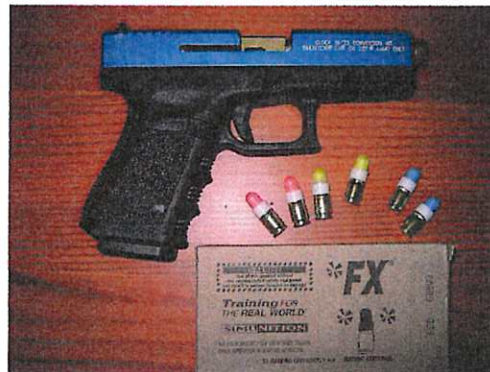


Figure 4

Airsoft pistol and projectiles



Figure 5

Live fire on an indoor range

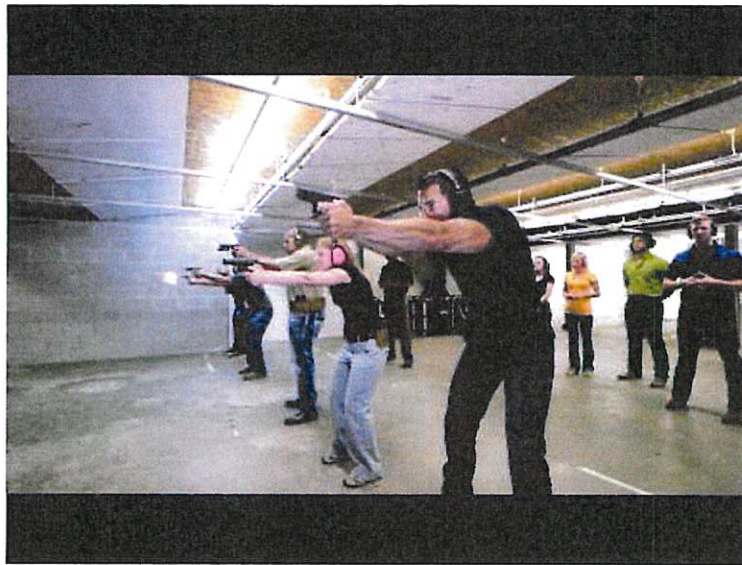


Figure 6

Instruction on an indoor range



Figure 7

Rubber bullet trap



Figure 8

Indoor range



SITE PLAN

LEGEND

B -

The proposed Range building will be 120 feet in length and 50 feet wide. The roof will be peaked at 12 feet high. It will be constructed of a steel frame and be metal sided, approximately 6000 sq ft in size. It will be constructed in accordance with the NRA Range Source Book section 3.03. This area will not be climate controlled but will be ventilated by a Total Air Exhaust System in accordance with the NRA Range Source Book section 3.11.3. This building will match the existing buildings in construction and appearance. This proposed building will be landscaped to match the current appearance of the property. The proposed building will contain NRA sound abatement measures. The purpose of these measures is to restrict and reduce decibel levels both inside and outside of the facility.

P -

Asphalt paved and marked parking lot that will accommodate approximately 50 vehicles for off street parking. The lot is ADA compliant.



Indicates the direction of traffic flow.

ATTACHMENTS

A1 -

Spalding County Plat. Defines lot line and dimensions and utility easements.

A2 -

Vicinity map that shows present zoning classifications for all adjacent properties.

A3 -

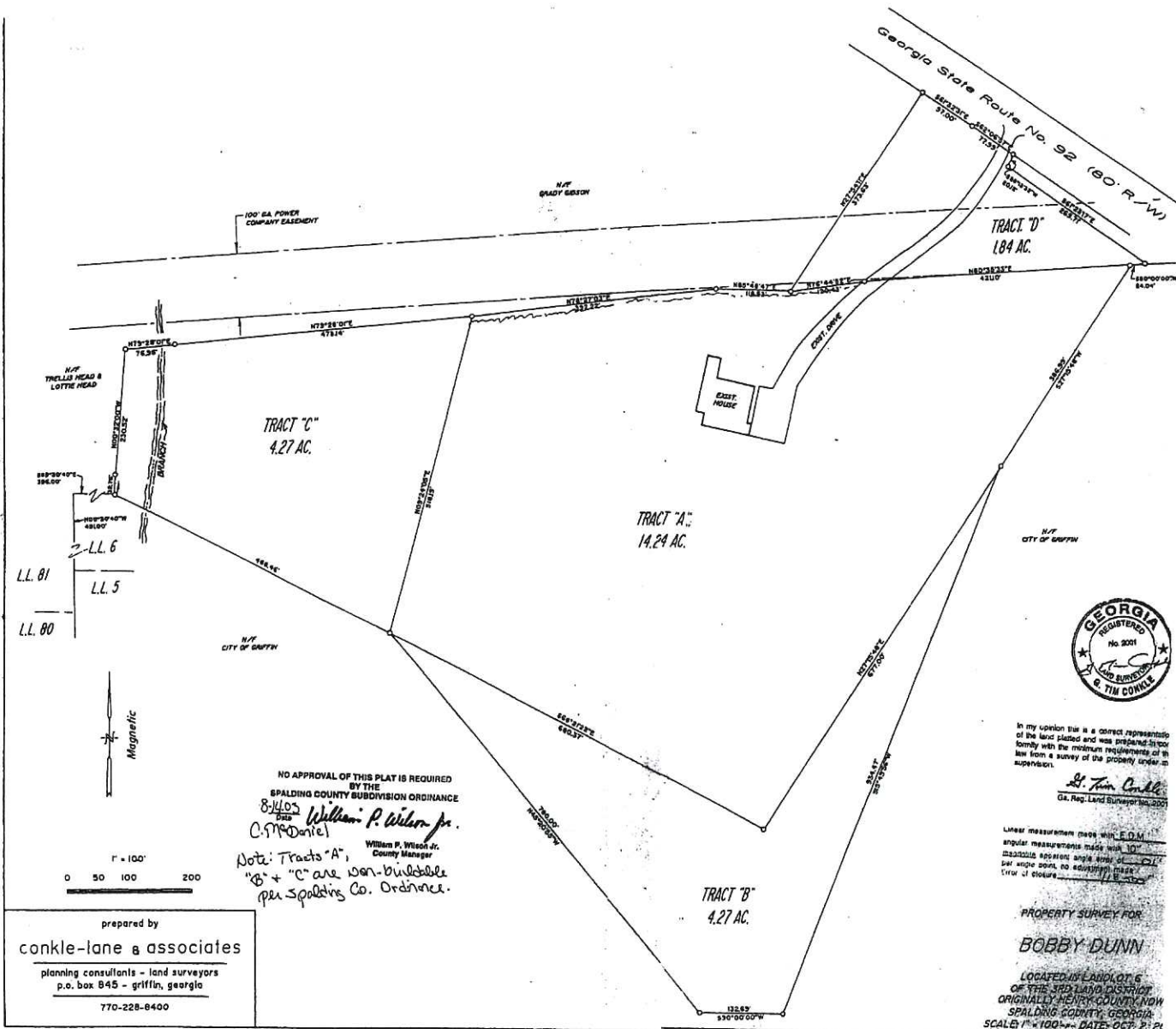
Topography map with 20 foot intervals (USGS Quad Sheet).

A4 -

100 year flood plain map.

TIER1





prepared by
conkle-lane & associates
 planning consultants - land surveyors
 p.o. box 845 - griffin, georgia
 770-228-8400

NO APPROVAL OF THIS PLAT IS REQUIRED
 BY THE
 SPALDING COUNTY SUBDIVISION ORDINANCE
 8/14/03
William P. Wilson Jr.
 County Manager
 C. McDaniel
 Note: Tracts "A",
 "B" & "C" are non-buildable
 per Spalding Co. Ordinance.



In my opinion this is a correct representation
 of the land plotted and was prepared in
 conformity with the minimum requirements of the
 law from a survey of the property under my
 supervision.
Bobby Dunn
 Ga. Reg. Land Surveyor No. 2001

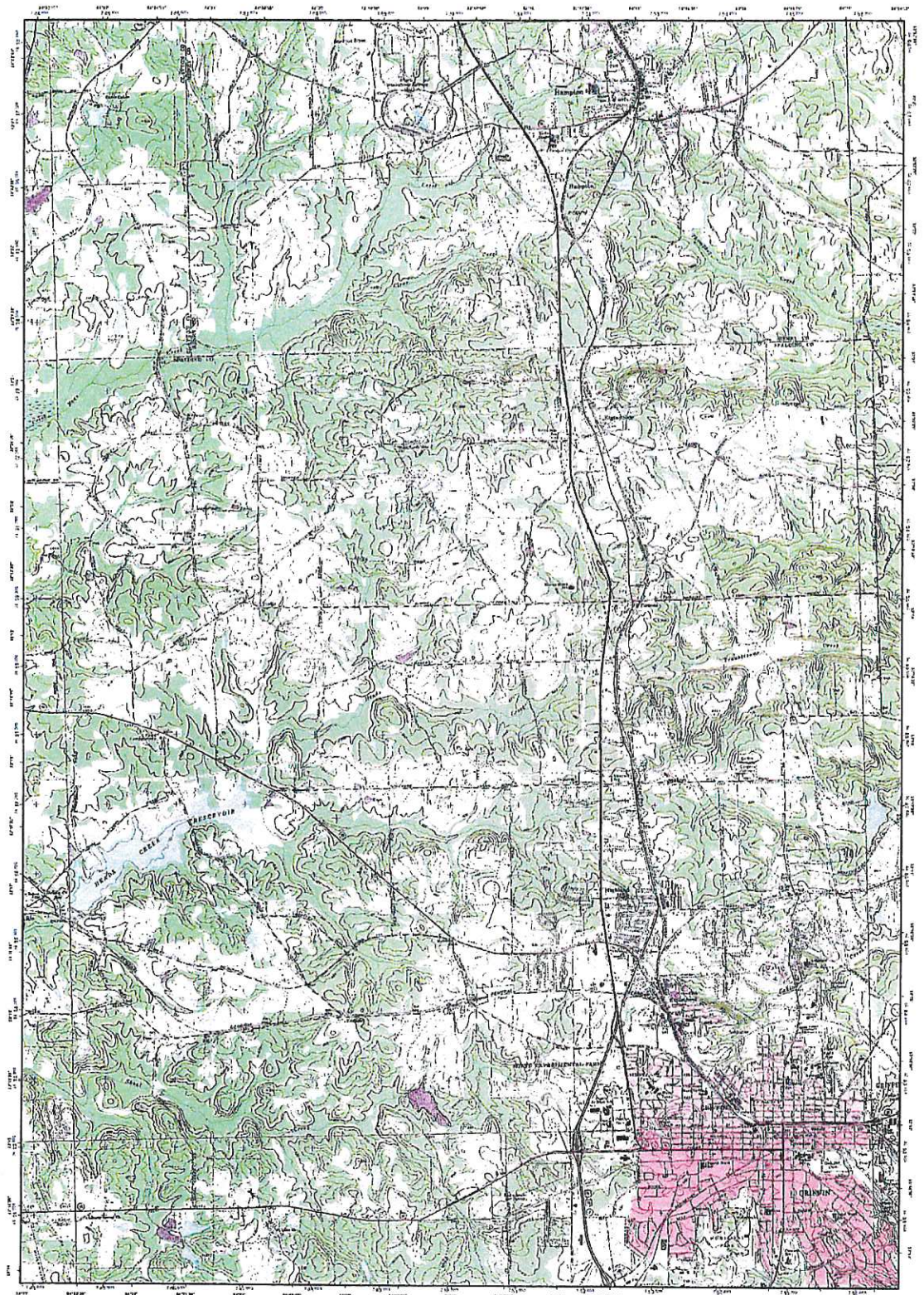
Linear measurement made with EDM
 angular measurements made with 10"
 bubble level and single angle of 10"
 per angle point, no adjustment made
 Error of closure 1/16 inch

PROPERTY SURVEY FOR
BOBBY DUNN

LOCATED IN LOT 6
 OF THE 3RD LAND DISTRICT
 ORIGINALLY HENRY COUNTY NOW
 SPALDING COUNTY, GEORGIA
 SCALE 1" = 100' DATE OCT. 2, 2001

A2





Griffin North
 033084c3

mytopo
 A TRIMBLE COMPANY
 www.mytopo.com

Locality Map



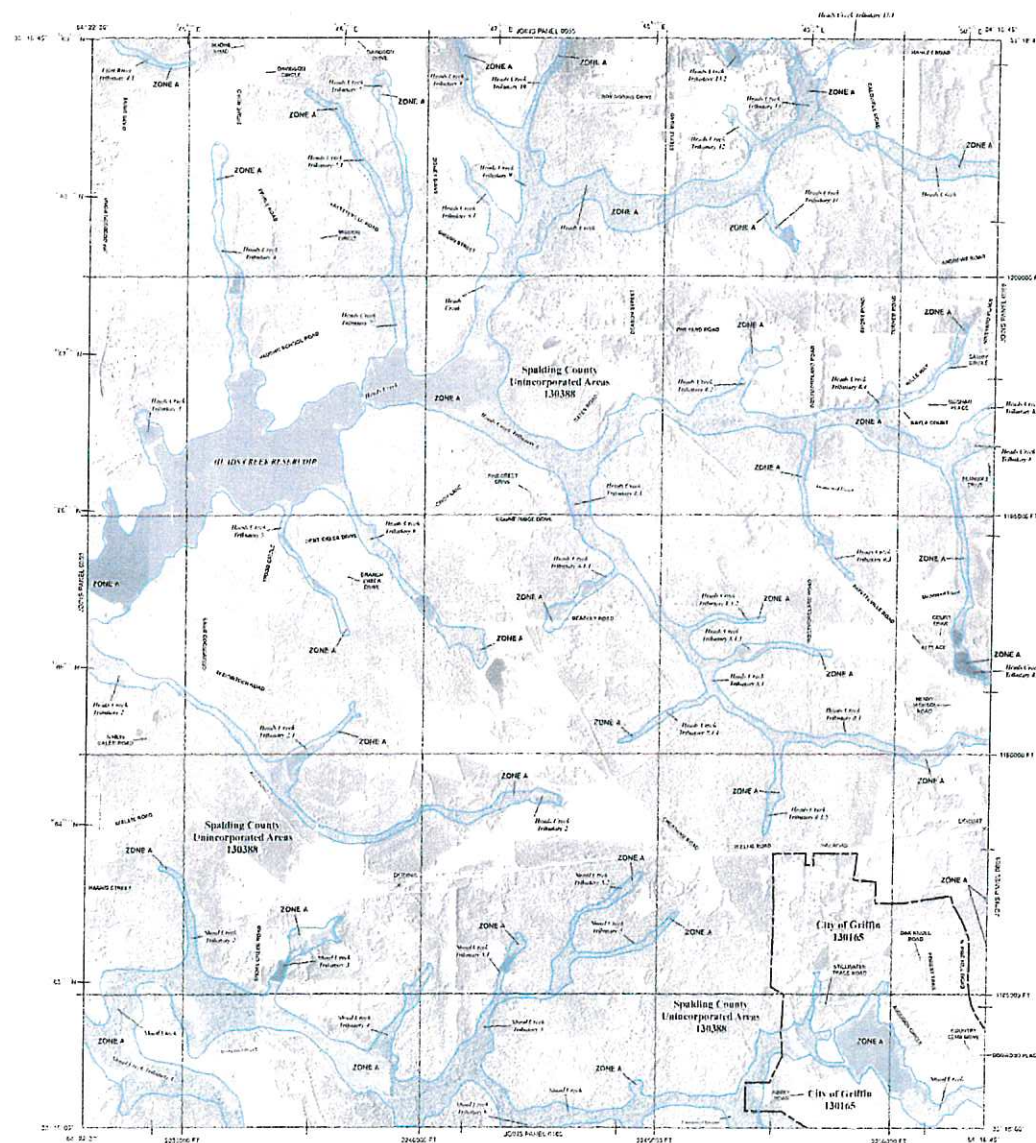
Index Map

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033084c6	1:25,000	100 sq. miles
033084c7	1:25,000	100 sq. miles
033084c8	1:25,000	100 sq. miles
033084c9	1:25,000	100 sq. miles
033084d0	1:25,000	100 sq. miles
033084d1	1:25,000	100 sq. miles
033084d2	1:25,000	100 sq. miles
033084d3	1:25,000	100 sq. miles
033084d4	1:25,000	100 sq. miles
033084d5	1:25,000	100 sq. miles
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033084f8	1:25,000	100 sq. miles
033084f9	1:25,000	100 sq. miles
03308500	1:25,000	100 sq. miles



Source of Information: Topographic Map (1:25,000) of Griffin North, Georgia, published by the U.S. Geological Survey, 1984. Data from 1984. All rights reserved. No part of this publication may be reproduced without permission in writing from the U.S. Geological Survey.

A3

[illegible][illegible]

NFIP

PANEL 065D

FIRM

FLOOD INSURANCE MAP
SPALDING COUNTY,
GEORGIA
AND INCORPORATED AREAS

PANEL 65 OF 250

SEE MAP 45C FOR FIRM PANEL LOCATIONS

FOOTING

CONTRACT NO. 1235SC065D

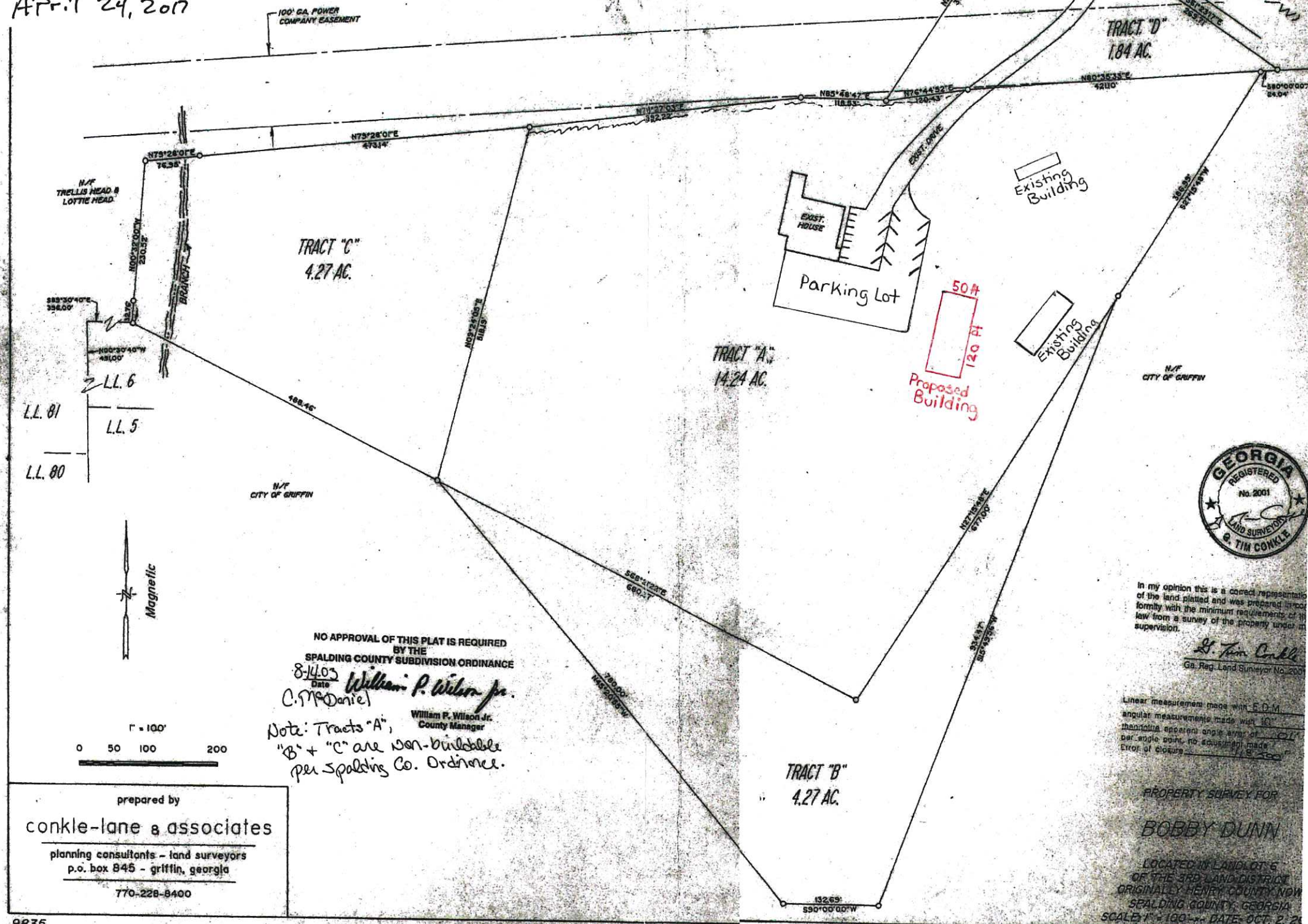
DATE MAY 3, 2010

United Emergency Management Agency

TIER 1

Drawn to Scale

April 24, 2007



In my opinion this is a correct representation of the land plotted and was prepared in conformity with the minimum requirements of the law from a survey of the property under my supervision.

R. Tim Conkle
Ga. Reg. Land Surveyor No. 2001

Linear measurements made with EDM
angular measurements made with 10"
maintaining apparent angle error of 10"
per angle point, no chaining made
Error of closing 1/8" 300'

PROPERTY SURVEY FOR
BOBBY DUNN

LOCATED IN LAND LOT 5
OF THE 3RD LAND DISTRICT
ORIGINALLY HENRY COUNTY NOW
SPALDING COUNTY, GEORGIA
SCALE 1" = 100' DATE OCT 2, 2006

NO APPROVAL OF THIS PLAT IS REQUIRED
BY THE
SPALDING COUNTY SUBDIVISION ORDINANCE
Date 8-14-03
William P. Wilson Jr.
C. McDonald
William P. Wilson Jr.
County Manager

Note: Tracts "A",
"B" + "C" are non-buildable
per Spalding Co. Ordinance.

prepared by
conkle-lane & associates
planning consultants - land surveyors
p.o. box 845 - griffin, georgia
770-228-8400

BOOK 4070 PAGE 158

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA

2016 JUL -5 P 12:40

BY Marcia L. Norris
MARCIA L. NORRIS, CLERKAfter Recording Return To:
Beck, Owen & Murray
100 South Hill St.
Suite 600
Griffin, GA 30223Paid \$ 0
Date 7-5-16
PT - 61 126- 2016-1673
Marcia L. Norris
Clerk of Superior Court, Spalding Co., Ga.STATE OF GEORGIA
COUNTY OF SPALDING

NTC

QUITCLAIM DEED

THIS INDENTURE, made this 29 day of June, in the Year Two Thousand and Sixteen between ROBERT L. DUNN AND BETTY JEAN DUNN as sole shareholders of Math Fields, Inc. a voluntarily dissolved Georgia Corporation ("Grantor"); and TERRY DUNN ("Grantee"). The terms Grantor and Grantee shall include their respective heirs, successors, executors, administrators, legal representatives, and assigns where the context requires or permits.

WITNESSETH:

Grantor in consideration of the sum of One Dollar and other valuable consideration, the receipt and sufficiency whereof are hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and does hereby grant, bargain, sell, alien, convey and by these presents does hereby remise, convey and forever Quitclaim unto Grantee, his heirs and assigns, the following described property, to-wit:

TRACT 1:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of originally Henry, now Spalding County, Georgia, and shown and designated as Tract "B", containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of Spalding County, Georgia, which said plat, together with the metes, bounds, courses and distances as shown thereon, is incorporated herein and made a part of this description.

TRACT 2:

All that tract or parcel of land, as improved, specifically described in Book 697, Page 156, and more particularly described as:

All that tract or parcel of land containing 19.5 Acres, more or less, situate, lying and being in Land Lot 6 of the Third District of originally Henry, now Spalding County, Georgia, and bounded as follows: Northerly by property now or formerly of Gibson, known as Block E of Doreen Estates, and by a Georgia Power Company easement; Southeasterly and Southwesterly by property of City of Griffin, and West by property now or formerly of James L. and Gerry Smallwood.

The above described property is the remaining portion of that 85 acre tract owned by M. M. Dunn, less the 65.9 acres more or less conveyed to the City of Griffin for the City of Griffin Reservoir.

TO HAVE AND TO HOLD the said above granted and described property, so that neither the grantor nor any person or persons claiming under grantor shall at any time, by any means or ways, have, claim or demand any right or title to said premises or appurtenances, or any rights thereof.

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

Signed, sealed and delivered
In the presence of:

[Signature]
Unofficial Witness

[Signature]
Notary Public

My Commission Expires: 8-8-16



Betty Scarborough Dunn, AIF
ROBERT L. DUNN, BY BETTY
SCARBOROUGH DUNN AKA BETTY
JEAN DUNN, HIS ATTORNEY IN FACT

Betty Jean Dunn
BETTY JEAN DUNN

Real Estate Transfer Tax
Paid \$ 5
Date 8-14-03

Myrtle F. Peoples
Clerk of Superior Court, Spalding Co., Ga.
(Warranty Deed)

MULLINS, WHALEN & WESTBURY
P. O. Box 133
GRIFFIN, GEORGIA 30224

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.

03 AUG 14 AM 9 01
BY *R*
MYRTLE F. PEOPLES, CLERK

STATE OF GEORGIA SPALDING COUNTY

THIS INDENTURE, made the _____ day of _____, in the year of our Lord, Two
Thousand Three, between

CITY OF GRIFFIN
of the County of Spalding, and State of Georgia, of the FIRST PART, and

MATH FIELDS, INC.
of the County of Spalding, and State of Georgia, of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the
sum of ONE (\$1.00) DOLLAR AND EXCHANGE OF PROPERTY-----
in hand paid, at and before the sealing and delivery of these presents, the receipt 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 party of the SECOND PART, heirs and assigns,
all the following described property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of
originally Henry, now Spalding County, Georgia, and shown and designated as Tract "B",
containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated
October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said
plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of
Spalding County, Georgia, which said plat, together with the metes, bounds, courses and
distances as shown thereon, is incorporated herein and made a part of this description

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the
rights, members, appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said
party of the SECOND PART, its successors and assigns, in fee simple; and the said party of the FIRST
PART the said bargained property above described unto the said party of the SECOND PART, its successors
and assigns, against the said party of the FIRST PART, successors and assigns, and against all and every
other person or persons, shall and will and do hereby warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, the said party of the FIRST PART, has hereunto set his hand, affixed
his seal, and delivered these presents, the day and year first above written.

Signed, sealed and delivered:
in the presence of:

(Witness)

CITY OF GRIFFIN

By: *Don H. Cobb*
CITY MGR

Attest: *Chellette Smith*

Patty O. Barrows
Notary Public,
Spalding County, Georgia
My Commission Expires July 24, 2005



02342
00183

Paid \$
Date 8-14-03

Myrtle F. Peoples

Clerk of Superior Court, Spalding Co., Ga

BOOK 2342 PAGE 183

FILED & RECORDED
CLERK, SUPERIOR COURT
SPALDING COUNTY, GA.

MULLINS, WHALEN & WESTBURY 03 AUG 14 AM 9 01

P. O. Box 133
GRIFFIN, GEORGIA 30224

BY Myrtle F. Peoples, Clerk

(Warranty Deed)

STATE OF GEORGIA SPALDING COUNTY

THIS INDENTURE, made the 13th day of August, in the year of our Lord, Two Thousand Three, between

MATH FIELDS, INC.

of the County of Spalding, and State of Georgia, of the FIRST PART, and

CITY OF GRIFFIN

of the County of Spalding, and State of Georgia, of the SECOND PART,

WITNESSETH, That the said party of the FIRST PART, for and in consideration of the sum of ONE (\$1.00) DOLLAR AND EXCHANGE OF PROPERTY-----
in hand paid, at and before the sealing and delivery of these presents, the receipt 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 party of the SECOND PART, heirs and assigns, all the following described property, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 6 of the Third Land District of originally Henry, now Spalding County, Georgia, and shown and designated as Tract "C", containing 4.27 Acres, on plat of survey entitled "Property Survey for Bobby Dunn", dated October 2, 2001, prepared by G. Tim Conkle, Registered Land Surveyor, a copy of which said plat is recorded in Plat Book 24, page 460, in the Office of Clerk of Superior Court of Spalding County, Georgia, which said plat, together with the metes, bounds, courses and distances as shown thereon, is incorporated herein and made a part of this description

TOGETHER with an egress-ingress, perpetual, non-exclusive easement across the existing drive, as shown on said plat of survey, to the north property line of Tract "A" as shown on said survey; then said easement runs 30 feet in width in a westerly direction contiguous with the north boundary of said Tract "A" a distance of 631.18 feet, more or less, to the east boundary of said Tract "C".

TO HAVE AND TO HOLD the said above granted and described property, with all and singular the rights, members, appurtenances thereunto appertaining to the only proper use, benefit and behoof of the said party of the SECOND PART, its successors and assigns, in fee simple; and the said party of the FIRST PART the said bargained property above described unto the said party of the SECOND PART, its successors and assigns, against the said party of the FIRST PART, successors and assigns, and against all and every other person or persons, shall and will do hereby warrant and forever defend by virtue of these presents.

IN WITNESS WHEREOF, the said party of the FIRST PART, has hereunto set his hand, affixed his seal, and delivered these presents, the day and year first above written.

Signed, sealed and delivered:
in the presence of:

MATH FIELDS, INC.

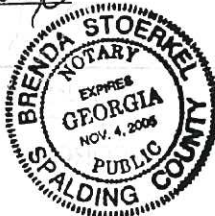
(SEAL)

Richard Mullins
(Witness)

By Bobby Dunn

Brenda Stoerkel
Notary Public,

Attest:



Metes and Bounds Description of the Subject Parcel

BEGINNING at a point on the southerly 100' GA Power Company Easement at a 2" metal survey marker (metal pipe) located on the west side of the gate entering the property from GA State Route no.92 and proceeding thence from said survey marker North 80° 35'33" East a distance of 421.10 feet to a point; thence Westerly from the right of way of State Route 92, South 27° 15'48" West a distance of 386.99' to a point; thence South 15° 49'56" West a distance of 934.47' to a point; thence South 90° 00'00" West a distance of 132.69' to a point; thence North 45° 20'55" West a distance of 780.00 feet to a point; thence North 09° 24'05" East a distance of 518.19 feet to a point; thence Southerly of the powerline easement North 78° 27'03" East a distance of 392.22 feet to a point; thence North 85° 48'47" East a distance of 118.53'; thence North 76° 44'52" East a distance of 120.43' to a point and the POINT OF BEGINNING.

SPALDING COUNTY BOARD OF APPEALS

DATE: June 8, 2017
AMENDED: AUGUST 10, 2017

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

FROM: Department of Community Development

RE: Special Exception Application 17-04S

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

Identification of the Property:

Size and location:

The property is located on 3616 Fayetteville Road in Land Lot 6 of the 3rd Land District of Spalding County. The property consists of 19.5 +/- acres.

Current owner:

Terry Dunn
208 Sylvan Lanes
Griffin, Georgia 30224

Agent:

Alex Scott
109 Cedar Point
Peachtree City, Georgia 30269

Proposed use:

The applicant is requesting special exception approval from Spalding County to allow the development of the property as an indoor shooting range utilizing an existing 6,000 square foot building which will serve as a support area and training area. A second 6,000 square foot building is proposed to be constructed on the property which will house the indoor range. Per the application, the indoor range will be constructed pursuant to the NRA range source book guidelines. The applicant indicates the range

will not be a public facility and for training purposes only.

It must be noted the applicant did provide the following statement within the documentation provided, "Our company reserves the right to change or alter any range facilities [sic] in the interest of safety as it sees fit as long as the changes comply with county code. This is a basic business plan and is subject to change or modification. Based on needs of the business additional facilities may be constructed in the future and will be done in compliance with county code."

The applicant has made application to both amend the Future Land Use Map to commercial and rezone the property to C-1, Highway Commercial.

SPECIAL EXCEPTION:

Compliance with Zoning Ordinance Development Standards:

The Spalding County Unified Development Ordinance, Article 12, Section 1203 (B)(7) allows indoor shooting ranges as a Special Exception while Section 202.HHH'1 defines them as:

Shooting range, indoor: an indoor facility for the safe shooting of firearms that complies with the technical and operational standards of The 2012 National Rifle Association ("NRA") Range Source Book, regardless of whether the facility is open to the general public or open only to private membership.

Transportation:

The Trip Generation, 7th Edition from the Institute of Transportation Engineers does not have data for the proposed use.

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.

Staff anticipates that this project could have an adverse effect on the neighborhood but the proposed use will not be detrimental to the development of the adjacent properties. Consideration should be given to the proximity of the proposed development to the adjacent reservoir.

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.

There should be no depreciating effects on neighboring property.

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 requirement of the use.

The proposed use could adversely affect existing uses surrounding the property.

The property does have sufficient size to accommodate the use.

4. It must meet all other requirements of this Ordinance.

The proposal is inconsistent with the current zoning and future land use plan.

Photo:



View of the subject property on site at the gate.



View of subject property from 92 Highway at driveway.

At the June 22, 2017 Board of Commissioners hearing, the applicant proposed a series of conditions for approval. The conditions can be found in a letter from the applicant dated June 10, 2017 (see attached). The Board agreed to consider the conditions but since they change the scope of the request of the applicant, it was recommended by the county zoning attorney to send the applications back through the Board of Appeals for an updated recommendation before proceeding again to the Board of Commissioners in August. Staff recommendation has not changed in light of the proposed applicant conditions.

Staff Recommendations:

Staff recommends **DENIAL** of the request for the following reasons:

1. The request does not satisfy all of Section 413.G.

Date: June 10, 2017

Board of Commissioners
P.O. Box 1087
Griffin, Georgia 30224

RE: Approval conditions for Math Fields

Dear Chairman Miller,

Thank you for speaking with me about our goal of building a training center on the property that is currently known as Math Fields. When you and I talked, we discussed how our team was going to operate our business, safety and the impact on Spalding County. During our conversation we discussed general conditions for approval that our team stood behind. You ask me to speak with Newton Galloway, the county zoning attorney, which Alex did. Mr. Galloway advised that we provide conditions for approval to the Board of Commissioners that we will voluntarily agree to. These conditions address problems or issues that are related to this project, similar current projects or future similar projects. Mr. Galloway also advised that there is no specific way to document these conditions. He suggested that I give you a letter that contains the conditions for approval. He also stated I should provide a copy to Chad Jacobs to go with applications and supporting documents. Mr. Galloway advised that this will make these conditions part of the public record and suffice as a legal document. Mr. Galloway further advised that the Board of Commissioners could except and approve these conditions as part of the application approval process where other recommending bodies could not. It should be noted that Mr. Galloway did not provide us with specific legal advice but provided general information and suggestions that relate to the operation and authority of the Spalding county Board of Commissioners. Below are the specific conditions and written agreement that we offer to you and the Board of Commissioners. Upon approval this signed letter will constitute as a written agreement.

1. Upon approval of the Future Land Use Map application and Zoning application, we will open the training center and apply for a business license. Prior to placing this property on the market, we will immediately re-apply for new zoning to whatever the county desires

(I believe that is currently AR-1) and have it revert back to this zoning designation. As an additional condition we will apply to have the entire property placed under a single zoning designation. While on the market we will only advertise it as AR-1 and disclose the zoning restrictions. This is a win-win for everyone. If approved, it allows us to open the training center and provide the county of Spalding with high quality firearms and safety training. The county will benefit from the obvious tax revenue from this business and the people who will visit. Local law enforcement and law enforcement from the metro area will benefit from an additional quality training facility. If we must sale this property, Spalding County will benefit because it will be an opportunity to bring the "Math Fields" property in line with desired zoning.

2. Upon approval of the Special Exception, we will construct the training center and apply for a business license. Prior to the issuance of the license, we will voluntary have an NRA Technical Team member evaluate the indoor range portion of the training facility. This range will be built utilizing the 2012 NRA Range Source Book per county ordinance. This evaluation condition is a good faith gesture of our company to provide the safest environment for our customers and the surrounding property.
3. Upon approval a business license will be obtained and open dialogue with the county Department of Community Development will be established. Our goal is to have a successful business and be an ambassador for Spalding County. In order for this to be a successful endeavor between us and the county open communication is vital. If a concern or creditable issue is raised we need it brought to our immediate attention. After notification, the county will provide us with 60 days to fix the problem. We will work with the county to find a remedy and or a solution. If we are unable to remedy the issue in that time frame, we will voluntarily cease operations until a mutual agreement between us and the county is met.
4. Upon approval no shooting of live ammunition will be allowed outside of the approved indoor range. This includes hunting for sport, skeet shooting or any other form of shooting live ammunition outdoors. If it is discovered a person has entered the property illegally local law enforcement will be contacted immediately. It should be noted concerned citizens have reported discharging of firearms taking place on the property associated with the power lines. Should we discover the same, while it is out of our

control and not our property we will contact local law enforcement and the appropriate land owner to seek assistance in remedying this situation.

Sincerely,



Alex Scott



Heather Scott



SPALDING COUNTY BOARD OF ZONING APPEALS Approval of July 13, 2017 Minutes

Requesting Agency

Office of Community Development

Requested Action

Consider approval of July 13, 2017 minutes.

Requirement for Board Action

Is this Item Goal Related?

No

Summary and Background

Fiscal Impact / Funding Source

STAFF RECOMMENDATION**ATTACHMENTS:**

Description	Upload Date	Type
<input type="checkbox"/> BOA 07-13-17 Minutes	8/2/2017	Backup Material

SPALDING COUNTY APPEALS BOARD
Regular Meeting
July 13, 2017

The Spalding County Appeals Board held its regular monthly meeting on July 13, 2017 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Ed Brown, Chair, presiding; Curtis Keys; Patricia McCord; and Bill Slaughter. Tangela Williams was not present.

Also present were: Chad Jacobs, Community Development Director; Newton Galloway, Zoning Attorney; and Virginia 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.

Application #17-08S: Preston Fuller and Destin N. Fuller, Owners – 74 Jonan Road (2 acres located in Land Lot 20 of the 3rd Land District) requesting a Special Exception to allow a general home occupation in the AR-1 District.

Preston David Fuller – 74 Jonan Road

Mr. Fuller said they want a home based business to do vinyl detailing and lettering on t-shirts signs and other items. All business is handled on-line and there are no customers at the house. All shipping is handled by USPS so there are not trucks picking up shipments. There are no advertising signs on the property.

Mr. Jacobs said the application meets all standards and requirements, and the staff recommendation is for approval.

MOTION

Mr. Keys made a motion to approve Application #17-08S. The motion passed on a second by Mr. Slaughter with Mr. Brown, Mr. Keys, Ms. McCord, and Mr. Slaughter voting for the motion.

MINUTES

Mr. Slaughter made a motion, seconded by Mr. Brown, to approve the minutes of the June 8, 2017 meeting. The motion passed with Mr. Brown, Ms. McCord, and Mr. Slaughter voting for the motion and Mr. Keys abstaining because he was not present.

ADJOURN

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

Ed Brown – Chair

Yvonne M. Langford - Recorder