

SPALDING COUNTY APPEALS BOARD
Regular Meeting
February 12, 2015

The Spalding County Appeals Board held its regular monthly meeting on February 12, 2015 at 7:00 P.M. in Room 108 of the Spalding County Courthouse Annex. Members present were: Michelle Cannon, Chair, presiding; Ed Brown; Curtis Keys; Robert Lattimore and Bill Slaughter.

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

Ms. Cannon 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 #14-07S: Lift from the table – Bradley D. Ward and Lisa A. Ward, Owners – 475 North Rover Road (22.655 acres located in Land Lots 64 & 65 of the 1st Land District) – requesting a Home Occupation, General, excluding public garage, repair garage and kennel in the AR-1 district.

MOTION

Mr. Brown made a motion to lift application #14-07S from the table. The motion passed on a second by Mr. Lattimore with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore and Mr. Slaughter voting for the motion.

Ms. Cannon said she did not want people to repeat the information as presented last month.

Mr. Bradley Ward – 475 North Rover Road – Williamson, Georgia

Mr. Ward said he did not have any additional information to add since the last meeting.

Francis Cavender – 249 McIntosh Road

Mr. Cavender said he was present to support Mr. Ward based on his knowledge of Mr. Ward's professionalism and that he will operate the type business Spalding County will be proud of. Mr. Ward has helped many people.

Jasper Woodroof – 4294 Georgia Highway 3 – Old Atlanta Road

Mr. Woodroof said he was present to support Mr. Ward. He believes this business will help the Griffin economy and safety of the county.

Dwayne Howard – 55 Calhoun Road

Mr. Howard said he supports what Mr. Ward has from the law enforcement aspect. He has seen his operation and he allows law enforcement personnel to train at this location. He cares and knows about what he is doing. He is proud to have met and to know him.

Woody Ward – 110 Bethel Lane – Williamson, Georgia

Mr. Ward said he had nothing new to add.

Barbara McTegue - 475 North Rover Road

Ms. McTegue said she had signed up to speak if she felt it necessary but did not have anything to say.

Ms. Cannon advised Mr. Ward and Ms. McTegue she would allow them to add something if they wanted to later.

Mr. Jacobs said they had reviewed everything that was requested at the last meeting. They visited the site and later he and Mr. Galloway met with Mr. Ward and reviewed some of the conditions. The staff still

stands by the original recommendation to deny for the same reasons presented. They do not have any concern regarding the gunsmith operation. The Board can approve that portion or they can approve both the gunsmith business and the shooting range. If the Board approves the application in its entirety, they would like then to consider some 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 clearly posted on site.
3. Compliance with the EPA’S “Best Management Practices for Lead at Outdoor Shooting Ranges”.
4. The above listed conditions and approval shall be tied to the current applicant and not any future property owners.

Ms. Cannon said she feels Mr. Jacobs has done a lot of good work. She has concerns regarding some of the things, not because of Mr. Ward, but because no matter where you go with this tonight, you cannot predict what is going to happen tomorrow. If this project is successful but in five years from now the “economy tanks” and the income is not sufficient to maintain the property there is not going to be sufficient enforcement to take care of this situation. If he should become incapacitation and unable to work, there is concern that his wife and family might not be able to maintain the safety of the operation. He could have a “windfall” and have sufficient income and no longer need to work and sells his property and moves away. The property needs to be cleaned of the lead and put back as it is currently. This operation extends a long way into the future.

Mr. Slaughter said Mr. Ward seems to be a nice man but he has concerns regarding the safety of the operation. Bullets will be going toward someone else’s property. There are no fences. Mr. Ward said he is putting in fencing around the range property. The location of the fencing was identified. Mr. Slaughter said there is still concern that a bullet could ricochet off of a rock and harm someone. That is his biggest concern.

Mr. Brown said if this is passed, he feels it would be a good fix to keep the Board from having to go through some of the smaller operations that try to seek a license and set up a range. His range is what a range should be. He has practiced on a lot of ranges and he has never seen one as well built as this one.

Ms. Cannon said she agrees that it is one of the nicest ranges she has ever seen for handguns.

Mr. Galloway said they met at length with Mr. Ward. The conditions are ongoing obligations so the County would have the right to go out and confirm compliance at any time. The questions regarding the conditions go, not just to the Ward property, but to another one if it is proposed. They have heard of other properties with facilities that may be around or proposed. Mr. Jacobs put some time to develop what would be objective standards for the operation of this type facility. This does not guarantee safety or insulate Mr. Ward from liability. If sound goes across a property line and it is offensive or lead seeps into water across the road that is a trespass and it could be a cause of action by anyone that is impacted.

Discussion was held regarding the conditions and the Board felt they would like to add the condition that Mr. Ward would have to be the owner/occupant of the property to keep the operation.

MOTION

Mr. Brown made a motion to approve Application #14-07S with the conditions as recommended by staff and to include the condition that Mr. Ward has to be the occupant and owner of the property. The motion passed on a second by Mr. Keys with Mr. Brown, Mr. Keys and Mr. Lattimore voting for the motion and Ms. Cannon and Mr. Slaughter voting against.

Mr. Slaughter said he has no problem with the gunsmith portion but still has concerns regarding the safety issue.

Barbara McTigue – 475 North Rover Road

Ms. McTigue said she would like to speak. She said she lives the closest to the range. She has never been afraid to go outside because she thought something was going to happen. Is Mr. Ward going to be punished or penalized because of “what ifs” and supposition? How many empty buildings are around and how many absentee landlords are around? Were they ever told that possibly in the future they would not be able to pay for something? How much lead has to be in the ground to consider it dangerous?

Ms. Cannon said Mr. Ward has approval from the Appeals Board and now it will go to the County Commission.

MINUTES

Mr. Brown made a motion, seconded by Mr. Lattimore, to approve the minutes of the January 8, 2015 meeting. The motion passed with Mr. Brown, Ms. Cannon, Mr. Keys, Mr. Lattimore and Mr. Slaughter voting for the motion.

ADJOURN

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

Michelle Cannon – Chair

Yvonne M. Langford - Recorder