



LUMPKIN COUNTY
Board of Commissioners
SLUA Public Hearing Agenda
Commissioners Boardroom

August 17, 2021
6:30 P.M.

- **Call to Order** Chairman Dockery
- **Consideration of Agenda**
- **Timeline for: Complete Combatant Outdoor Shooting Range (Chairman Dockery)**
- **SLUA Presentation (Planning Director Bruce Georgia)**
- **SLUA Hearing Rules (Chairman Dockery)**
- **Proposed Outdoor Shooting Range Special Land Use Request (Mr. Brian Hill)**
Complete Combatant Outdoor Shooting Range Special Land Use Application *(Brian Hill)*
Opposed SLUA Information - The Complete Combatant
- **Commissioners Discussion/Decision Timeline**
- **Adjournment**

LUMPKIN COUNTY
Board of Commissioners
SLUA Public Hearing Minutes
Commissioners Boardroom



August 17, 2021
6:30 P.M.

Call to Order

The meeting was called to order at 6:30 PM by Chairman Chris Dockery

Attendee Name	Title	Status	Arrived
Chris Dockery	Chairman	Present	
Bobby Mayfield	District 2 Commissioner	Present	
Rhett Stringer	District 3 Commissioner	Present	
Jeffrey Moran	District 4 Commissioner	Present	

Consideration of Agenda

Motion: A motion was made by Commissioner Stringer to approve the agenda. The motion was seconded by Bobby Mayfield. The motion was approved and carried.

Timeline for: Complete Combatant Outdoor Shooting Range (Chairman Dockery)

Chairman Dockery read aloud the timeline of the Complete Combatant's SLUA application.

SLUA Presentation (Planning Director Bruce Georgia)

Mr. Georgia read the requirements of the Special Land Use Approval process.

SLUA Hearing Rules (Chairman Dockery)

Chairman Dockery read aloud the rules for the SLUA hearing. He allowed a five-minute break to enable each side to discuss their speaking points.

Proposed Outdoor Shooting Range Special Land Use Request (Mr. Brian Hill)

Complete Combatant Outdoor Shooting Range Special Land Use Application (Brian Hill)

Complete Combatant Outdoor Shooting Range Special Land Use Application

Mrs. Shelley Hill, resident of 2755 Porter Springs Road, spoke on behalf of her husband Brian Hill regarding their SLUA application. She explained how their previous business had not survived due to COVID. She said they have been off and on using this range on the private property for almost ten years, as they are good friends with the property owner of 2755 Porter Springs Road. Mrs. Hill explained the variety of classes they offer at The Complete Combatant, including live fire, gun safety, self-defense, and other gun and safety-related classes.

The Complete Combatant is not a public range; it is invite-only. Mrs. Hill stated the range itself faces a heavily-wooded hill atop a 25-foot berm. She then went over a list of concessions they are willing to make, including suspending shotgun and rifle classes and reducing the amount of live-fire classes. They also plan to erect a sound barrier.

Karen McDonald of Kennesaw spoke in support of The Complete Combatant and explained how they have helped fundraise thousands of dollars for her nonprofit, Rachel's Rest, which assists victims of domestic violence. She said the Hills also provide education on personal defense and de-escalation.

Joe West, 397 Skyline Drive, said he has over 40 years of shooting range experience and assists the Lumpkin County Sheriff's Office with programs at their range. He visited The Complete Combatant's shooting range and said he was thoroughly impressed with their stringent safety protocols and the quality of their training. He said he also cares about supporting small businesses.

Bill Dermody of Waverly Hall spoke in support of the SLUA application. He introduced himself as the Director of Marketing for Heckler & Koch, a firearms manufacturer. He said his company prizes their relationship with Brian and Shelley Hill and they have very high standards for their brand ambassadors. Mr. Dermody said they also teach other subjects besides gun safety, including de-escalation, medical, reaction training, and more. He believes this business will have a positive impact on the surrounding area.

Patrick Collins, resident of Atlanta, introduced himself as an experienced firearms instructor. He also offered his support for The Complete Combatant and said they provide many different kinds of defense and victim prevention classes. Mr. Collins urged the Commissioners to not put too many limits on their business.

Steve Havey of Cumming claimed that shooting has occurred on this property for ten years, yet the complaints have only started in the last year or two. Mr. Havey said the noise issue comes up in many communities, and it would be a shame if we could not find a way to accommodate The Complete Combatant.

Shelley Hill spoke again and said she and her husband are very serious about their concessions. They are also thankful for the Planning Department's fairness with this issue. Mrs. Hill thanked her friends and course alumni for coming and giving their support for the SLUA application. She said she also intends to provide the latest results from their lead soil sampling tests which were conducted on Monday morning, and she described the decibel testing they conducted on their property this week. Mrs. Hill said the highest decibel reading they registered anywhere on their property was 69 decibels. She ended her remarks by stating she and Mr. Hill are willing to do whatever is needed. They want to do what they love but they also want to make everyone happy.

Dwight Bearden, 260 Kim Drive, said everyone needs to learn how to use guns because development is moving north.

Opposed SLUA Information - The Complete Combatant

Opposed SLUA Information - The Complete Combatant

Steve Sylvester of 215 Stancil Dyer Road said although he is a gun owner and 2nd Amendment supporter, the negative impacts of The Complete Combatant need to be considered. He and his neighbors are concerned about noise, times of operation, setbacks, fencing, and the impact on soil and water. He was concerned that the business did not obtain a license before beginning operation, and that their "friends and family" pavilion structure was being used commercially since 2018. Mr. Sylvester went over some of the course calendars from The Complete Combatant's website and claimed they displayed a tremendous increase in usage since 2018.

Mr. Sylvester made additional comments concerning some of the definitions of "structure" and "building" in the Land Use Code and how that might affect the required setbacks for this property. He questioned how the required setbacks will be applied throughout this property and argued that the setback should be 500 feet, not 100 feet. Mr. Sylvester said the live-fire range is out of character with the rest of the area and said the noise is an adverse impact on all surrounding properties. He is also concerned with safety, as many of the nearby properties have families with children and pets. He stated many of the neighbors cannot escape the noise even when they are inside, and this will be detrimental to property values. Most of the noise occurs on weekends, when residents are at home trying to rest and visit with their families, or when White Oaks is trying to host weddings. Mr. Sylvester said the EPA normally regulates outdoor shooting ranges, and the neighbors are concerned about water contamination in their wells or the creek near the range.

Robert Warner, owner of White Oaks Barn, said he owns 130 acres of land that was purchased about 20 years ago, along with the wedding venue. He has nothing against firearms, he stated, but this is more about the noise disturbance this business is causing. Mr. Warner said everyone expects to hear certain sounds in a rural area,

such as dogs barking, hunting, and occasional target shooting, but not the rapid fire coming from this business. He said it is amazing how the sound reverberates through the woods, and he does not believe there is a way to get rid of the noise.

Over the last ten years, he continued, we've had about 40 weddings per year with about 150 guests per wedding. 95% of the weddings are for tourists, not local couples, so it brings in a lot of visitors. Mr. Warner said lately during property tours for potential wedding guests, they have been hearing rapid fire from the gun range. He said guests are cancelling their bookings after they heard shooting during a tour. Mr. Warner said if shots ring out during a ceremony, it will be disastrous for his reputation. He said the decision the BOC makes with this will set a precedent. What if there is a shooting range next to a winery next? If you approve this one, he claimed, it will force you to approve the next one. Mr. Warner said he does not begrudge the Hills their business, but he thinks this venture would be more appropriate for a light industrial area.

Jason Hutcheson, 114 Wildlife Trail, said he reached out to Brian and Shelley Hill last year about the noise. He said their character is not the issue here, it is the gun range. He told the Hills he would financially participate with them to create some type of noise barrier. Mr. Hutcheson commented on an earlier remark that the gun range had been here for ten years and said it wasn't true; the noise has only gotten bad over the past couple of years since it was expanded into a commercial range. Mr. Hutcheson said he left the issue alone when he heard the Commissioners were discussing a noise ordinance, but that possibility seems to have died. He heard they were conducting sound testing over at the property, but it didn't sound like the guns they normally use. Mr. Hutcheson said he recorded 80 decibels on his porch. His main concern is with how this gun range could affect his property values. He believes there should be a decibel limit for the property line. He hopes to assist in finding a solution to reducing the noise.

Mike Moran of 3038 Porter Springs Road said he and his family moved here in 2019 from Kennesaw, and reside about two tenths of a mile north of The Complete Combatant's driveway. If they had known a commercial gun range was being constructed across the street, they never would have moved here. Mr. Moran said he respects The Complete Combatant as a gun owner himself, but he doesn't think it belongs there. Having a commercial gun range across the street is definitely detrimental to everyone's property values, he declared.

Chris Adams, 248 Stancil Dyer Road, said no one is disputing the importance of gun safety. Everyone has been adversely impacted by the noise, he said, and his family is no longer able to enjoy the formerly peaceful atmosphere on his property. He claimed his family can even hear the shots inside their house on the weekends. Even their dogs cower and hide when the shooting is taking place. This isn't about the Second Amendment, he said, it is about not being able to enjoy living in the woods anymore. He said it is ironic that The Complete Combatant has signs on their property saying "Do Not Disturb."

Nancy Cole of 2039 McDonald Road said she originally moved here from Texas, where gun ownership is a big deal. She said she understands about losing a business from COVID, because the same thing happened to her. She said she would not have purchased this house had she known a gun range was being built. Ms. Cole said things are changing in Dahlonega, but Dahlonega is a hidden gem that needs protecting. A lot of people are moving here from the suburbs, she said, and many people are working from home. We need to protect the traditions of Dahlonega, including great families. She said people will be watching the Commissioners to see how they are working to improve the community.

Bob Lear, 12 Serendipity Road, also came to speak against the SLUA application. He and his wife own 14 acres and have lived here since 2007, but if he had known there was gun range, he would not have moved here. He said although they aren't directly in the line of fire from the range, he and his wife rarely go out in their yard anymore and have to listen to a lot of the noise. Mr. Lear said it was concerning to him that the applicants claimed their pavilion was for family/friends only, but now they are using it commercially. He is pro-business, but this is not one we need, as it will bring down everyone's property values.

Judy Wheeler, resident of Porter Springs Road, pointed out that not one of the supporter's tonight is a local or a neighbor. She is concerned about how the required fencing will look and said this business is better suited for an industrial area.

Dennis Grizzle said he lives right above the shooting range and the noise really echoes up the hollow to his house. He said there seems to be some kind of shooting every day, and it's even louder when they have classes. Mr. Grizzle said his son lives in a double wide on the same property, and he has to sleep during the day since he works at night. He said he wishes the Hills all the best as he is a gun owner himself, but this has become very aggravating. He shoots sometimes as well, but it doesn't go on all day long. Mr. Grizzle said it would be better for everyone if The Complete Combatant moved somewhere else.

Theresa Northcutt, 421 River Trail, said she built here in 2004. Their property is normally very peaceful, but the

gunshots have increased greatly over the past couple of years. They now have to hear it all weekend, and it has destroyed their peace and quiet. Mrs. Northcutt said this isn't the correct area for this type of business.

Kathy Anderson of 648 Marlie Seabolt Road said she has had to listen to this for two years. They have been running a commercial business with no license and now we have to hear it every weekend from 9 am to 6 pm, she said. Ms. Anderson said she has no idea where the applicants came up with the 68 decibels. This is not the right place for such a business, she stated, nor has it been occurring at this level for ten years as they claimed. She said The Complete Combatant should have gotten a business license when they first started, and they will have to comply with all fencing requirements if this SLUA is approved.

Andy Sullens, 2069 Red Oak Flats Road, said we need to address respecting our neighbors. He said if the applicants had followed the correct procedures, this wouldn't be happening. He said we also need to understand Lumpkin County is a rural area, and we do not have a noise ordinance. He said the wedding venue doesn't necessarily have more value than the shooting range as a business. He wished everyone the best and said he hopes the issue will be resolved.

Jeramy Nye made comments on the availability of sound encapsulating technology that can be used to mitigate shooting noises. He said these systems are affordable and easy to install; he himself has installed two of them before.

Shirley Pritchard of Wildlife Trail said the noise has been very bad and she wishes this business was in a different location.

Theresa Northcutt made an additional comment about the lack of protection for passerby, whether pedestrians or vehicles.

Rebuttal

Applicant Shelley Hill said they generally only have classes once or twice per month from 9-6 on the weekends. She said not all of the classes are live fire. Different types of guns will have different decibel levels. She said when they conducted their sound testing last Tuesday, they stayed on their property to take the measurements and they recorded everything live. Mrs. Hill said many ranges use curtains as a sound barrier; she does not know the expense of those but they are willing to purchase it. She explained the do not disturb signs are for safety, as they do not want anyone accidentally wandering onto the property during shooting practice. As for the pavilion, Mrs. Hill said it was built for friends and family, as they have been friends with the property owner for years. The pavilion has been used for many of their family gatherings over the years. She herself has been coming up here since she was a teenager. This isn't just a gun range, she said, it is their heart.

Bob Lear and Jason Hutcheson both said the "one weekend per month" firing is not true. They claimed the applicants have been shooting every weekend. Mr. Lear said he has archived copies of their website, which they have since changed. He said on the day of their sound testing, it appeared that the Hills were only using a .22 rifle, which is much quieter than pistols or shotguns. They were not shooting commercially back in 2010. Mr. Hutcheson said even when they are not holding live fire classes, the Hills themselves are shooting or teaching private lessons, which are not always listed on the calendar.

Dean Pullis said he came up from Atlanta to support Brian and Shelley Hill. He commented how someone said this use is incompatible with agricultural uses, but he disagrees. In agricultural areas, you will have tractor sounds, hunting, animal noises, etc. There will also be smells associated with farms. He said these things, along with shooting, are typical for agricultural settings. Mr. Pullis said the wedding venue isn't the only thing that draws in visitors; he was drawn here by The Complete Combatant. Many other visitors will also come to enjoy the range, and they will spend their money in the County when they come up. He said overall this will be good for Dahlonega.

Carol Moran, 3038 Porter Springs, said Brian and Shelley are lovely people and she wouldn't mind having them as neighbors. However, all of the rapid fire shooting is not agricultural. She said she is sorry that COVID has hurt so many businesses, but farm noises are not the same as rapid fire gun noises. Mrs. Moran said she has no animosity towards the Hills and she would love for them to relocate to a light industrial area. She does not believe a small wall is going to help much with the noise because it really carries.

Commissioners Discussion/Decision Timeline

Commissioner Moran said we are talking about a commercial gun range surrounded by residents, and there is a big difference between a recreational and commercial gun range. He has received input from dozens of residents all in opposition to this business; not a single call, e-mail, or text from a resident has been in favor. Only people from elsewhere have shown support. Additionally, The Complete Combatant has said they will remove their shotgun and rifle live fire classes, but they will still have private lessons for shotgun and rifle. Commissioner Moran said he also has concerns with their schedule and the perception it will only be one weekend per month. He commented on the setback requirements and said the written text in the Land Use Code doesn't capture the spirit or intent of the required buffer. Why would it matter where the structure is when the actual use could occur anywhere on the property? He thinks the intent was missed in the Land Use Code with these setback requirements. He said the Commissioners have some work to do, since growth is coming.

Commissioner Stringer asked Mrs. Hill why would The Complete Combatant limit itself as an outdoor range when they could consider creating an indoor range? He said there is one in the middle of Cumming, so it is a possibility to consider.

Chairman Dockery said there is some validity to the sound barrier discussion. His biggest concerns are safety and noise. He has had a lot of experience with military ranges himself, and they always have a completely empty area behind the backstop with warning signs. The Complete Combatant will be teaching a lot of inexperienced people how to shoot, so that is a safety concern. There is a bank with some trees behind the range, but it doesn't seem that high to him. The Chairman said the noise seems to be the biggest issue. People around him shoot a lot, but if it were all day all weekend, it would be different, he said. We need to look at a noise solution that has a guarantee of noise reduction, not just an attempt. Someone commented that shooting in rural areas is an expectation. Chicken smells are an expectation. However, the typical recreational shooting that occurs here isn't consistent. One option, he suggested, would be to limit the amount of hours per week or per month. Maybe the applicants could consider building an indoor range. If they did construct sound barriers, the Chairman said we would have to ensure they actually work.

It was decided to hold a decision meeting at 6:30 pm following the September 21 regular meeting.

Adjournment

Motion: A motion was made by Commissioner Mayfield to adjourn the meeting. The motion was seconded by Commissioner Stringer. The motion was approved and carried.

The meeting ended at 8:58 PM.

September 21, 2021

Date



Melissa Witcher

County Clerk, Lumpkin County



Chris Dockery, Chairman

Lumpkin County Board of Commissioners