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CITY OF BALL GROUND

www.cityofballground.com

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City Clerk

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August 19, 2013

Re: Farm Winery and Grape Production – AG Zoning District

David and Julia Boone
9997 Ball Ground highway
Ball Ground, Georgia 30107

Dear David and Julia:

The City of Ball Ground Comprehensive Development Code contains an “AG” (Agricultural), land use classification. Your vineyard is zoned in this classification.

Division 104.13.B.1 of the Ball Ground code states the permitted use as “General agriculture including the production of field crops, fruits, nuts, and vegetables; the personal and commercial raising of livestock providing any new structures housing livestock are setback a minimum of 400 feet from any property line and any related activities defined herein under the terms farming, forestry, gardening and horticulture”.

You have approximately 22 acres zoned as AG. On this property you are authorized to cultivate grapes, or any other legal crops of your choosing either for personal or commercial purposes.

In order to ensure a healthy crop production you are have the right to use fertilizer and manures to protect the crops with the appropriate pesticides and fungicides to ensure the successful establishment of the farm.

As of the date of your annexation, the above enumerated items are legal and a full right of your zoning. If the City of Ball Ground were to change its zoning classifications, designations, or permitted uses, your property would automatically be grandfathered and would maintain all rights of the original zoning as outlined above. Such rights would remain in full force and effect on the property unless you ceased to operate for a period greater than 12 months.

You will be allowed to install a tasting room. You will be able to do this in either your existing structure at Wild Cat on a Wing, or if you choose you may build a structure specifically for this purpose.

It is our understanding that at some point in the future you may wish to use the property as a wedding venue, possibly constructing a wedding barn or even a simple arbor for weddings in the vineyard. We understand this type of use is typically accompanied with catering, tents, music etc.. This type of use is permitted on your property. The city does have a noise ordinance that goes into effect at 10:00 p.m. so any loud music would need to end by that time. Any variance to the time would need to be approved by a vote of the Ball Ground City Council.

The City of Ball Ground has no objection to the Georgia Department of Revenue issuing a farm winery license to David Boone and/or Julie Boone for the operation of a farm winery in the City of Ball Ground.

We understand that you have an excellent well on your property and that it is sufficient for your agricultural and commercial needs. The City will not require you to connect to the Municipal Water System. City sewerage is not available at your property location. If it becomes available to you at any point in the future we will not force you to connect. Please know that if sewer does become available at your location, and if your septic system should fail, it is our understanding that the office of environmental health could require you to connect to the sewer system because of the failed septic.

You have asked for permission to "eradicate beavers and other critters detrimental to property and causing crop damage". The City of Ball Ground has no objection to any lawful means you undertake to protect your crops for damage. We would strongly encourage you to attempt eradication by humane means. If efforts to trap and remove nuisance animals are not successful then permission to discharge a firearm in on the property, for the soul purpose of protecting crops is permitted. However; the City of Ball Ground does not have the authority to authorize the killing of animals that are protected species, or that are protected by a specified hunting season. Permission to remove these types of animals should be addressed to the Department of Natural Resources with the State of Georgia.

If at any point the City of Ball Ground enacts new legislation or policies that have a negative impact on the conduct of your business, and if in your opinion you would be able to operate your business more effectively in unincorporated Cherokee County, I will take immediate action to honor and process your request for de-annexation.

Again, we welcome you to the City of Ball Ground. We not only approve, but fully support and encourage the development of a farm winery, tasting room, and wedding venue on your property.

Although each individual is responsible for obtaining their own business and alcohol related licenses, the property itself is approved for use as a farm winery and tasting room venue.

Sincerely,


A. R. (Rick) Roberts, III
Mayor