



COMMUNITY DEVELOPMENT  
*Planning – Zoning – Environmental – Permits & Inspections*

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*"Serving Citizens Responsibly"*

Case Number: MOD-17-02

Applicant: Jeff Wright

Owner: Norman Turner

Property Location: 10263 U.S. Highway 19 North  
Land Lot 33, District 2  
Tax Map Parcel #065 036

Commission District: District 4 (Commissioner James Jenkins)

Acreage: 22.06

Current Zoning: C-2 (General Commercial)

Request: The applicant is requesting a modification of a Special Exception approval condition (SE-10-03) to allow for changing the start of the last race on Saturday from 10 pm to 12 am (midnight Sunday).

Code References: Chapter 156 (Zoning Code), Section 156.203 (B)(8) - Provides for an outdoor amusement enterprise in a C-2 zoning district with a special exception.  
Chapter 156 (Zoning Code), Section 156.027 – Specifies points to be considered by the Board of Appeals;

**Staff Analysis:**

A short history of the go cart track:

SE-10-03 was approved by the Board of Commissioners with conditions on May 25, 2010. The approval conditions were as follows:

1. The go cart track shall be subject to an annual business license.

2. The buffers shown on the site plan, including the front buffer, must remain as shown and may not be removed. Natural vegetation between the proposed parking lot and the front buffer shall be maintained in its present state to the maximum extent possible.
3. Land disturbance over one acre is subject to a land disturbance permit and approval by the Towaliga Soil and Water Conservation District.
4. Use of the existing driveways on U.S. Highway 19 must be reviewed and approved by GDOT. The entrance driveways must be paved, the extent of the paving to be specified by the Director of Planning and Development and governed by the Overlay District standards.
5. No parking associated with the track shall occur in the highway right-of-way or on the shoulder. The number of parking spaces required shall be subject to Section 156.363 of the Pike County Zoning Code.
6. Any new fences, signs, and buildings on the property shall be subject to all relevant Pike County codes and ordinances.
7. Unless waived by the Planning Commission, the property shall be subject to the standards and requirements of the Highway 19 / 41 Overlay District.
8. Any discarded tires, vehicle parts, and vehicle liquids shall be disposed of in a legal manner off of the property.
9. Membership within either the WKA, AKRA, or other approved equal, with their established standards for track design and safety precautions, is required.
10. Night sky friendly lighting is required.
11. Track use shall be restricted to small vehicle racing only (go carts, motorcycles, etc.) and shall exclude any automobile and truck racing.
12. Non-portable men's and women's restroom facilities shall be provided on the property.
13. **The normal operating times shall be set as Monday through Saturday, with the last race starting no later than 10:00 pm. Track operations may only occur on Sunday if there is a "rainout" for Saturday races, and the last race for Sunday must start by 6:00 pm.**

In August 2013, the BOC clarified the special exception to allow small cars like Bandolero and Legends cars to race on the track.

The track has changed operators several times and is now being run by Jeff Wright (but still owned by Mr. Turner). Per his letter of explanation, Mr. Wright says that during the summer months, most dirt race tracks race at night. The tracks have to be wetted down to control dust, and the dust dries too quickly in the daylight. This can make for more dangerous driving conditions when it is "dry slick". Per Mr. Wright, starting later in the evening would keep the track moister longer.

In accordance with Section 156.027 of the Zoning Code, the Board of Appeals should consider the following points in arriving at a recommendation to the Board of Commissioners on the subject application:

**(1) *It must not be contrary to the purposes of these regulations;***

The actual use of the property as a go cart track was approved in 2010. The track is located in a C-2 zoning district, where a wide variety of commercial pursuits are permitted. It is also aligned with the Future Land Use Plan, which shows a mixture of commercial, industrial, and residential uses as appropriate for this area. There is considerable noise on the highway from vehicles, but obviously less noise at night when traffic volumes have decreased.

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- (2) ***It must not be detrimental to the use of development of adjacent properties or to the general neighborhood, and it must not adversely affect the health, safety, or welfare of the residents or workers;***

The 22.06 acre property is adjacent on most sides to other commercial ventures, namely the auto repair shop to the north, a warehouse storage facility, car wash, and future Dollar General to the southwest, and a gas station, Moody's Funeral Home, and Advantage Advertising east across the highway. There is only one occupied residential property directly adjacent to the property, with a home approximately 1180 feet southwest of the subject property's rear corner. The nearest residential subdivision is Brookstone, over half a mile to the north. There are a number of residences along McKinley Road, behind Moody's Funeral Home.

- (3) ***It must not constitute a nuisance or hazard because of the number of persons who will attend or use such a facility, vehicular movement, noise or fumes generated or type of physical activity;***

The race track is in the middle of the 22 acre property and is surrounded by a minimum 50 foot buffer of existing mature trees. Therefore, nearly all of the activities will not be visible from adjacent properties. There have been some complaints of engine racing noise at night during the past several years. The applicant is trying to keep the amount of dust down by racing primarily at night when conditions are less dry.

- (4) ***It must not adversely affect existing uses and it must be proposed to be placed on a lot of sufficient size to satisfy the space requirements of the use;***

The Zoning Code does not specify a size for this particular type of activity, except for the general lot size for all C-2 uses – 10,000 square feet. The 22 acre property more than meets the minimum lot size, and also seems to provide enough space for vehicle circulation associated with the activity, as well as the natural buffers along the perimeter. There are no streams or bodies of water on the property.

- (5) ***It must meet all other requirements of these regulations;***

The proposed go cart race track satisfies all lot size and setback zoning requirements.

- (6) ***In addition, the Board of Appeals shall also consider whether the applicant for the special exception at the time of submitting the application is in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia. If the applicant is determined to be in violation of the Zoning Code or any other provision of the Code of Pike County, Georgia, then the Board of Appeals shall further consider the circumstances related to such violation(s) as part of the criteria for considering the requested special exception.***

Besides some noise complaints the past several years, staff does not recall any other violations.

As stated before, this property used to be the site for the speedway in Pike County in the 1960s. The applicant desires to use the existing road bedding for the speedway for the proposed go cart race track. The old speedway was located in the middle of the property.

Per his letter of explanation, Mr. Wright says that there will be no race days on Sundays. However, starting a race at 12 am Sunday means that there will be racing in the wee hours of the morning on Sunday, depending on how long the last race series lasts. One of the intentions of the approval conditions from seven years ago was to keep as much quiet for nearby residences as possible, and Sunday was seen as a "quiet day", only a racing day if inclement weather prevented racing on the normal Saturdays. This new request would seem to me to violate the spirit of Sunday as a quiet day. (It is possible though that a midnight race may last only a few minutes.)

**Staff Recommendation: Denial**

unless the frequency of racing could be reduced to coincide with the altered racing hours. Mr. Wright told me that he was only intending to race a maximum of two weekends a month. That is all his insurance would cover. The main race day would be Saturday with an occasional Friday. Perhaps the Board could discuss with Mr. Wright and Mr. Turner reduced frequencies of racing in exchange for later racing hours. Per the existing approval conditions, the go carts can race every weekend and on weekdays. The Board must ask itself which is more preferable – a later starting time on Saturdays with less racing events every month, or the existing situation with racing stopping two hours earlier but the potential for racing every week.

**Board of Appeals Recommendation, 5.18.17: Denial**  
**Vote 2/2 No decision.**

**Second Board of Appeals Recommendation, 5.18.17: Approval**  
**For Saturday, a stop racing time of 11:30 pm and the property cleared by midnight, and for weekdays, a stop racing time of 10:00 pm and the property cleared by 10:30 pm. Vote 3/1**