

**Banks County Planning Commission  
Board Meeting  
September 7<sup>th</sup>, 2021**

**Members Present**

Brian Mathis- Vice Chairman  
Jay O'Kelley  
Taylor Griffith  
Scott Wheatley

**Members Absent**

Jack Stewart

**Staff Present**

Paul Ruark- Planning and Zoning Official  
Kerri Fincannon- Planning and Zoning Clerk

1. Call Meeting to Order: Vice-Chairman Mathis called the meeting to order.
2. Approval of Agenda/Minutes from August

Motion to approve minutes: Taylor Griffith  
Second: Scott Wheatley  
Vote 4:0 to approve and the motion passed.

3. CU-21-04 — Zach Lurie, Maximum Powersports — An application has been submitted for the conditional use of the property identified as parcel B76 039C, 30+ acres located at 221 Columbus Dr., to be used for a motocross training facility and RV spaces.
  - a. Mr. Mathis invites the applicant to speak.
  - b. Zach Lurie, 221 Columbus Dr: Apologizes for his absence on August 3<sup>rd</sup>. He addresses comments made in that meeting about erosion issues. He explains the extensive amount of engineering that has gone into the design of the track. He states that the change in the pond in question was made by the owner. He changed the size of the culvert pipe himself to make the size of the pond smaller.
  - c. Mr. Lurie addresses the concern about RV spaces. He makes reference to the county code section 603 article 3 which reads “Campgrounds for not more than ten spaces for vehicles (recreational vehicles and campers). If approved as a conditional use, campgrounds with not more than ten spaces shall not have to comply with Chapters 50 and 51 of the Code of Banks County. In addition, there must be 20 contiguous acres of land to qualify for a conditional use.” He says he has only 10 spaces and that he has more than 20 acres. He made sure to follow the code precisely.

- d. Mr. Lurie moves onto the noise. He says that his noise has been called a nuisance. He states that he thought that the term “nuisance” was subjective but realizes now that the code actually specifies decibel levels that are classified as a nuisance.
- e. He submits to the board a packet of information pertaining to a sound study on his property. Mr. Lurie gives an in-depth rundown of the information therein. To summarize, he says he does not believe that the noise from his property is a nuisance as defined by the code. He further states that his days/hours of operation are reasonable for the amount of noise he causes.
- f. Mr. Mathis invites any opposition. There is no opposition present.
- g. Mr. Mathis invites the board to question Mr. Lurie.
- h. Mr. O’Kelley asks for clarification on campsites. Mr. Lurie states that he only provides power so that people who are travelling to and from his track or are making a pit-stop on their way to another event are comfortable. He explains that the sport has a lot of large multiple day events that people travel to and need a place to stop and practice or get repairs done. He does not provide water and sewer. He does charge a fee for the space/electricity but it is included as a shop fee for services provided during their stay.
- i. Mr. Mathis asks what the maximum number of riders is on the track. Mr. Lurie states usually 8 but sometimes 10 or more.
- j. Mr. O’Kelley asks about emergency vehicle access. Mr. Lurie states that he has access roads for water trucks that emergency vehicles can use easily. Any spot on the track can be accessed within 5 feet.
- k. There is ongoing discussion about number of riders on the track at any given time and the days/hours of operation. The board decides on the following conditions:
  - i. No more than 8 motorcycles shall be permitted to train on the track at the same time.
  - ii. Days and Hours of Operation shall be Tuesday, Wednesday, and Thursday from 10am-2pm. If operation is cancelled on one of those days due to inclement weather, a make-up session will be allowed on Friday from 10am-2pm. There shall be no operation on Saturday, Sunday, or Monday.
  - iii. There shall be permitted no more than 10 camping/RV spaces with electrical service provided.
- l. Mr. Mathis asks for a motion.

Motion to approve with conditions: Taylor Griffith

Second: Scott Wheatley

Votes 4:0 to approve and the motion passes.

4. Adjourn meeting.

- a. Mr. Mathis asks for a motion to adjourn.

Motion to approve adjournment: Taylor Griffith

Second: Scott Wheatley

Votes 4:0 to approve adjournment and the motion passes.