

**CALHOUN COUNTY BOARD OF COUNTY COMMISSIONERS
PLANNING COMMISSION MEETING
MAY 22, 2018**

PRESENT AND ACTING:

**DANNY RAY WISE, CHAIRMAN
GENE BAILEY, VICE-CHAIRMAN
DARRELL MCDUGALD
DENNIS JONES
JERAL HALL**

**MATT FUQUA, ATTORNEY
CARLA A. HAND, CLERK OF COURT AND COUNTY COMPTROLLER
SARAH WILLIAMS, CLERK ADMINISTRATIVE ASSISTANT**

The meeting was called to order by Chairman Wise at 5:00 p.m., CT.

Mr. Charlie Johnson addressed the Board regarding a conditional use permit application to re-open the drag strip at 5194 NW Apache Road in Fountain, FL 32430. Mr. Johnson stated he has the property under contract with a bank, but would need the conditional use permit to close the contract. Mr. Johnson stated he has read over the previous conditional use permit that was issued for the drag strip, and is agreeable to all the previous conditions set forth for re-opening the drag strip. Mr. Johnson stated he would be hiring off duty officers to patrol the races and would have EMS present for safety. Mr. Johnson stated he began racing at the drag strip in 1990 when he was in high school and it kept him out of a lot of trouble, and believes it could be a positive addition for the community. Commissioner McDougald stated the last owner had plans to lengthen the drag strip, and asked if this was ever completed. Mr. Johnson stated the site work and digging was completed but the concrete was never poured. Mr. Johnson stated if the racetrack is re-opened and goes well for a year, he would like to complete the extension of the track in the original plans. There was further discussion about the previous conditional use permit issued for the drag strip. Commissioner McDougald inquired if the hours of operation would be the same as the previous conditional use permit. Mr. Johnson stated he is agreeable to all the conditions of the previous conditional use permit, and the last race would be ran up to 12 am. Commissioner McDougald stated there have been some letters received in objection to the track re-opening, and after looking at the map it seems many of the residents bought land in the area after the track was already in place. Commissioner McDougald stated when the track was built it was placed in the area because there was not a lot of development. Commissioner McDougald stated when you buy property around a drag strip you can reasonably assume it may open again one day. Chairman Wise asked if the property looks like a drag strip. Mr. Johnson indicated with an affirmative. Commissioner McDougald stated there is still signage for the drag strip. Commissioner Bailey asked to see the previous conditions for the re-opening of the drag strip. Mr. Johnson presented Commissioner Bailey with a copy of the meeting minutes from the previous conditional use permit issued by the County. Commissioner Bailey asked why it is necessary to apply again for a conditional use for the property. Mr. Snowden stated if a commercial operation is abandoned for a period of greater than one (1) year, another conditional use permit must be obtained per the Land Development Regulations. Commissioner Bailey stated this is something he would like to address in the future. There was further discussion about the conditional use permit. Commissioner Bailey asked if certified letters have been

sent to those in the area. Ms. Williams replied letters were sent to everyone within ¼ mile, and all receipts were received except for two (2).

Chairman Wise opened the floor to public comment.

Mr. Ray Goodwin, owner and operator of Tri County Mud Bog Track stated he has no issue with the drag strip re-opening, and believes it could bring additional revenue into the County. Mr. Goodwin stated he would only have an issue if another mud bog track opened, because there are already three (3) other mud bog tracks in the County and there are not enough weekends in the month to operate all of them without interfering with another track. Mr. Goodwin stated if the drag strip goes well and the track is extended, the big money cars would be attracted to the area and would be a great show.

Mr. Larry Defreezer, 2357 NW Smokey Lane Fountain, FL, stated he has concerns about the drag strip re-opening. Mr. Defreezer indicated concern that only two (2) letters were sent to surrounding property owners, and never spoke with anyone who received a letter. Mr. Defreezer stated he was unsure if this was a poor job done on behalf of the Planning Department, or if the County was attempting to make sure there was no one at the meeting to object. Mr. Defreezer was reassured the appropriate number of letters were sent out to the surrounding property owners, and Commissioner Bailey read all the names of the property owners provided with letters. Attorney Fuqua stated he did not appreciate Mr. Defreezer's comment regarding the County when there are return receipts documenting that all the letters, except for two (2) were received. Mr. Defreezer stated he only knew of two (2) people besides himself that received the letter. Mr. Defreezer stated he is concerned about racing into the morning hours. Mr. Defreezer stated in the past races have continued until 4:00 in the morning. Mr. Defreezer stated in the past the lighting at the facility remained on even when the track was not in use, ruining the night view at his home.

Ms. Pamela Defreezer, 2357 NW Smokey Lane Fountain, FL, voiced her concerns about the drag strip. Ms. Defreezer requested a verbatim record be made of the meeting. Attorney Fuqua stated anyone wishing to appeal the decision would be responsible for making a verbatim record of the meeting, not the County. Attorney Fuqua stated minutes of the meeting are not a verbatim record of what has transpired, they record actions taken by the Commission. Ms. Defreezer voiced her concern for how many races would be held, on what days and times the races would be held throughout the year, and what type and how many vehicles would be racing. Ms. Defreezer voiced her concern about the noise levels produced by a drag strip, concerns of trash left on the road after events, and her concern that the road was not built for heavy traffic. Ms. Defreezer stated she did not believe the drag strip would have a positive impact on the neighborhood.

Mr. Jorge Betancourt, PO Box 123 Youngstown, FL, stated he is concerned with his driveway being blocked by parking and traffic when the drag strip is open. Mr. Betancourt stated his property is right beside the drag strip entrance, and in the past his driveway was blocked and trash thrown out on the side of the road. Mr. Betancourt stated the light pollution from the track affects his property, and stated he is also concerned about the traffic on the road. Mr. Betancourt voiced his concern about the noise levels generated by the racecars. Mr. Betancourt stated he believes law enforcement should monitor traffic to discourage racing down the road to the drag strip if the track was re-opened. Mr. Betancourt stated in the past spectators from the track have wandered onto his property and have been walking around his house in the middle of the night, and he would like this issue addressed if the track were re-opened.

Mr. Johnson stated he knows the lighting has been an issue in the past, as the lights were on dusk to dawn seven (7) days a week. Mr. Johnson stated if the conditional use permit is approved, he has already contacted the power company for removal of the lights, and he would be replacing the lights with lights that could be shut off every night when races are not being run, so the lighting would not be an issue moving forward.

Mr. Robert Forrester, on behalf of the drag strip, addressed the concerns about the cars that would be racing at the track. Mr. Forrester stated he is a certified technical inspector, and the majority of the cars that would be racing are capable of withstanding 300 mile per hour crashes, but would not be going anywhere near that fast on a ¼-mile track. Mr. Forrester stated the cars do run on volatile fuel, but are well contained most of the time in a fuel cell that would fill with foam and not explode, and most have onboard fire extinguishing systems. Mr. Forrester stated these things would be addressed when cars come to race at the track. Mr. Forrester stated as far as noise complaints and time constraints, these issues were addressed with the previous conditional use permit issued for the drag strip.

Mr. Jason McAlpine of Sneads Florida stated he has known Mr. Johnson his entire life and raced at the drag strip when he was in high school. Mr. McAlpine stated the drag strip could help keep children occupied, instead of them riding the roads and getting in trouble at night. Mr. McAlpine stated Mr. Johnson is a good person and would work hard to address the concerns of the neighbors. Mr. McAlpine asked the Board to give Mr. Johnson consideration in awarding the conditional use permit.

Mr. Justin Terry of Blountstown stated he knows Mr. Johnson personally, and knows firsthand he is an honest person and would consider the neighbors wants and needs wherever possible. Mr. Terry stated he believes opening the drag strip would be a good idea, and hopes the Board gets behind the idea.

Chairman Wise closed the floor to public comment.

Commissioner Jones asked Commissioner Hall what he has heard from his constituents in District III (3) about the re-opening of the drag strip. Commissioner Hall stated most everyone he has spoken with are for the drag strip re-opening, and believe it would give them and their families something to do in the area and help keep children out of trouble.

Chairman Wise asked if the conditions for the previous conditional use permit could be attached to this conditional use permit. Attorney Fuqua stated this could be done. Mr. Snowden stated the previous conditions included were: 1) the new track would be four (4) to five (5) feet below the ground at the starting area, 2) The bleachers would be located at or around the starting gate and plywood would be attached to the backside of the units and 4x8 signs would be sold and attached to the fencing surrounding the facility to provide additional sound buffering, 3) The public address system would be located with speakers facing down the track to the south, 4) The dates of operation would be from March to November and occasionally someone may rent the track for testing at other times if weather permits during the season, 5) Normal running time would be three (3) weekends per month on Friday, Saturday, and Sunday after 12 pm if open, 6) Hours of operation would be 10 am to 11 am start, and all reasonable efforts would be made complete races in a timely manner not to run in the early morning hours and there would be no races scheduled after 12 am, 7) At times there would be situations or conditions beyond the track's control where races would be required to be finished after such time, and 8) Lighting would be repositioned to face south down the track. There was further discussion about the conditions listed.

Commissioner Bailey stated he knows Mr. Johnson's family, and they have always been reputable and true to their word. Commissioner Bailey stated he would expect Mr. Johnson to do everything in his power to see that races are completed by the time set, and not run into the early morning hours all the time. Mr. Johnson stated he would not want to put the neighbors in that position every time there were races held. Mr. Johnson stated he could not say the races would be over every time at 12 am, but he would do everything he could to take the neighbors into consideration and would not be racing past that time consistently. Mr. Johnson stated he would do everything possible to work with the neighbors and address their concerns. Commissioner Bailey asked about overflow parking. Mr. Johnson stated they have equipment and would make more parking space available if necessary, and does not want to inconvenience homeowners with cars blocking their driveways.

Commissioner Jones stated he does not know much about racing and asked why the races take so long. Mr. Johnson stated length of the races depend on how many classes are run throughout the day and if someone's engine blows and oil must be cleaned off the track before another car can safely race down the track.

- ❖ Commissioner Hall made a motion to recommend approval of the conditional use permit with the previous conditions imposed in the last conditional use permit issued for the racetrack. Commissioner Bailey seconded the motion. Mr. Johnson stated he has read the previous conditions and is agreeable to them, and would try to do better than the conditions listed. Commissioner Bailey stated he would like for anything left out of the conditions for the permit, such as trash on the roadway, be addressed if it becomes a problem. Mr. Johnson stated he would not want his business represented unprofessionally with garbage on the road. The motion passed unanimously 5-0.

Attorney Fuqua stated the Conditional Use Permit would be discussed again at the regular County Commission Meeting at 6:00 pm, and if those who spoke at the Planning Commission Meeting would like their comments carried forward so they do not have to stay for the next meeting they could direct at this time to have their comments included. All who spoke requested their comments be carried forward to the regular Board meeting.

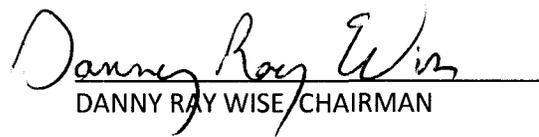
Mr. Snowden stated he would like to clarify some of the items that were discussed at the last meeting about the proposed amendment to the Comprehensive Plan. Mr. Snowden stated there was discussion about the infrastructure element, and creating new lots in the flood plain. Mr. Snowden stated the comment was to strike 1 unit per 20 acres from the element but the discussion to leave the prohibition of new lots being created in the floodplains and wetlands was not quite finished. Mr. Snowden asked if any of the Commissioners had any further thoughts on the issue. Commissioner Bailey stated he would like to see the wording changed so new lots could be created and people could sell their property, but still restrict development in these areas. There was further discussion about the infrastructure element.

Mr. Snowden stated it was discussed to replace the word require with encourage in relation to building on the uplands of a property that includes floodplain. Commissioner Bailey stated he prefers the word encourage instead of require in this instance. Mr. Snowden stated there was also a reference to prohibiting all development in wetlands, and there was an issue with this statement so he would be striking this statement and leaving it out completely.

Mr. Snowden stated he would like to have one more meeting next month to go over the proposed amendment one more time before the next Board meeting before transmittal. Commissioner Bailey

asked Mr. Snowden to email him the changes he has so far. Mr. Snowden stated he would be attending a seminar tomorrow in Panama City regarding development of base flood elevations in un-numbered zones that do not currently have base flood elevation. Mr. Snowden stated they would be teaching the administrators how to do this, and should be good information.

There being no further business, the meeting adjourned at 5:54 p.m., CT.


DANNY RAY WISE / CHAIRMAN

ATTEST:


CARLA A. HAND, CLERK