



SUP 01-23: Jeremy Burnett

Request: Bring existing structure and spectator bleachers into compliance

Parcel ID: 768-021

Location: 6670 Mooresville Rd.

Acreage: Apx. 14.52 AC

Zoning: RA

Floodplain: N/A

Watershed: WSII BW Back Creek / Sloans Creek

Owner / Applicant: Jeremy Burnett

Existing Use: Millbridge Speedway (non-conforming racetrack) and owners residence

SUP REQUEST

Property owner Jeremy Burnette is requesting a special use permit subject to Section 21-135(c) of the Zoning Ordinance to bring an approximate 750 sf structure and a 1,500 sf spectator bleacher in compliance at Millbridge Speedway located at 6670 Mooresville Road (Parcel ID 768-021) [see enclosed maps]. While the property is zoned Rural Agricultural (RA) – a district that does not permit racetracks, the racetrack is considered a legal non-conforming use since it predates countywide zoning effective on February 16, 1998 allowing track operations to continue within the non-conforming limits of Article IV of the Zoning Ordinance. Section 21-135(c) of the ordinance provide a provision for the Board of Commissioners to evaluate “extension, enlargement, or replacement of a non-conforming use” without requiring a rezoning.

SPECIAL USE

REQUIREMENTS:

SEC. 21-135(c)

Any other non-conforming use may be extended, enlarged, or replaced only upon the issuance of a special use permit, subject to procedures established for quasi-judicial hearings, if the county Board of Commissioners finds that, in completing the extension, enlargement, or replacement work [see enclosed applicant response]:

1. There is no increase in the operational area existing on the effective date of this ordinance.
2. There is no greater non-conformity with respect to dimensional restrictions such as setback requirements, height limitations, or density requirements or other requirements such as parking, loading and landscaping requirements.

3. **There is no significant adverse impact on surrounding properties or the public health or safety including but not limited to no increase in the level of noise, dust, odor, glare, or other nuisances.**

**EVALUATION CRITERIA:
SEC. 21-59**

In addition to meeting the above standards, the applicant must illustrate they are able to comply with the following criteria [see enclosed responses]:

1. Adequate transportation access to the site exists.
2. The use will not significantly detract from the character of the surrounding area.
3. Hazardous safety conditions will not result.
4. The use will not generate significant noise, odor, glare, or dust.
5. Excessive traffic or parking problems will not result.
6. Use will not create significant visual impacts for adjoining properties or passersby.

STAFF COMMENTS

Staff will provide an evaluation prior to the scheduled hearing. Schedule quasi-judicial hearing for April 17, 2023.