

CITY OF HAMPTON, VIRGINIA LAND USE APPLICATION

Office Use Only:	
Case Number:	1034
Date Received:	10/19/07

Select the appropriate box:

- ☐ **APPEAL OF ZONING ADMINISTRATOR'S DECISION *** (also complete Section 1 on reverse)
- ☐ **CONDITIONAL PRIVILEGE** (also complete Section 2 on reverse)
- ☐ **REZONING** (also complete Section 3 on reverse)
- ☐ **SPECIAL EXCEPTION *** (also complete Section 2 on reverse)
- ☒ **USE PERMIT** (also complete Section 2 on reverse)
- ☐ **VARIANCE *** (also complete Section 4 on reverse)

INFORMATION REQUIRED FOR ALL APPLICATIONS:

Property Address/Legal Description: 66 Big Bethel Road

Current Land Use: Religious Building Site

Current Zoning: R-11

Proposed Land Use: Educational Building
(if no specific use is proposed, please note.)

- PROPOSE TO:
- ☐ Use an existing building
- ☐ Construct an addition
- ☒ Construct a new building

OWNER INFORMATION:

Owner's Name: New Mount Olive Baptist Church

Address: 66 Big Bethel Road
Hampton, VA 23666

Phone Number: 757-838-7729

E-mail: _____

APPLICANT INFORMATION: (if different from 'Owner')

Applicant Name: Same as above

Address: _____

Phone Number: _____

E-mail: _____

Applicant's Agent: David F. Bugin, Architect

Address: 8 San Jose Dr., Ste. 3A
Newport News, VA 23606

Phone Number: 757-874-4064

E-mail: DFB@DFBarchitects.us

OWNER AUTHORIZATION: I HEREBY SUBMIT THAT I AM THE FEE-SIMPLE OWNER OF THIS PROPERTY. I HAVE READ THIS APPLICATION AND IT IS SUBMITTED WITH MY FULL KNOWLEDGE AND CONSENT. I AUTHORIZE CITY STAFF AND REPRESENTATIVES TO HAVE ACCESS TO THE PROPERTY FOR INSPECTION. THE INFORMATION CONTAINED IN THIS APPLICATION IS ACCURATE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

OWNER'S NAME (please print)

Dr. W. R. Rylander

for New Mount Olive Baptist Church

OWNER'S SIGNATURE AND DATE

W. Rylander

DEVELOPMENT OF ANY PROPERTY IS SUBJECT TO COMPLIANCE WITH ALL APPLICABLE CODES, REGULATIONS AND ORDINANCES, WHETHER OR NOT THEY ARE SPECIFIED IN THE APPROVAL OF ANY LAND USE APPLICATION.

CITY OF HAMPTON, VIRGINIA LAND USE APPLICATION

Please complete the applicable section:

SECTION 1: APPEALS OF THE ZONING ADMINISTRATOR'S DECISION

FEE: If Associated With Single Family Residential Use: \$75; All Others: \$200

DATE OF THE DECISION BEING APPEALED: _____

DESCRIPTION OF THE APPEAL: _____

—ALLOW AT LEAST TWO (2) BUSINESS DAYS AFTER HEARING BEFORE REQUESTING ANY PERMITS.—

SECTION 2: CONDITIONAL PRIVILEGE; USE PERMIT; SPECIAL EXCEPTION

FEES: **CONDITIONAL PRIVILEGE:** \$650

USE PERMIT: \$650

SPECIAL EXCEPTION: If Associated With Single Family Residential Use: \$75; All Others: \$200

NOTE: (a) Day Care, Bed & Breakfast, Communication towers require a supplemental information form be submitted with this application
(b) Communication towers require additional information as specified in the Zoning Ordinance to be submitted with this application.

PROPOSED HOURS OF OPERATION:

	Mon	Tues	Wed	Thurs	Fri	Sat	Sun
FROM:	6:00am	6:00am	6:00am	6:00am	6:00am		
TO:	6:30pm	6:30pm	6:30pm	6:30pm	6:30pm		

SECTION 3: REZONING

FEE: \$650 for 1st acre (or any part thereof) PLUS \$100 per additional acre (or any part thereof)

NOTE: Rezoning requires a proffer statement to be submitted with this application.

PROPOSED ZONING AND USE OF THE PROPERTY: _____

SECTION 4: VARIANCES

FEE: If Associated With Single Family Residential Use: \$75; All Others: \$200

DESCRIPTION OF THE REQUEST: _____

* **No variance shall be authorized by the board unless it finds:**

1. That strict application of the Ordinance would produce undue hardship
2. That such hardship is not shared generally by other properties in the same zoning district and vicinity.
3. That the authorization of such variance will not be of substantial detriment to the adjacent property and that the character of the district will not be changed by the granting of the variance.

—ALLOW AT LEAST TWO (2) BUSINESS DAYS AFTER HEARING BEFORE REQUESTING ANY PERMITS.—

**PLEASE REVIEW THE "ADDITIONAL REQUIREMENTS" CHECKLIST (PAGE 3)
BEFORE SUBMITTING YOUR APPLICATION.**

CITY OF HAMPTON, VIRGINIA

LAND USE APPLICATION

ADDITIONAL REQUIREMENTS:

ALL LAND USE APPLICATIONS MUST CONTAIN:	
<ul style="list-style-type: none"> • A completed Land Use Application Form (including supplements, as necessary) • A recent certified surveyed plat of the property. • A brief narrative describing the nature of the application. • The application fee. <i>This fee is non-refundable.</i> Only checks or money orders (made payable to the City of Hampton) will be accepted. Cash or purchase orders will NOT be accepted. <ul style="list-style-type: none"> • APPEALS OF THE ZONING ADMINISTRATOR'S DECISION: If Associated With Single Family Residential Use: \$75; All Others: \$200 • SPECIAL EXCEPTION: If Associated With Single Family Residential Use: \$75; All Others: \$200 • USE PERMIT: \$650 • CONDITIONAL PRIVILEGE: \$650 • REZONING: \$650 for 1st acre (or any part thereof) PLUS \$100 per additional acre (or any part thereof) • VARIANCE: If Associated With Single Family Residential Use: \$75; All Others: \$200 • Any delinquent real estate taxes owed on the subject property must be paid before an application may be processed. • <i>In addition to the above, some applications may require additional information.</i> 	
COMMUNICATIONS TOWERS (USE PERMIT)	
<ul style="list-style-type: none"> • Supplementary Form for Communications towers (2 pages) • Intermodulation Study • Zoning Ordinance Requirements (§20-5.1(4)) 	
DAY CARES (CONDITIONAL PRIVILEGE or SPECIAL EXCEPTION)	
<ul style="list-style-type: none"> • Supplementary Form for Day Cares (1 page) • Traffic Circulation Plan / Traffic Study for Day Care 3 • Conceptual site plan • Licensing Requirements (Department of Social Services) <i>if applicable</i> • Floor Plan (labeled and to-scale) 	
VEHICLE STORAGE (USE PERMIT)	
<ul style="list-style-type: none"> • Zoning Ordinance Requirements (§20-5.1(2)) 	
ADULT CARE RESIDENCE (USE PERMIT)	
<ul style="list-style-type: none"> • Zoning Ordinance Requirements (§20-5.1(5)) 	

Additional information such as (but not limited to) a conceptual site plan, building elevations, location of existing/proposed improvements (if not shown on plat), or a Stormwater Management Plan (see City Code §33.1-6 and §33.1-7) may be required by the Zoning Administrator or Planning Director after initial review of the application. Such information may be provided with the initial submission at the applicant's discretion.

Applicants for Rezoning, Conditional Privilege and Use Permit applications must submit 35 copies (reduced to no larger than 8½" x 17") of any required site plans, building elevations, landscape plans, color photographs, or other non-textual information.

Applicants for Variance, Special Exception and Appeal applications must submit 8 copies (reduced to no larger than 8½" x 17") of any required site plans, building elevations, landscape plans, color photographs, or other non-textual information.

SUBMITTAL OF LAND USE APPLICATIONS	
Variance/Special Exception/ Appeal of Zoning Administrator's Decision	Rezoning/Conditional Privilege/Use Permit
<ul style="list-style-type: none"> • Submit to the Permit Office, 3rd floor City Hall, 22 Lincoln Street, Hampton, VA 23669. • Telephone: 728-2444 	<ul style="list-style-type: none"> • Submit to the Planning Department, 1 Franklin Street, Suite 603, Hampton, VA 23669 (6th floor) • Telephone: 727-6140

REZONING APPLICATION # _____ PROFFER STATEMENT

BEFORE A REZONING APPLICATION IS PRESENTED TO THE PLANNING COMMISSION, THE OWNER MUST SIGN A STATEMENT THAT HE (A) DOES OR (B) DOES NOT WISH TO PROFFER LEGALLY PERMISSABLE CONDITIONS IN SUPPORT OF THE APPLICATION (PERMISSABLE CONDITIONS ARE OUTLINED BELOW). WITHOUT THIS SIGNED STATEMENT, THE REZONING APPLICATION WILL NOT BE ADVERTISED IN THE NEWSPAPER AND WILL NOT PROCEED TO PLANNING COMMISSION. PLEASE SELECT AND SIGN ONE OF THE FOLLOWING:

(A) I HEREBY VOLUNTARILY PROFFER THE FOLLOWING SPECIAL CONDITIONS RELATING TO THE PHYSICAL DEVELOPMENT OR PHYSICAL OPERATION OF THE PROPERTY UNDER CONSIDERATION. I FURTHER AGREE THAT THE DEVELOPMENT OF THE PROPERTY SHALL BE IN STRICT ACCORDANCE WITH THESE CONDITIONS, UNLESS AN AMENDMENT THERETO IS MUTUALLY AGREED UPON BY THE CITY COUNCIL AND THE UNDERSIGNED. (PLEASE USE ADDITIONAL SHEETS IF NECESSARY; LEGALLY PERMISSABLE CONDITIONS ARE DESCRIBED ON REVERSE.)

1. The school facility shall provide instruction to children of the ages 4-12 years.
2. The school's maximum enrollment shall not exceed 220 students at any one time.
3. The school facility's hours of operation shall be 6:00am to 6:30pm Monday through Friday.
4. Loading and unloading of all students at the school shall be done on the premises.
5. The school facility shall include activity areas within the building as are required for the school curriculum and state liscensing. These areas shall include but not be limited to classrooms, activity rooms, library, administrative work areas, cafeteria with kitchen, student commons areas and mechanical service areas.
6. The school facility shall be provided with 42 new parking spaces on the site in addition to the existing parking now present.



New Mount Olive Baptist Church

CURRENT PROPERTY OWNER & DATE

(B) I DO NOT PROFFER ANY CONDITIONS WITH THIS APPLICATION.

CURRENT PROPERTY OWNER & DATE

HAMPTON ZONING ORDINANCE, SECTION 24.2.1. PERMISSABLE CONDITIONS.

1. THE CURRENT PROPERTY OWNER MAY VOLUNTARILY PROFFER CONDITIONS THAT WILL SUPPLEMENT THE SPECIFIC DISTRICT REGULATIONS TO THE EXTENT THAT:
 - (A) THE REZONING ITSELF NECESSITATES THE CONDITIONS;
 - (B) SUCH CONDITIONS HAVE A REASONABLE RELATION TO THE REZONING; AND
 - (C) ALL CONDITIONS ARE IN CONFORMITY WITH THE COMPREHENSIVE PLAN.
2. WHEN CONDITIONS INCLUDE THE DEDICATION OF REAL PROPERTY OR PAYMENT OF CASH FOR FACILITIES, SUCH PROPERTY SHALL NOT BE TRANSFERRED NOR SUCH PAYMENT MADE TO THE CITY UNTIL THE FACILITIES FOR WHICH SUCH CONDITION IS INTENDED ARE INCLUDED IN THE ADOPTED CAPITAL IMPROVEMENTS PLAN. THE CONDITIONS SHALL PROVIDE FOR THE DISPOSITION OF SUCH PROPERTY OR PAYMENT IN THE EVENT IT IS NOT USED FOR THE PURPOSE FOR WHICH PROFFERED.
3. ONCE PROFFERED AND ACCEPTED AS PART OF AN AMENDMENT TO THE ZONING ORDINANCE, SUCH CONDITIONS SHALL CONTINUE IN EFFECT UNTIL A SUBSEQUENT AMENDMENT CHANGES THE ZONING OF THE PROPERTY COVERED BY THE CONDITIONS; HOWEVER, SUCH CONDITIONS CONTINUE IF THE SUBSEQUENT AMENDMENT IS PART OF THE COMPREHENSIVE IMPLEMENTATION OF A NEW OR SUBSTANTIALLY REVISED ZONING ORDINANCE.

NEW MOUNT OLIVE CHRISTIAN ACADEMY

66 Big Bethel Road

Project Description

New Mount Olive Christian Academy is requesting permission to construct a new two story educational facility with associated site improvements including 42 new parking spaces. This request is subsequent to a previously approved Use Permit, which expired in November of 2006. The building will be less than 10,000 square feet per floor with a maximum student body of 220 at any one time. Student ages will be from 4 to 12 years old. Approximately 85% of the students are transported to and from the daily school session by bus. The remaining students are transported by their parents. The regular Academy educational program is anticipated to run concurrent with the local public school schedule but some summer tutoring programs may be offered by the Academy. The facility will include classrooms, resource rooms, library, administrative areas, student commons, a cafeteria with kitchen and mechanical/service areas. The school's hours of operation shall be from 6:00 am to 6:30 pm Monday through Friday. Since the building will be owned and operated by New Mount Olive Baptist Church as well as located on church owned property, it is intended to be a multi-purpose use building. In addition to the Academy's use, the building is intended to also serve the educational and multi-purpose needs of the existing church on a year round basis. Typical anticipated Church uses for the building would be vacation bible school, Sunday bible study classes, summer tutoring programs, etc. Participants in these programs would also be involved in regular Church activities.

5-17-07

New Mount Olive Baptist Church
66 Big Bethel Road
Hampton, Virginia 23666

Reverend W. Randolph Rylander, Pastor
(757) 838-7729 Phone (757) 838-7600 Fax

July 16, 2007

To Whom It May Concern:

During a regular annual meeting of New Mount Olive Baptist Church in December 1987, it was voted unanimously that our Pastor, Dr. W. Randolph Rylander, would be authorized to sign as owner for all documents, purchases, sales, adjustments or changes and any other matters concerning the Church. Also Pastor Rylander has been confirmed by the Circuit Court of Hampton, Virginia as chairman of our Trustee Committee.



Karen A. Sycamore
Church Clerk