

Conditions

Use Permit Application No. 25-0103

Funeral Home/Mortuary

611 Rotary St [portion of LRSN 1000315]

1. Issuance of Permit

The Use Permit is for the use of Funeral Home/Mortuary, as that use is defined in the City's Zoning Ordinance, applies only to the location at 611 Rotary St [portion of LRSN 1000315] ("Location"), is further limited and confined to the designated area as identified on **Exhibit A** attached hereto (the "Crematorium"), and is not transferable to another location or building within the site. Any expansion beyond the area designated on **Exhibit A** will require an amended Use Permit.

2. Parking

- a. The Crematorium shall comply with the floor plan, attached hereto as **Exhibit B**, and shall not include a public viewing area or chapel. In the event that a public viewing area or chapel are introduced within the Crematorium, an amendment to the Use Permit will be required to include additional parking standards.
- b. Per Zoning Ordinance Section 11-2, one dedicated bicycle parking space shall be provided on-site at all times, as depicted on **Exhibit B**.

3. Traffic Circulation

Loading and unloading of vehicles shall be conducted on site and not on any public street or right-of-way.

4. Certificate of Occupancy

The applicant must obtain a Certificate of Occupancy prior to commencing operation.

5. Licensing and Compliance with Laws

- a. Applicant shall obtain and maintain all applicable licenses to conduct the business authorized by this Use Permit prior to engaging in any such business, including, but not limited to, those that may be required by the Virginia Board of Funeral Directors and Embalmers.
- b. If the applicant is a legal entity, other than a person or persons, including, but not limited to a limited liability company or corporation, applicant shall be authorized to transact business in Virginia as a domestic or foreign business entity and shall provide proof of registration to the Zoning Administrator, upon request. Applicant shall not allow its existence to lapse or its certificate of authority or registration to transact business in Virginia to be revoked or cancelled at any time while this Use Permit is in effect.
- c. This Use Permit may be terminated for any violation of federal, state, or local law, including, but not limited to, the provisions of the Hampton

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Zoning Ordinance and the Hampton City Code, to include, but not limited to, noise, setbacks, building code, and taxation requirements.

6. Revocation

Notwithstanding any condition or provision of this Use Permit to the contrary, the Use Permit may be revoked for violation of any terms or conditions of the Use Permit as set forth in chapter 14 of the Hampton Zoning Ordinance (as amended).

7. Nullification

The Use Permit shall automatically expire and become null and void under any of the following conditions:

- (1) If, in the case of new construction, the building has not been erected, with doors, windows, roof covering and exterior finish materials in place within two (2) years of the issuance of the use permit;
- (2) No building permit to construct the authorized improvements has been issued within twelve (12) months of the date of approval by the City Council, or if no building permit is required, if the use is not established within twelve (12) months of the date of approval by the city council;
or
- (3) Once the property may be occupied, if the property is not used for the permitted purpose for a continuous two-year period unless otherwise specified in the zoning ordinance. In making this determination the city may consider such matters as the issuance of a building permit, a business license, utility connections and such related factors.

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EXHIBIT A



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EXHIBIT B

