

# Conditions

## **Use Permit Application No. 21-00012**

Red-letter Runners | 2409/2411 Kecoughtan Road, Hampton, VA 23661

### **1. Issuance of Permit**

The use permit applies only to the location at 2409/2411 Kecoughtan Road [LRSN 1003602 & 1003603] and is not transferable to another location.

### **2. Additional Standards found in Chapter 3**

The operation shall comply with the additional standards as indicated in Sec.3-3(23) of the Zoning Ordinance of Hampton (as amended), except in the case where the conditions attached to this use permit are more restrictive, in which case these conditions shall supersede.

### **3. Property Line Vacation**

The property line dividing 2409 & 2411 Kecoughtan Road shall be vacated prior to the issuance of any permits for construction on either property.

### **4. Site Plan Location of Outdoor Dog Run and Fence**

The outdoor dog run shall be located wholly within the "dog run area" as marked on the plat entitled "Plat of the Property of: Toan Van Nguyen & Anh Kim Thi Vu", dated February 25, 2021, prepared by Donald Davis, as modified, and which is attached hereto as Exhibit A. The dog run will be enclosed by an opaque 6 foot tall fence and screened in accordance with the City of Hampton Landscape Guidelines, Section 3-13. Potted plants may be used to meet the intent of Section 3-13 of the City of Hampton Landscape Guidelines, as approved by the Director of Community Development or their Designee.

### **5. Site Access Modification**

The site access along Kecoughtan Road shall be made inaccessible for vehicle ingress or egress. The means for making this access point on Kecoughtan Road inaccessible shall be approved by the Directors of Public Works and Community Development, or their designees following review for its ability to deter vehicular traffic from entering or exiting the site, not impeding vehicular or pedestrian traffic in the right-of-way, not hindering emergency services for the site, not being in conflict with other codes and ordinances, and being appropriately visible so as to not create a potential hazard.

### **6. Building Modification**

Any exterior modifications of the existing building from that shown on the site plan in Exhibit A, other than minor modifications as approved by the

# Conditions

Director of Community Development or their designee, shall not be permitted.

## **7. Hours of Operation**

The hours of operation shall be limited to the following:

- a. Sunday-Saturday: 6:00 AM to 10:00 PM
- b. During the hours of 6:00 AM to 7:00 AM and 8:00 PM to 10:00 PM, no more than 5 dogs shall be in the outdoor run at one time.
- c. No animals shall be kept on site outside of the hours of operation listed above.

## **8. Capacity**

The number of animals on site shall not be so many as to prohibit adequate space for each animal as defined in Hampton City Code Chapter 5 (as amended).

## **9. Ledger**

The applicant must maintain a daily ledger containing the name and breed of each animal cared for, the animal's owner, and the length of stay for the animal.

## **10. Staffing**

The business shall provide sufficient staff to monitor all dogs on site during the hours of operation and while any dog is on the property. The business shall also provide sufficient staff to monitor any dogs in the outdoor dog run while in use.

## **11. Animal Waste Collection**

All animal waste is to be collected and disposed of in accordance with all applicable codes and ordinances on at least a daily basis.

Prior to commencing the animal day care use, the Public Works Director/designee and Community Development Director/designee shall approve an animal waste plan for the property. Use of the property shall be consistent with Section 33.2-26 of the City Code (as amended) pertaining to storm water pollution.

## **12. Sound**

Operations shall comply with City Code Section 22-9 (as amended) with respect to any sound or noise.

# Conditions

## **13. Reporting Dog Bites**

Any dog bites that may occur on the property must be reported to the City of Hampton Animal Response Team (HART) within 48 hours of the incident.

## **14. Licensing and Compliance with all Laws**

The use permit may be terminated for any violation of federal, state, or local law, including any violation of Hampton City Code Chapter 5 Articles I – V (as amended).

## **15. 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).

## **16. Nullification**

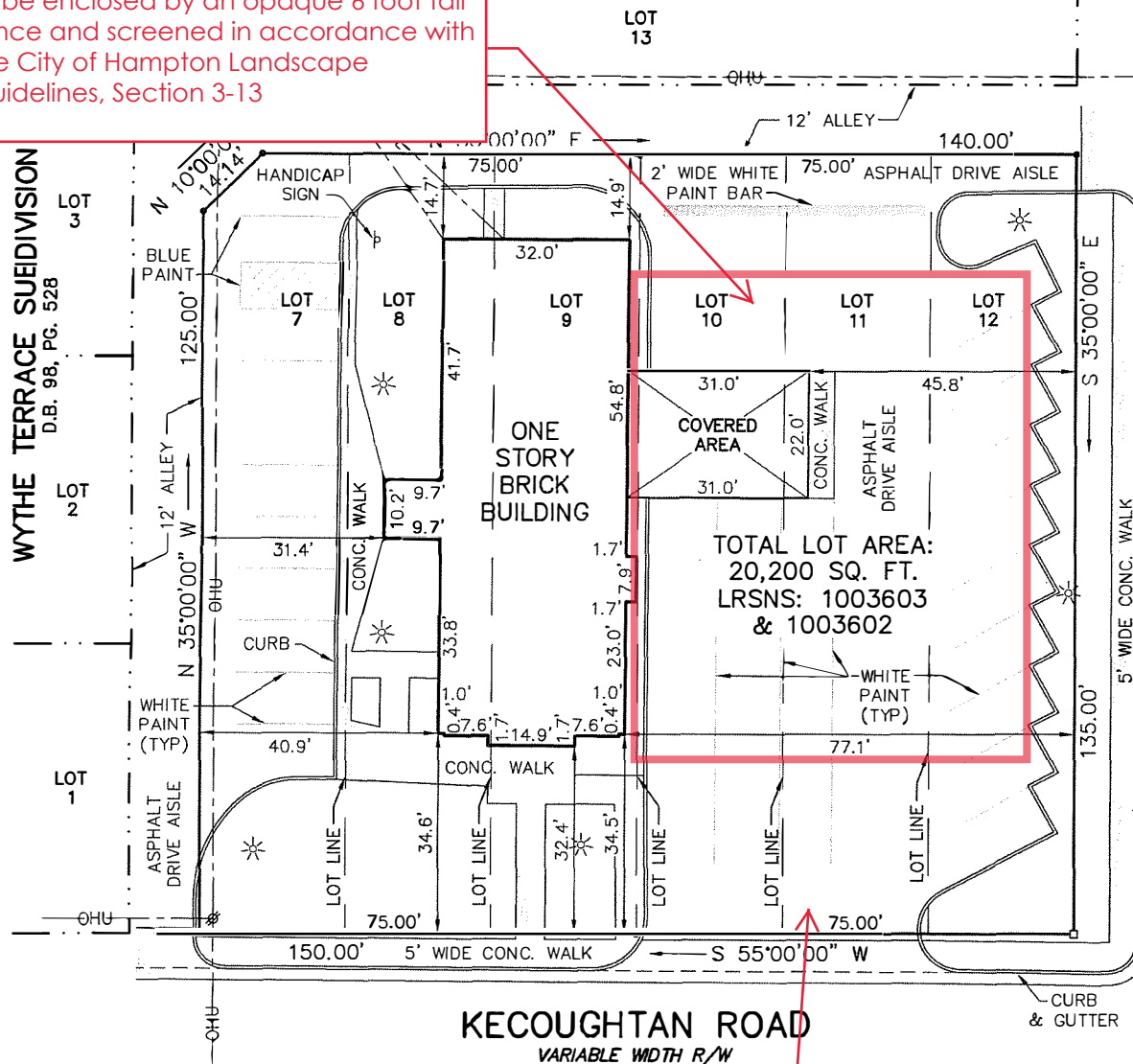
The use permit shall automatically expire and become null and void under any of the following conditions:

- (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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


NOTES:

1. THIS SURVEY WAS PREPARED WITHOUT BENEFIT OF A TITLE REPORT. PROPERTY MAY BE SUBJECT TO EASEMENTS AND SERVITUDES OF RECORD.
2. PROPERTY SHOWN HEREON IS LOCATED IN ZONE X AS SHOWN ON FLOOD INSURANCE RATE MAP COMMUNITY NUMBER 515527, MAP NUMBER 5155270024H, EFFECTIVE DATE: MAY 16, 2016.

POCAHONTAS PLACE  
50' R/W

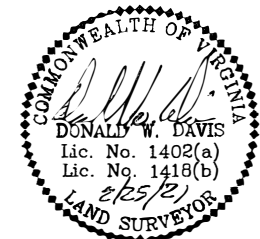
SCALED NORTH  
D.B. 60, PG. 48

SYMBOLS:

-  PIPE FOUND  
 IRON ROD SET  
 IRON ROD FOUND  
 CONC. MONUMENT  
 LIGHT POLE

I, Donald W. Kline  
HEREBY CERTIFY THAT THE SURVEY  
REPRESENTED BY THIS PLAT WAS  
MADE BY ME ON THIS DATE AND IS  
CORRECT TO THE BEST OF MY  
KNOWLEDGE AND BELIEF THERE ARE  
NO ENCROACHMENTS OF BUILDINGS  
UNLESS SHOWN HEREON.

**DAVIS & ASSOCIATES, P.C.**  
SURVEYORS - PLANNERS  
3630 GEORGE WASHINGTON  
MEMORIAL HIGHWAY - SUITE G  
YORKTOWN, VIRGINIA 23693  
(757)867-8583



JOB LOCATION : #2409 & #2411 KECOUGHTAN ROAD

PLAT OF THE PROPERTY OF:

TOAN VAN NGUYEN &amp; ANH KIM THI VU

LOTS 7, 8, 9, 10, 11, & 12  
BLOCK J

MAP OF  
NEWPORT TERRACE  
ON-HAMPTON-ROADS, PLAT NO. 1

CITY OF HAMPTON, VIRGINIA

DEED BOOK 60, PAGE 481  
STATE HIGHWAY PROJECT 633 W AWI C&G

CODE: 21-0089

DWN.BY: S.J.M.

SCALE: 1" = 20'

TO: RED-LETTER

DATE: 25 FEB. 2021

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