

Conditional Privilege Application No. 135-2013 (as amended May 16, 2013)

TR Development, LLC

978 Big Bethel Road, Hampton, VA 23666

Conditions: Operation of a Funeral Home and Crematorium

1. Issuance of Permit

The Conditional Privilege applies only to 978 Big Bethel Road [LRSN 4001445], per the submitted plat, titled "ALTA/ASCM Land Title Survey of 978 & 1014 Big Bethel Road Hampton, Virginia", as prepared by Ward M. Holmes, Land Surveyor, P.C., and revise dated October 4, 2012, and is not transferrable to another location.

2. Traffic Circulation

The traffic circulation plan will be in substantial conformance with the conceptual site layout titled "Preliminary Site Plan for Taylor-Robinson Funeral Home," dated May 6, 2013. If any changes to the traffic circulation plan are deemed necessary to accommodate environmental, engineering, architectural, topographic, or other development conditions or site plan approval requirements, as required by law, and subject to the approval of the Director of Community Development, then an amended traffic circulation plan shall be submitted and approved by the City Traffic Engineer before Certificate of Occupancy is granted.

3. Hours of Operation

The hours of the Funeral Home and Crematorium shall be limited to the following:

Monday through Saturday: 9:00 AM until 9:00 PM

Sunday: Closed

4. Licensure Paperwork

The applicant must maintain a valid license with the Virginia Department of Health Professions.

5. Certificate of Occupancy

Prior to Certificate of Occupancy, applicant shall provide:

(a) Written proof to the Zoning Administrator that the operator is a legal entity duly organized under the laws of the Commonwealth of Virginia and is in good standing with the Virginia State Corporation Commission; and

(b) Verification that all traffic improvements recommended by the traffic study, "Traffic Impact Assessment 1014 Big Bethel Road Hampton, Virginia" dated November 21, 2012 as prepared by Bryant B. Goodloe, P.C., have been implemented

6. Nullification

(a) The Conditional Privilege shall become null and void if the use is not established within twelve months (12) of the date of approval by the City Council.

(b) The Conditional Privilege shall become null and void if the facility is not used for the permitted use for a period of six (6) consecutive months.

7. Revocation

Notwithstanding any condition or provision of this Conditional Privilege to the contrary, the Conditional Privilege may be terminated for repeated or continuing violations of any terms or conditions of the Conditional Privilege, a violation of federal, state, or local law pertaining to the funeral home/crematorium licensing required by the Virginia Department of Health Professions. The consideration of a possible revocation shall follow the procedure set forth in this chapter for approving the conditional privilege, per Section 20.1-13 of the Zoning Ordinance.