

Conditions

Use Permit No.22-00003

Hampton Yacht Club, Inc.

Marina

4706 Victoria Boulevard [LRSN: 2003821]

1. Issuance of Permit

The Use Permit applies only to the location at 4706 Victoria Boulevard [LRSN: 2003821] and is not transferable to another location.

Use of the Property as described in this use permit shall be permitted only in conjunction with the adjacent marina use currently in operation on 519, 525, 529, and 531 Bridge Street and 4701, 4707, 4709, 4710 and 4712 Victoria Blvd. If the marina operation on the above-referenced lots should cease, then use of the subject property as described in this use permit shall also cease.

2. Operation

- a. The location shall be limited in marina use to the storing of craft no greater than twenty feet (20') in length on hand trucks. The area may be used for activities normally associated with preparation to sail. All other vehicle parking, including but not limited to personal vehicles and maintenance equipment, is prohibited. Outdoor storage of materials or equipment, other than the craft expressly permitted in this condition, is prohibited.
- b. It shall not be used for engine repair, sanding, painting, or other repairs which emit noise exceeding Hampton City Code section 22-9 (as amended), dust, smoke, or noxious odors.
- c. Outdoor dining and live entertainment shall not be permitted on this property. This shall not preclude the hosting of sailing related events and the announcements typical of such events.

3. Boat Storage

Boats shall be kept on hand truck trailers. Trailers designed to be pulled behind vehicles shall not be stored on this site. All boats shall be kept a minimum of 30' from the front (western) property line and a minimum of 5' from the southern (side) property line.

4. Site Improvements

- a. The area shall be maintained as a grass area with the exception of accessory structures and vegetated landscaping.
- b. A fence meeting the requirements of Sec. 1-18 of the City of Hampton Zoning Ordinance may be installed (i) along the front (westerly) property line, and (ii) along the southern property line beginning at the front (westerly) property line and extending in an easterly direction a distance of 30'. If installed, the fence shall be a decorative aluminum or wrought iron style.
- c. At the 30' setback line from Bridge Street, there shall be installed at ground level, or within one foot of ground level, a continuous, physical

demarcation of the westerly boundary of the permitted boat storage area (such as, but not limited to, pavers, bumper blocks, railroad ties or other comparable physical demarcation).

- d. Lighting shall be limited to pedestrian scale light fixtures, not exceeding 15' in height from ground level to the top of the fixture. The lights shall be full cutoff fixtures and installed and maintained to be downward and inward focus to prevent spillover onto neighboring properties.
- e. No driveway or similar provisions for vehicle access shall be permitted from Bridge Street.

5. Buildings

- a. A building may be erected; and if so, it shall be limited to one building not to exceed 16' in height and 500 square feet in area.
- b. If a building is erected it shall be setback a minimum of 120' from the front property line/the Bridge Street right-of-way line.

6. Hours of Operation

The area may be actively used, meaning accessing boats, holding events, or similar recreational use, from sun up until 10:00 pm Monday through Sunday.

7. Sound

The business shall comply with Hampton City Code section 22-9 (as amended) with respect to any sound or noise.

8. 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).

9. Nullification

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

- a. 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;
- b. 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
- c. 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.
- d. Since the aforementioned fencing and building are permitted, but not required by this permit, subsections (a) and (b) of this numbered section shall

not be considered or interpreted to nullify this permit if the fencing and/or building are not erected or permitted within the time periods mentioned.