

Use Permit No. 17-00003

Carol H. Wright
56 Tidewater Drive [LRSN 6000763]
Hampton, VA 23666

Conditions

1) Issuance of Permit

- a. The Use Permit boundary applies only to 56 Tidewater Drive [LRSN 6000763] and is not transferable to another location.
- b. Vehicle storage shall be fully contained within the Auto Storage Area, as depicted in Exhibit B.

2) Site Design

- a. The Property shall be developed in substantial conformance with the development plan prepared by T.J. Savage and Associates entitled **Development Plan, Lot 12-A Tidewater Farms formerly the Lone Oak Tract - Hampton, VA, revised dated 1/25/17 (Exhibit B) (the Development Plan)**, which is attached hereto and incorporated by reference. Any minor changes to the diagram made necessary by environmental, engineering, architectural, topographic or other development conditions, or site plan and subdivision approval requirements, may be permitted subject to the approval of the Director of Community Development.

3) Fencing

- a. All storage areas shall be enclosed by an opaque fence at least six (6) feet tall. Chain link fencing is prohibited. Fencing shall be installed and maintained in accordance with the development plan on Exhibit B.
- b. The name and contact information of the operator of the vehicle storage business must be posted on the fence and updated whenever the business operator changes.

4) Landscaping

Twenty Foot Landscape Buffer

- a. A landscape plan shall be prepared by the applicant and approved by the Community Development Director or his designee prior to issuance of any building or zoning permit. The landscape plan shall be designed in accordance with the following to achieve proper screening of the use:
 - i. There shall be a minimum of a twenty (20') foot deep undisturbed natural landscape buffer that consists of a combination of existing trees and additional evergreen and deciduous trees and shrubs, along the northerly boundary of the site adjacent to Commander Shepard Boulevard, which is depicted on Exhibit B - Development Plan.
 - ii. The minimum twenty (20') foot landscape buffer shall be consistent with the table and diagram shown in Exhibit A – Landscaping Specifications. All existing trees within the landscape buffer shall be preserved, with the exception that all dead, diseased or damaged vegetation and invasive species shall be removed only to the extent necessary. All trees installed in the landscape buffer shall be dispersed throughout

the required planting areas and shall be planted with a combination of single trees and groups of trees in a staggered, clustered or other pattern. Trees shall not be installed in a continuous single row except where necessary and appropriate to meet screening buffer requirements. Shrubs shall be installed in groupings and integrated with trees. All plant materials shall be selected based on suitability for shaded areas and their ability to exist in wooded areas with its various growth-inhibiting characteristics.

- iii. All new trees within the minimum twenty (20') foot deep landscape buffer shall be a combination of deciduous shade trees and evergreen trees. No more than fifty percent (50%) of the required new trees shall be of any one type, nor shall more than twenty-five percent (25%) of the required shrubs be of any single species. All new trees and shrubs shall meet the minimum size requirements as stated in Exhibit A – Landscaping Specifications.
- iv. The minimum twenty (20) foot deep landscape buffer shall be maintained in an undisturbed natural vegetative state with the exception of providing supplemental plantings. Pruning and trimming shall be limited to selective thinning of vegetation under a two inch (2") caliper.

Side Yard Landscape Buffer

- v. There shall be a side yard setback of at least nine (9') feet between the fence identified in Condition #3 and any adjacent property as shown on the Development Plan.
- vi. An even distribution of landscaping material shall be provided throughout the nine (9') foot setbacks, such that an appearance of one continuous row of trees to screen views from nearby properties is achieved.
- vii. All new trees within the nine (9') foot deep landscape buffer shall be a combination of deciduous shade trees and evergreen trees. No more than fifty percent (50%) of the required new trees shall be of any one type, nor shall more than twenty-five percent (25%) of the required shrubs be of any single species. All new trees and shrubs shall meet the following minimum size and type requirements as stated in Exhibit A – Landscaping Specifications.

5) Ledger

The vehicle storage operator must maintain a ledger containing all vehicles stored, and the date which storage begins and ends.

6) Length of Storage

Vehicles shall not be stored longer than sixty (60) days.

7) Salvage & Vertical Stacking

No salvage, wrecking, or vertical stacking of vehicles shall occur in conjunction with the storage of vehicles.

8) Lighting

All outdoor lighting shall be focused downward and inward in a way that prevents a spillover effect on adjoining properties.

9) Compliance with Applicable Laws

This Use Permit may be terminated for any violation of applicable federal, state, or local law.

10) 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.

11) 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 zoning ordinance.

Exhibit A – Landscaping Specifications

Plant Type	Installed Size
Deciduous shade Tree	0.5" -1" caliper
Evergreen Tree	4' -6' height
Evergreen Shrub	15" -18" height



