

Use Permit No. 1085-2013

Attic Tattoos, LLC

1073 N. King Street, Hampton, VA 23669

Conditions

1. Issuance of Permit

The Use Permit applies only to 1073 N. King Street [LRSN 8000678], and is not transferable to another location.

2. Hours of Operation

The hours of operation shall be limited to 10:00AM to 10:00PM from Sunday to Saturday.

3. Screening

All tattooing shall be screened in a way to not be visible from the exterior of the building.

4. Certificate of Occupancy

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

5. Compliance with Applicable Laws

The applicant must comply with all Health Department, Virginia Code § 15.2-91 & 18.2-371.3, and City of Hampton Code requirements and regulations, and any and all other applicable Federal, State, and Local ordinances and regulations.

6. Nullification

- a. The Use Permit shall become null and void if the use is not established within twenty-four (24) months of the date of approval by City Council.
- b. The Use Permit shall become null and void if the facility is not used for the permitted use for a period of six consecutive months.

7. Termination

Notwithstanding any condition or provision of this Use Permit to the contrary, the Use Permit may be terminated immediately for violation of any terms or conditions of the Use Permit.

8. Term of Permit

The Use Permit shall be valid for 18 months from the date of approval by the Hampton City Council. After 12 months of operation, prior to the expiration date, the Use Permit will be scheduled for review by the Director of Community Development (the "Director") to consider if the continuation of the Use Permit the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district. The review will be based, in part, upon a physical site review, traffic flow and control, access to and circulation within the property, off-street parking and loading, hour and manner of operation, noise, light, neighborhood complaints, police service calls, and any violations of any federal, state, or local law. If after review, the Director determines that the Use Permit would not be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would not cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director may administratively extend the Use Permit in five (5) year increments. Each such extension shall be subject to the

same administrative review. If the Director determines that the Use Permit would be detrimental to the public health, safety, and welfare and that to continue the activities under the Use Permit would cause public inconvenience, annoyance, disturbance, or have an undue impact on the community or be incompatible with other uses of land in the zoning district, the Director will notify the Permittee of a denial of the extension in writing. The denial of an extension of the Use Permit will not require the removal of any structure or structures constructed or installed for the live entertainment area(s). A Permittee aggrieved by the decision of the Director may, upon written request within 30 days of the decision, have the matter reviewed by the Planning Commission and the City Council. Nothing contained herein shall limit the rights of a Permittee to seek a new Use Permit.