

Conditions

Use Permit Application No. 22-00004

Vehicle sales, of used vehicles

Dyon Banks, Diversified Automotive LLC | 2469 W. Pembroke Avenue [LRSN 1000065]

1. Issuance of Permit

- a) The Use Permit applies only to the location at 2469 W. Pembroke Avenue [LRSN 1000065] and is not transferable to another location.
- b) The Property shall be combined into a single parcel, subject to approval by the City of Hampton and recordation of a boundary line vacation plat.

2. Operational Standards

- a) Vehicle repair, as defined in Section 2-2 of the Zoning Ordinance, shall not be permitted.
- b) Vehicle storage, outdoor as defined in Section 2-2 of the Zoning Ordinance, shall not be permitted.
- c) In order to ensure that vehicle repair and vehicle storage does not occur on the premises, the owner/operator shall maintain records of all vehicles sales on the premises, listing at a minimum the vehicle details (including year, make, model, etc.), the date(s) on the lot, and the owner name and address of the vehicle being sold. This record shall be provided to the City upon request.
- d) All vehicle sales inventory shall be clearly labeled for sale.
- e) The applicant shall comply with and maintain all Department of Motor Vehicles licensure requirements associated with vehicle sales.

3. Exterior Storage Areas

- a) Outdoor storage of any kind shall not be permitted.

4. Accessory Structures – Accessory buildings or structures shall not be located forward of the front line of the existing building.

5. Parking

- a) Parking shall require Zoning Administrator approval via submittal of a plan per Zoning Ordinance section 1-7 or 1-8 (as amended). All on-site parking, including the vehicle sales area, shall only occur in legally marked parking spaces.
- b) All parking areas, including the vehicle sales area, shall be paved.
- c) Parking areas visible from public streets shall be screened (e.g. screening berms, landscaping, and/or walls) from view, in accordance with the "City of Hampton Landscape Guidelines."

6. Fencing

- a) All existing fencing shall be removed.

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- b) Fencing of the parking/sales area shall be limited to decorative black metal picket fencing as approved by the Community Development Department Director.

7. Landscaping

- a) All landscaping and screening shall be provided in accordance with the "City of Hampton Landscape Guidelines."
- b) Front yards and side yards which abut a street shall be landscaped in accordance with the "City of Hampton Landscape Guidelines."
- c) Maintenance of landscaping is a continuing obligation of the Property Owner, and the Owner shall be responsible for providing, protecting and maintaining all landscaping in healthy and growing conditions at all times, replacing unhealthy fifty (50) percent or more, dead or completely dead plant material, within ninety (90) days upon written notice of violation, except when replacements should be delayed because of seasonal factors until the next planting season. Replacement materials shall conform to the original intent of the approved landscape plan as determined by the Zoning Administrator

8. Lighting

- a) All lighting shall be provided in accordance with the "City of Hampton Lighting Policy."

9. 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).

10. 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.