

Conditions

Use Permit Application No. 26-0154

Vehicle Repair, Heavy

611 Copeland Drive [LRSN 1000432]

1. Issuance of Permit

The Use Permit is for vehicle repair, heavy, as that use is defined in the City's Zoning Ordinance (the "Repair Establishment"), applies only to the location at 611 Copeland Drive [LRSN 1000432] (the "Location"), is further limited and confined to the area identified as "SITE" on **Exhibit A** attached hereto, and is not transferable to another location.

2. Certificate of Occupancy

The Repair Establishment must obtain a Certificate of Occupancy prior to commencing the vehicle repair operation.

3. Compliance with Laws

- a. If the Repair Establishment is a legal entity, other than a person or persons, including, but not limited to a limited liability company or corporation, the Repair Establishment shall be authorized to transact business in Virginia as a domestic or foreign business entity and shall provide proof of registration to the Zoning Administrator, upon request. Repair Establishment shall not allow its existence to lapse or its certificate of authority or registration to transact business in Virginia to be revoked or cancelled at any time while this Use Permit is in effect.
- b. This Use Permit may be terminated for any violation of federal, state, or local law.
- c. The property identified in **Exhibit A** shall be subject to the provisions of the Hampton Zoning Ordinance and the Hampton City Code, to include, but not limited to, noise, setbacks, and building code, and taxation requirements.

4. Vehicle Storage

The Repair Establishment shall not cause or permit any vehicle brought to the Location for service to remain at the Location for more than thirty (30) days. Repair Establishment shall keep a true and complete ledger identifying the year, make, model, vehicle identification number (VIN), date of arrival, and date of departure of each vehicle being serviced. Repair Establishment shall make this ledger available upon request to the Director of Community Development or their designee for review. Repair Establishment shall comply with the Hampton City Code, Section 24-39.1, as to any vehicle brought to the Location for service. This Use Permit does not permit "vehicle storage, outdoor" or "salvage and wrecking" as those terms are defined in the Hampton Zoning Ordinance.

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5. Outside Storage Area

Repair Establishment shall confine all vehicles to be serviced to the designated area as identified as "Parking/Service Area" on **Exhibit B** attached hereto. This outside fenced storage area shall be screened with appropriate material to create an opaque barrier and shall, to the extent applicable, be subject to the requirements of Hampton City Code, Section 24-39.1.

6. 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).

7. 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.

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EXHIBIT A



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EXHIBIT B

