

## Use Permit Application 18-00004

Sandra Mitcham: Commercial Day Care 2

1184/1186 Big Bethel Road, Hampton, VA 23666 | **LRSN: 4002763**

### Conditions

#### 1. Issuance of Permit

The Use Permit applies only to 1184 and 1186 Big Bethel Road **[LRSN: 4002763]** and is not transferable to another location.

#### 2. Hours of Operation

The hours of operation shall be limited to 5:00AM until 1:00AM Monday through Sunday.

#### 3. Traffic

Loading and unloading of clients from vehicles shall be conducted on site and not on any public street.

#### 4. Ledger

The applicant must maintain a daily ledger containing the names of clients cared for.

#### 5. Outdoor Play Area

The outdoor play area, including a minimum 6' fence, shall be located and developed in substantial conformance with the submitted floor plan, which is attached hereto and incorporated by reference (see Exhibit A: Floor Plan). Any minor changes to the floor plan made necessary by environmental, engineering, or other development regulatory requirements, may be permitted subject to the approval by the Director of Community Development or his designee.

#### 6. Certificate of Occupancy

The applicant must obtain a Certificate of Occupancy prior to commencing the day care operation.

#### 7. Capacity

The day care center capacity shall not exceed 37 occupants, or the number listed on the capacity certificate, whichever is fewer.

#### 8. Licensing

The applicant must maintain all applicable licenses with the Virginia Department of Social Services and this Use Permit may be terminated for any violation of federal, state, or local law.

#### 9. Revocation

Failure to comply with any conditions of this Use Permit shall constitute a violation of the provisions of Chapter 14 of the Zoning Ordinance and shall be cause for revocation of the use permit by City Council.

## **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.

# EXHIBIT A: Floor Plan

