



Legislation Text

File #: 23-0327, Version: 1

Resolution to Approve an Encroachment Agreement Pursuant to Hampton City Code § 34-86 Between the City of Hampton and Silkey and Silkey AAVH Holding, Ltd., Formerly Known as Armistead Avenue Veterinary Hospital, Ltd., to Allow an Encroachment into the City's Right of Way for Installation of a New Pole Mounted Business Sign at 531 N. Armistead Avenue

PURPOSE/BACKGROUND:

Silkey and Silkey AAVH Holding Ltd, a Virginia stock corporation, formerly known as Armistead Avenue Veterinary Hospital, Ltd., (the "Licensee") intends to install a new 2' x 8' pole mounted business sign ("the Licensed Improvement") adjacent to Licensee's property located within the City of Hampton at 531 N Armistead Avenue (LRSN 2000756) (the "Licensee's Parcel"). The City of Hampton (the "City") is the owner of N Armistead Avenue (the "Right of Way") running adjacent to Licensee's Parcel. As stated in the Licensee's encroachment application, Licensee requests that the City grant them permission to encroach into a 16 +/- square foot area of the Right of Way (the "Licensed Area") as illustrated on Exhibit "A" attached to the Encroachment Agreement presented to Council for approval herewith, all areas more or less the "Licensed Area".

The application and request were routed to City staff and local utility companies, and none had any objections, but some recommended certain conditions that are included in the attached Encroachment Agreement. Therefore, pursuant to Hampton City Code §34-86, City staff recommend approval of the Encroachment Agreement.

Discussion:

See Purpose/Background above.

Impact:

See Purpose/Background above.

Recommendation:

Approve the Resolution.

WHEREAS, Silkey and Silkey AAVH Holdings, Ltd., a Virginia stock corporation, formerly known as Armistead Avenue Veterinary Hospital, Ltd., (the "Licensee") intends to install a new 2' x 8' pole mounted business sign adjacent to Licensee's property located within the City of Hampton at 531 N Armistead Avenue (LRSN 2000756) (the "Licensee's Parcel");

WHEREAS, The City of Hampton (the "City") is the owner of N. Armistead Avenue (the "Right of Way") running adjacent to Licensee's Parcel;

WHEREAS, as stated in the Licensee's encroachment application, Licensee requests that the

City grant them permission to encroach into a 16 +/- square foot area of the Right of Way (the "Licensed Area") as illustrated on Exhibit "A" attached to the Encroachment Agreement presented to Council for approval herewith, all areas more or less the "Licensed Area"; and

WHEREAS, City staff have reviewed the request and recommend granting the Licensee a non-exclusive revocable license, subject to certain terms and conditions and the execution of the Encroachment Agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Hampton, Virginia, as follows:

1. That the Encroachment Agreement between the City of Hampton and Silkey and Silkey AAVH Holdings, Ltd., formerly known as Armistead Avenue Veterinary Hospital, Ltd., is hereby approved; and

2. That the City Manager, or her authorized designee, is hereby authorized to execute the Encroachment Agreement, in substantially the same form as set forth in this Resolution, and to take any and all actions necessary to carry out the purposes of this Resolution, subject to approval by the City Attorney.