



Zoning Administrator Permit for  
**Restaurant with Retail Alcoholic  
 Beverage License & Live  
 Entertainment 1**

Complete this application in its entirety and submit to the address below:

City of Hampton  
 Community Development Department  
 Land Development Services Division  
 22 Lincoln Street, 3<sup>rd</sup> Floor  
 Hampton, Virginia 23669

OFFICE USE ONLY
Date Received _____
Application Number <b>ZA</b> _____ - _____
Zoning Official Approval _____
Date Approved _____

**1. PROPERTY INFORMATION**

Address or Location \_\_\_\_\_

LRSN \_\_\_\_\_

Zoning District \_\_\_\_\_

**2. LOT INFORMATION**

Current Number of On-site Parking Spaces \_\_\_\_\_ Proposed Number of On-site Parking Spaces \_\_\_\_\_

**3. BUILDING INFORMATION**

Square Footage \_\_\_\_\_

Square Footage of Performance Area \_\_\_\_\_

Please attach a floor plan of the facility with all rooms labeled as to their use and square footage and showing the location of the live entertainment area

**4. OPERATIONAL INFORMATION**

Existing Use \_\_\_\_\_ Proposed Use \_\_\_\_\_

Seating Capacity \_\_\_\_\_ Length of Ownership of this Business \_\_\_\_\_

Proposed Hours of Operation: Mon \_\_\_\_\_ Tue \_\_\_\_\_ Wed \_\_\_\_\_

Thu \_\_\_\_\_ Fri \_\_\_\_\_ Sat \_\_\_\_\_ Sun \_\_\_\_\_

Proposed Hours of Live Entertainment: Mon \_\_\_\_\_ Tue \_\_\_\_\_ Wed \_\_\_\_\_

Thu \_\_\_\_\_ Fri \_\_\_\_\_ Sat \_\_\_\_\_ Sun \_\_\_\_\_

**5. PROPERTY OWNER INFORMATION (an individual or a legal entity may be listed as owner)**

Owner's Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_



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## 6. APPLICANT INFORMATION (if different from owner)

Applicant's Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

## 7. APPLICANT AGENT INFORMATION (if different from applicant)

Agent's Name \_\_\_\_\_

Address \_\_\_\_\_ City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Email \_\_\_\_\_

## 8. CERTIFICATION FOR LEGAL ENTITY PROPERTY OWNERS

Complete this section only if the property owner is **not** an individual but rather a legal entity such as a corporation, trust, LLC, partnership, diocese, etc.

*"I hereby submit that I am legally authorized to execute this application on behalf of the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."*

Name(s), title(s), signature(s), and date(s) of authorized representative(s) of the legal entity (attach additional page if necessary):

Name of Legal Entity \_\_\_\_\_

Signed by:

Name (printed) \_\_\_\_\_, Its (title) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_

## 9. CERTIFICATION FOR INDIVIDUAL PROPERTY OWNERS

Complete this section only if the property owner is an individual or individuals.

*"I hereby submit that I am the fee-simple owner of this property. I have read this application and it is submitted with my full knowledge and consent. I authorize city staff and representatives to have access to this property for inspection. The information contained in this application is accurate and correct to the best of my knowledge."*

Name(s), signature(s), and date(s) of owner(s) (attach additional page if necessary):

Name (printed) \_\_\_\_\_

Signature \_\_\_\_\_ Date \_\_\_\_\_



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**CONDITIONS OF PERMIT**

*Please initial next to each condition to indicate applicant(s) understanding and willingness to comply.*

- \_\_\_\_\_ The hours of operation of the restaurant shall not extend beyond 6:00 a.m. – 10:00p.m.;
- \_\_\_\_\_ The restaurant shall be subject to the provisions of the Hampton Zoning Ordinance and Hampton City Code, to include, but not be limited to, parking, setbacks, and building code requirements;
- \_\_\_\_\_ The performance space shall be 75 square feet or less
- \_\_\_\_\_ Live entertainment shall be conducted inside the building only
- \_\_\_\_\_ The venue shall not have a dance floor or similar gathering area
- \_\_\_\_\_ A floor plan shall be provided and approved showing the arrangement of tables, chairs, and performance space. The layout shall remain in place for live entertainment performances
- \_\_\_\_\_ The live entertainment shall comply with section 22-9 of the City Code, as amended, pertaining to noise
- \_\_\_\_\_ Each ingress/egress point in the building shall be monitored by an attendant during the hours of operation, and additional attendants may be required to monitor vehicle parking areas that serve the building and maintain and control patron behavior upon exit of the building into the parking areas
- \_\_\_\_\_ The restaurant or micro-brewery/distillery/winery shall meet the minimum requirements for parking as established in Chapter 11 herein;
- \_\_\_\_\_ The restaurant or micro-brewery/distillery/winery shall maintain compliance with all applicable federal and state laws and requirements of licensing agencies, including but not limited to ABC licensing;
- \_\_\_\_\_ The zoning administrator permit shall be valid for eighteen (18) months from the date of approval by the zoning administrator. After twelve (12) months of operation, prior to the expiration date, the zoning administrator permit will be scheduled for review by the zoning administrator to consider if the continuation of the restaurant would not be detrimental to the public health, safety and welfare and that to continue the activities under the restaurant 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, hours 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 zoning administrator determines that the restaurant permit would not be detrimental to the public health, safety and welfare and that to continue the activities under the restaurant 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 zoning administrator may administratively extend the zoning administrator permit in five-year increments. Each such extension shall be subject to the same administrative review. If the zoning administrator determines that the zoning administrator permit would be detrimental to the public health, safety and welfare and that to continue the activities under the restaurant permit would cause public inconvenience, annoyance, disturbance or have an undue impact on the community or be incompatible with other uses of land the zoning district, the zoning administrator will notify the permittee of a denial of the extension in writing in the same manner as required under chapter 25 of the zoning ordinance. A permittee aggrieved by the decision of the zoning administrator may appeal the decision of the zoning administrator to the board of zoning appeals in the manner set forth in chapter 22 of the zoning ordinance. Nothing contained herein shall limit the rights of a permittee to seek a new zoning administrator permit
- \_\_\_\_\_ The zoning administrator, or appointed designee, shall have the ability to revoke the zoning administrator permit upon violation of any of the above conditions

*I hereby agree to the above conditions relating to use of the property under consideration. I understand that failure to abide by the above conditions may result in revocation of this permit.*

Signature \_\_\_\_\_