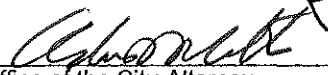


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Form and Correctness Approval

Contents Approved:

By 
Office of the City Attorney

By _____
DEPT. _____

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE GRANTING A SPECIAL EXCEPTION TO PERMIT THE OPERATION OF A USED MERCHANDISE SALES ESTABLISHMENT LOCATED AT 7542 GRANBY STREET, UNITS 19 AND 20.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That a Special Exception is hereby granted to permit the operation of a used merchandise sales establishment on property located at 7542 Granby Street, units 19 and 20. The property which is the subject of this Special Exception is more fully described as follows:

Property fronts 469 feet, more or less, along the southern line of West Little Creek Road and 313 feet, more or less, along the eastern line of Granby Street; premises numbered 7542 Granby Street, units 19 and 20.

Section 2:- That the Special Exception granted hereby shall be subject to the following conditions:

- (a) The hours of operation shall be from 9:00 a.m. until 9:00 p.m., seven days per week. No use of the facility outside of the hours of operation listed herein shall be permitted.
- (b) No merchandise shall be delivered, dropped-off, stored, or displayed outdoors.
- (c) No merchandise shall be sold by auction.
- (d) All signage on the premises shall conform to the regulations of Chapter 16 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), entitled "Signs."
- (e) This Special Exception shall automatically

expire three (3) years from the effective date of this ordinance. Prior to the expiration date, but no more than six months prior to such date, the property owner or manager may begin the application process for a new Special Exception.

Section 3:- That the City Council hereby determines that the Special Exception granted herein complies with each of the requirements of § 25-7 of the Zoning Ordinance of the City of Norfolk, 1992 (as amended), namely that:

- (a) The proposed use and development will be in harmony with the objectives and policies of the adopted General Plan of Norfolk and with the general and specific purposes for which this ordinance was enacted and for which the regulations of the district in question were established;
- (b) The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located;
- (c) The proposed use and development will not have an adverse effect upon the character of the area or the public health, safety and general welfare. Conditions may be applied to the proposed use and development, as specified in section 25-8 below, to mitigate potential adverse impacts;
- (d) The proposed use and development will be constructed, arranged and operated so as not to interfere with the use and development of neighboring property in accordance with the applicable district regulations;
- (e) The proposed use and development will be served adequately by essential public facilities and services such as streets, public utilities, drainage structures, police and fire protection, refuse disposal,

parks, libraries, and schools;

- (f) The proposed use and development will not cause undue traffic congestion nor draw significant amounts of traffic through residential streets;
- (g) The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance;
- (h) The proposed use and development will not cause substantial air, water, soil or noise pollution or other types of pollution which cannot be mitigated;
- (i) The proposed use and development will not cause a negative cumulative effect, when its effect is considered in conjunction with the cumulative effect of various special exception uses of all types on the immediate neighborhood and the effect of the proposed type of special exception use on the city as a whole;
- (j) The proposed use and development complies with all additional standards imposed on it by the particular provisions of the ordinance authorizing such use; and
- (k) No application for a special exception shall be recommended or granted until any and all delinquent real estate taxes owed to the City of Norfolk on the subject property have been paid.

Section 4:- That this ordinance shall be in effect from the date of its adoption.