



Dare County Planning Board Meeting

Dare County Board of Commissioners Meeting Room
954 Marshall C. Collins Drive
Manteo, NC 27954

June 4, 2024

- I. Call to order 6:00PM
- II. Roll call
John DeBoy, Chairman
Beth Midgett
David Overton
Terry Gore II
Buddy Shelton
David Hines
Eddie Twyne
- III. Approval of minutes for the May 7, 2024 meeting
- IV. Public Comment
- V. Old Business
- VI. New Business
 - SUP 02-2024 to allow for Home Occupation at 113 Hickory Ridge Ct., Colington. Submitted by Rachel Sanchez of Sandbar Sweets.
- VII. Other Business
- VIII. Adjournment

MINUTES OF THE DARE COUNTY PLANNING BOARD MEETING

The Dare County Planning Board held their regularly scheduled meeting on Tuesday, May 7, 2024. This meeting was held in the Dare County Board of Commissioners meeting room located at the Dare County Administrative Building, 954 Marshall C. Collins Drive, Manteo, NC.

CALL TO ORDER 6:01 pm

MEMBERS PRESENT John DeBoy, Chairman
Beth Midgett Buddy Shelton
David Hines Terry Gore II
David Overton Eddie Twyne

MEMBERS ABSENT None~

APPROVAL OF MINUTES

There being no corrections or additions to the minutes of the April 2, 2024 meeting of the Dare County Planning Board, Terry Gore made a motion to approve the minutes as they stand. Buddy Shelton seconded this motion.

Vote: Ayes – Unanimous

PUBLIC COMMENT

At 6:02 p.m. Chairman DeBoy outlined the procedure for making Public Comments. There were no public comments made at this meeting.

Public Comment Closed at 6:02.

OLD BUSINESS

None~

NEW BUSINESS

Amendment to Special Use Permit 2-2020 - Request to expand Group Development with portable storage unit services. 6786 Hwy 64/264, Manns Harbor - Submitted by William and Shelly Daugherty

Shelly Daugherty of Manteo was present. She stated that her intent is to service the community with another option for storage by providing portable storage units that could be moved to residences for a short term.

Mr. Gillam, the Dare County Planning Director, explained that the original SUP issued in June of 2020 authorized the construction of a group development consisting of three-(3) mini storage warehouse facilities on parcel 023856000 in Manns Harbor. Then, in August of 2021 the original SUP was amended to allow for the construction of a fourth building on the parcel. He detailed that the applicants are now seeking to expand the existing group development with the addition of a portable storage unit service on the parcel and their adjacent parcel. Mr. Gillam went on to explain that in January of 2024 the Dare County Board of Commissioners approved a text amendment request submitted by the Daugherty that allows for the use of portable storage unit services in the MH-A district, subject to the requirements of Section 22-58.10 and Section 22-31 of the Dare County Zoning Ordinance, of which he provided copies for the board's review. He stated the applicants currently operate the mini-storage facility on two adjoining parcels and as a condition of the SUP amendment and the applicants will need to recombine the

properties so that they function as one and are subject to the conditions of the SUP. A site plan was provided that shows the proposed improvements and recombination of the parcels. Mr. Gillam further mentioned the Dare County Fire Marshal has reviewed and approved the proposed site plan with conditions that are reflected in the draft SUP amendment. Upon review, the Planning staff has found that the proposal meets the requirements of the Zoning Ordinance, however, Mr. Gillam noted that all conditions of the original SUP and prior amendment shall remain in effect.

Buddy Shelton made a motion to forward this to the Board of Commissioners with a finding that the conditions of the proposed site plan and Draft Amendment to SUP 2-2020 are reasonable and appropriate. Seconded by Terry Gore.

Vote: Ayes – Unanimous

Text Amendment to the MH-A district to allow for Group Development in the commercial/light industry permitted uses. 6300 Hwy 64/264, Manns Harbor - Parcel 017533005. Submitted by Ken and Angie Daniels

Linda McCown, attorney with Malarney & McCown, PLLC was present and stated that she submitted the application on behalf of Ken and Angie Daniels, who are seeking to amend the current zoning ordinance in an effort to rebuild their buildings that were recently destroyed by fire.

Mr. Gillam stated the amendment is to the MHA district and the applicants, Ken and Angie Daniels are requesting the addition of multiple building projects to be added to the list of uses under the Commercial and Light Industry heading, as well as having appliance and furniture warehouses added to the uses under the same heading. Mr. Gillam confirmed the 30,000+ sq. ft. building on the parcel was destroyed entirely by fire and since the structure was built before Manns Harbor was zoned, it was considered non-conforming by the current standards of the MH-A ordinance and prohibits it from being reconstructed to its prior dimensions, since the ordinance places a 10,000 square foot maximum on newly constructed buildings. Mr. Gillam explained that the text amendment would allow for the applicants to rebuild with multiple structures, which would afford them the ability to resume their business operations on the property, as they were before the fire, but through a series of smaller structures. Mr. Gillam detailed that Manns Harbor currently has two zoning districts, MH-A and MH-B; and explained the MH-B district currently allows for multiple building projects for its approved uses subject to the conditions of Section 22-31 "Group Developments". He acknowledged the applicants would like to apply this same language to the MH-A, but only affording group developments to those uses listed under commercial and light industry and specified that by limiting group developments to the commercial and light industry uses, the option of group housing projects would not be afforded to the MH-A. Staff feels that the proposed language is appropriate since any commercial/light industry group development would be subject to Special Use Permit Review and conditions can be placed on the property based on site specifics; and in adding the option of group developments to the commercial/light industry uses, it would also allow other existing businesses with nonconforming structures in the zoning district to be reconstructed in the event they were to be destroyed.

Mr. Gillam advised the Board that before the fire, the applicants were using the structure to store furniture and appliances for Manteo Furniture, a locally-owned business. He noted there are several uses in the MH-A district under the commercial/light industry heading that pertain to the manufacturing of furniture, and upholstery shops, but do not specifically address the storage of such. He stated Staff recommends that the applicant include in their text amendment request the addition of a use that specifically addresses the storage of appliances and furniture and since the proposed use directly relates to current uses already permitted in the MH-A district, staff feels that appliance and furniture warehouses would not disrupt the flow of the neighborhood and the zoning district. In a review of the proposed amendment to the MH-A language and the 2022 Dare County Land Use Plan, staff found that two policies in the Land Use

Compatibility section apply to the proposed amendment. The first policy is LUC #8 under the Commercial Development heading, which states that Dare County supports the continued existence of locally owned businesses in unincorporated Dare County and that zoning regulations that allow the reconstruction and rebuilding of existing non-conforming businesses are the appropriate tool to support this goal. The second policy is LUC #12 under the Redevelopment heading that reads, Redevelopment of older structures shall be accomplished in a manner that is compatible with current NC building codes, federal flood insurance regulations and Dare County zoning regulations. A copy of the proposed language was provided for the board's review.

David Hines made a motion to forward this to the Board of Commissioners and recommend approval of the proposed amendment with the language as drafted. The motion includes a finding of consistency with the 2022 Dare County Land Use Plan, specifically LUC #8 and LUC #12. Seconded by Terry Gore.

Vote: Ayes – Unanimous

Text Amendment to MP-C district to allow for single room occupancy dwellings as a Special Use. 6325 N Croatan Hwy, Kitty Hawk, NC - Parcel 021865004. Submitted by Patricia Pledger.

Both Casey Varnell, Attorney with Sharp, Graham, Baker & Varnell, together with Patricia Pledger, owner/operator of Pledger Palace Child Development & Education Center were present.

Attorney Varnell stated they are submitting a revised application intended to address the concerns from their last submission.

Mr. Gillam, Planning Director, began by reiterating that this is a resubmittal from a recently denied application for a Zoning Text Amendment for the Martin's Point Commercial District. He stated the new language submitted by the applicant is for the addition of a Single Room Occupancy Dwelling (SRO) to the list of uses in this district. He noted the application defined the SRO as a *Residential structure in which single rooms are offered for long term rental to not less than three (3) persons per single room. Each single room offered for rent within the structure shall exist within the confines of four walls and shall not contain kitchen amenities. A single room occupancy dwelling (SRO) shall have shared bathroom facilities and kitchen facilities, where both types of facilities are freely accessed by all occupants within the SRO.*

Mr. Gillam stated that the structure defined would also be classified as a Residential Group R-2 or Group R-3 structure in the 2018 North Carolina Building Code depending on the services provided, length of stay and number of occupants, the same as the prior definition of the Shared Space-Occupancy Dwelling and the use would still be classified by the NCBC as either Congregate Living Facilities or Dormitory. Mr. Gillam further detailed that it is Staff's opinion that the term Single Room Occupancy Dwelling is not an appropriate title for the proposed use, as Single Room implies the room is for a single occupant being that the United States Department of Housing and Urban Development (HUD) defines Single Room Occupancy Dwelling as *a residential property that includes multiple single room dwelling units. Each unit is for occupancy by a single eligible individual. The unit need not, but may, contain food preparation or sanitary facilities, or both;* therefore being misleading. Based on this, it is not recommended that the Single Room Occupancy Dwelling be used for this text amendment and the prior term and definition of Share Space-Occupancy is more appropriate. Mr. Gillam then addressed each of the 11 points of the amended application, as outlined in his Staff comments, but still feels the density is not to scale with the current requirements for multi-family in the MP-C or any other zoning district in Unincorporated Dare County that allows for multi-family or similar uses.

Mr. Varnell countered by stating that Single Room Occupancy Dwelling is just a title or term he came across in his research within the State of North Carolina and was selected in an attempt to mirror other

local governments; he acknowledged that they are open to reverting back to Shared Space-Occupancy Dwelling. He further stated that there is no structure like this in the area, therefore, nothing to compare it to. Mr. Varnell communicated that Ms. Pledger has made a reduction in occupancy to limit the number of occupants to 56, therefore, in his opinion, setting the standard for the surrounding properties, regardless of development or lot size. Although this is a reduction of occupants, this application continues to exceed the allowable occupancy within the current requirements for multi-family in the MP-C, as emphasized by Mr. Gillam. In addition, Mr. Varnell continued to address the Staff comments and a full discussion took place in connection to the standards of allowable space (sleeping/common), number of bathrooms, laundry facilities, site management and parking.

Ms. Pledger addressed the Board and offered to answer any questions and concerns. She stated that she wanted to create something that the County would be proud of and feels like she is going above and beyond what is required.

The Planning Board further acknowledges the intent of Ms. Pledger, however, it was again determined that upon a review of the adopted 2022 Dare County Lane Use Plan and Policies #6 and #7, which are provided in the meeting packet, the revised zoning text amendment continues to be inconsistent with the LUP, since the amendment would allow for development with a density/occupancy that is inconsistent with the existing patterns of development and scale of surrounding zoning districts and neighborhoods in Dare County. A motion was made by Terry Gore to deny the text amendment as drafted by the applicant. Seconded by Eddie Twyne.

Vote: Ayes – Unanimous

Mr. Varnell expressed they would execute their right to take this proposal directly to the Dare County Board of Commissioners next meeting, Monday, June 3, 2024.

OTHER BUSINESS

ADJOURNMENT

There being no further business before the Dare County Planning Board, a motion to adjourn was made by Terry Gore and seconded by Buddy Shelton.

Vote: Ayes – Unanimous

The meeting adjourned at 7:42p.m.

Respectfully Submitted,

Gerri Ellington
Planning Board Clerk

APPROVED: June 4, 2024

John DeBoy
Chairman, Dare County Planning Board

SPECIAL USE PERMIT APPLICATION

Date: 5/7/24 Application No. _____
Property Owner/Petitioner: Rachel & Ramon Sanchez
Address: 113 Hickory Ridge Ct. Kill Devil Hills
Telephone: 252-473-0868 Email: SandbarSweets@gmail.com
Review Fee Paid: _____

Project Description: Convert garage space into certified home bakery. Custom orders and customer pickups by appointment only

Property Description:

Lot Phase/Section Block Subdivision
Parcel: 018767029 PIN: 987305274510
C471 Colingwood

APPLICATION IS HEREBY made to the Dare County Planning Department for consideration of a Special Use Permit in accordance with the provisions of the Dare County Zoning Ordinance

Section: _____ Special Use: _____

A site plan and other documents as required for review of the special use permit application shall be submitted to the Planning Department with the application. A special use permit application shall not be processed by the Planning Department until such time that all review fees have been paid and all necessary documents have been submitted. Once the application is determined to be complete, the Planning Department shall schedule review of the application as established in Section 22-65 and Section 22-70 of the Zoning Ordinance.

Special use permits are subject to quasi-judicial procedures and an evidentiary hearing before the Dare County Board of Commissioners. The notice procedures of Section 22-72 of the Zoning Ordinance shall be implemented by the Planning Department. Reasonable and appropriate conditions may be applied by the Board of Commissioners as part of the evidentiary hearing process.

Applicant: Paul Schy Date: 5/7/24



County of Dare

P.O. Box 1000 | Manteo, North Carolina 27954 | 252.475.5000

May 24, 2024

MEMORANDUM

TO: DARE COUNTY PLANNING BOARD
FROM: Morgan Potts, Planner
RE: Sanchez Home Occupation—Special Use Permit Application

Mrs. Rachel Sanchez has submitted a special use permit application for a home occupation, with the intent to produce and package baked goods for retail sale at 113 Hickory Ridge in Colington. This site is zoned RS-1 (Single Family Residential) and home occupations are permitted as special uses in this zoning district.

Mrs. Sanchez plans to convert her 240 square foot garage located on her property for the production and packaging of her products. This square footage amount is less than 25% of the total area of the primary structure on the site and is consistent with the footage allowance for home occupations found in the Dare County Zoning Ordinance. I have attached the property record card of the parcel for verification.

Mrs. Sanchez has indicated that her production and packaging of her products does not require a license from any state agency, and is classified as a “home processor” by the Department of Agriculture & Consumer Services. The applicant has indicated that she will be the only employee operating the home occupation.

The Planning Board will need to discuss with the applicant her methods for the delivery of materials for production and finished products; including hours of operation and/or clients picking up products on site. Building permits will be required for the garage conversion, which the applicant has already applied for (copies attached). A draft SUP #02-2024 is attached to this memorandum for the Board’s consideration.

Attachments: “Sandbar Sweets” Special Use Permit Application & Documentation

Property Record Card

Building Permit Application

SECTION 22-17 - RS-1 SINGLE-FAMILY RESIDENTIAL DISTRICT

The following regulations shall apply to the RS-1 single-family residential district:

(a) Intent. The RS-1 district is established to provide for the low-density development of single-family detached dwellings in an environment, which preserves sand dunes, coastal forests, wetlands, and other unique natural features of the coastal area. The district is intended to promote stable, permanent neighborhoods, characterized by low vehicular traffic flows, abundant open space and low impact of development on the natural environment and adjacent land uses.

(b) Permitted uses. The following uses shall be permitted by right:

- (1) Detached single-family dwellings, not to include mobile homes.
- (2) Customary accessory buildings, including swimming pools and tennis courts.
- (3) County owned or leased facilities.

(c) Special uses. The following uses are permitted subject to the requirements of this chapter and such additional regulations and requirements as may be imposed by the Board of Commissioners as provided in Article IX of this chapter:

(1) Public and private utility facilities (must provide a vegetated buffer strip at least ten feet in height where the facility abuts a residential lot or use).

(2) Home occupations.

(3) Private clubs, including boat launching areas, tennis courts, community centers, libraries, picnic areas, beach clubs and concessions integral thereto provided there is no commercial activity and no sign other than a directional sign.

(4) Family child care homes as defined in Section 22-2 and subject to the provisions of Section 22-29.1. (Adopted on 11-5-90; amended 5-16-11)

(5) Churches and other associated church facilities including fellowship halls, sanctuaries, parsonages, church schools, parking areas, and offices. (Adopted on 4-19-99)

(6) Bed and Breakfast Homes may be permitted subject to the requirements of this chapter and provided that the following minimum conditions are met: (Adopted on 8-2-99)

a. No more than three (3) guest rooms shall be available for rental to guests. Guest rooms shall be constructed as part of the primary residential structure and not separate or detached from the principal structure. Any other bedrooms or bedroom equivalents in the structure shall be limited to use by the owner.

b. The bed and breakfast home shall be owner occupied and shall not employ more than the equivalent of one (1) full-time employee.

c. No separate kitchen facilities shall be provided for the guests' use. Microwaves and refrigerators shall not be located in guest rooms. Food service at the bed and breakfast home shall be limited to guests and not open to the public as a restaurant, catering service, or take-out food service.

d. The bed and breakfast home shall be located on a lot with its entire frontage along a State numbered highway. This shall not include roads included in the State's secondary maintenance system and designated with a SR number.

e. A bed and breakfast home shall be located on an individual lot or a subdivision lot with no deed restriction or subdivision covenant that prohibits commercial activity.

f. Parking: 1 space for each guest room available for rental plus the requirements of Section 22-56 for single-family structures. These spaces should be individually designated for bed and breakfast guests.

g. Signage: One indirectly lighted name-plate or professional sign not over 1 square foot in area and attached flat against the building shall be allowed.

h. No retail activities other than food and beverage sales incidental to the operation of the bed and breakfast home shall be allowed on the premises.

(d) Dimensional **requirements**.

(1) Minimum lot size:

a. Single family lots served by a private well and an on-site septic tank/drain field system: 20,000 square feet of area.

b. Single family lots served by a central water supply and an on-site septic tank/drain field system: 15,000 square feet of area.

c. Single family lots served by a central water supply and a central wastewater disposal system: 15,000 square feet of area. (Amended on 9-19-94)

(2) Minimum lot width: 75 feet, measured at the building setback line.

(3) Minimum front yard: 25 feet.

(4) Minimum side yard: 10 feet, an additional 10-foot side yard adjacent to the street is required for a corner lot.

(5) Minimum rear yard: 25 feet.

(6) Maximum allowable lot coverage by principal use and all accessory structures: 30%.

(7) Height limitation: 35 feet. (11-20-75, art. 7, 7.02)

(Am. Ord. passed 9-16-2019; Am. Ord. passed 6-21-2021; Am. Ord. passed 5-17-2023)



Sandbar Sweets Special Use Permit Application

Overview: No product will be displayed at location. Use is for custom orders with average of 2-6 customer pickups per week at front door. All items are baked by request or in preparation for local markets. Current home kitchen is inspected as "home processor" by NC Dept of Agriculture and Consumer Services. New inspection will be requested upon finished project. All goods are "low-risk, non-refridgerated, shelf stable" baked goods that do not require the inspection of the Heath Department.

Employment: Single employee/owner Rachel Sanchez

Space: All converted space will be used for baking and packaging with a small sitting space for desk work

Signs: No plans for road sign. Possible logo on front door and/or "park here for cookies" sign in driveway

Thank you for your consideration,
Rachel Sanchez
Sandbar Sweets

RECEIVED
3/11/24



Dare County - Property Records

Dare County - Property Records

018767029
113 HICKORY RIDGE CT, COLINGTON, NC,
27948

SANCHEZ, RAMON JR
SANCHEZ, RACHEL M
113 HICKORY RIDGE CT
KILL DEVIL HILLS, NC,27948, USA

Assessed Value
\$269,600

PARCEL INFORMATION

Parcel ID	018767029	PIN	987305274510
Land Use Code	0100	Land Use Description	SINGLE FAMILY RESIDENTIAL
District	COLINGTON	Neighborhood	03130009
Zoning Code	RS-1	Zoning Desc.	SINGLE FAMILY RESIDENCE
Subdivision Code	C471	Subdivision	COLINGWOOD
Legal Desc.	LOT: 29 BLK: SEC:		
Plat Cab Slide	PL: F SL: 109		
Deed Date	05/20/2009	Book / Page	1801 / 0064
Tax Status	Taxable		

SECONDARY OWNERS

No data to display

ASSESSMENT DETAILS

REAL ESTATE ASSESSED VALUE

Land Value	\$62,000
Building Value	\$207,600
Other Improvements	\$0
Total Assessed	\$269,600

BILLING VALUE

Land Value	\$62,000
Building Value	\$207,600
Other Improvements	\$0
Total Value	\$269,600

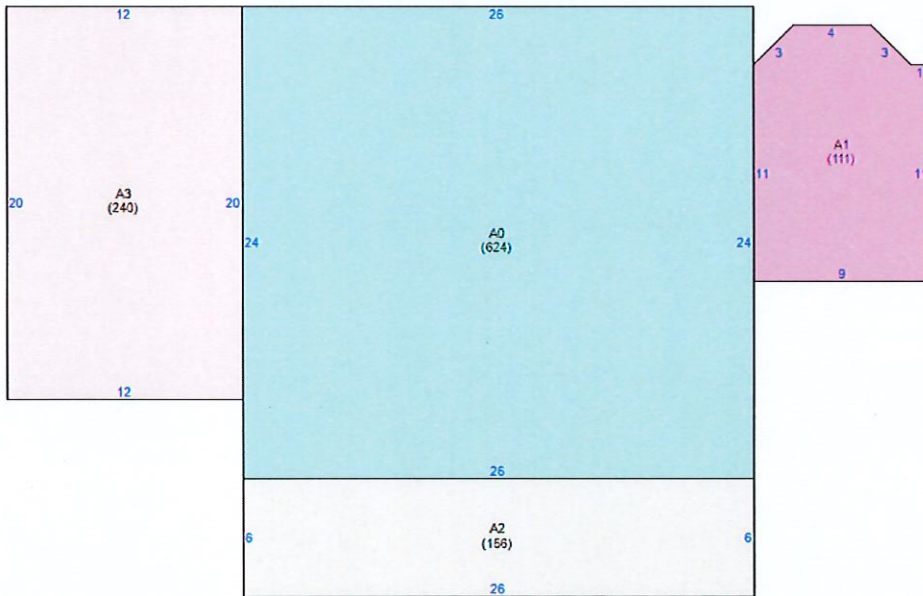
LAND

LAND DESCRIPTION	SQFT	ACRES
1 C13-03-Residential Subdivision	17,000	0.3903
Total	17,000	0.3903

BUILDINGS

BUILDING #: 1

Year Built	2004
Finished Area	1,599 SqFt
Stories	2
Style	TRADITIONAL
Exterior Wall	VINYL / ALUMINUM
Heating / Cooling	CENTRAL A/C
Fuel Type	ELECTRIC
Bedroom(s)	3
Full Bath(s)	2
Half Bath(s)	1
Fireplace(s)	0
Attached Garage	YES
Units	N/A



	AREA INDEX	AREA
	0	624
+	1	111
10 - 1S FR ONE STORY FRAME		
+	2	156
11 - OFP OPEN FRAME PORCH		
+	3	240

AREA INDEX**AREA**

49 - BGAR BASEMENT GARAGE

10 - 1S FR ONE STORY FRAME

OTHER IMPROVEMENTS

No data to display

RECENT SALES HISTORY

The sales history includes only qualified sales made since January 1, 2016. A sale is qualified when it has been verified, by the appraiser, as an arm's length transaction for fair market value. Only qualified sales are considered in the appraisal process.

No data to display

VALUE CHANGES

The value change history shows only changes in appraised value; it does not show exemptions, exclusions or deferrals that could reduce a property's taxable value. If any of these are in effect for a particular tax year, it will be shown on the property tax bill for that year. It is also possible that some previous value changes might be missing from this list or listed in the wrong order.

REVALUATION EFFECTIVE DATE**ASSESSED VALUE**

01/01/2020

\$269,600

01/01/2013

\$200,900

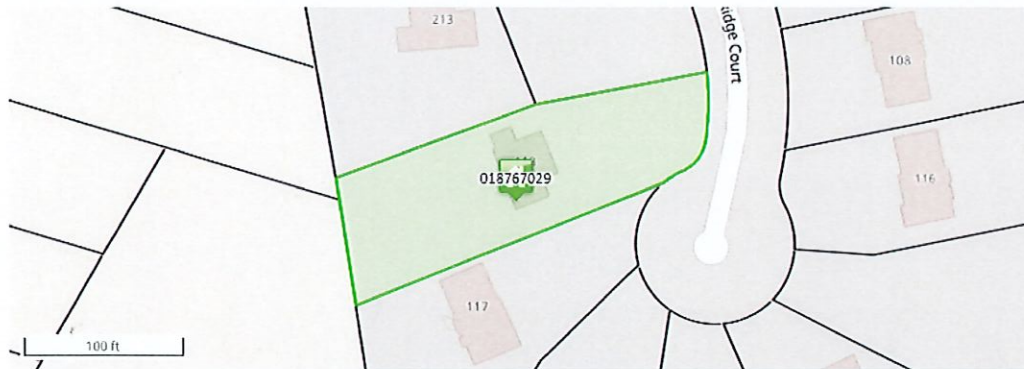
01/01/2005

\$260,100

PERMITS

Permits issued in the past 6 years. All information deemed reliable but not guaranteed. For more information, please visit Dare County's [searchable permit site](#).

No data to display





018767-029 New Rte:03-987305-100F 04/11

Data last updated: 05/21/2024



Special Use Permit No. #2-2024

Dare County Sections 22-2, 22-17 and 22-68

Application of: Rachel Sanchez, Home Occupation at 113 Hickory Ridge Court, Colington

On July 15, 2024, the Dare County Board of Commissioners considered the application of the Petitioner above named which application is on file with the Dare County Planning Department, and the Board finds as follows:

1. That the written application of Petitioner with attachments has been duly submitted to the Dare County Planning Department as required by Section 22-65 of the Dare County Code (hereinafter referred to as "Code");
2. That the application substantially complies with the requirements of the Code in that it requests uses permitted by special use permit under the Code subject to the quasi-judicial procedures set forth in Section 22-70,
3. The subject property is zoned RS-1. This property is identified on the Dare County tax records as Parcel #018767029 and located in the Colington Tax District.
4. That the Dare County Board of Commissioners is empowered under sections of the Code set out above to approve special uses and apply reasonable and appropriate conditions;
5. That the notice procedures of Section 22-72 of the Code have been implemented in the review of this Special Use Permit;
6. That upon the evidence received, the testimony presented, and the submitted written record, there are sufficient facts to support the issuance of this Special Use Permit according to the following terms and conditions:

SPECIAL USE: Home occupation for small scale production and packing operation of baked goods for retail sale, to be located on the premises according to the definition of home occupation found in Section 22-2 of the Dare County Zoning Ordinance.

CONDITIONS:

1. The structure shall be located on the parcel in conformance with the setbacks of Section 22-22.2 of the Zoning Ordinance and the Dare County Flood Damage Prevention Ordinance.
2. The Petitioner shall reside on-premises. The only employee of the home occupation shall be the petitioner.
3. Only those goods produced on site can be marketed and sold. This SUP allows for baked goods.
4. Applicant shall maintain compliance with Department of Agriculture and Consumer Services regulations.
5. Applicant shall deliver all finished product and have no pick up from the home.
6. No signage shall be posted in the yard of the home occupation site.
7. No more than 25% of the floor area of the residence shall be used in conjunction with the home occupation.
8. All other terms and provisions of the Dare County Zoning Ordinance shall remain in full force and effect except as herein specifically permitted otherwise.
9. The use shall comply with all applicable Local, State and Federal laws and rules and all applicable licenses and permits shall be obtained and a copy provided to the Planning Department.
10. The applicant shall obtain the required building permits from Dare County, and all improvements shall be compliance with the Dare County Floodplain Development Ordinance.
11. No changes or deviation from the terms and conditions of the special use approval shall be made until written approval of the proposed changes or deviations has been obtained from Dare County. The quasi-judicial procedures set forth in the Code shall be followed for the review and approval of major modifications. Minor modifications as established in Section 22-70 of the Code may be authorized administratively by the Planning Director.
12. A violation of this Permit shall be a violation of the Code and the special use may be revoked by the Board of Commissioners. Special use approval shall be revoked for any substantial departure from the approved application, plans, or specifications; for refusal or failure to comply with the requirements of any development regulation or any State law delegated to Dare County for enforcement purposes; or for false statements or misrepresentations made in securing special use approval. The same process for

approval of a special use permit, including notice and hearing, shall be followed in the revocation of a special use permit.

13. All other terms and provisions of the Dare County Zoning Ordinance shall remain in full force and effect except as herein specifically permitted otherwise;

This 15th day of July 2024

SEAL:

COUNTY OF DARE

By: _____
Robert L Woodard Sr.
Dare County Board of Commissioners

ATTEST:

By: _____
Skyler Foley
Clerk to the Board

THIS PERMIT AND THE CONDITIONS HEREIN ARE ACCEPTED

By: _____
Rachel Sanchez, Owner
"Sandbar Sweets"

APPROVED AS TO LEGAL FORM

By: _____
Robert L Outten
County Attorney

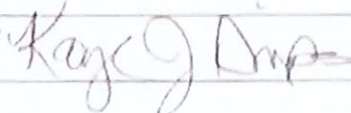
**NORTH CAROLINA DEPARTMENT OF AGRICULTURE AND
CONSUMER SERVICES
FOOD AND DRUG PROTECTION DIVISION**

Name of Individual to Whom Report Issued To: Rachel Sanchez	Date of Inspection: 11-7-22	C. F. Number
Title of Individual: Owner/Operator	Type of Establishment Inspected: Home Processor	
Firm Name: Sandbar Sweets	Name of Firm, Branch or Unit Inspected: Sandbar Sweets	
Street Address: 113 Hickory Ridge Ct.	Street Address of Premises Inspected: 113 Hickory Ridge Ct.	
City and State: Kill Devil Hills, NC	City and State: Kill Devil Hills, NC	

During an Inspection of Your Firm (I)(We) Observed: Page 1 of 1

1. This was an initial inspection of a home processor. No significant objectionable conditions were observed during this inspection.
2. This firm intends to produce a variety of only low risk, non-refrigerated, shelf stable baked goods to include decorated sugar cookies, macarons, cakes and cupcakes with buttercream icing. This firm plans to offer finished products for sale by customer order and at potentially at farmer markets.
3. GMP requirements for food handling and equipment sanitation were discussed with the operator.
4. Operator was reminded that all prepackaged self-serve food items must bear a label containing:
 - A. Common Name of Product
 - B. Net Weight
 - C. Ingredient statement with all ingredients listed in declining order of predominance
 - D. Name and address of manufacturer
5. Including all ingredients, particularly allergens, was discussed with the operator.
6. Operator was reminded that no pets are allowed in the homes of home processors.
7. Operator states potable water supply is obtained from Dare County Water.

Signed By:  Title: Owner/Operator

Inspector: 

**NORTH CAROLINA DEPARTMENT OF AGRICULTURE
& CONSUMER SERVICES
FOOD & DRUG PROTECTION DIVISION**

Name and Title of Individual <i>Reh... [unclear]</i>	Date <i>11/7/12</i>
Firm Name <i>Sandberg Seed Co. [unclear]</i>	<i>9:15</i> a.m.
Number & Street <i>112 Hilltop Ave [unclear]</i>	p.m.
City & State <i>112 Hilltop Ave [unclear] NC</i>	Zip Code <i>27148</i>

Notice of inspection is hereby given pursuant to Article 12, §106-140 of North Carolina Food, Drug and Cosmetic Statutes (by Department of Agriculture Employees) (by Department of Agriculture Employees)

[Signature] Food Regulatory Specialist

<p>Article 12, §106-140 of the North Carolina Food, Drug and Cosmetic Act is quoted below</p> <p>§106-140. (a) For the purposes of enforcement of this Article, the Commissioner or any of his authorized agents, are authorized upon presenting appropriate credentials and a written notice to the owner, operator or agent in charge: (1) To enter at reasonable times any factory, warehouse or establishment in which food, drugs, devices or cosmetics are manufactured, processed, or packed or held for introduction into commerce or after such introduction or to enter any vehicle being used to transport or hold such foods, drugs, devices or cosmetics in commerce, and (2) To inspect at reasonable times and in a reasonable manner such factory, warehouse, establishment or vehicle and all pertinent equipment, finished or unfinished materials, containers and labeling therein, and to obtain samples necessary to the endorsement of this Article. In the case of any factory, warehouse, establishment, or consulting laboratory in which any food, drug, device or cosmetic is manufactured, processed, analyzed, packed or held, the inspection shall extend to all things therein (including records, files, papers, processes, controls and facilities) bearing on whether any food, drug, device or cosmetic which is adulterated or misbranded within the meaning of this Article or which may not be manufactured, introduced into commerce or sold or offered for sale by reason of any provision of this Article, has been or is being manufactured, processed, packed, transported or held in any such place or otherwise bearing on violation of this Article. No inspection authorized by the preceding sentence shall extend to a. Financial data, b. Sales data other than shipment data, c. Personnel data (other than data as to qualifications of technical and professional personnel performing functions subject to this Article), d. Pricing data, and e. Research data (other than data relating to new drugs and antibiotic drugs, subject to reporting and inspection under lawful regulations issued pursuant to section 505 (i) or (j) or section 507 (d) or (g) of the federal act, and data, relating to other drugs, which in the case of a new drug would be subject to reporting or inspection under lawful regulations issued pursuant to section 505 (j) of the federal act). Such inspection shall be commenced and completed with</p>	<p>reasonable promptness. The provisions of the second sentence of this subsection shall not apply to such classes of persons as the Board may by regulation exempt from the application of this section upon a finding that inspection as applied to such classes of persons in accordance with this section is not necessary for the protection of the public health. (3) To have access to and to copy all records of carriers in commerce showing the movement in commerce of any food, drug, device, or cosmetic, or the holding thereof during or after such movement, and the quantity, shipper and consignee thereof. Provided, that evidence obtained under this subsection shall not be used in a criminal prosecution of the person from whom obtained, and provided further, that carriers shall not be subject to the other provisions of this Article by reason of their receipt, carriage, holding, or delivery of food, drugs, devices or cosmetics in the usual course of business as carriers. (b) Upon completion of any such inspection of a factory, warehouse, consulting laboratory or other establishment and prior to leaving the premises, the authorized agent making the inspection shall give to the owner, operator, or agent-in-charge a report in writing setting forth any conditions or practices observed by him which in his judgment indicate that any food, drug, device or cosmetic in such establishment: (1) Consists in whole or in part of any filthy, putrid, or decomposed substance, or (2) Has been prepared, packed or held under insanitary conditions whereby it may have become contaminated with filth or whereby it may have been rendered injurious to health. (c) If the authorized agent making any such inspection of a factory, warehouse or other establishment has obtained any salable product samples in the course of the inspection, upon completion of the inspection and prior to leaving the premises he shall offer reasonable payment for any such product samples. (d) It shall be the duty of the Commissioner of Agriculture to make or cause to be made examination of samples secured under the provisions of this section to determine whether or not any provision of this Article is being violated.</p>
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