

## Application for Appeal TOWN OF CAROLINA BEACH, N.C.

Permit Number:	N/A

Each application must be printed or typewritten and have all information answered. It is strongly recommended that the applicant set up a meeting with Planning Staff prior to the submission deadline to ensure the application is complete. The Town of Carolina Beach requires a licensed attorney to appear in a representative capacity to advocate the legal position of another person, firm, or corporation who is the applicant/owner of record.

Fee: to be submitted with application in accordance with the Town's annually adopted Rates and Fee Schedule

This petition will be scheduled for the next possible regular Board of Adjustment meeting. Meetings are scheduled for the third Monday of the month. The applicant or a representative should be present at the meeting to answer any questions the Board may have. Board of Adjustment meetings are held on the second (3<sup>rd</sup>) Monday of each month at 6:00 P.M. in the Council Room at the Municipal Administration Building, 1121 N. Lake Park Boulevard, Carolina Beach, NC 28428. Applicants will be informed of any changes in date, time, or location of meetings. Applications and supplementary time for processing and postings are required by the General Statutes of North Carolina. <u>Application Deadline: 25 days prior to next scheduled meeting.</u>

Applicant			
Name: Ant Bates Motel LLC (c/o Rebecca	Knudson and Max Shafer, C	ranfill Sumner )	
Applicant Mailing Address:			
124 E. Main Street, Bens	on, North Carolin	a 27405	
Street Address	City	State	Zip
Applicant Phone Number: mob (circle one): 9107776021	mobile/work/home		
Applicant Email Address: rknudson@cshlaw.com			
Property Owner Name: Ant Bate	es Motel LLC (here	inafter "Ant Bates")	
Property Owner Mailing Address:			
124 E. Main Street, Ben	son, North Caroli	ina 27405	
Street Address	Citv	State	Zip

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Section	SI	OT	ordinance	ebeing	appea	iea:

Chapter 34, Section 61-Section 71. Ant Bates appeals both the violation and the ordinance. Further details of the

Ordinance sections which Ant Bates believes merit appeal will be detailed in forthcoming supplemental briefs and/or exhibits.

## Please give a brief description of the interpretation:

Information obtained from experts indicates that application of the statute per the Notice would be premature. Enforcement could result in a variety of harms to Silver Dollar and the community.

It has come to our attention that the ordinance and the alleged violations are arbitrary and capricious, prime for selective enforcement, require unreasonable compliance

limelines, potentially a mechanism for a wrongful taking of property, potentially violative of due process rights through enforcement mechanisms, out of line with stated

purposes, uses vague/ambiguous key terms, is not ripe for enforcement, unintelligible as to geographic coverage, and inappropriately uses exemplar diagrams as prescriptions.

**Applicant Signature:** 

Date: 24 / 12/2014

The afformy for Ant Bates Motel, LLC

**Applicant Printed Name:** 

Ant Bates Motel, LLC

## WILMINGTON OFFICE

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LEGAL ASSISTANT
DIRECT DIAL #: (910) 777-6045
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EMAIL: SROACH@CSHLAW.COM
WWW.CSHLAW.COM

April 25, 2024

## VIA US MAIL

Jeremy Hardison Town of Carolina Beach 1121 N. Lake Park Blvd. Carolina Beach, NC 28428

Re: No

Notice of Violation - Appeal Fee

Our Client: Ant Bates Motel LLC/Silver Dollar

CSH File No.: 12711.0000001

Dear Jeremy,

Please find enclosed, check number 20458 in the amount of \$500.00 for the Appeal Fee on behalf of Ant Bates Motel LLC/Silver Dollar. The *Appeal of Notice of Violation* was sent to your attention on Friday, April 12, 2024. We understand that the appeal hearing is tentatively set for Monday May 20<sup>th</sup> at 6 p.m. Please let us know if there are any changes to this meeting date and time.

If you have any questions or need any additional information please do not hesitate to reach out to our office.

Very Truly Yours,

Shannon W. Roach

Shannon W. Roach Legal Assistant to Rebecca A. Knudson

Enclosure