



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-235-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 5/16/2025 Filing Fee: \$200 Receipt No. 182668 Application No. 27A-25-04

NOTE: The Planning Board will follow the specific provisions of the Zoning Ordinance Chapter 36, Article X Administration and Enforcement, Section 36-299.

Please check the applicable Chapter/Article:

- Chapter 30. Subdivisions-Town Code
- Chapter 36, Article VII. Schedule of District Regulations, Section 36-207 C-General Commercial District
- Chapter 36, Article IX. Planned Unit Development (PUD)
- Chapter 36, Article X. Administration and Enforcement, Section 36-299 (b) Application for Building Permits and Site Plan Review other than one and two family dwelling units *
- Chapter 36, Article X, Section 36-300-Application for Permit for Conditional Use
- Chapter 36, Article X, Section 36-303 Fees
- Chapter 36, Article X, Section 36-304-Vested Rights
- Chapter 36, Article XIV. Changes and Amendments

Certification and Standing: As applicant of standing for project to be reviewed I certify that the information on this application is complete and accurate.

Applicant

Name Anthony S. Mina
 Address: 75 E. Dogwood Trail
Southern Shores, NC 27949
 Phone (252) 642-3905 Email chestercountyflawn@yahoo.com

Applicant's Representative (if any)

Name _____
 Agent, Contractor, Other (Circle one)
 Address _____
 Phone _____ Email _____

Property Involved: ___ Southern Shores ___ Martin's Point (Commercial only)

Address: _____ Zoning district _____
 Section _____ Block _____ Lot _____ Lot size (sq. ft.) _____

Request: ___ Site Plan Review ___ Final Site Plan Review ___ Conditional Use ___ Permitted Use
 ___ PUD (Planned Unit Development) ___ Subdivision Ordinance ___ Vested Right ___ Variance

Change To: ___ Zoning Map Zoning Ordinance

Anthony S. Mina
 Signature

May 16 / 2025
 Date

All property affected
 by zoning amendments made
 without posted notice
 pursuant to Town
 Code 36-36
 which also
 requires mail
 notice

* Attach supporting documentation.



Town of Southern Shores

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ZTA-25-XX

X-XX-2025

Ordinance 2025-XX-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF SOUTHERN SHORES, NORTH CAROLINA

ARTICLE I. Purpose(s) and Authority.

WHEREAS, pursuant to N.C.G.S. § 160D-701, the Town of Southern Shores (the “Town”) may enact and amend ordinances regulating the zoning and development of land within its jurisdiction and specifically the location and use of buildings, structures, and land. Pursuant to this authority and the additional authority granted by N.C.G.S. § 160D-702, the Town has adopted a comprehensive zoning ordinance (the “Town’s Zoning Ordinance”) and has codified the same as Chapter 36 of the Town’s Code of Ordinances (the “Town Code”); and

WHEREAS, in accordance with the finding above, the amendment of the Town’s Zoning Ordinance and Town Code Ordinances as stated below will serve a public purpose and advances the public health, safety and general welfare.

WHEREAS, This amendment is in the best interest of all property owners because at the current time Town manager Cliff Ogburn is refusing to use the Southern Shores’s newsletter email address to notify property owners that a lot width amendment was made on June 6, 2023 to take the right to subdivide from property owners without notifying the effected property owners with posted notice as required by Town Code 36-414(b) which provides: **In addition and where a zoning map amendment is proposed, the town shall cause to be placed a sign on the subject property announcing the date, time, and place of the public hearing for the purpose of notifying persons of the proposed rezoning. (Southern Shores does not have any zoning code giving the words “and where” the meaning of the word “if” and Southern Shores employees and board members claiming the words “and where” mean “if” are speaking a language not recognized in the United States or taught in schools)**

WHEREAS, This amendment is in the best interest of all property owners because on May 15, 2023 the Planning Board (Board of Adjustments) passed Wes Haskett’s March 31, 2023 lot width amendment which regulates land use without Wes Haskett notifying effected property owners pursuant to Town Code 36-362(b) which provides: **Notices. Notice of hearings conducted pursuant to this article shall be mailed to: (I)**

1 the person or entity whose appeal, application, or request is the subject of the hearing;
2 (ii) **to the owner of the property that is the subject of the hearing if the owner did**
3 **not initiate the hearing;** (iii) to the owners of all parcels of land abutting the parcel of
4 land that is the subject of the hearing; and (iv) to any other persons entitled to receive
5 notice as provided by this chapter. In the absence of evidence to the contrary, the town
6 may rely on the Dare County tax listing to determine owners of property entitled to
7 mailed notice. The notice must be deposited in the mail at least ten days, but not more
8 than 25 days, prior to the date of the hearing. **Within that same time period, the town**
9 **shall also prominently post a notice of the hearing on the site that is the subject**
10 **of the hearing or on an adjacent street or highway right-of-way.**
11

12 **WHEREAS,** This amendment is in the best interest of all property owners because
13 a true and correct copy of a **Public Records Request proving mailed Notice of the May**
14 **15, 2023 Planning Board (Board of Adjustments) hearing on the lot width**
15 **amendment was not provided and proof that Wes Haskett lied and said the**
16 **Planning Board did not hear the lot width amendment on May 15, 2023 is attached**
17 **to the Zoning Text Amendment Application dated May 16, 2025 as "Exhibit A"**
18 **(Wes Haskett's June 1, 2023 email proves Wes Haskett has knowledge the Planning**
19 **Board heard/Board of Adjustments voted to recommend approval of the lot width**
20 **amendment).**

21 **WHEREAS,** This amendment is in the best interest of all property owners because Wes
22 Haskett indicates that exceptions and leniency to local codes are considered by the Board
23 of Adjustments, which Wes Haskett states must comply with Town Code 36-362(b) but
24 when Wes Haskett must prove he complied with Town Code 36-362(b) for his lot width
25 amendment heard on May 15, 2023 he lies and says the lot width amendment was not
26 heard. Section 36-365 (a) provides: *Hearings authorized.* The board shall hear and
27 decide requests for variances of the provisions of this chapter and appeals of
28 decisions of administrative officials charged with enforcement of this chapter. The
29 board shall follow quasi-judicial procedures when deciding appeals and requests for
30 variances. **The board shall hear and decide all matters upon which it is required**
31 **to pass under any statute or ordinance that regulates land use** or development
32 that provides for the board to hear such matters. Wes Haskett's March 31, 2023
33 amendment clearly effects land use by requiring lots to be 100' wide to be approved
34 for a single family home.

35
36 **WHEREAS,** This amendment is in the best interest of all property owners
37 because during the time the Town was supposed to have posted notice at effected
38 properties of the lot width amendment heard by the Planning Board/Board of
39 Adjustments on May 15, 2023 and Town Council on June 6, 2023 Deputy Town Manager
40 Wes Haskett was hiding the proposed zoning amendment from Applicant in (4) emails
41 during the month of May, 2023 when Applicant was specifically asking about the 75 E
42 Dogwood Trail subdivision and lot width requirements. During the month of May, 2023

1 the previous owner of 75 E. Dogwood Trail was able to negotiate an additional \$75,000
2 from applicant for a property that was subdividable because Haskett was illegally hiding
3 the proposed lot width amendment from Applicant. Deputy Haskett and Southern Shores
4 clearly are aware of the damages their fraud has caused and have yet to correct the fraud
5 caused by rezoning subdividable property to unsubdividable with a lot width amendment
6 that was made without complying with Town Code 36-414(b) and Town Code 36-362(b).
7 A true and correct copy of Wes Haskett hiding the March 31, 2023 lot width amendment
8 after being asked "Can you please tell me anything that would prevent me from
9 subdividing the 75 E Dogwood Trail lot so I could build another house" is attached to the
10 Text Amendment Application dated May 16, 2025 as Exhibit "B".

11
12 **WHEREAS**, This amendment is in the best interest of all property owners
13 because the nature of the Town's Code Of Ethics prohibits the Town from defrauding
14 property owners intentionally and in the event of a mistake requires the fraud to be
15 corrected. A true and correct copy of the Town's Code of Ethics is attached to the
16 Zoning Text Application dated May 16, 2025 as Exhibit C.

17
18 **WHEREAS**, This amendment is in the best interest of all property owners because
19 when property owners question the validity of zoning amendments made to their property
20 Deputy Town Manager Haskett lies and claims Southern Shores had a legal basis to amend
21 zoning code. A true and correct copy of a false police report made to Chief Kole by Wes
22 Haskett in violation of North Carolina General Statute 14-225 claiming he had a
23 legal basis to amend zoning code on June 6, 2023 by deleting the strictures of Town
24 Code 36-414(b) is attached to Zoning Text Application dated May 16, 2025 and
25 marked Exhibit D.

26
27 **WHEREAS**, This amendment is in the best interest of all property owners because
28 when they ask the Planning Board for a decision to be made about a zoning code
29 amended without the property owner being notified pursuant to Town Code 36-414(b)
30 Deputy Town Manager Haskett lies and states all notification requirements were
31 satisfied. A true and correct copy of Haskett's staff report lying about notification
32 requirements being complied with prior to the lot width adoption on June 6, 2023 is
33 attached to the Zoning Text Amendment Applications as Exhibit E. A true and correct
34 copy of a public records response from the Town proving posted notice was not placed at
35 effected property(s) pursuant to Town Code 36-414(b) is attached to the Zoning Text
36 Amendment Application Dated May 16, 2025 as Exhibit F.

37 **WHEREAS**, This amendment is in the best interest of all property owners
38 because when criminal complaints are made against Town employee Wes Haskett to
39 Police Chief Kole for violating N.C.G.S. ss 14-225-false reports to law enforcement
40 and N.C.G.S. § 20-112- false sworn testimony Chief Kole refuses to arrest Wes
41 Haskett with claims that the crimes are "civil matters". (Wes Haskett claimed to

1 Chief Kole and the Planning Board (Board of Adjustments) notification requirements
2 were met prior to the June 6, 2023 lot width amendment.

3

4 **WHEREAS**, This amendment is in the best interest of all property owners because
5 when they pay \$350 for the Planning Board to make a decision about a zoning
6 amendment made without compliance with posted notification requirement Town Code
7 36-414(b) the following people fraudulently misrepresent the language of Town Code 36-
8 414(b) and are on video fraudulently misrepresenting Town Code 36-414(b) at the
9 October 21, 2024 Variance hearing online at
10 www.youtube.com/watch?v=SAHrZazLlz8&t=18617s

11 A) Town Attorney Lauren Womble on behalf of Deputy Town Manager Haskett
12 at 1:41-1:44, 3:24-3:29, 3:48-3:51, 5:09-5:11

13 B) Planning Board Attorney Jay Wheless on behalf of the Planning Board and
14 Haskett at 3:09-3:12, 3:48-3:51 of the video

15 C) Planning Board Chair Andy Ward at 4:27 of the video

16 **WHEREAS**, This amendment is in the best interest of all property owners
17 because when they pay \$350 for the Planning Board to make a decision on whether an
18 amended zoning code can be enforced when there is proof indicating Town Code 36-
19 414(b) was not complied with, the Planning Board votes unanimously to enforce illegally
20 adopted zoning code. Please see youtube video of the March 19, 2025 Special Hearing
21 from 1:02-1:13 at www.youtube.com/watch?v=gVweO1hKUo8

22 **WHEREAS**, This amendment is in the best interests of the Town because **North**
23 **Carolina law provides that a court must construe ambiguous contract terms against**
24 **the drafter. Cosey v. Prudential Ins. Co. of Am., 735 F.3d 161, 170 (4th Cir.**
25 **2013). Paying filing fees to Southern Shores establishes a contract under law and the**
26 **Town Code.** So, terms Southern Shores claims to be ambiguous in their code, such as
27 notification requirements needed to effectuate a zoning amendment must be
28 interpreted against Southern Shores.

29

30 **WHEREAS**, This amendment is in the best interests of the Town because North
31 Carolina Statutes of limitations for fraud, injury to personal property and contract law is 3
32 years. The Town is currently liable for a class action lawsuit from property owners suing
33 the town for defrauding property owners with zoning amendments adopted to take the
34 right to subdivide property with a lot width amendment on June 6, 2023. Taking the right
35 to subdivide substantially decreases property value, according to licensed realtors, and
36 the Town has refused to Order Dare County to reduce property taxes on property they
37 have devalued.

1 **WHEREAS**, This amendment is consistent with the Town’s Code of Ethics and
2 is imperative under North Carolina State and Federal Laws protecting property owner’s
3 due process rights and their right not to be subjected to public corruption crimes
4 committed by local governments.

5
6 **WHEREAS**, the amendment of the Town’s Zoning Ordinance and Town Code
7 Ordinances as stated below is based on reasonable consideration, among other things, as to
8 the character of the district, suitability for uses in the area, conserving value of buildings
9 and encouraging the most appropriate use of land throughout the Town.

10
11 **WHEREAS**, the Town’s currently adopted Land Use Plan contains Policies and
12 Action Items that are applicable to the amendments, including but not limited to the
13 following:

14
15 **Policy: Southern Shores Code Of Ethics**

16
17 **Policy: Town Code 36-362(b) requiring mailed notice and posted notice at**
18 **property(s) effected by zoning amendment rezoning them (for reasons**
19 **including, but not limited to rezoning from subdividable to unsubdividable).**

20
21 **Policy: Town Code 36-205(d)(2) regulated lot width requirements.**

22
23 **Policy: North Carolina State Law and Federal Law, including Federal Rights**
24 **Protecting property owners “property rights” and “due process rights”.**

25
26
27 **ARTICLE II. Construction.**

28
29 For purposes of this ordinance amendment, underlined words (underline) shall be
30 considered as additions to existing Town Code language and strikethrough words
31 (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the
32 adopted Town Code which are not repeated herein but are instead replaced by an ellipses
33 (“...”) shall remain as they currently exist within the Town Code.

34
35 **ARTICLE III. Amendment of Zoning Ordinance.**

36
37 **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of
38 Southern Shores, North Carolina, that the Town Code shall be amended as follows:

39
40 **PART I.** That **Section 36-362 Meetings Of The Board Of Adjustments** Be
41 amended as follows:

42 (b) *Notices.* Notice of hearings conducted pursuant to this article shall be mailed to: (i)
43 the person or entity whose appeal, application, or request is the subject of the
44 hearing; (ii) to the owner of the property that is the subject of the hearing if the owner

1 did not initiate the hearing; (iii) to the owners of all parcels of land abutting the parcel
2 of land that is the subject of the hearing; and (iv) to any other persons entitled to
3 receive notice as provided by this chapter. In the absence of evidence to the contrary,
4 the town may rely on the Dare County tax listing to determine owners of property
5 entitled to mailed notice. The notice must be deposited in the mail at least ten days,
6 but not more than 25 days, prior to the date of the hearing. Within that same time
7 period, the town shall also prominently post a notice of the hearing on the site that is
8 the subject of the hearing or on an adjacent street or highway right-of-way. **Property**
9 **owner(s) that have been effected by the March 31, 2023 lot width amendment**
10 **without being notified with posted notice and/or mailed notice as a property**
11 **subject to the zoning amendment prior to the May 15, 2023 hearing pursuant to**
12 **Town Code Section 36-362(b) shall have 90 days from the adoption of this**
13 **amendment to submit any applications to the Town seeking governance under**
14 **the Town Code prior to the Amended Ordinance effectuated on June 6, 2023.**
15 **This section applies only to property owners who owned the property, were**
16 **under contract to purchase the property, rented the property or occupied the**
17 **property at the time the lot width amendment was adopted on June 6, 2023.**

18
19 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
20 **Reasonableness.**

21
22 The Town's adoption of this amendment is consistent with the Town's adopted
23 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
24 is applicable. For all of the above-stated reasons and any additional reasons supporting the
25 Town's adoption of this ordinance amendment, the Town considers the adoption of this
26 ordinance amendment to be reasonable and in the public interest. **THE ADOPTION OF**
27 **THIS AMENDMENT IS IMPERATIVE UNDER STATE LAW, FEDERAL LAW**
28 **AND THE SOUTHERN SHORES TOWN CODE OF ETHICS.**

29
30 **ARTICLE V. Severability.**

31
32 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
33 hereby repealed. Should a court of competent jurisdiction declare this ordinance
34 amendment or any part thereof to be invalid, such decision shall not affect the remaining
35 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
36 Town of Southern Shores, North Carolina which shall remain in full force and effect.

37
38 **ARTICLE VI. Effective Date.**

39 This ordinance amendment shall be in full force and effect from and after the ____ day of
40 _____, 2025.

41
42
43
44 _____
45 Elizabeth Morey, Mayor

ATTEST:

1
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18

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Date adopted:

Motion to adopt by Councilmember:

Motion seconded by Councilmember:

Vote: ___AYES___NAYS

FW: Public Records Request For Proof Of Notification Pursuant To Sec. 36-362(b) For Wes Haskett's Amendments

From: Phillip Hornthal (phornthal@hrem.com)
To: chestercountylawn@yahoo.com
Cc: skane@southernshores-nc.gov
Date: Wednesday, October 30, 2024 at 02:57 PM EDT

Mr. Mina:

Please find attached and below the Town's response to your earlier, above referenced, Public Records Request.

Thank you.

Phil Hornthal

L. Phillip Hornthal, III
Attorney at Law
Direct: 252.698.0214
Office: 252.335.0871
Fax: 252.335.4223 Attn: P. Hornthal
Email: phornthal@hrem.com
301 East Main Street
Elizabeth City, NC 27909
www.hrem.com



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From: Sheila Kane <skane@southernshores-nc.gov>
Sent: Wednesday, October 30, 2024 2:09 PM
To: Phillip Hornthal <PHornthal@hrem.com>
Subject: FW: Public Records Request For Proof Of Notification Pursuant To Sec. 36-362(b) For Wes Haskett's Amendments

>>Warning! The source of this email is from outside of the firm.<<

Phillip:

On October 24, 2024, Mr. Mina filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

- All notification records including paid receipts of posted notice and postal records (including letters sent) pursuant to Section 36-362(b) for the May 15, 2023 Planning Board/Board of Adjustments hearing on Wes Haskett's 3/31/2023 zoning amendment application and the zoning amendment (including Planning Board/Board of Adjustments meeting notification) notifications for the 8/3/2021 zoning amendment.






Please find all records that pertain to this request attached. Also, a response from Wes Haskett can be seen in the email below, explaining the notice requirements.

Sheila Kana, CMC, NCCMC
Town Clerk
Town of Southern Shores
5375 N Virginia Dare Trail
Southern Shores, NC 27949
(252) 261-2394 phone
(252) 255-0876 fax
skane@southernshores-nc.gov

From: Wes Haskett <whaskett@southernshores-nc.gov>
Sent: Wednesday, October 30, 2024 10:37 AM
To: Sheila Kane <skane@southernshores-nc.gov>
Cc: Cliff Ogburn <cogburn@southernshores-nc.gov>
Subject: FW: Public Records Request For Proof Of Notification Pursuant To Sec. 36-362(b) For Wes Haskett's Amendments

See attached documents to be included with the response to Mr. Mina's request below. The Planning Board did not hold a hearing for TCA-21-06 on July 19, 2021 or ZTA-23-03 on May 15, 2023 because no hearings were required (hearings were subsequently required and held by the Town Council). There also were no posted or mailed notices for the Planning Board's consideration of TCA-21-06 on July 19, 2021 and ZTA-23-03 on May 15, 2023 because they weren't required.

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov

-  7-19-21 PB Mtg Public Notice.pdf
77.7kB
-  7-14-21 PB Mtg Notice.pdf
345.6kB
-  7-19-21 PB Mtg Sunshine List Notice.pdf
415.7kB

A

Groupware: A simplified WebMail interface for use on desktop and mobile devices. See the staff website for more info.

Try It out

Wes Haskett Add keywords Advanced v

- Inbox 114K
- Unread
- Starred
- Drafts 674
- Sent
- Archive
- Spam
- Trash
- ^ Less
- Views Show
- Folders Show

Back Archive Move Delete Spam

Thank you for your help,
Anthony S Mina

On Thursday, June 1, 2023 at 09:44:07 AM EDT, Wes Haskett
<whaskett@southernshores-nc.gov> wrote:

Good morning. The main issue is the setback encroachment. The lot widths as shown may be ok per our current lot width requirements but I can't confirm that without seeing them on a plat prepared by a surveyor. However, we have been discussing amending our current lot width requirements. The Town Planning Board recommended approval of the attached amendments on May 15th and the Town Council will be holding a public hearing on June 6th. If the proposed amendments are adopted, I can say that the lots as drawn would not be in compliance. Let me know if you have any additional questions.

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov



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RE: 75 E Dogwood Trail Subdivision

chestercountyia.../inbox



Wes Haskett <whaskett@southernshores-nc.gov>
To: Anthony Mina <chestercountyawn@yahoo.com>

Jun 1, 2023 at 9:44 AM

Good morning. The main issue is the setback encroachment. The lot widths as shown may be ok per our current lot width requirements but I can't confirm that without seeing them on a plat prepared by a surveyor. However, we have been discussing amending our current lot width requirements. The Town Planning Board recommended approval of the attached amendments on May 15th and the Town Council will be holding a public hearing on June 6th. If the proposed amendments are adopted, I can say that the lots as drawn would not be in compliance. Let me know if you have any additional questions.

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov

Wes Haskett's July 16th, 2024 sub-division denial (Variance "Exhibit 2B") confirmed lot widths met town code as the drawing referenced in this email was provided on a plat prepared by a surveyor and is found as Variance "EXHIBIT 2B"



From: Anthony Mina <chestercountyawn@yahoo.com>
Sent: Wednesday, May 31, 2023 7:58 AM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: Re: 75 E Dogwood Trail Subdivision

Good Morning,

The attached drawing shows lot B with a 100' front set back.

The attached drawing is not drawn exactly to scale. I anticipate wanting to keep the street frontage of lot B only wide enough to install a driveway with walls on each side of the driveway so I can landscape the driveway entrance myself. I expect the street frontage of Lot B to be under 35'.

Thank you for your help,
Anthony S Mina

On Tuesday, May 30, 2023 at 04:41:19 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. Thank you for sending the drawing. How much frontage would Lot B have and at what point is it 100 ft. wide?

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov



WES HASKETT ADMITTING ON JUNE 1, 2023 THE LOT WIDTH REQUIREMENTS FOR A SUBDIVISION WERE MET, BUT THEN TELLING APPLICANT FOR THE 1ST TIME THAT LOT WIDTH REQUIREMENTS OF 100' AT THE FRONT BUILDING SETBACK LINE WERE BEING CHANGED ON JUNE 6/2023 TO REQUIRE THE ENTIRE LOT

From: Anthony Mina <chestercountyawn@yahoo.com>
Sent: Friday, May 26, 2023 12:21 PM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: 75 E Dogwood Trail Subdivision

Hello,

I've attached a subdivision plan I sketched to give you an idea of one idea I had that I believe meets Southern Shores zoning requirements (I am still deciding whether I would remove 1' of the existing 75 E Dogwood Trail structure, purchase 1' of property from 73 E Dogwood Trail or request a variance).

I really only want enough street frontage to build some walls at the beginning of the driveway like in the attached picture. I'll be able to give you a much more accurate subdivision plan after I purchase 75 E Dogwood Trail and get some legal advice about all my possible subdivision plans. But I am thinking that I may want both lots sharing one driveway opening that I own, if zoning code allows a subdivision plan like this (if not Lot A could use the existing driveway).

TO BE 100' WIDE. (ATTACHMENT EXPLAINED PROPOSED ZONING AMENDMENT)

Lot A has 20,000 sq. ft and lot B has 28,853 sq. ft.
Both lots will have 100 ft width at the front set back.

Thank you for your help.

Anthony S Mina

1 File 2.2MB



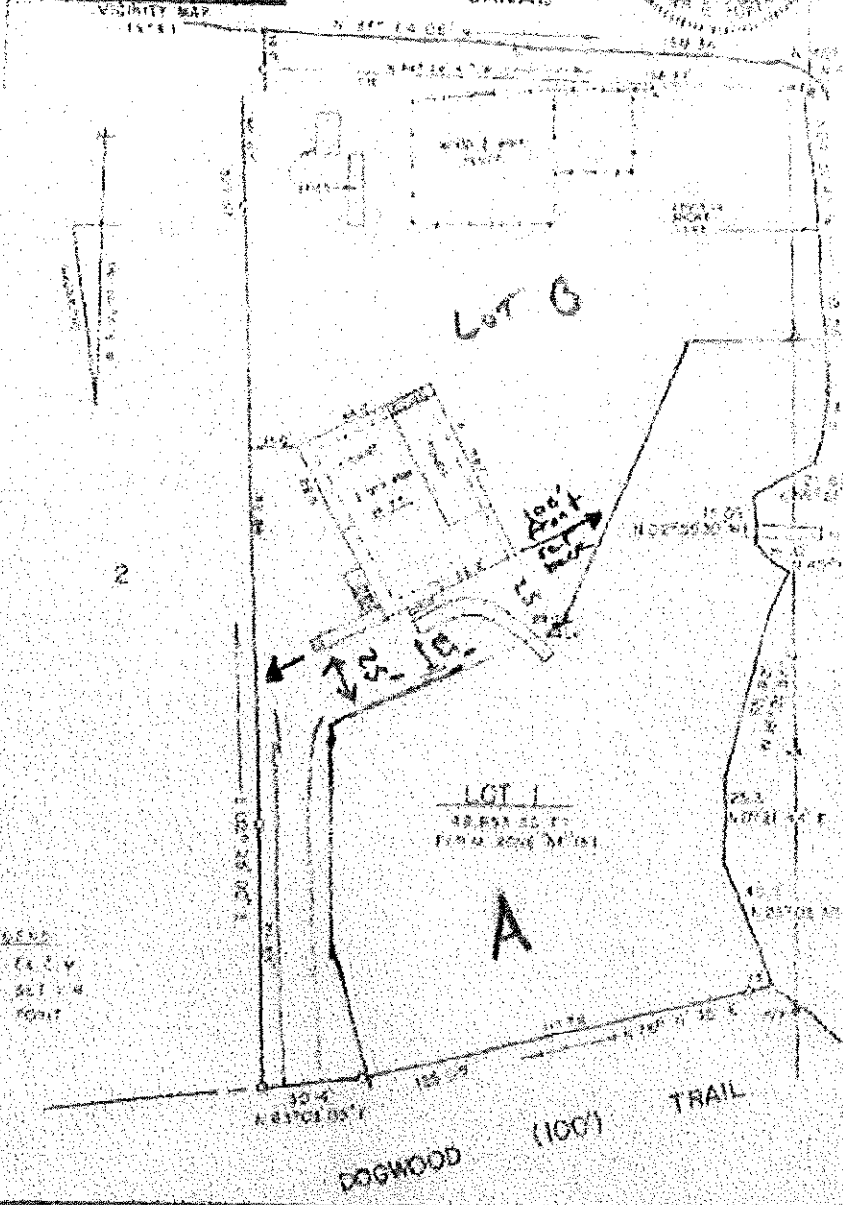
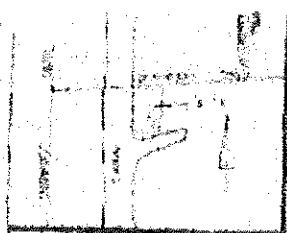
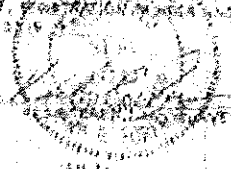
5-16-23 ZTA-23-03 Lot Width.pdf
2MB



THIS MAP WAS MADE BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT ACCURATELY REPRESENTS THE TRUTH AND I AM NOT PROVIDING ANY WARRANTY OR GUARANTEE OF ACCURACY OR LIABILITY FOR THE SAME. I HEREBY CERTIFY THAT THE INFORMATION CONTAINED HEREIN IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF AND THAT THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT ACCURATELY REPRESENTS THE TRUTH.

WITNESS MY ORIGINAL SIGNATURE AND SEAL THIS 14th DAY OF MARCH, 1997.

L. R. FOREMAN
REGISTERED SURVEYOR



LOT A
 New single family dwelling pursuant to RSP zoning requirements, including 100' lot width at front set back.
 Lot size: 20,000 sq. ft.

LOT B
 EXISTING HOME WITH STREET FRONTAGE

SURVEYED FOR
 LINDA L. LAUBY
 LOT 1, BLOCK 105
 SOUTHERN SHORES
 ATLANTIC TOWNSHIP, DARE COUNTY, NORTH CAROLINA

DATE: MARCH 8, 1997	SCALE: 1" = 40'
FILE: 2437-72-71	CR. BY: RDR
EST. N. E. 2, 26, 182	
TRAN. NO. 370450 0001 6 (4/8/83)	
7/14/97	

KIRK R. FOREMAN
 LAND SURVEYING COMPANY
 P.O. BOX 760
 KILL DEVIL HILL, NC 27948
 (919) 281-1321

SUBDIVISION LINES NOT TO SCALE

RE: 75 E. Dogwood Trail Subdivision

chestercounty/a.../inbox



Wes Haskett <whaskett@southernshores-nc.gov>
To: Anthony Mina <chestercountyawn@yahoo.com>

May 23, 2023 at 2:13 PM

Good afternoon. I had a good weekend and I hope the same for you. Purchasing land from the adjacent property owner (both properties and structures meet all requirements) or removing a portion of the building would resolve the setback issue. Can you please explain or show on a drawing how the Town's 100 ft. lot width requirement would be satisfied for both lots?

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov

WES HASKETT
HIDING JUNE 6, 2023
LOT WIDTH AMENDMENT

-----Original Message-----

From: Anthony Mina <chestercountyawn@yahoo.com>
Sent: Monday, May 22, 2023 12:41 PM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: 75 E. Dogwood Trail Subdivision

Hello,

I hope you had a good weekend.

I am writing you again about 75 E. Dogwood Trail. I apologize if I am asking a lot of questions. My last job in Pennsylvania was building an addition onto a house on a non-conforming lot and I feel like the job went smoothly because I asked the building inspector lots of questions before I even started getting my building plans (and as of right now, I still don't even live at 75 E Dogwood Trail).

Can I ask you how you would suggest I go about subdividing 75 E. Dogwood Trail if it was your property and you wanted to make it two properties (or how you think the smartest way to get Southern Shores approval would be)?

I believe my options are (assuming the house is 14' from the 73 E. Dogwood Trail property line):

- Remove one foot of the existing home (the back left corner of the home) and make the lot farthest from the street similar to a "flag lot". 193 N. Dogwood Trail is the closest home with a small amount of public road frontage.

-Apply for a variance and make the lot farthest from the street similar to a "flag lot". 193 N. Dogwood Trail is the closest home with a small amount of public road frontage.

-Purchase a few square feet of property from 73 E. Dogwood Trail so the property line angles around the house of 75 E. Dogwood Trail so there is at least 15' between the house and property line. Some examples of property lines literally wrapping around houses like I am describing are at 233 N Dogwood Trail and 378 Sea Oats Trail. Then the lot would then again be subdivided with a "flag lot" in the back.

Thank you for your help,
Anthony S Mina

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https://us1.proofpointessentials.com/index01.php?mod_id=11&mod_options=login&email_id=1684773651-3b8T3-23fXSS&_atubzss=whaskett%340@southernshores-nc.gov&report=1



Re: 75 E. Dogwood Trail Zoning Question

chestercountyla.../Sent

Anthony Mina <chestercountylawn@yahoo.com>
To: Wes Haskett <whaskett@southernshores-nc.gov>

May 18, 2023 at 2:54 PM

Thank you for your help. I am not going to ask to meet with you next Tuesday to review my proposed subdivision for 75 E. Dogwood Trail, but I hope to provide you the drawing of the subdivision before then. I will talk to you soon. Anthony S Mina

On Thursday, May 18, 2023, 01:51:04 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. See my responses below.

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov



WES HASKETT HIDING
JUNE 6, 2023 PROPOSED
LOT WIDTH AMENDMENT

From: Anthony Mina <chestercountylawn@yahoo.com>
Sent: Wednesday, May 17, 2023 12:18 PM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: Re: 75 E. Dogwood Trail Zoning Question

Hello,

Thank you for your help.

-Could you please tell me which ordinance I need to read to understand the zoning requirements for subdividing a lot that has an existing structure that could possibly be 14' from the property line. See Town Code Section 30-97(2):
https://library.municode.com/nc/southern_shores/codes/code_of_ordinances?nodeId=PTICOOO_CH30SU_ARTIVMISTDEGE_630-97/DESI

-Could you also please tell me about Southern Shores' procedure for asking Southern Shores to make an exception to their local code. For example, if I hired an attorney to file my applications and ask Town Council or Dare County to approve the subdivision. An exception would be in the form of a Variance. Our Town Planning Board considers Variances which are only granted if the applicant can demonstrate that there is a hardship involved if a Variance is not granted. See attached application which includes questions that address the criteria for granting a Variance.

75 E. Dogwood Trail can be divided so each property has street frontage and a 100' lot width at the front of the building (by making the existing lot similar to a "flag lot"). I would just prefer not to literally remove 1' of the existing home if the home was really built 14' from a property line that required 15'. Please submit a drawing showing what you have in mind, including the existing structure and measurements from existing and proposed property lines.

If you would like, I am available to meet with you to make sure I am creating a subdivision plan consistent with other approved subdivisions and existing zoning requirements. I am available to meet next Tuesday at 10:30 or 2:00 if you'd like to meet to discuss and review your drawing.

Thank you,
Anthony S Mina

On Wednesday, May 17, 2023, 11:31:21 AM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good morning, Anthony. I'm doing well and I hope the same for you. I don't believe that creating two lots that front E. Dogwood Trl. would work either, unfortunately. This is due to our minimum lot width requirement which is 100 ft. so both lots would have to be 100 ft. wide and front E. Dogwood Trl. However, I'd be glad to take a look at a sketch if you'd like to draw what you have in mind. The other issue is the existing structure not being at least 15 ft. from the side property line. Our ordinance requires compliance with all zoning requirements whenever new lots are created.

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov



WES HASKETT HIDING JUNE
6, 2023 PROPOSED LOT
WIDTH REQUIREMENT

From: Anthony Mina <chestercountylawn@yahoo.com>
Sent: Tuesday, May 16, 2023 11:51 AM

B

To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: Re: 75 E. Dogwood Trail Zoning Question

Good Morning,

I hope you are doing good. I'm a little confused about the Southern Shores local codes governing subdivision plans. Can you tell me why 75 E. Dogwood Trail could not be divided so each of the (2) new lots has street frontage. There is about 155' of street frontage and it does not matter to me if the lots shared the driveway or each had their own driveway. I believe that a second house could be built at 75 E Dogwood Trail and positioned so each lot has at least a 75' width at the side of the house closest to Dogwood Trail.

Thank you for your help,
Anthony S Mina

On Monday, May 1, 2023, 01:54:54 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. I'm doing well and I hope the same for you. I don't think a subdivision of 75 E. Dogwood Trl. would be allowed per Town Code Section 30-96(f) in our Subdivision Ordinance which states: All lots shall front upon a public road. Let me know if you have any additional questions.

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov

-----Original Message-----

From: Anthony Mina <chestercountymawm@yahoo.com>
Sent: Monday, May 1, 2023 12:50 PM
To: Kevin Clark <kclark@southernshores-nc.gov>; Kevin Clark <kclark@southernshores-nc.gov>; Marcey Baum <mbaum@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>
Subject: 75 E. Dogwood Trail Zoning Question

Hello,

I hope you are doing good.

I have attached a survey with a sketch of a proposed subdivision for 75 E. Dogwood Trail and wanted to make sure I am correct to believe that the lot can be subdivided as a right to the homeowner because the lot is larger than one acre. The only thing I noticed that did not meet the current zoning code requirements is a 14' setback from the existing home to the property line on the left side (I believe there should be 15').

Could you please tell me anything that would prevent me from subdividing the 75 E. Dogwood Trail lot so I could build another house. I do not own the property but have made an offer on the property.

Thank you,
Anthony S Mina

CC Ashton Herrell, MM & J Law Firm

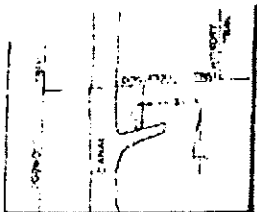
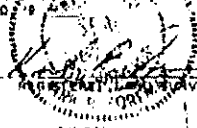
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THIS PLAN AND THIS MAP HAS BEEN IN MY SUPERVISION FROM AN ORIGINAL SURVEY MADE UNDER MY SUPERVISION, RECORDED IN P. 2, PG. 182 OF THE DARE COUNTY RECORDS THAT THE CORNER OF QUINCY AS CALCULATED BY LATITUDE AND DEPARTURES IS 100.00 FEET THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS DOTTED LINES PLOTTED FROM INFORMATION FOUND IN M. U. 2, PG. 182 AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 87-10 AS AMENDED WITHIN MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 5TH DAY OF MARCH 1997

REGISTRATION NUMBER

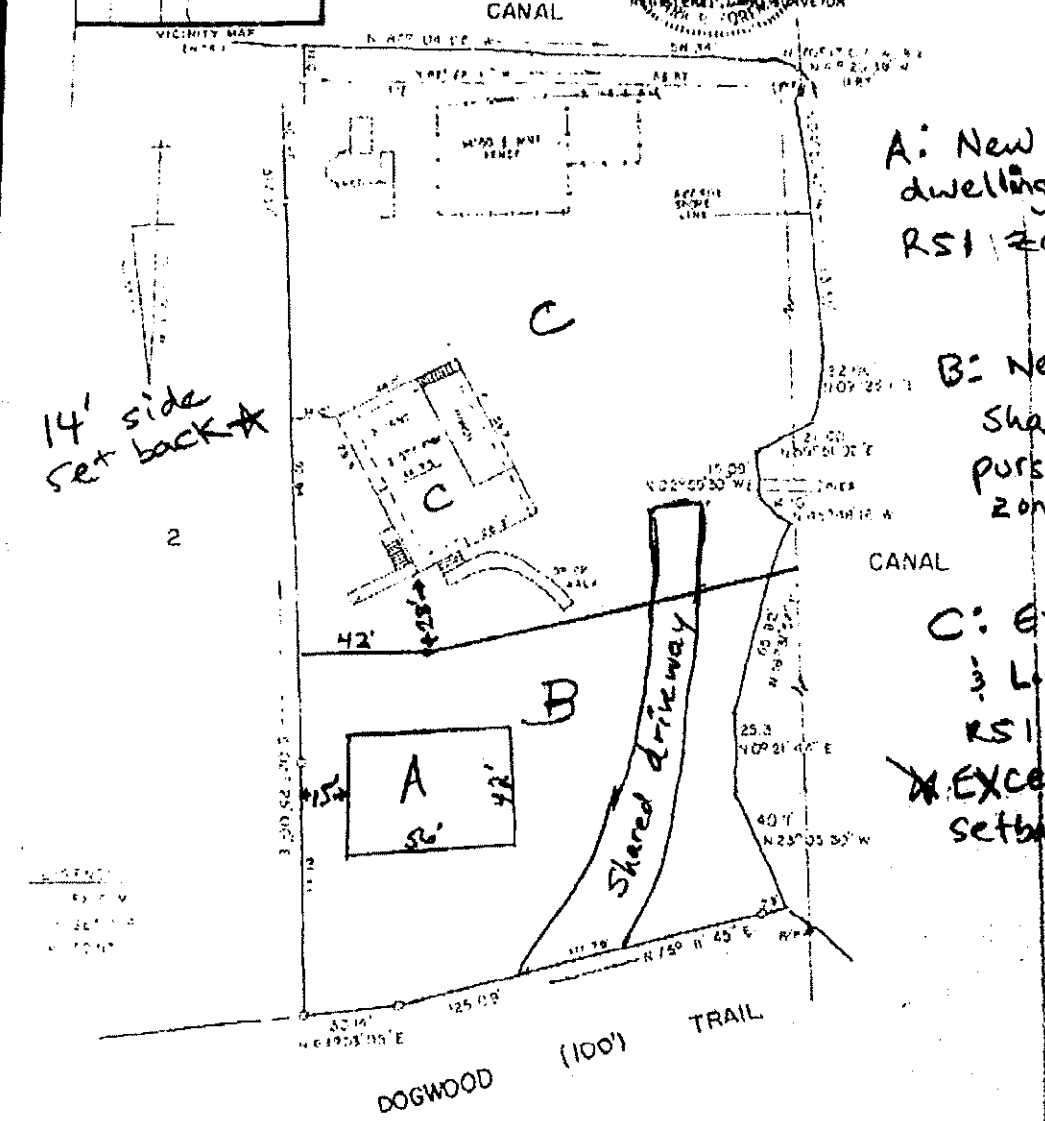


14' side set back

A: New single family dwelling pursuant to RS1 zoning requirements

B: New lot with shared driveway pursuant to RS1 zoning requirements

C: EXISTING HOME 1/3 LOT pursuant to RS1 zoning requirements
 Except for 14' side setback



SURVEYED FOR
 LINDA L. LAUBY
 LOT 1, BLOCK 105
 SOUTHERN SHORES
 ATLANTIC TOWNSHIP, DARE COUNTY, NORTH CAROLINA

DATE: MARCH 6, 1997	SCALE: 1" = 40'
FILE: 4827-72-7	DR. BY: BFB
REF. M. U. 2, PG. 182	
J.R.N. # 3704300001 p (4/8/93)	

KIRK R. FOREMAN
 LAND SURVEYING COMPANY
 P.O. BOX 1961
 KILL DEVIL HILLS, NC 27949
 (919) 281-1221

B

Code of Ethics for Town of Southern Shores Employees

The proper operation of democratic government in the Town of Southern Shores requires that Public Officials and employees: a) be independent, impartial and responsible to the people, b) make decisions and policy in public, c) not use their position for personal gain and d) conduct all duties and direct all actions to maintain public confidence in the integrity of Southern Shores Government and its employees.

In recognition of these requirements a Code of Ethics and Standards of Conduct is hereby promulgated:

As an employee in the Town of Southern Shores:

1. I will always obey the law and will not try in any way to influence application of the law by any of the town's authorities or personnel.
2. I will always uphold the integrity and independence of my job.
3. I will always avoid any impropriety or the appearance of impropriety in all of my activities.
4. I will manage and spend the town's funds as if they were my own and will have the best interests of all Southern Shores taxpayers in mind in the expenditure of these funds.
5. I will always minimize the risk of conflict of my private life dealings with my official duties. This particularly applies to any private employment or service for private interests when incompatible with the proper discharge of my official duties.
6. I will never use my position to harass or adversely influence any of the Town's other employees.
7. I will always respond promptly to any concern brought to me by any employee or Town resident. In this regard I will grant no special consideration, treatment or advantage to any citizen beyond that which is available to any other citizen.
8. I will not engage in any contractual dealing with the Town or try to influence any such dealing on the behalf of any friend or relative.
9. I will accept no gift or other gratuity, including meals, from anyone that could do business with the Town or that is presently conducting business with the Town. This will also apply to any gift that a reasonable person believed was intended to influence an employee in the performance of official duties.

Exempted from the provision concerning gifts are advertising items or souvenirs of nominal value or meals furnished at banquets. Gifts between employees and their friends and relatives are also exempted.

"EXHIBIT C"

RE: Questions Regarding Wes Haskett's Denial Of 75 E. Dogwood Trail Lot Sub-Division

chestercountyla.../Inbox

n



Wes Haskett <whaskett@southernshores-nc.gov>

May 21, 2024 at 2:27 PM

To: Anthony Mina <chestercountylawn@yahoo.com>

Cc: David Kole <dkole@southernshores-nc.gov>, Elizabeth Morey <emorey@southernshores-nc.gov> ,

Phillip Hornthal <phornthal@hrem.com>, Cliff Ogburn <cogburn@southernshores-nc.gov>

Good afternoon, Mr. Mina. My responses to your questions are as follows:

1. The Town of Southern Shores Town Code states:

Sec. 1-10. - Amendments to Code.

(a) Amendments to any of the provisions of this Code shall be made by amending such provisions by specific reference to the section number of this Code. Such amendments may be in the following language: "That section ___ of the Code of Ordinances, Town of Southern Shores, North Carolina (or Southern Shores Town Code), is hereby amended to read as follows: ..." The new provisions may then be set out in full as desired.

Sec. 36-414. Motion to amend.

(a) The town council may, on its own motion or upon motion or upon petition by any person within any zoning jurisdiction of the town, after public notice and hearing, amend, supplement, change, modify or repeal the regulations herein established or the maps which are part of this chapter, subject to the rules prescribed in this article. No regulation or map shall be amended, supplemented, changed, modified or repealed until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Prior to adopting or rejecting any zoning amendment, the planning board shall adopt a statement describing whether its action is consistent with the adopted town comprehensive land use plan and explaining why the planning board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review. A notice of such hearing shall be given one week for two successive calendar weeks in a newspaper of general circulation in the town, said notice to be published the first time not less than ten days nor more than 25 days prior to the date fixed for the hearing.

Sec. 36-415. Planning board action.

(a) Every proposed amendment, supplement, change, modification, or repeal to this chapter shall be referred to the planning board for its recommendation and report. If no written report is received from the planning board within 30 days of referral of the amendment to that board, the town council may proceed in its consideration of the amendment without the planning board report. The town council is not bound by the recommendations, if any of the planning board.

Attached you will find documentation showing that the Town of Southern Shores legally amended the Town Code on June 6, 2023. The attachments included are:

- Zoning Text Amendment application ZTA-23-03.
- The advertised Planning Board agenda for May 15, 2023 when ZTA-23-03 was heard by the Planning Board.
- Screenshot of the required public notice for the May 15, 2023 Planning Board meeting from the May 10, 2023 edition of the Coastland Times newspaper.
- Screenshots of the required public notices for the June 6, 2023 public hearing for ZTA-23-03 from the May 24, 2023 and May 31, 2023 editions of the Coastland Times newspaper.
 - The advertised Town Council agenda for June 6, 2023, when the public hearing was held.
 - The minutes from the June 6, 2023 Town Council meeting.
 - Ordinance 2023-06-03 enacted with the Mayor's signature.

I've also attached the applicable North Carolina General Statutes that establish authority for municipalities to adopt and amend development regulations.

2. It appears that 172 and 174 S. Dogwood Trl. were created through a recombination of previously platted lots in 1999. At that time, there was only one structure which is currently situated on 174 S. Dogwood Trl. and the applicable side yard (setback) was 10 ft. The structure that is currently situated on 172 S. Dogwood Trl. was permitted in 2000 when the side yard (setback) requirement was still 10 ft. Other than removing the encroaching portion of the structure at 75 E. Dogwood Trl., documents required to make the encroachment conforming include a Zoning Text Amendment application (attached), \$200.00 fee, and proposed language to amend the current side yard (setback) requirement or create an exemption for such situations. The application would have to follow the process noted above and it would have to be approved by the Town Council.

The Southern Shores Town Council has been and will always be the body that adopts and amends the Town's zoning requirements, not Town Staff such as myself. The Town Council directs Town Staff to draft amendments to the Town Code, such as ZTA-23-03 to amend the Town's lot width requirements, which they adopted

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2394 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov

"EXHIBIT D"

STAFF REPORT

To: Southern Shores Planning Board
Date: October 21, 2024
Case: VA-24-01
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Anthony S. Mina
75 E. Dogwood Trl.
Southern Shores, NC 27949

Property Owners: Anthony S. Mina
75 E. Dogwood Trl.
Southern Shores, NC 27949

Jennifer L. Franz
75 E. Dogwood Trl.
Southern Shores, NC 27949

Requested Action: Variance to seek relief from Town Code Section 30-96(f), Lots and Town Code Section 36-202(d), Dimensional Requirements to allow a subdivision of the property located at 75 E. Dogwood Trl.

PIN #: 986817213502
Location: 75 E. Dogwood Trl.
Zoning: RS-1 Single-Family Residential District

Existing Land Use: "Residential"

Surrounding Land Use & Zoning:
North-Residential; RS-1, Single-Family Residential District
South- Canal
East- Residential; RS-1, Single-Family Residential District
West- Canal

Physical Characteristics: Developed (existing single-family dwelling)

Applicable Regulations: Chapter 30, Subdivision Ordinance: Section 30-6, Exceptions, Section 30-96(f), Lots and Section 30-97, Design Standards.
Chapter 36, Zoning Ordinance: Section 36-57, Definition of Specific Terms and Words, Section 36-202(d), Dimensional Requirements, and Article XII, Board of Adjustment

ANALYSIS

The Applicant is requesting a Variance to seek relief from Town Code Section 30-96(f) and 36-202(d) to allow a subdivision of 75 E. Dogwood Trl. On July 3, 2024, the Applicant submitted two applications to subdivide the subject property. The first application was denied because the proposed lots did not equal or exceed the standards in Town Code Section 30-97 of the Town's Subdivision Ordinance because both lots did not front upon a public road. Town Code Section

" EXHIBIT E "

30-96(f) states that all lots shall front upon a public road. The denial was not appealed.

The second application was also denied because the proposed lots did not equal or exceed the standards in Town Code Section 30-97 of the Town's Subdivision Ordinance because the proposed lots did not meet the zoning requirements for properties located in the Town's RS-1, Single-Family Residential zoning district as established in the Town's Zoning Ordinance and incorporated into the Town's Subdivision Ordinance via Section 30-97(2). Specifically, the proposed lots did not meet the zoning requirements for properties located in the Town's RS-1, Single-Family Residential zoning district and as a result did not equal or exceed the standards in Section 30-97 of the Town's Subdivision Ordinance because:

1. Town Code Section 36-202(d) of the Town's Zoning Ordinance requires a minimum lot width of 100 feet (measured from the front lot line at right angles to the rear lot line). Both of the proposed lots did not have a lot width of 100 feet measured from the front lot line at right angles to the rear lot line.

The denial was not appealed.

In accordance with N.C.G.S. 160D-705(d), Town Code Section 36-367 in the Town's Zoning Ordinance establishes that the Planning Board, when performing the duties of the Town Board of Adjustment, shall vary any of the provisions of the Zoning Ordinance upon a showing of all of the following:

- (1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the Variance, no reasonable use can be made of the property.
 - There is no unnecessary hardship. The property is zoned single-family residential. There is a single-family dwelling which exists on the property. The Applicant's desire to upgrade and improve the existing structure is not restricted by the ordinance sections sought to be varied. Additionally, the size of the lot could allow for an addition to the existing single-family dwelling and/or an accessory building with living space which could also increase the value of the property.
- (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
 - The alleged hardship by the Applicant is not peculiar to the property and rather is one of personal circumstances. The Applicant's application fails to demonstrate how the alleged hardship is peculiar to the property. The Applicant makes false allegations that Town Staff illegally adopted zoning requirements and was helping a real estate scam which are not related to the property's size, location, or topography.
- (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
 - The Applicant claims that the unnecessary hardship is the result of Town Staff not meeting notification requirements for a Town Code Text Amendment that was

" EXHIBIT E "

adopted on August 3, 2021 and a Zoning Ordinance Text Amendment that was adopted on June 6, 2023 and because Town Staff withheld material information prior to the Applicant's purchase of the property.

- All applicable notification requirements established in N.C.G.S 160D-601 and in the Town's Zoning Ordinance were satisfied prior to adoption of the August 3, 2021 Town Code Text Amendment and June 6, 2023 Zoning Ordinance Text Amendment. Neither amendment was appealed.
 - Town Staff reviewed several sketches showing the Applicant's ideas for a subdivision of the property between May 1, 2023 and June 1, 2023 and never confirmed that any of them met all applicable requirements (which would have been advisory and not subject to judicial review). The Applicant moved forward with the purchase of the property on July 7, 2023.
- (4) The requested Variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.
- The RS-1, Single-Family Residential zoning 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. In order to meet this intent, the density of population in the district is managed by establishment of minimum lot sizes, building setback and height limits, parking regulations and maximum occupancy limits for single-family residences used as vacation cottages.
 - The Applicant claims that the spirit, purpose, and intent of the ordinance will be able to be utilized by granting a Variance from illegally adopted zoning code(s) and because Town Staff is involved with a false pre-tense real estate scam.
 - The Town Code Text Amendment that was adopted on August 3, 2021 removed the possibility of creating lots that only have frontage on an access easement. The intent of the Town Code Text Amendment was to eliminate the possibility of subdividing property that did not have frontage on a public street, as directed by the Town Council at the June 1, 2021 Town Council meeting, which was a result of a preliminary subdivision plat application that was considered by the Town Council on June 1, 2021.
 - The Zoning Ordinance Text Amendment that was adopted on June 6, 2023 established that lots created after June 6, 2023 in the RS-1, Single-Family Residential zoning district shall be 100 ft. wide measured from the front lot line at right angles to the rear lot line. The intent of the Zoning Ordinance Text Amendment was to clarify the Town's lot width requirements by making them unambiguous, as directed by the Town Council at the March 21, 2023 Town Council meeting, which was a result of an appeal application that was considered by the Planning Board, performing the duties of the Board of Adjustment, on October 5, 2022.
 - Town Staff believes that granting the requested Variance would be inconsistent with the spirit, purpose, and intent of the ordinance.

"EXHIBIT E"

Public Records Request Regarding TCA-21-06 and ZTA-23-03

chestercountyla.../Inbox



Sheila Kane <skane@southernshores-nc.gov>
To: Anthony Mina <chestercountylawn@yahoo.com>

Jun 20, 2024 at 5:07 PM

Dear Mr. Mina:

On June 17, 2024 you filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

Public Records Request Regarding TCA-21-06 and ZTA-23-03

1. A copy of the letters mailed to the owner of 75 E. Dogwood Trail and proof of receipt of mail informing the owner of TCA-21-06 and ZTA-23-03. **NOT REQUIRED**
2. A paid receipt for the advertising of TCA-21-06 and ZTA-23-03 in the Coastland Times (or other newspaper of general circulation) at least 1/2 of a newspaper page size.
 1. **Coastland Times Advertisement Invoices and copies of notices are attached. A 1/2 of a page size is NOT REQUIRED**
3. A copy of the posted notices of TCA-21-06 and ZTA-23-03, paid receipts for printing the notices of TCA-21-06 and ZTA-23-03 and location of all posted notices of TCA-21-06 and ZTA-23-03.
 1. **Bulletin Board(s) notices have been attached (one inside and one outside Town Hall), as well as notice to the sunshine list, Town Newsletter, meeting notices/agenda/ packets all listed on the town website. There are no "paid receipt for printing", see above for newspaper advertisement charges.**
4. A copy of all communication to property owners informing them of TCA-21-06 and ZTA-23-03 and the addresses of the property owners receiving the communication.
 1. **NOT REQUIRED**
 2. **Communication with one property owner attached (Anthony Mina).**

Please feel free to contact me if you have further questions.

Sheila Kane, CMC, NCCMC
Town Clerk
Town of Southern Shores
5375 N Virginia Dare Trail
Southern Shores, NC 27949
(252) 261-2394 phone
(252) 255-0876 fax
skane@southernshores-nc.gov



11 Files 13.9MB

" EXHIBIT B "