



TOWN OF SOUTHERN SHORES

5375 N Virginia Dare Trl, Southern Shores, NC 27949

(252) 261-2394 tel (252) 255-0876 fax

www.southernshores-nc.gov

Application No. APA-25-01 Date 2-14-2025
Application Fee \$350.00 Receipt No. 379913

THIS FORM IS A NOTICE OF APPEAL TO THE BOARD OF ADJUSTMENT. THE BOARD OF ADJUSTMENT MAY HEAR AND DECIDE APPEALS OF ADMINISTRATIVE DECISIONS OF ADMINISTRATIVE OFFICIALS CHARGED WITH ENFORCEMENT OF THE TOWN'S ZONING ORDINANCE OR ANY OTHER ORDINANCE THAT REGULATES LAND USE OR DEVELOPMENT AS PROVIDED UNDER THE TOWN CODE OF ORDINANCES. ADDITIONAL PAGES MAY BE ATTACHED TO ANSWER ANY QUESTIONS IN THE APPLICATION OR TO PROVIDE ANY SUPPLEMENTAL INFORMATION.

1. Applicant Name Anthony Mina
Mailing Address 75 E. Dogwood Trail
City Southern Shores State NC Zip Code 27949
Telephone 610-842-3905

2. Property Owner Name (If different from Applicant) _____
Mailing Address _____
City N/A State _____ Zip Code _____
Telephone _____

3. Property (If decision being appealed is specific to a particular property):
Street Address 75 E. Dogwood Trail
Tax Parcel Identification Number 021731000
Subdivision Name Southern Shores Block 105 Lot# 1
Zoning District Classification RS-1
Current Use of Property Single Family Home

4. Date of administrative decision being appealed January 21, 2025

5. Attach a copy of the administrative decision being appealed. (Please consult Town Code Sec 36-366 (a)(1) for examples of appealable administrative decisions.) -attached as "ORDER"
- please see attached exhibit

6. Describe the specific provisions or portions of the decision being appealed.
1) Res Judicata does not prohibit approval of the January 6, 2025 subdivision application due to new material facts and evidence that must be considered (evidence obtained after July 16, 2024)
2) The decision does not make sense for a subdivision application and is indicative of a criminal conspiracy. Wes Haskett is involved with where he helped Linda Larby defraud Applicant out of \$75,000 by hiding the March 31, 2023 zoning amendment from Applicant.

3) Wes Haskett lacks standing to decide applications submitted by Anthony Mina (and most importantly, lacks standing to deny applications submitted by Anthony Mina) because of his involvement with a witness tampering conspiracy against Anthony Mina because Anthony Mina caught Wes Haskett lying about notification requirements being complied with to effectuate a lot width amendment at 75 E. Dogwood Trail. Wes Haskett's violations include contempt of

7. Specify the grounds for your appeal. Fully explain how the administrative official inaccurately interpreted and/or applied the terms of the Town's Zoning Ordinance or other applicable ordinance. What do you believe to be the correct answer, and why? Dare

Please see Exhibit X

County Superior Court's order for a complete record from Variance VA-24-01 and not providing the Board of Adjustments Anthony Mina's filing dated 10/28/24 - Motion for reconsideration of motion to Preclude Variance 10/29/24 - Motion to Reverse Denial of Variance 10/31/24 Notice of Wes Haskett's false sworn testimony

8. If you are not the property owner, or if the decision was not issued to you, explain the facts which give you standing to appeal the administrative decision. (Please consult Town Code Sec. 36-366(b)(1) and G.S. 160D-1402(c) to determine whether or not you have standing. If you have questions about standing, you may wish to consult an attorney.)

n/a

9. List the names and addresses of all abutting property owners and the owners of property immediately across the street from the property affected. The list shall be current according to the most recent tax listing abstract as filed in the office of the Dare County Tax Supervisor. (If you posted a sign on the property affected in the manner provided by Town Code Sec. 36-362(b), please indicate the date of such posting and provide any pictures you may have of the posting).

- 1) 73 E. Dogwood Trail, Southern Shores, NC 27949 - Cad LLC
- 2) 72 Hickory Trail, Southern Shores, NC 27949 - Susan J. Benton Capps
- 3) Southern Shores Department of Public Works

10. Are any attachments being submitted with this application? Yes ☒ No ☐

If yes, please identify attachments and number of pages.

- 1) Applicants Motion to Reconsider Motion to Revoke, VA-24-01 27 pages
- 2) Applicants Brief in Support of motion to Reverse Variance Denial, VA-24-01 26 pages
- 3) Applicants Notice of Wes Haskett's false reports, VA-24-01 6 pages
- 4) Dare County Superior Court Order of Variance records with 30 days of 12/18/24 2 pages
- 5) Petition for Writ of Certiorari with Proof of Wes Haskett's false pretense, false sworn testimony and false report to law enforcement with Exhibits A-H 48 pages
- 6) — Variance Application — Exhibit I of Petition for writ 84 pages
- 7) Petitioner's Motion to Grant Petition for Writ of Certiorari against respondent, who is in contempt of the December 18, 2024 order 69 pages
- 8) January 6, 2025 subdivision application 50 pages

Total pages of attachments 1-8 = 312 pages

FILING OF APPLICATION

Notice of Appeal applications are filed with the Town Clerk at Town Hall located at 5375 N. Virginia Dare Trail, Southern Shores, NC. Applications may be filed in person Monday through Friday during normal office hours or may be mailed to the previously listed address. In order for an application to be considered complete all questions and information requested in the application must be answered and provided. Applications must have original notarized signatures of the applicant and must be accompanied by the required application fee. Applications found to be incomplete will not be accepted and will be returned to the applicant.

SCHEDULING OF APPLICATION

The monthly filing deadline and Board meeting dates for the year are listed on the Town's website at www.southernshores-nc.gov under Planning and Code Enforcement Department or you may receive a copy by contacting the Department at (252) 261-2394. The Board shall hear and decide the appeal within a reasonable time.

HEARING OF APPLICATION

The Planning Board serves as the Board of Adjustment which is a quasi-judicial body governed by the North Carolina General Statutes and Chapter 36, Article XII of the Southern Shores Town Code. Meetings are held in the Pitts Center located at the Town of Southern Shores Municipal Complex. At the meeting, the Board will hear testimony and receive evidence from the applicant, Town Staff and other interested parties. Board members cannot discuss any case with any interested parties or persons prior to the public hearing of the case. Any person who testifies at the hearing must be sworn in and any written or physical evidence presented to the Board will be retained by the Board.

BOARD DECISION

A majority of the members shall be required to determine an appeal made in the nature of certiorari. The board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The Board's decision will be made, reduced to writing, filed, served and subject to appeal in the manner provided by Section 36-368 of the Southern Shores Town Code. Decisions of the Board may be appealed by any aggrieved party to Superior Court within 30 days from the effective date of the Board's decision.

ADDITIONAL INFORMATION

Persons seeking additional information or assistance concerning appeal applications should contact the Zoning Administrator at the Planning and Code Enforcement Department at (252) 261-2394.



Town of Southern Shores

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

Phone 252-261-2394 / Fax 252-255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

January 21, 2025

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

Re: 75 E. Dogwood Trl. Subdivision (Application Received on January 6, 2025)

Dear Mr. Mina:

① Res Judicata prohibits approval of your January 6, 2025, subdivision application. On July 3, 2024, you submitted a subdivision application proposing the same subdivision plan and plat. The July 3, 2024, application was denied on July 16, 2024, due to non-compliance with the Town of Southern Shores Zoning Ordinance. The application you submitted on January 6, 2025, does not present any material change such that the ② concerns warranting denial of the July 3, 2024, application remain unresolved. Should you wish to appeal this administrative decision per Town Code Section 36-366, the Town Planning Board (acting as the Board of Adjustment) will consider it following submittal of an appeal application and the applicable \$350 fee within 30 days of receipt of this certified letter. The application can be found at <https://www.southernshores-nc.gov/bc-pb>.

Sincerely,

③

Wes Haskett, Deputy Town Manager/Planning Director
Town of Southern Shores

Cc: Cliff Ogburn, Town Manager
L. Phillip Hornthal, III, Town Attorney
Jennifer L. Franz

"ORDER"

ANTHONY S MINA
75 E DOGWOOD TRAIL
SOUTHERN SHORES, NC 27949
chestercountylawn@yahoo.com

February 13, 2025

RE: Appeal of January 21, 2025 Subdivision Denial

GROUND OFS OF APPEAL

- 1) Wes Haskett's involvement with violations of Title 18, U.S.C., Section 241 - Conspiracy Against Rights, Title 18, U.S.C., Section 242 - Deprivation of Rights Under Color of Law, 18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant and Southern Shores' Code of Ethics prohibit Wes Haskett from deciding Anthony Mina's Subdivision Application (and most importantly, denying Anthony Mina's Subdivision Application).
- 2) Dare County Tax Records Prohibit Wes Haskett from denying the 75 E Dogwood Trail lot subdivision because Wes Haskett & Southern Shores did not order a tax reassessment prior to January 6, 2025 (the property tax deadline) on 75 E Dogwood Trail after their claimed rezoning of 75 E Dogwood Trail from subdividable to unsubdividable on July 16, 2024. Devaluing property by taking a right to the property requires a tax reassessment, which Wes Haskett refused to Order.
- 3) Res Judicata does not apply to the January 6, 2025 lot subdivision application due to new material evidence obtained after July 16, 2024, including additional evidence of Wes Haskett's fraud and false reports to other Southern Shores government employees/board members.

STATEMENT OF GROUND OFS OF APPEAL

- 1) Wes Haskett does not have standing to deny Anthony Mina's subdivision application due to crimes he is currently committing against applicant including, but not limited to **CONSPIRACY AGAINST RIGHTS, DEPRIVATION OF RIGHTS AND TAMPERING WITH A WITNESS/VICTIM/INFORMANT**. Wes Haskett's crimes against Anthony Mina include not providing the Board of Adjustments:
 - a) **APPLICANT'S MOTION TO RECONSIDER ORDER DENYING MOTION TO PRECLUDE VARIANCE HEARING BASED ON THE RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLIGENCE, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT BY WES HASKETT, CLIFF OGBURN, PHILIP HORNTAL, LAUREN WOMBLE AND THE PLANNING BOARD ATTORNEY TO FRAUDULENTLY MISREPRESENT**

EXHIBIT X

THE NOTIFICATION REQUIREMENTS OF ZONING AMENDMENTS USED TO PREVENT APPLICANT'S SUBDIVISION PLANS AND REQUIRE THE VARIANCE HEARING- filed October 28, 2024.

- b) **APPLICANT'S BRIEF IN SUPPORT OF MOTION TO REVERSE OCTOBER 21, 2024 DECISION TO DENY APPLICANT'S VARIANCE BASED ON THE RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT BY WES HASKETT, CLIFF OGNBURN, PHILIP HORNTAL, LAUREN WOMBLE AND THE PLANNING BOARD ATTORNEY PRIOR TO AND AT THE VARIANCE HEARING-** filed 10/29/2024
- c) **APPLICANT'S NOTICE OF FALSE REPORTS, INCLUDING VIOLATIONS OF NORTH CAROLINA'S PUBLIC RECORDS REQUEST LAWS THAT WES HASKETT MADE ON OCTOBER 30, 2024 PERTAINING TO HIS SWORN TESTIMONY AND OCTOBER 21, 2024 STAFF REPORT CLAIMING NOTIFICATION REQUIREMENTS WERE MET PRIOR TO THE JUNE 6, 2023 & AUGUST 3, 2021 AMENDMENTS-** filed October 31, 2024

Each of the filings listed above that were not provided to the Board of Adjustments is included with this application. Proof that these filings were provided to Southern Shores' Town is also attached to this Application with a Public Records Response which proved they were never provided to the Board of Adjustments/Planning Board as Applicant was told they were- this Exhibit is marked "Exhibit 1".

Southern Shores' Ethics policy also prohibits Wes Haskett from deciding applicant's subdivision application due his false reports to the Planning Board in his staff report dated October 21, 2024 (which claimed notification requirements were complied with) and false report to Chief Kole on May 21, 2024 where he deleted Town Code 36-414(b) notification requirements when claiming he had a legal basis to amend lot width with his March 31, 2023 Amendment Application (Exhibit I of the January 6, 2025 subdivision application). Wes Haskett is currently in contempt of the Dare County Superior Court's Order dated December 18, 2024 which required Wes Haskett to provide the court a complete copy of the records from Variance VA-24-01, which the Planning Board heard on October 21, 2024, within 30 days of December 18, 2024. A copy of the Order dated December 18, 2024 along with the **PETITION FOR WRIT OF CERTIORARI WITH PROOF OF FALSE PRETENSE, FALSE SWORN TESTIMONY AND A FALSE REPORT TO LAW ENFORCEMENT COMMITTED BY WES HASKETT** filed on December 18, 2024 is included with this Application. Applicant's **PETITIONER'S MOTION/PETITION TO GRANT PETITION FOR WRIT OF CERTIORARI AGAINST RESPONDENT, WHO IS IN CONTEMPT OF THE ORDER DATED DECEMBER 18, 2024 REQUIRING A COMPLETE COPY OF THE RECORD TO BE PROVIDED TO THE DARE COUNTY SUPERIOR COURT WITHIN 30 DAYS** filed on January 29, 2025 is also included with this Appeal application.

Wes Haskett's started a conspiracy against Anthony Mina in May of 2023 when he was supposed to have posted notice of the March 31, 2023 lot width amendment at effected property(s) pursuant to Town Code 36-414(b) and/or Town Code 36-362(b) notifying the property owner of the rezoning of subdividable property to unsubdividable. Not only did Wes Haskett not have posted notice at 75 E Dogwood Trail prior to the May 15, 2023 Planning Board hearing or June 6, 2023 Town Council hearing, Wes Haskett also withheld the proposed lot width amendment from Anthony Mina in (4) emails during the month of May, 2023 when Anthony Mina specifically asked about the 75 E

EXHIBIT X

Dogwood Trail subdivision and lot width requirements. As Wes Haskett withheld the March 31, 2023 lot width amendment, the previous owner of 75 E Dogwood Trail negotiated an additional \$75,000 from Anthony Mina for a lot that was subdividable, as Anthony Mina has proven with Wes Haskett's subdivision denial on July 16, 2024 where the only reason for the subdivision denial is the March 31, 2023 lot width amendment. The July 16, 2024 subdivision denial is included with the January 6, 2025 subdivision application as "Exhibit B" Wes Haskett's fraud and witness intimidation against Applicant, Anthony Mina is specified in the January 6, 2025 subdivision application which is included with this Appeal application.

The appellate review should consider all facts of Applicant's subdivision application dated January 6, 2025 because Wes Haskett has no standing to make decisions on Anthony Mina's applications.

- 2) Southern Shores can not deny a lot subdivision for 75 E Dogwood Trail because they refused to Order Dare County to reassess property taxes at 75 E Dogwood Trail after the July 16, 2024 claim that 75 E Dogwood Trail has been rezoned from subdividable to unsubdividable because of the lot width amendment Wes Haskett applied for on March 31, 2023. The attached public records request dated July 22, 2024 and response from Southern Shores proves Southern Shores did not have property taxes reduced at 75 E Dogwood Trail as required when taking a property right and/or reducing property value. Applicant filed his subdivision application on January 6, 2025 (at the Dare County Tax deadline) to prove Southern Shores intentionally did not reduce taxes at 75 E Dogwood Trail and therefore cannot claim 75 E Dogwood Trail is a less valuable, unsubdividable lot since they intentionally charged Applicant taxes on the value of a subdividable lot. Wes Haskett's non-compliance with Town Code 36-414(b) and/or Town Code 36-362(b) which require posted notice at property effected by a zoning amendment warrants the approval of Applicant's subdivision plan alone. The fact that Wes Haskett is intentionally having Applicant taxed for a subdividable lot when claiming the lot is unsubdividable substantiates tax fraud crime violations being committed by Wes Haskett. "Exhibit 2" is documentation dated July 22, 2024 proving Wes Haskett's intentional fraudulent taxing/subdivision denial of 75 E Dogwood Trail.
- 3) Res Judicata does not apply to Applicant's January 6, 2025 lot subdivision plan because of the July 16, 2024 subdivision denial for reasons including but not limited to:
 - a) Wes Haskett refused to Order a tax reassessment after his July 16, 2024 claim that 75 E Dogwood Trail has had the right to subdivide taken and has been rezoned from subdividable to unsubdividable. Devaluing property by taking a property right requires a tax reassessment. The tax reduction had to be ordered prior to January 6, 2025 and Wes Haskett refused to do so (making a subdivision denial substantiate tax fraud violations by Wes Haskett). Exhibit X of Applicants Subdivision Application dated January 6, 2025 proves Wes Haskett was aware in July of 2024 that a tax reassessment was required for

EXHIBIT X

properties rezoned from subdividable to unsubdividable, but refused to Order a reassessment.

- b) On October 14, 2024 Wes Haskett claimed to believe all notification requirements were complied with to effectuate the March 31, 2023 lot width amendment in his staff report dated October 21, 2024 for Variance Hearing VA-24-01. Exhibit E, F & G of Applicants January 6, 2025 subdivision application proves Wes Haskett's claims that notification requirements were met are false.
- c) On October 21, 2024 at the Variance Hearing Wes Haskett and/or his attorney Lauren Womble claimed notification requirements for the lot width amendment applied for on March 31, 2023 were complied with.
- d) On October 30, 2024 Wes Haskett claimed in a Public Records Response (Exhibit F of the January 6, 2025 subdivision application) that there was not a Planning Board/Adjustment Board Hearing on May 15, 2023 that heard his March 31, 2023 lot width amendment (which required posted notice at effected properties pursuant to Town Code 36-414(b) and Town Code 36-362(b)). Exhibit H of the subdivision application proves the Planning Board heard the March 31, 2023 lot width amendment on May 15, 2023 and recommended approval.
- e) North Carolina Fraudulent Concealment laws prohibit Wes Haskett from lying about the May 15, 2023 hearing on the March 31, 2023 lot width amendment to deceive Applicant, the Planning Board/Board of Adjustment and the insurance company investigating the fraud claim against Wes Haskett and Southern Shores.

CONCLUSION

Wes Haskett's res judicata defense to the January 6, 2025 subdivision application proved Haskett's undisclosed special interest in 75 E Dogwood Trail because Exhibit K of the January 6, 2025 subdivision application shows Wes Haskett claiming for months that there was a 1' setback encroachment preventing the lot subdivision at 75 E Dogwood Trail. Wes Haskett paid Philip Hornthal to also claim there was a 1' setback encroachment and denied Applicant's subdivision plan with claims there was a setback encroachment. THEN, 1 day after Applicant filed a building permit to remove the 1' of claimed setback encroachment from the house Wes Haskett provided Applicant a revised subdivision denial indicating there was no longer a 1' setback encroachment preventing the subdivision. Not only was Wes Haskett abusing zoning code to prevent the lot subdivision he also proved he does not want 1' of the 75 E Dogwood Trail house removed, which is something that he is not permitted to have an interest in. The January 21, 2025 Res Judicata defense is a fraudulent attempt to prevent real facts and law from being applied to Applicant's lot subdivision application. The real facts and law are the March 31, 2023 lot width amendment was never effectuated at 75 E Dogwood Trail with posted notice of the May 15, 2023 Planning Board Hearing and June 6, 2023 Town Council Hearing. Notification to the property owner is a required pre-requisite to a zoning amendment effecting a property making the March 31, 2023 lot width amendment unenforceable at 75 E Dogwood Trail. Furthermore, Wes Haskett then refused to order a tax reassessment at 75 E Dogwood Trail with his claims that 75 E Dogwood Trail has lost the right to subdivide. Wes Haskett is committing tax fraud by continuing to tax property as subdividable but refusing to approve the lot subdivision.

EXHIBIT X

Lastly, Wes Haskett's January 21, 2025 decision does not make sense using the English language. Wes Haskett's statement "The application you submitted on January 6, 2025, does not present any material change such that the concerns warranting denial of the July 3, 2024, application remain unresolved" makes absolutely no sense. Wes Haskett helped Linda Lauby defraud Anthony Mina of \$75,000 by hiding the March 31, 2023 proposed lot width amendment when Anthony Mina was specifically asking about lot width requirements and the 75 E Dogwood Trail subdivision. Wes Haskett appears to be a part of a fraudulent scheme to trick board members into making bad decisions that will eventually cost them their chair to a political rival using blackmail to force them to step down. Anthony Mina has been forced to "split and sit" boards before and is not in agreement with Wes Haskett pawning Anthony Mina as his victim to "split and sit" Southern Shores Town Council, Planning Board and Police Department (Anthony Mina has experience forcing corrupt District Attorney's to find a new job and forcing Chief Kole to step down is nothing but a 2-3 day job costing Anthony Mina under \$3000). Applicant suggests Southern Shores investigate Wes Haskett for attempting to undermine their entire government by using Anthony Mina as his pawned victim.

As such, Applicant Anthony S Mina respectfully requests the Planning Board/Board of Adjustments to approve the 75 E Dogwood Trail lot subdivision and take any and all necessary legal action against Wes Haskett for his intentional victimization of civilians.

Sincerely,

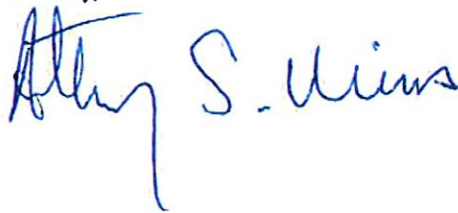


EXHIBIT X

TOWN OF SOUTHERN SHORES

PUBLIC RECORDS REQUEST

Pursuant to N.C.G.S. Chapter 132, the Town of Southern Shores makes available to the public all records in its custody and control that are defined as "public records" under N.C.G.S. §132-1. Persons making the request should provide the following information and the Town Clerk will assist in gathering, providing for inspection, or copying the information requested. Please provide the Town with sufficient information to describe those public records being requested.

☐ Inspection (no charge)

☐ Copying

☒ Email

Records will be available for inspection or pick-up as promptly as reasonably possible, but in any event within five (5) business days if the documents being requested are small in nature (minutes, agendas, resolutions, current personnel policy etc). If the documents being requested are archived or extensive in nature the time frame could be as long as fifteen (15) business days, but hopefully would not exceed that time frame. Requests requiring legal review may exceed stated time frames. Requestor will be notified by mail when the records request has been completed and available.

The Town requires payment in accordance with the adopted Fee Schedule and the signature or initials of the requester prior to releasing any documents.

Name of Person Making Request: Anthony S. Mina

Mailing Address 75 E. Dogwood Trail

Email Address chestercountyland@yahoo.com

Phone Number to Contact Person Making Request: 610-842-3105

Date of Request: 7-22-2024

Public Records Being Requested: 1) A list of all properties reported to Dare County tax department for a tax decrease due to the June 6, 2023 zoning amendment intended to prevent future subdivisions (downsizing 2 single family home lots to 1 single family home lots). 2) Proof that Southern Shores informed Dare County of the proposed amendment made without properly notifying affected residents as per NC Code § 160A-100.

Total Copies provided: _____ Amount Due (25¢/copy B/W- 30¢ Color):\$ _____

Payment Received (method): Check _____ Cash _____ Money Order _____

Signature or Initials of Requesting Party Confirming Receipt of Requested Materials (please do not sign or initial until you have received the items requested above):

EXHIBIT 1

Town Staff Filling Request: _____

Date: _____

Date Request Fulfilled: _____

5375 N Virginia Dare Trail

Southern Shores NC 27949 (252) 261-2394

Complete and email Town Clerk: skane@southernshores-nc.gov

of the proposed amendment made without properly notifying affected residents as per NC Code § 160A-100.

Public Records Request 07.22.2024_List of properties reported to Dare County

From: Sheila Kane (skane@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Date: Monday, July 29, 2024 at 01:36 PM EDT

Dear Mr. Mina:

On July 22, 2024 you filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

- a list of all properties reported to Dare County tax department for a property decrease due to June 6, 2023 zoning amendment intended to prevent future lot subdivisions ("downsizing" 2 single family home lots to 1 single family home lot).
- Proof that Southern Shores informed Dare County.

Following review of your request, no records exist pertaining to your request.

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

EXHIBIT 1

N

RE: Notice Of Wes Haskett's False Sworn Testimony- Case: VA-24-01

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com

Date: Thursday, October 31, 2024 at 03:36 PM EDT

Forwarded to client.

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

[Click here to read our Disclaimer,
Legal Notices & Privacy Policy](#)

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

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Thursday, October 31, 2024 1:10 PM

To: Phillip Hornthal <PHornthal@hrem.com>; Norwood Blanchard <norwood@ncclawfirm.com>

Cc: FBI <philadelphia.complaints@ic.fbi.gov>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <andrea.powell@nccourts.org>; ncago@ncdoj.gov; ncago@ncdoj.gov

Subject: Notice Of Wes Haskett's False Sworn Testimony- Case: VA-24-01

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

Mr. Hornthal,

Please provide this email and the attached document to the Planning Board/Adjustment Board and Town Council for filing.

Please note that Andy Ward was conditionally allowed to hear my October 21, 2024 without me asking for his recusal because he agreed the Town Ethics Policy would be complied with. Paragraph #7 provides "I will always respond promptly to any concern brought to me by any town 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."

On June 1, 2023 Wes Haskett emailed Applicant an email that stated in part "The Town Planning Board recommended approval of the attached amendments (Wes Haskett's March 31, 2023 Amendment Application) on May 15th and the Town Council will be holding a public hearing on June 6." A true and correct copy of Wes Haskett's email is attached hereto and marked "Exhibit A". On October 30, 2023 Wes Haskett responded to a public records request for "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." with a claim that the Planning Board did not hold a hearing on May 15, 2023 (like his June 1, 2023 email states occurred). A true and correct copy

EXHIBIT 1

B

of Wes Haskett's email is attached hereto and marked "Exhibit A". Wes Haskett's staff report and sworn testimony state notification requirements were met for his amendments, but yet again I am catching Wes Haskett lying in violation of North Carolina law.

Paragraph 7 requires Southern Shores, their Planning Board (especially Andy Ward) and Town Council to file a police report against Wes Haskett for:

§ 20-112. Making false affidavit perjury. Any person who shall knowingly make any false affidavit or shall knowingly swear or affirm falsely to any matter or thing required by the terms of this Article to be sworn or affirmed to shall be guilty of a Class I felony.

§ 14-209. Punishment for perjury.

If any person knowingly and intentionally makes a false statement under oath or affirmation in any suit, controversy, matter or cause, or in any unsworn declaration deemed sufficient pursuant to G.S. 7A-98 depending in any of the courts of the State; in any deposition or affidavit taken pursuant to law; in any oath or affirmation duly administered of or concerning any matter or thing where such person is lawfully required to be sworn or affirmed, that person is guilty of perjury, and punished as a Class F felon

§ 14-226. Intimidating or interfering with witnesses.

(a) If any person shall by threats, menaces or in any other manner intimidate or attempt to intimidate any person who is summoned or acting as a witness in any of the courts of this State, or prevent or deter, or attempt to prevent or deter any person summoned or acting as such witness from attendance upon such court, the person shall be guilty of a Class G felony.

18 U.S. Code § 1512 - Tampering with a witness, victim, or an Informant U.S. Code

(a)

(1) Whoever kills or attempts to kill another person, with intent to— (A) prevent the attendance or testimony of any person in an official proceeding; (B) prevent the production of a record, document, or other object, in an official proceeding; or (C) prevent the communication by any person to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

(2) Whoever uses physical force or the threat of physical force against any person, or attempts to do so, with intent to— (A) influence, delay, or prevent the testimony of any person in an official proceeding; (B) cause or induce any person to— (i) withhold testimony, or withhold a record, document, or other object, from an official proceeding; (ii) alter, destroy, mutilate, or conceal an object with intent to impair the integrity or availability of the object for use in an official proceeding; (iii) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or (iv) be absent from an official proceeding to which that person has been summoned by legal process; or (C) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

(3) The punishment for an offense under this subsection is— (A) in the case of a killing, the punishment provided in sections 1111 and 1112; (B) in the case of— (i) an attempt to murder; or (ii) the use or attempted use of physical force against any person; imprisonment for not more than 30 years; and (C) in the case of the threat of use of physical force against any person, imprisonment for not more than 20 years.

(b) Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to— (1) influence, delay, or prevent the testimony of any person in an official proceeding; (2) cause or induce any person to— (A) withhold testimony, or withhold a record, document, or other object, from an official proceeding; (B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding; (C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or (D) be absent from an official proceeding to which such person has been summoned by legal process; or (3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation [1] supervised release, [1] parole, or release pending judicial proceedings; shall be fined under this title or imprisoned not more than 20 years, or both.

(c) Whoever corruptly—

(1) alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or (2) otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

EXHIBIT 1

B

(d) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from— (1) attending or testifying in an official proceeding; (2) reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal offense or a violation of conditions of probation 1 supervised release, 1 parole, or release pending judicial proceedings; (3) arresting or seeking the arrest of another person in connection with a Federal offense; or (4) causing a criminal prosecution, or a parole or probation revocation proceeding, to be sought or instituted, or assisting in such prosecution or proceeding; or attempts to do so, shall be fined under this title or imprisoned not more than 3 years, or both.

(e) In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

(f) For the purposes of this section—

(1) an official proceeding need not be pending or about to be instituted at the time of the offense; and (2) the testimony, or the record, document, or other object need not be admissible in evidence or free of a claim of privilege.

(g) In a prosecution for an offense under this section, no state of mind need be proved with respect to the circumstance— (1) that the official proceeding before a judge, court, magistrate judge, grand jury, or government agency is before a judge or court of the United States, a United States magistrate judge, a bankruptcy judge, a Federal grand jury, or a Federal Government agency; or (2) that the judge is a judge of the United States or that the law enforcement officer is an officer or employee of the Federal Government or a person authorized to act for or on behalf of the Federal Government or serving the Federal Government as an adviser or consultant.

(h) There is extraterritorial Federal jurisdiction over an offense under this section.

(i) A prosecution under this section or section 1503 may be brought in the district in which the official proceeding (whether or not pending or about to be instituted) was intended to be affected or in the district in which the conduct constituting the alleged offense occurred.

(j) If the offense under this section occurs in connection with a trial of a criminal case, the maximum term of imprisonment which may be imposed for the offense shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

(k) Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

Wes Haskett's menacing abuse of the town zoning code has interfered with my work for about one year now. Wes Haskett has done nothing but lie, commit crimes and intimidate me with the application of zoning code not used on other property owners. Please have Wes Haskett arrested.

Thank you,
Anthony S Mina

ANTHONY S MINA
75 E DOGWOOD TRAIL
SOUTHERN SHORES, NC 27949
610 842 3905
chestercountyflaw@yahoo.com

October 31, 2024

CASE: VA-24-01

APPLICANT'S NOTICE OF FALSE REPORTS, INCLUDING VIOLATIONS OF NORTH CAROLINA'S PUBLIC RECORDS REQUEST LAWS THAT WES HASKETT MADE ON OCTOBER 30, 2024 PERTAINING TO HIS SWORN TESTIMONY AND OCTOBER 21, 2024 STAFF REPORT CLAIMING NOTIFICATION REQUIREMENTS WERE MET PRIOR TO THE JUNE 6, 2023 & AUGUST 3, 2021 AMENDMENTS

I, Anthony S. Mina, Applicant in the October 21, 2024 Zoning Variance Hearing hereby notify the Southern Shores' Planning Board/Adjustment Board and Town Council that Wes Haskett made additional false reports in violation of North Carolina's Public Records Request Laws. In support thereof, I hereby aver the following facts:

1. On June 1, 2023 Wes Haskett emailed Applicant an email that stated in part "The Town Planning Board

EXHIBIT 1

B

recommended approval of the attached amendments (Wes Haskett's March 31, 2023 Amendment Application) on May 15th and the Town Council will be holding a public hearing on June 6." A true and correct copy of Wes Haskett's email is attached hereto and marked "Exhibit A".

2. On October 30, 2023 Wes Haskett responded to a public records request for "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." with a claim that the Planning Board did not hold a hearing on May 15, 2023 (like his June 1, 2023 email states occurred). A true and correct copy of Wes Haskett's email is attached hereto and marked "Exhibit A".

3. Southern Shores Town Ethics Policy states:

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) #7 I will always respond promptly to any concern brought to me by any town 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.

A true and correct copy of the town ethics policy is attached hereto and marked "Exhibit B".

4. Planning Board Chairman Andy Ward agreed to conduct the October 21, 2024 Variance hearing in compliance with the Southern Shores Code of Ethics as Applicant's condition to not asking Mr. Ward to recuse himself due to a sign complaint made against Applicant but not other property owners violating sign code, as Applicant was.

5. Compliance with the Ethics policy prohibits Wes Haskett's conduct, requires a police report to be filed against Wes Haskett and requires Southern Shores and Andy Ward to "respond promptly to any concern brought to me by any town 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."

Wherefore, Applicant Anthony S. Mina hereby provides the Planning Board/Board of Adjustments and Town Council Notice of Southern Shores obligation to respond to Applicant's proof of false reports and false sworn statements against Wes Haskett with a police report filed against Wes Haskett, as required by law.

Respectfully Submitted,

EXHIBIT 1

RE: Motion To Reverse Variance Denial Explaining Wes Haskett's Ulterior Motives

From: Phillip Hornthal (phornthal@hrem.com)
To: chestercountylawn@yahoo.com
Date: Tuesday, October 29, 2024 at 06:52 PM EDT

Mr. Mina:

Forwarded to my clients.

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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Legal Notices & Privacy Policy](#)

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

From: Anthony Mina <chestercountylawn@yahoo.com>
Sent: Tuesday, October 29, 2024 5:15 PM
To: Phillip Hornthal <phornthal@hrem.com>; Norwood Blanchard <norwood@emclawfirm.com>
Cc: FBI <philadelphia.complaints@ic.fbi.gov>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <andrea.powell@nccourts.org>; ncago@ncdoj.gov; ncago@ncdoj.gov
Subject: Motion To Reverse Variance Denial Explaining Wes Haskett's Ulterior Motives

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

Dear Mr. Hornthal,

Please forward this email to Southern Shores Planning Board Members, Southern Shores Town Council and Southern Shores Police Chief.

The document attached is my Motion To Reverse The October 21, 2024 Decision Of The Planning Board/Adjustment Board.

I made my document real easy to understand Wes Haskett intentionally presenting a case based on lies that he knew he was caught in as he allowed Planning Board members to ridicule me, like I was the problem. Ridiculing me, the victim of Wes Haskett's misconduct makes Planning Board members in violation of Witness Intimidation laws referenced in the Motion.

I recognize Wes Haskett's corruption as part of a scheme to acquire power, using me as the pawned victim in a real estate scam. I am not in agreement with Wes Haskett's corruption and think Southern Shores should immediately

EXHIBIT 1

C

arrest Wes Haskett for crimes including labor trafficking me. There is no reason a competent Southern Shores employee could force me to file a Variance from zoning codes I have proven were illegally adopted.

I did not object to Andy Ward being a part of my Variance hearing when I had evidence that Andy Ward complained about real estate sign violations of mine, but not other property owner's signs you could not miss when leaving Southern Shores. My agreement to not object to Andy Ward not recusing his self was based on the condition that the Southern Shores Town Ethics Policy would be upheld.

The Southern Shores Town Ethics Policy has yet to be upheld for my October 21, 2024 Variance hearing. There is a long list of crimes and fraudulent conduct documented in the attached document that must be corrected with the reversal of the denial of my Variance... and however else Southern Shores/North Carolina law enforcement deems appropriate.

Anthony S Mina

EXHIBIT 1 C

RE: Reconsideration Of Motion To Preclude Variance Hearing With Proof Of Conspiracy To Falsify Records

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com

Date: Tuesday, October 29, 2024 at 07:40 AM EDT

Mr. Mina:

Forwarded to my client.

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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Legal Notices & Privacy Policy](#)

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

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Monday, October 28, 2024 11:01 PM

To: Phillip Hornthal <PHornthal@hrem.com>; Norwood Blanchard <norwood@cmclawfirm.com>

Cc: olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <andrea.powell@nccourts.org>; ncago@ncdoj.gov; ncago@ncdoj.gov; FBI <philadelphia.complaints@ic.fbi.gov>; David Kole <dkole@southernshores-nc.gov>

Subject: Reconsideration Of Motion To Preclude Variance Hearing With Proof Of Conspiracy To Falsify Records

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

Dear Mr. Hornthal,

Please provide the attached Motion For Reconsideration of Motion To Preclude Variance Hearing to the Southern Shores Planning Board/Adjustment Board, Town Council and Police Chief Kole.

The attached Motion includes another email to be used as evidence of Wes Haskett's intentional deception claiming he had a legal basis to rezone 75 E. Dogwood Trail from subdividable to unsubdividable with his March 31, 2023 zoning amendment application, May 15, 2023 planning board/adjustment board hearing thereon and town council hearing approving the amendment on June 6, 2023. The email is dated November 9, 2023 (marked Exhibit 5) and admits mailed notice was not sent to 75 E. Dogwood Trail.

The attached Motion also includes an email from Wes Haskett dated October 15, 2024 in which he states he will not revise his staff report or answer any questions about my application prior to the Variance Hearing when I asked if he

EXHIBIT 1

D

could provide a staff report that does not falsely claim all town and state notification requirements were met when making the June 6, 2023 and August 3, 2021 zoning amendments.

Wes Haskett's false reports and pre-meditated false sworn statements at the Variance Hearing require Wes Haskett to be arrested and the Planning Board/Adjustment Board to reverse their decisions.

Advising Wes Haskett to take his corruption all the way to the Planning Board/Adjustment Board knowing all along that notification requirements were not met pursuant to Town Code 36-414(b) and Town Code 36-362(b) substantiates a criminal conspiracy.

I suggest you advise the Planning Board/Adjustment Board that Wes Haskett's misconduct is not in Southern Shores best interests.

Thank you,
Anthony S Mina

EXHIBIT 1 D

Southern Shores Property Tax Fraud Scheme Involving The Deception Of Southern Shores Police Chief

From: Anthony Mina (chestercountylawn@yahoo.com)

To: summer.stevens@thecoastlandtimes.com; summer.stevens@thecoastlandtimes.com;
theresa.schneider@thecoastlandtimes.com; thesa.schneider@thecoastlandtimes.com;
danielle.puleo@thecoastlandtimes.com; danielle.puleo@thecoastlandtimes.com;
greg.clark@thecoastlandtimes.com; greg.clark@thecoastlandtimes.com; hannah.russ@thecoastlandtimes.com;
maryhelen.goodloemurphy@thecoastlandtimes.com; maryhelen.goodloemurphy@thecoastlandtimes.com;
philip.ruckle@thecoastlandtimes.com; philip.ruckle@thecoastlandtimes.com; donna@islandfreepress.org;
joy@islandfreepress.org; m.jurkowitz@yahoo.com; l.jurkowitz@yahoo.com; desk@wtkr.com;
nworshambagley@nexstar.tv

Cc: whaskett@southernshores-nc.gov; cogburn@southernshores-nc.gov; info@southernshores-nc.gov;
davec@darenc.gov; davec@darenc.gov; emorey@southernshores-nc.gov; dkole@southernshores-nc.gov;
philadelphia.complaints@ic.fbi.gov; ncago@ncdoj.gov; ncago@ncdoj.gov; andrea.powell@nccourts.org;
olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; mbatenic@southernshores-nc.gov;
mneal@southernshores-nc.gov; psherlock@southernshores-nc.gov; rneilson@southernshores-nc.gov;
jeffrey.cruden@nccourts.org; jeffrey.cruden@nccourts.org

Date: Monday, July 22, 2024 at 11:27 AM EDT

Dear Dare County News Source,

I am writing you to make sure you are aware of a property tax fraud scheme Southern Shores government is committing against Southern Shores property owners.

The facts, which are supported by emails attached below are:

- 1) Southern Shores Deputy Town Manager Wes Haskett had Southern Shores town council approve a lot width requirement change on June 6, 2023 to "prevent future subdivisions" (as Wes Haskett indicated in his email attached below dated June 7, 2023).
- 2) Changing 2 single home lots (by right) to 1 single home lots (without the right to subdivide) is "downsizing", requires the property owners Notice and a reduction of property taxes due to the significant loss of land value.
- 3) Wes Haskett did not notify the property owners with posted notice on the effected properties as required by Town Code 36-414(b). What Wes Haskett did was delete town code 36-414(b) from the Notice Requirements and send an email to me, Southern Shores Police Chief David Kole and Southern Shores Mayor claiming the June 6, 2023 property width requirement change was properly adopted after properly notifying property residents (Wes Haskett's email had town code 36-414(b) deleted).
- 4) Wes Haskett also did not comply with notification requirements for an AMENDMENT OF ZONING CODE at:
-NC Art. 6 ss160D-601-requiring notice to US Army Bases within 5 miles such as the Duck Facility
-NC Art. 6 ss160D-602- requiring mailed notice to each effected property owner or 1/2 page sized advertising in the Coastland Times
(Wes Haskett claims NC Art. 6 ss160D-601 governing AMENDMENTS TO DEVELOPMENT REGULATIONS GOVERNS HIS AMENDMENT TO ZONING CODE)
- 5) The undeceptive way to prevent lot subdivisions is to adopt a zoning code prohibiting lot subdivisions after complying with all notification requirements. Wes Haskett intentionally tried preventing lot subdivisions with a lot width requirement change as he concealed the upcoming zoning amendment from me (I was asking Wes Haskett questions about Southern Shores zoning code from May 1, 2023 through May and on June 2, 2023 Wes Haskett told me the lot width on the property I entered into an agreement to purchase as a sub-dividable lot on May 7, 2023 wasn't going to be sub-dividable after June 6, 2023... During the month of May 2023 the old property owner negotiated an additional \$75,000 from me for the sale price).

EXHIBIT 2

6) Dare County's tax department has not responded to my emails pertaining to the property value reduction in Southern Shores, but they received their first email from me last Friday and have yet to intentionally contribute to Southern Shores tax fraud scheme, to my knowledge.

Feel free to contact me with any questions,
Anthony S Mina

PS The Public Records Request below will prove whether or not Dare County's Tax Department has knowledge of Southern Shores scheme to steal property value and collect taxes on property value that does not exist due to the illegally adopted zoning code.

----- Forwarded Message -----

From: Anthony Mina <chestercountylawn@yahoo.com>
To: Wes Haskett <whaskett@southernshores-nc.gov>; Cliff Ogburn <cogburn@southernshores-nc.gov>; Southernshores Nc Info <info@southernshores-nc.gov>
Cc: "davec@darenc.gov" <davec@darenc.gov>; "davec@darenc.gov" <davec@darenc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; David Kole <dkole@southernshores-nc.gov>; FBI <philadelphia.complaints@ic.fbi.gov>; "ncago@ncdoj.gov" <ncago@ncdoj.gov>; "ncago@ncdoj.gov" <ncago@ncdoj.gov>; "ncago@ncdoj.gov" <ncago@ncdoj.gov>; Andrea C. Powell <andrea.powell@nccourts.org>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; Mark Batenic <mbatenic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Robert Neilson <rnelson@southernshores-nc.gov>; "jeffrey.cruden@nccourts.org" <jeffrey.cruden@nccourts.org>; "jeffrey.cruden@nccourts.org" <jeffrey.cruden@nccourts.org>
Sent: Monday, July 22, 2024 at 08:58:00 AM EDT
Subject: Public Records Request Regarding Southern Shores Property Tax Fraud Scheme

Dear Southern Shores,

Please provide me:

1) A list of all properties reported to Dare County Tax Department for a property tax decrease due to the June 6, 2023 zoning amendment intended to prevent future lot subdivisions ("downsizing" 2 single family home lots-with a subdivision by right, to 1 single family home lots without the right to subdivide).

2) Proof that Southern Shores informed Dare County of the proposed amendment made without properly notifying effected residents as per:

- Town Code 36-414(b)- requiring posted notice at effected properties
- NC Art. 6 ss160D-601-requiring notice to US Army Bases within 5 miles such as the Duck Facility
- NC Art. 6 ss160D-602- requiring mailed notice to each effected property owner or 1/2 page sized advertising in the Coastland Times

(Proof is needed to document Dare County's knowledge of the Southern Shores tax fraud conspiracy scheme Wes Haskett and Cliff Ogburn are running from the town office which benefits Dare County's tax department)

Thank you,
Anthony S Mina

PS Please immediately provide me my property tax credit for reducing the value of the land at 75 E. Dogwood Trail more than \$100,000 without my permission or the previous owner's permission.

----- Forwarded Message -----

From: Wes Haskett <whaskett@southernshores-nc.gov>
To: Anthony Mina <chestercountylawn@yahoo.com>
Cc: Cliff Ogburn <cogburn@southernshores-nc.gov>
Sent: Wednesday, June 7, 2023 at 09:10:34 AM EDT
Subject: RE: Zoning Amendment To Require 100' Street Frontage For Each Southern Shores Lot

Good morning, Mr. Mina. The Town Council voted 3-2 to approve the text amendment. That means that at this time, all new lot must be 100 ft. wide measured from the front lot line to the rear lot line. The meeting video recording will soon be available on YouTube here: <https://www.southernshores-nc.gov/meetings>. As I told the Town Council during the

EXHIBIT 2

public hearing, we realize that these requirements are more strict than what has been in place, but we believe that they're unambiguous and will prevent future subdivisions and recombinations with higher densities. Town Staff will be submitting another text amendment in the near future that may allow pie-shaped or other irregularly-shaped lots.

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 <chestercountylawn@yahoo.com>
Sent: Wednesday, June 7, 2023 8:35 AM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: Zoning Amendment To Require 100' Street Frontage For Each Southern Shores Lot

Good Morning,

Could you please provide me the results to the vote to increase the street frontage zoning requirement to 100' per lot.

Thank you,
Anthony S Mina

-----Separate Email With Proof Wes Haskett Is Falsifying Records To Police Chief Kole and Mayor Morey-----

----- Forwarded Message -----

From: Wes Haskett <whaskett@southernshores-nc.gov>
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>
Sent: Tuesday, May 21, 2024 at 02:27:31 PM EDT
Subject: RE: Questions Regarding Wes Haskett's Denial Of 75 E. Dogwood Trail Lot Sub-Division

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 a 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

EXHIBIT 2

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

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

From: Anthony Mina <chestercounty1awn@yahoo.com>
Sent: Monday, May 20, 2024 12:12 PM
To: Wes Haskett <whaskett@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>
Cc: David Kole <dkole@southernshores-nc.gov>; David Kole <dkole@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>; Cliff Ogburn <cogburn@southernshores-nc.gov>; Jonathan Slegel <jslegel@southernshores-nc.gov>; Matt Cooke <mcooke@southernshores-nc.gov>; Eric Brinkley <ebrinkley@southernshores-nc.gov>; Darrell Brickhouse <dbrickhouse@southernshores-nc.gov>; Tracy Mann <tmann@southernshores-nc.gov>; Chris Simpson <csimpson@southernshores-nc.gov>; Richard Deaner <rdeaner@southernshores-nc.gov>; Thomas Long <tlong@southernshores-nc.gov>; Jason Thompson <jthompson@southernshores-nc.gov>; Andrew Spottswood <jspottswood@southernshores-nc.gov>; Jennifer Couture <jcouture@southernshores-nc.gov>; FBI <philadelphia.complaints@ic.fbi.gov>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <andrea.powell@nccourts.org>; Elizabeth Morey <emorey@southernshores-nc.gov>; Jasper Rogers <jrogers@kittyhawktown.net>; cgarriss@kittyhawktown.net; cgarriss@kittyhawktown.net; Casey Varnell <varnell@ncobxlaw.com>; Mike Talley <mike.talley@kittyhawktown.net>; mike.palkovics@kittyhawktown.net; mike.palkovics@kittyhawktown.net; chambers_of_chief_judge_sanchez@paed.uscourts.gov; chambers_of_judge_edward_g_smith@paed.uscourts.gov; chambers_of_judge_pappert@paed.uscourts.gov; chambers_of_judge_mitchell_s_goldberg@paed.uscourts.gov; chambers_of_judge_timothy_j_savage@paed.uscourts.gov; Dryan <dryan@chesco.org>; cccommissioners@chesco.org; cccommissioners@chesco.org; jmaxwell@chesco.org; jmaxwell@chesco.org; Marian Moskowitz <mmoskowitz@chesco.org>; mkichline@chesco.org; mkichline@chesco.org
Subject: Questions Regarding Wes Haskett's Denial Of 75 E. Dogwood Trail Lot Sub-Division

EXHIBIT 2

Dear Wes Haskett,

I am writing you in response to the denial of my lot subdivision application which states "Feel free to contact me at (252) 261-2394 or whaskett@southernshores-nc.gov if you have any questions or concerns".

My questions are:

1) How does Southern Shores believe taking a property right with a zoning amendment from a tax payer is legal? As paragraph 6 and Exhibit I of my subdivision application states, it is Applicant's position that an eminent domain transaction is required to change land use. Wes Haskett and Philip Hornthal have repeatedly refused to answer the aforesaid question. I have no evidence indicating Southern Shores is not intentionally violating eminent domain laws and stealing land value. It is not legal to use an illegally adopted zoning amendment (paragraph 1 of the denial-Town Code Section 36-202(d)) as a reason to deny my lot sub-division.

2) What zoning code permits the set back distance between 174 S. Dogwood Trail (the house with the white Crosstour) and 172 S. Dogwood Trail? It appears to me if Southern Shores wants to claim 75 E. Dogwood Trail encroaches in the required side set back (although I disagree with paragraph 2 of Wes Haskett's denial of lot sub-division) I should be filing my lot subdivision plan the same way 172 and 174 S. Dogwood Trail were permitted to build the homes so close to each other. What zoning code and/or documents need to be used to get 75 E. Dogwood Trail to be accepted as conforming to side set back requirements like 172 and 174 S. Dogwood Trail?



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EXHIBIT 2