



# 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

## GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 1/6/2025

Filing Fee: \$50/lot

Receipt No.

Application No.

**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

Phone

Southern Shores, NC 27949

Email

chestercountylawn@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: 75 E. Dogwood Trail, Southern Shores, NC 27949

Zoning district RS-1

Section

Block

Lot

Lot size (sq.ft.)

soundside 105 1 47,213.24

**Request:** ☐ Site Plan Review ☐ Final Site Plan Review ☐ Conditional Use ☐ Permitted Use

☐ PUD (Planned Unit Development) ☒ Subdivision Ordinance ☐ Vested Right ☐ Variance

X LOT SUB DIVISION APPROVAL OF EXHIBIT A

Signature

Anthony S. Mina

Date

January 6, 2025

\* Attach supporting documentation.

- 5 page signed Application in support with EXHIBITS A-W

ANTHONY S MINA  
75 E DOGWOOD TRAIL  
SOUTHERN SHORES, NC 27949  
610 842 3905

chestercountylawn@yahoo.com

January 6, 2025

RE: 75 E. Dogwood Trail Subdivision Application Based On New Evidence From Wes Haskett Dated October 14, 2024, October 21, 2024, October 30, 2024 & November 19, 2024 Proving Notification Requirements Needed Prior To Zoning Amendments Being Effectuated On 75 E Dogwood Trail Were Not Complied With As Wes Haskett Claims To Believe. This Application is submitted based on the new evidence and Wes Haskett's contradictions which indicate Wes Haskett either lacks the reading comprehension skills and intelligence to decide sub division applications or Wes Haskett is intentionally harassing Applicant with unenforceable zoning codes and zoning codes not being enforced on other property owners in a real estate scam.

**\*\*PLEASE NOTE THAT DARE COUNTY PROPERTY TAXES ARE DUE JANUARY 6, 2025 AND DESPITE APPLICANT'S PROPERTY BEING DOWNZONED FROM SUB-DIVIDABLE BY RIGHT TO UNSUBDIVIDABLE (AS PER WES HASKETT'S JULY 16, 2024 DENIAL) WES HASKETT HAS REFUSED TO ORDER A TAX REASSESSMENT FOR DEVALUING THE PROPERTY. AS SUCH, WES HASKETT IS ALSO IN VIOLATION OF TAX FRAUD LAWS WITH HIS SUB-DIVISION DENIALS. PLEASE SEE "EXHIBIT X" \*\***

Applicant, Anthony S. Mina's Sub Division Application Dated January 6, 2025 Must Be Approved Based On The New Evidence And In Support Thereof, Applicant Avers The Following:

1. Applicant submitted a plat for sub division approval prepared by Douglas Styons to Southern Shores on July 3, 2024. A true and correct copy of the plat is attached hereto as Exhibit "A".
2. On July 16, 2024 Wes Haskett denied the subdivision plat for one reason, Wes Haskett claimed a zoning code adopted on June 6, 2024 requiring 100' lot width was effective at 75 E. Dogwood Trail. A true and correct copy of the denied subdivision application is attached hereto as Exhibit "B".
3. On October 14, 2024 Wes Haskett claimed in his VA-24-01 Staff Report "All applicable notification requirements established in N.C.G.S. 160D-601 and in the Town's Zoning Ordinance were satisfied prior to the adoption of the August 3, 2021 Town Code Text Amendment and June 6, 2023 Zoning Ordinance Amendment."
4. Wes Haskett's March 31, 2023 lot width amendment (which was the only reason Applicant's July 3, 2024 subdivision Application with "Exhibit A" was denied) was

- scheduled to be heard by the Planning Board on May 15, 2023. A true and correct copy of the May 15, 2023 Planning Board Agenda is attached hereto and marked "Exhibit C".
5. Town Code 36-362(b) provides: *Notices*. Notice of hearings conducted pursuant to this article shall be mailed to: (i) the person or entity whose appeal, application, or request is the subject of the hearing; **(ii) to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing;** (iii) to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and (iv) **to any other persons entitled to receive notice as provided by this CHAPTER.** In the absence of evidence to the contrary, the town may rely on the Dare County tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least ten days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way. A true and correct copy of Town Code Section 36-362 governing the Planning Board/Board of Adjustments is attached hereto and marked "Exhibit D".
  6. A Southern Shores Public Records Request Response dated June 20, 2024 states mailed letters were not provided for the May 15, 2023 Planning Board hearing on Wes Haskett's March 31, 2023 lot width amendment and Posted Notice was not placed at 75 E. Dogwood Trail. A true and correct copy of the Southern Shores Public Records Request Response is attached hereto and marked "Exhibit E".
  7. On October 30, 2024 Wes Haskett responded to a Southern Shores Public Records Request for proof of notification pursuant to Town Code 36-362(b) for the May 15, 2023 Planning Board meeting and **WES HASKETT FALSELY CLAIMED** "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 was 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". A true and correct copy of **WES HASKETT'S FALSE CLAIMS** is attached hereto and marked "Exhibit F".
  8. **THE TRUTH IS** Wes Haskett knows the Planning Board heard his March 31, 2023 lot width amendment on May 15, 2023 pursuant to Town Code 36-415 and recommended approval because Wes Haskett emailed Applicant on June 1, 2023 and stated "...we have been discussing amending our current lot width requirements. The Town Planning Board recommended approval of the attached amendments on May 15<sup>th</sup> and Town Council will be holding a public hearing on June 6<sup>th</sup>. A true and correct copy of Wes Haskett emailing Plaintiff's details from the May 15, 2023 Planning Board hearing is attached hereto and marked "Exhibit G".
  9. **FOR SOME REASON THE MINUTES FOR THE MAY 15, 2023 PLANNING BOARD HEARING AREN'T ON SOUTHERN SHORES WEBSITE, WHERE THEY SHOULD BE PROVING THE PLANNING BOARD HEARD WES HASKETT'S MARCH 31, 2023 LOT WIDTH AMENDMENT.**
  10. **UNFORTUNATELY FOR WES HASKETT'S FALSE STATEMENTS,** the June 6, 2023 Town Council meeting minutes state "The Planning Board recommended approval of the application (4-1) at the May 15, 2023 Planning Board Meeting." A true and correct copy of pages 7-9 from the June 6, 2023 Town Council Minutes is attached hereto and marked "Exhibit H"
  11. Southern Shores Town Code does not define "hearing" and in the United States of America a hearing is an opportunity to be heard, as Wes Haskett had his opportunity to be heard by the



Planning Board on May 15, 2023 and received a recommended approval of his lot width amendment.

12. Town Code 36-414(a) provides: 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.
13. **Town Code 36-414(b) 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.**
14. Southern Shores Town Code does not define "zone/zoning/rezoning" and in the United States of America changing subdividable property to unsubdividable property is rezoning the characteristic of the property.
15. Wes Haskett did not place a sign on 75 E. Dogwood Trail announcing the date, time, and place of the public hearing for the purpose of notifying persons of the proposed rezoning to rezone 75 E. Dogwood Trail from "subdividable by right of property owner" to "unsubdividable" (**WES HASKETT FALSELY CLAIMS IN HIS JULY 16, 2024 SUBDIVISION DENIAL THAT A JUNE 6, 2023 LOT WIDTH AMENDMENT APPLIES TO 75 E DOGWOOD TRAIL BUT PUBLIC RECORDS PROVE THE NOTIFICATION PRE-REQUISITES REQUIRED TO EFFECTUATE A ZONING AMENDMENT WEREN'T MAILED TO OR POSTED AT 75 E DOGWOOD TRAIL AND ALSO ARE NOT IN THE 75 E DOGWOOD TRAIL FILE, MAKING THE JUNE 6, 2023 LOT WIDTH AMENDMENT UNENFORCABLE AT 75 E DOGWOOD TRAIL (BECAUSE 75 E DOGWOOD TRAIL WAS NOT THE SUBJECT PROPERTY UNDER TOWN CODE NOTIFICATION REQUIREMENTS)**)
16. **Wes Haskett and/or his attorney Lauren Womble fraudulently misrepresented the language (under oath) of Town Code 36-414(b) at the October 21, 2024 (after being informed of the Fraud Insurance Claim Against Wes Haskett) Variance hearing** in their claims that notification requirements for the June 6, 2023 lot width amendment were complied with prior to Wes Haskett denying the July 3, 2024 lot sub-division application submitted by Applicant.
17. **WES HASKETT MADE A FALSE REPORT TO LAW ENFORCEMENT ON MAY 21, 2024 IN VIOLATION OF N.C.G.S. 14-225** claiming he had a legal basis to amend zoning code on June 6, 2023 at 75 E. Dogwood Trail but, **WES HASKETT FRAUDULENTLY DELETED TOWN CODE NOTIFICATION REQUIREMENTS AT SECTION 36-414(b) AND OMITTED NOTIFICATION REQUIRMENTS AT TOWN CODE 36-362(b).** A true and correct copy of Wes Haskett's false report to law enforcement is attached hereto and marked "Exhibit I".
18. **WES HASKETT'S ABUSE OF ZONING CODES (IN A MANNER DIFFERENT THAN ENFORCMENT AGAINST OTHER PROPERTY OWNERS) IS A CONTINUING PATTERN OF**



**CORRUPTION PROVING WES HASKETT HAS AN UNDISCLOSED SPECIAL INTEREST IN 75 E DOGWOOD TRAIL.**

19. During the month of May, 2023 when Wes Haskett was supposed to have posted notice at effected properties of the lot width amendment he claims now effects 75 E Dogwood Trail **WES HASKETT WAS FRAUDULENTLY HIDING THE LOT WIDTH AMENDMENT FROM APPLICANT WHEN APPLICANT AND WES HASKETT EMAILED 4 TIMES ABOUT THE SUBDIVISION AT 75 E DOGWOOD TRAIL AND/OR LOT WIDTH REQUIRMENTS\*\*\*\*\*DURING THIS TIME OF FRAUDULENT CONCEALMENT THE PREVIOUS OWNER NEGOTIATED AN ADDITIONAL \$75,000 FROM APPLICANT FOR A LOT THAT WAS SUBDIVIDABLE, AS PROVEN BY "EXHIBIT B"\*\*\*\*\*** A true and correct copy of Wes Haskett's 4 emails to Applicant are attached hereto and marked "Exhibit J"
20. Wes Haskett signed a plat at 172 Ocean Boulevard and a plat at 233 N. Dogwood Trail that did not meet setback and/or lot width requirements but Wes Haskett is harassing Applicant with a lot width amendment at 75 E. Dogwood Trail that has never been effectuated at 75 E. Dogwood Trail with notification prior to a hearing and also was harassing Applicant with a set back encroachment claim for months until Applicant filed a building permit to remove Wes Haskett's claimed setback encroachment (Wes Haskett said the setback encroachment no longer prevented the subdivision one day after Applicant filed a building permit to remove 1' of his house). **A TRUE AND CORRECT COPY OF WES HASKETT'S UNDISCLOSED SPECIAL INTEREST IN 75 E DOGWOOD TRAIL AND HARASSMENT OF APPLICANT WITH ZONING CODES NOT BEING ENFORCED ON OTHER PROPERTY OWNERS IS ATTACHED HERETO AND MARKED "EXHIBIT K".**
21. **WES HASKETT CLAIMED 233 N. DOGWOOD TRAIL AND THE 0 DOGWOOD TRAIL ADJACENT LOTS WERE CREATED PRIOR TO THE TOWN'S INCORPORATION IN 1979 BUT A SECOND PUBLIC RECORDS REQUEST PROVED WES HASKETT SIGNED THE PLAT ON 7-21-16.** A true and correct copy of Wes Haskett's claim and 7-16-2016 signed plat is attached hereto and marked "Exhibit L".
22. Applicant requested a complete copy of the records from 170 & 172 Ocean Boulevard but Applicant was unable to find the complaint made against Wes Haskett for approving a plat without setback requirements being complied with. A true and correct copy of the complaint made against Wes Haskett's plat approval is attached hereto and marked "Exhibit M".
23. **WES HASKETT AND CLIFF OGBURN HARASSED APPLICANT WITH SIGN CODES NOT BEING ENFORCED ON OTHER PROPERTY OWNERS 365 DAYS A YEAR TO INTERFERE WITH APPLICANT ADVERTISING HIS WORK/REAL ESTATE SIGN AT 75 E DOGWOOD TRAIL.** A true and correct copy of the harassment and proof other property owners were not forced to remove their signs is attached hereto and marked "Exhibit N".
24. Wes Haskett stated on June 7, 2023 that he believed the lot width amendment approved on June 6, 2023 was "unambiguous and will prevent future subdivisions and recombinations with higher densities". A true and correct copy of Wes Haskett's June 7, 2023 email is attached hereto and marked "Exhibit O".
25. Wes Haskett is aware that taking the right to subdivide is "downzoning" and reduces property value, yet Wes Haskett refuses to request a property tax reduction. A true and correct copy of a tax fraud complaint made against Wes Haskett is attached hereto and marked "Exhibit X"



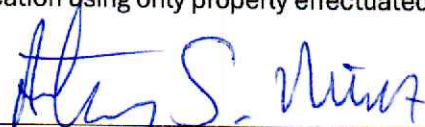
26. Dare County Property taxes are due January 6, 2025 and **WES HASKETT IS COMMITTING TAX FRAUD BY DENYING THE 75 E DOGWOOD TRAIL SUBDIVISION SINCE HE DID NOT REDUCE TAXES.**
27. Wes Haskett was notified that Jason Portnoy was handling a fraud complaint filed against Wes Haskett with Applicant's insurance company on October 15, 2024 and that Variance documents can be emailed to Jason Portnoy at [jportnoy@invtitle.com](mailto:jportnoy@invtitle.com). **WES HASKETT'S FALSE CLAIMS THAT NOTIFICATION REQUIREMENTS WERE COMPLIED WITH TO EFFECTUATE A LOT WIDTH AMENDMENT AT 75 E DOGWOOD TRAIL CONSTITUTE INSURANCE FRAUD.** A true and correct copy of Applicant's notification of the insurance fraud claim against Wes Haskett is attached hereto and marked "Exhibit Y".

### **CONCLUSION**

Wes Haskett claims to have effectuated a lot width amendment at 75 E Dogwood Trail, but the new evidence proves Wes Haskett did not effectuate a lot width amendment at 75 E. Dogwood Trail with the notification pre-requisites which require posted notice at the property and mailed notice to the property owner. Wes Haskett is either a complete fraud that is harassing Applicant with zoning codes differently than other property owners, when he is not helping Linda Lauby scam Applicant for \$75,000 by hiding the lot width amendment OR Wes Haskett is so extremely incompetent that all the evidence indicating he is now hiding the May 15, 2023 Planning Board hearing requiring notice is just some big misunderstanding that **WES HASKETT MUST CORRECT PURSUANT TO THE TOWN ETHICS POLICY WHICH REQUIRE THE LAW TO BE OBEYED, INTEGRITY TO BE UPHELD, IMPROPRIETY (AND THE APPEARANCE OF IMPROPRIETY) TO BE AVOIDED AND THE TOWN'S MONEY TO BE SPENT IN THE INTERESTS OF ALL TAX PAYERS.** A true and correct copy of the Town's Ethics Policy is attached hereto and marked "Exhibit W".

The bottom line is Wes Haskett can't spend the town's money on his legal expenses unless they correct his wrong-doing and **WES HASKETT IS GUILTY OF TAX FRAUD, CORRUPTION, A FALSE REPORT TO LAW ENFORCEMENT AND INSURANCE FRAUD** if Wes Haskett does not decide Applicant's sub-division application using only properly effectuated zoning code.

Date: January 6, 2025

Signed: 

Anthony S Mira

EXHIBIT A

# LEGEND:

- Ex. Rebar Flush
- Ex. Terra Cotta Monument
- Ex. CM
- Rebar Set Flush
- Water Meter
- Phone Pad
- Fire Hydrant
- Transformer

10'x10' Turnaround

## REVIEW OFFICER CERTIFICATE

State of North Carolina

County of Dare

I, \_\_\_\_\_, Review Officer of Dare County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date

Review Officer

Town Official

## EXEMPTION CERTIFICATE

This plat is exempt from subdivision regulations under N.C.G.S. 160 A-376 and the Town of Southern Shores Subdivision Ordinance, Section 30-2 (4)

LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°02'33"W	1.29'
L2	N73°43'10"W	25.14'
L3	N87°48'49"W	20.94'
L4	S88°18'36"W	14.86'
L5	N51°30'23"W	7.18'
L6	S70°39'48"W	7.77'
L7	N71°10'54"W	7.47'
L8	S87°22'48"W	78.67'
L9	N57°12'36"W	10.97'
L10	N24°38'48"W	0.44'
L11	N03°27'34"W	44.69'
L12	N09°17'19"E	10.79'
L13	N15°30'59"W	14.70'
L14	N07°30'59"E	6.93'
L15	N05°24'26"W	17.93'
L16	N51°52'59"E	27.20'
L17	N08°17'08"W	21.40'
L18	N43°02'57"W	8.96'
L19	N16°45'38"E	66.51'
L20	N03°34'58"W	19.30'
L21	N07°45'26"W	17.15'
L22	N31°03'24"W	28.87'
L23	S51°51'33"E	33.46'
L12A	N09°17'19"E	7.75'

## EASEMENT LINE TABLE

LINE	BEARING/DIST.
L24	N76°07'27"E 19.74'
L25	S38°41'25"W 59.10'
L26	S25°09'16"E 66.33'
L27	S16°17'02"W 18.13'
L28	N25°09'16"E 79.92'
L29	N38°41'25"E 43.42'

## EASEMENT CURVE DATA

C-1: R=34.00 L=37.89'  
C=506°46'05"W 35.96'  
C-2: R=46.00 L=51.26'  
C=506°46'05"E 48.65'

## NOTES:

Current Owners: Anthony Stocker Mina & Jennifer Lynn Franz

Address: 75 E. Dogwood Trail

Lot Coverage for Parcel A: 2,965.5 Sq. Ft. (14.82%)

Lot Coverage for Parcel B: 4,553.63 Sq. Ft. (16.74%)

Setbacks shown are as per RS 1 Zoning.

There are no geodetic control within 2000'.

Certifier hereon is not responsible for utilities and/or features that are not visible.

## OWNER CERTIFICATE

We, \_\_\_\_\_, Owners of the property shown on this plat, agree to the division/recombination as shown.

Owner

Owner

## NOTARY CERTIFICATE

State of \_\_\_\_\_, County of \_\_\_\_\_

I, \_\_\_\_\_ a Notary Public of the County and

State aforesaid, certify that

\_\_\_\_\_ personally appeared

before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this \_\_\_\_\_ day of \_\_\_\_\_, 2024.

Notary Public

## SURVEYOR'S CERTIFICATE:

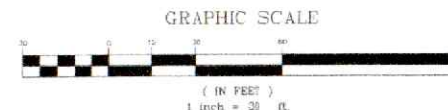
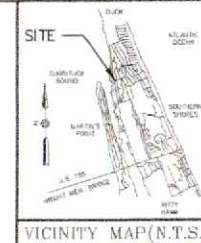
I, M. Douglas Styons Jr., certify that this plat was drawn under my supervision from an actual survey made under my supervision using the description found in DB 2689, PG 776, that the boundaries not surveyed are clearly indicated as drawn from information found in MB 2, PG 182; that the ratio of precision as calculated is at least 1:10,000; and that this plat was prepared in accordance with G.S. 47-30 as amended. I also certify to the following

This plat is of a survey of another category such as the recombination of existing parcels, a court-ordered survey or other except to the definition of subdivision. No street right-of-ways are created.

Witness my original signature and seal this 26th day of June 2024.

PRELIMINARY

P.L.S. L-3227



Styons Surveying Services

2700 N. Croatan Hwy. Kill Devil Hills, NC. 27948 C-1697

Phone: (252) 441-1415 Fax: (252) 480-1182

Any unauthorized use or alteration of this document is prohibited. A red seal must be present for this to be an original document.

"MINA DIVISION"  
REVISED DIVISION OF LOT 1 SOUTHERN SHORES  
SOUNDIDE BLOCK 105

SCALE: 1" = 30'	SURVEYED FOR <b>ANTHONY S. MINA and JENNIFER L. FRANZ</b>		
FILE NO.: 24-055			
DWG NO.: 2406552R	ATLANTIC TOWNSHIP DARE COUNTY	SOUTHERN SHORES NORTH CAROLINA	
DATE: 03-14-2024	REC. REF. M.B. 2, PG. 182	SHEET	
REV. DATE: 6-26-24A00 PARKING	D.B. 2689, PG. 775		
PIN NO.: 20888817213502	FILED DATE: 6-18-20	1 OF 1	





## 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](mailto:info@southernshores-nc.gov)

[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

July 16, 2024

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

**Re: 75 E. Dogwood Trl. Subdivision (Application 2 Received on July 3, 2024)**

Dear Mr. Mina and Ms. Franz:

This letter shall serve as denial of your application (Application 2 received on July 3, 2024) to subdivide Lot 1, Block 105 located at 75 E. Dogwood Trl. (parcel #021731000). The reason for the denial is that the proposed lots do not equal or exceed the standards in Town Code Section 30-97 of the Town's Subdivision Ordinance because the proposed lots do not meet the zoning requirements for properties located in the Town's RS-1, Residential zoning district as established in the Town's Zoning Ordinance and incorporated into the Town's Subdivision Ordinance via Section 30-97(2).


Town Code Section 30-97(2) states that all lots in new subdivisions shall conform to the zoning requirements of the district in which the subdivision is located. Conformance to zoning requirements means, among other things, that the smallest lot in the subdivision must meet all dimensional requirements of the zoning chapter. It is not sufficient merely for the average lot to meet zoning requirements. Subdivisions must comply in all respects with the requirements of the zoning chapter in effect in the area to be subdivided and any other officially adopted plans. Specifically, the proposed lots do not meet the zoning requirements for properties located in the Town's RS-1 Residential zoning district and as a result do 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 do not have a lot width of 100 feet measured from the front lot line at right angles to the rear lot line.

EXHIBIT "B"

Your application that was submitted on April 29, 2024 is considered withdrawn. 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>. Feel free to contact me at (252) 261-2394 or [whaskett@southernshores-nc.gov](mailto:whaskett@southernshores-nc.gov) if you have any questions or concerns.

Sincerely,



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

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

EXHIBIT "B"





**Southern Shores Planning Board Meeting  
May 15, 2023 at 5:00 PM  
Pitts Center, Southern Shores Town Hall Complex**

**AGENDA**

- I. Call to Order**
- II. Pledge of Allegiance**
- III. Approval of Agenda**
- IV. Approval of Minutes – February 22, 2023**
- V. Public Comment**
- VI. Old Business**
  - A. ZTA-22-08, a Zoning Text Amendment application submitted by Casey Varnell on behalf of Pledger Palace, CDEC, Inc. to amend Town Code Sections 36-57 and 36-207(b) to allow Shared space-Occupancy Dwellings in the C, General Commercial zoning district
  - B. ZTA-23-03 PB 01, a Zoning Text Amendment application submitted by the Town of Southern Shores to amend Town Code Sections 36-57, 36-202(d)(2), 36-203(d)(2), 36-204(d)(2), 36-205(d)(2), and 36-206(d)(2) to clarify the Town's current lot width requirements
- VII. New Business**
  - A. ZTA-23-04, a Zoning Text Amendment application submitted by Matthew Huband to amend Town Code Sections 36-207(c)(1)b., 36-207(c)(1.5)b., 36-207(c)(11)j., 36-207(c)(11)k., 36-207(d)(7), and 36-207(d)(8) to establish a 50 ft. setback requirement for restaurants from planned unit developments, a 50 ft. setback requirement for drive-through facilities or establishments (small) from planned unit developments, a 50 ft. setback requirement for mixed use group developments from planned unit developments and residential districts, a 50 ft. setback requirement for commercial buildings and facilities from planned unit developments, a 20 ft. buffer requirement where a mixed use group development abuts a residential district or planned unit development, and a 20 ft. buffer requirement where a commercial use or zone abuts a residential district or planned unit development
- VIII. Public Comment**
- IX. Planning Board Member Comments**
- X. Announcements**
- XI. Adjourn**

"EXHIBIT C"



Sec. 36-362. - Meetings of the board of adjustment.

- (a) *Generally.* All meetings of the board shall be held at a regular place and shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, an indication of that fact. Any party may appear in person or be represented by an attorney.
- (b) *Notices.* Notice of hearings conducted pursuant to this article shall be mailed to: (i) the person or entity whose appeal, application, or request is the subject of the hearing; (ii) to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; (iii) to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and (iv) to any other persons entitled to receive notice as provided by this chapter. In the absence of evidence to the contrary, the town may rely on the Dare County tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least ten days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.
- (c) *Burdens.* The burdens of production, persuasion and proof for all quasi-judicial decisions of the board lie with the applicant or appellant seeking such a decision.
- (d) *Fees.* A fee in accordance with the regularly adopted fee schedule of the town shall be paid to the town for each notice of appeal or variance application to cover the administrative expenses involved. A notice of appeal or variance application shall not be deemed complete and filed until such time as the associated fees have been paid. The time to file a completed notice of appeal or variance application and associated fee will be extended for 15 days to receive payment of the fee upon an applicant's timely submission of a notice of appeal or application for variance that is otherwise complete. No hearing will be scheduled before the board until a completed application and fee have both been received.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

"EXHIBIT D"

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

chestercountyla.../inbox



Sheila Kane <skane@southernshores-nc.gov>  
To: Anthony Mina <chestercountyawn@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](mailto:skane@southernshores-nc.gov)



11 Files 13.9MB

"EXHIBIT E"

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

chestercountyla.../Inbox



**Phillip Hornthal** <phornthal@hrem.com>

To: Anthony Mina <chestercountylawn@yahoo.com>

Cc: Sheila Kane <skane@southernshores-nc.gov>

Oct 30, 2024 at 2:57 PM

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](mailto:phornthal@hrem.com)

301 East Main Street

Elizabeth City, NC 27809

[www.hrem.com](http://www.hrem.com)



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[Legal Notices & Privacy Policy](#)



**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 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](mailto:skane@southernshores-nc.gov)



"EXHIBIT F"



**From:** Wes Haskett <[whaskett@southernshores-nc.gov](mailto:whaskett@southernshores-nc.gov)>

**Sent:** Wednesday, October 30, 2024 10:37 AM

**To:** Sheila Kane <[skane@southernshores-nc.gov](mailto:skane@southernshores-nc.gov)>

**Cc:** Cliff Ogburn <[cogburn@southernshores-nc.gov](mailto: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 (tx)  
[www.southernshores-nc.gov](http://www.southernshores-nc.gov)



**9 Files** 9.3MB



7-19-21 PB Mtg Public Notice.pdf  
78kB



7-14-21 PB Mtg Notice.pdf  
346kB



7-19-21 PB Mtg Sunshine List Notice.pdf  
416kB



5-15-23 REVISED PB Mtg Public Notice.pdf  
133kB



5-10-23 PB Meeting Notice.JPG  
59kB



8-3-21 TC Mtg Public Notice.pdf  
79kB



Published Notices.pdf  
5MB



Additional Planning Board mtg Notices.pdf  
1MB



August 3 2021 Council Mtg. Notices.pdf  
2MB

"EXHIBIT F"

**RE: 75 E Dogwood Trail Subdivision**

chestercountyla.../Inbox



**Wes Haskett** <whaskett@southernshores-nc.gov>  
To: Anthony Mina <chestercountylawn@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 15<sup>th</sup> and the Town Council will be holding a public hearing on June 6<sup>th</sup>. 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](http://www.southernshores-nc.gov)



**From:** Anthony Mina <chestercountylawn@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](mailto: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](http://www.southernshores-nc.gov)



**From:** Anthony Mina <[chestercountylawn@yahoo.com](mailto:chestercountylawn@yahoo.com)>  
**Sent:** Friday, May 26, 2023 12:21 PM  
**To:** Wes Haskett <[whaskett@southernshores-nc.gov](mailto: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).

"EXHIBIT G"

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

"EXHIBIT 6"



Resident Mike Stone asked to speak. His family currently have 10-14 of the pie shaped/ flag shaped lots that would be affected. The minimum lot size is still 20,000, which is a large lot. That should be adequate.

Town Attorney Lauren Arizaga-Womble closed the public hearing.

**Motion: Mayor pro tem Neal moved to deny ZTA-23-03 with the recommendation to send it back to the Planning Board specifically addressing the setback requirement and the location of that setback requirement.**

**Second: Council Member Sherlock**

**Vote: 2-3, Opposed by Council Members Holland & Batenic & Mayor Morey**

The Town Attorney asked if there was a motion in the alternative.

**MOTION: Mayor Morey moved to approve ZTA-23-03 and acknowledge it is consistent with the Land Use Plan.**

**Second: Council Member Batenic**

**Vote: 3-2, opposed by Mayor pro tem Neal and Council Member Sherlock**

9. Town Manager's Recommended Budget FY2023-2024 -

- a. Public Hearing -purpose of receiving input from citizens wishing to comment on the proposed budget for FY2023-2024
- b. Consideration of Budget Ordinance #2023.06.01
- c. Amendment to the Unreserved Fund Balance Policy

Town Manager Ogburn stated the budget was presented on May 2nd and it's been advertised in the clerk's office since that date. There so as I said in my staff reported that it's been advertised for five weeks, which is well beyond the minimum amount of time. There are no changes that staff recommended, the public would be commenting on what was submitted on May 2<sup>nd</sup>.

Town Attorney Lauren Arizaga-Womble opened the public hearing. Hearing no comment, she closed the public hearing.

Mayor Morey proposed a change. She proposed an amendment that changes the annual contribution for canal maintenance, which is a restricted capital reserve fund, from \$50,000 to \$75,000. She stated if the town needs to do maintenance on canals it's going to require a large capital outlay and we ought to be putting a little bit more money into that bucket.

Town Manager Ogburn recommended making a budget amendment for \$25,000 now and keeping the \$50,000 as proposed in the budget, effectively accomplishing the same thing.

All council agreed that the budget was well presented.

**Motion: Mayor Morey moved to adopt budget ordinance 2023.06.01 as presented (Budget Ordinance FY 2023-2024 Budget)**

**Second: Council Member Holland**

At the March 21, 2023 Town Council meeting, Council directed Town Staff to draft a Zoning Text Amendment (ZTA) to amend the Town's minimum lot width requirements in all of the residential zoning districts so that the requirements are unambiguous. The proposed amendments include a new definition of "lot width" in Section 36-57 which is the horizontal distance between the side lot lines of a lot. The proposed amendments also include amendments to Sections 36-202(d)(2), 36-203(d)(2), 36-204(d)(2), 36-205(d)(2), and 36-206(d)(2) that establish that the minimum lot width for lots created after XX-XX-XXXX (date of adoption, if adopted) is measured from the front lot line at right angles to the rear lot line.

The Town's currently adopted Land Use Plan contains the following Policy that is applicable to the proposed ZTA:

- **Policy 2:** The community values and the Town will continue to comply with the founder's original vision for Southern Shores: a low-density residential community comprised of single-family dwellings on large lots (served by a small commercial district for convenience shopping and services located at the southern end of the Town. This blueprint for land use naturally protects environmental resources and fragile areas by limiting development and growth.

#### **RECOMMENDATION**

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Land Use Plan and Town Staff recommends approval of the application. The Planning Board recommended approval of the application (4-1) at the May 15, 2023, Planning Board meeting. With respect to the date to be determined, that is proposed that existing lots that aren't 100 ft. wide from the front lot line to the rear lot line aren't rendered nonconforming, if this is adopted. That date will essentially become the effective date.

We realize that these requirements are stricter than what has been in place, but we believe that they're unambiguous and will prevent future subdivisions and recombination's with higher densities. If adopted, we can consider future amendments to allow pie-shaped lots or other irregularly shaped lots.

Town Attorney Lauren Arizaga-Womble stated staff brought this ZTA forward to try and fix a problem with some ambiguity that was in the in the code.

Mayor pro tem Neal stated the ambiguity is with the front setback and it would be simpler to fix the front setback at one static location rather than editing all these individual things.

Council Member Holland stated this basically clears up the issue that occurred on Skyline. Planning Director Haskett stated that is correct.

Mayor Morey stated staff was directed to remove the ambiguity and this ZTA does that.

Mayor pro tem Neal stated this is creating non-conforming lots.

Town Attorney Lauren Arizaga-Womble stated those lots will be grandfathered. They will be dated and grandfathered. If they are subdivided or recombine the new requirements will need to be met.



Council Member Holland asked how the Council can protect this group of residents.

Town Attorney Lauren Arizaga-Womble reminded council that they cannot ask site specific questions and that the ZTA applies to the entire town and that the only thing before council this evening is the ZTA.

Mayor pro tem Neal asked about the zoning map. Planning Director Haskett stated the map currently shows the western third of Southern Shores Landing commercial, the rest RS-10. The GIS consultant is updating the map as history shows the area is all zoned commercial.

Town Attorney Lauren Arizaga-Womble closed the public hearing.

**Motion:** Council Member Batenic moved to deny ZTA-23-04 as presented and even though it is in compliance with the current Land Use Plan.

**Second:** Mayor pro tem Neal

**Vote:** 5-0

Mayor Morey stated this was a really difficult challenging issue before Council and staff has worked very hard on this, as have the Town attorneys. In the end, she believes that it's best for the town to not be limited to what the ZTA says and perhaps in some cases we could get more than a 50-foot setback to between residential uses and Commercial uses.

Mayor Morey called for a 5-minute recess.  
6:50-6:55 pm.

8. Public Hearing-ZTA-23-03, a Zoning Text Amendment application submitted by the Town of Southern Shores to amend Town Code Sections 36-57, 36-202(d)(2), 36-203(d)(2), 36-204(d)(2), 36-205(d)(2), and 36-206(d)(2) to clarify the Town's current lot width requirements.

Town Attorney Lauren Arizaga-Womble opened the public hearing and called on staff for a report.

Town Planner Wes Haskett presented the staff report which read as, On October 5, 2022, the Board considered APA-22-01, an appeal application that was submitted by Adam Ward to appeal the Zoning Administrator's decision to deny approval of a recombination plat for the property located at 55 Skyline Rd. The main reason for the denial was that Town Staff believed that the proposed lots did not meet the Town's 100 ft. minimum lot width requirement for the RS-1, Residential zoning district as established in Town Code Section 36-202(d)(2). Town Code Section 36-202(d)(2) currently requires a minimum lot width of 100 feet measured at the building setback line.

Town Code Section 36-57 defines "building setback line" as a line parallel to or concentric with the street right-of-way establishing the minimum allowable distance between such right-of-way and the nearest portion of any building, excluding the outermost three feet of any uncovered porches, steps, gutters and similar fixtures. The Board voted to affirm the Zoning Administrator's decision (3-2) to deny approval of the recombination plat and the applicant subsequently appealed the Board's decision to Superior Court which resulted in a Consent Order.



**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

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

From: Anthony Mina <chestercountylawn@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 Siegel <jsiegel@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>; Jennifer Couture <jcouture@southernshores-nc.gov>; Jason Thompson <jthompson@southernshores-nc.gov>; Andrew Spottswood <aspottswood@southernshores-nc.gov>; Thomas Long <tlong@southernshores-nc.gov>; Jason 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>;

"EXHIBIT I"



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

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](mailto:whaskett@southernshores-nc.gov) if you have any questions or concerns".

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 subdivision) 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?

Wes Haskett and Philip Hornthal are not in touch with reality and a danger to other people's physical and emotional well being. Wes Haskett has refused to answer how he believes he is legally changing land use with a zoning amendment since last summer. Changing land use from a 2 single home property (with a subdivision by right) to a 1 single home property causes land value monetary damages to some Southern Shores tax payers of significantly more than \$100,000. In the real world \$100,000 is easily the difference between life and death. \$100,000 can be the difference between the medical care someone needs and accepting that their life is coming to an end. If you walk into a bank demanding \$100,000 you are lucky if you are not killed. Wes Haskett and Philip Hornthal refuse to explain how they legally think they can cause some Southern Shores home owners more than \$100,000 in monetary damages with a zoning code amendment which changes land use. Applicant without a doubt will not be committing any crimes in response to Wes Haskett and Philip Hornthal stealing land value from Southern Shores home owners, but has serious concerns that Wes Haskett and Philip Hornthal are a danger to the physical and emotional well being of others and should be involuntarily committed to a psychiatric hospital for evaluation. Applicant will give Wes Haskett and Philip Hornthal 48 hours to explain how they legally are changing land use without an eminent domain transaction and highly suggests law enforcement not to wait half as long.

PS When I testified in front of Federal Judge Edward G Smith against Chester County's labor trafficking conspiracy against me I explained that the conspirators designed me a spin move. 172 and 174 S. Dogwood Trail appear to me to be another example of the pre-meditated conspiracy which I am expected to use certain evidence against corruption a specific way. I will let law enforcement figure out if the home owners are pawned because of meanings within their names or play a role in the conspiracy that repeatedly forces me in the middle of government scandals as a way of hiding Pennsylvania's corruption like I am their undercover internal affairs guerilla. Since there is a white cross-tour at 172 S. Dogwood Trail and I live in the Dick White house I feel like I am being forced in the middle of a whole lot of crossing without being paid (as Wes Haskett tries stealing more than \$100,000 of land value from my family).

From: Anthony Mina <[chestercountylawn@yahoo.com](mailto:chestercountylawn@yahoo.com)>

<dkole@southernshores-nc.gov>; <dkole@southernshores-nc.gov>; <dkole@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>; Cliff Ogburn <cogburn@southernshores-nc.gov>  
Cc: <jlslegel@southernshores-nc.gov>; <jlslegel@southernshores-nc.gov>; <mcooke@southernshores-nc.gov>; <mcooke@southernshores-nc.gov>;  
<ebrinkley@southernshores-nc.gov>; <ebrinkley@southernshores-nc.gov>; <dbrickhouse@southernshores-nc.gov>; <dbrickhouse@southernshores-nc.gov>;  
<tmann@southernshores-nc.gov>; <tmann@southernshores-nc.gov>; <csimpson@southernshores-nc.gov>; <csimpson@southernshores-nc.gov>;  
<rdeaner@southernshores-nc.gov>; <rdeaner@southernshores-nc.gov>; <tlong@southernshores-nc.gov>; <tlong@southernshores-nc.gov>; <jthompson@southernshores-nc.gov>; <jthompson@southernshores-nc.gov>; <jspottswood@southernshores-nc.gov>; <jspottswood@southernshores-nc.gov>; <jcouture@southernshores-nc.gov>; <jcouthure@southernshores-nc.gov>  
<jcouthure@southernshores-nc.gov>; FBI <https://urldefense.proofpoint.com/v2/url?u=http-3A\_\_philadelphia.complaints-40kcfbjgq&d=DwlFaQ&c=eUGZstcaTDllvImEN8b7jXrwgQf-v5A\_CdpqnVfiiMM&r=MC7so4jnUy2wQVmuCXwrNDEXrEJP6m\_gEAAO-fd3yY4&m=TOWcd4upmdpDWorSElvu-VPS6KMB1b1TxMPffoIsUbknm1nCviAZWQdX9lh\_Avm&s=yAv2DroTd3d7ho9dh-7FKJNWtAk6eZWMSReU0JdrU&e=>;  
<olivia.s.hines@nccourts.org>; <olivia.s.hines@nccourts.org>; <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>; <cgarriss@kittyhawktown.net>;  
<cgarriss@kittyhawktown.net>; <cgarriss@kittyhawktown.net>; Casey Varnell <varnell@ncobidaw.com>; Mike Talley <mike.talley@kittyhawktown.net>;  
<mike.palkovics@kittyhawktown.net>; <https://urldefense.proofpoint.com/v2?url?u=http-3A\_\_mike.palkovics-40kittyhawktown.net&d=DwlFaQ&c=eUGZstcaTDllvImEN8b7jXrwgQf-v5A\_CdpqnVfiiMM&r=MC7so4jnUy2wQVmuCXwrNDEXrEJP6m\_gEAAO-fd3yY4&m=TOWcd4upmdpDWorSElvu-VPS6KMB1b1TxMPffoIsUbknm1nCviAZWQdX9lh\_Avm&s=qzBaldFoRtlldun\_nM\_CzkWY-GIQZ6p-Ou6rFaf-lUw&e=>;  
<mike.palkovics@kittyhawktown.net>; <https://urldefense.proofpoint.com/v2?url?u=http-3A\_\_mike.palkovics-40kittyhawktown.net&d=DwlFaQ&c=eUGZstcaTDllvImEN8b7jXrwgQf-v5A\_CdpqnVfiiMM&r=MC7so4jnUy2wQVmuCXwrNDEXrEJP6m\_gEAAO-fd3yY4&m=TOWcd4upmdpDWorSElvu-VPS6KMB1b1TxMPffoIsUbknm1nCviAZWQdX9lh\_Avm&s=qzBaldFoRtlldun\_nM\_CzkWY-GIQZ6p-Ou6rFaf-lUw&e=>;  
'chambers\_of\_chief\_judge\_sanchez@paed.uscourts.gov' <chambers\_of\_chief\_judge\_sanchez@paed.uscourts.gov>;  
'chambers\_of\_judge\_edward\_g\_smith@paed.uscourts.gov' <chambers\_of\_judge\_edward\_g\_smith@paed.uscourts.gov>; 'chambers\_of\_judge\_pappert@paed.uscourts.gov'  
<chambers\_of\_judge\_pappert@paed.uscourts.gov>; 'chambers\_of\_judge\_mitchell\_s\_goldberg@paed.uscourts.gov'  
<chambers\_of\_judge\_mitchell\_s\_goldberg@paed.uscourts.gov>; 'chambers\_of\_judge\_timothy\_j\_savage@paed.uscourts.gov'  
<chambers\_of\_judge\_timothy\_j\_savage@paed.uscourts.gov>; Dryan <dryan@chesco.org>; <ccccommissioners@chesco.org>; <ccccommissioners@chesco.org>;  
<ccccommissioners@chesco.org>; <ccccommissioners@chesco.org>; jmaxwell@chesco.org <jmaxwell@chesco.org>; jmaxwell@chesco.org <jmaxwell@chesco.org>;  
Marian Moskowitz <mmoskowicz@chesco.org>; <mmoskowicz@chesco.org>; mkichline@chesco.org <mkichline@chesco.org>; mkichline@chesco.org <mkichline@chesco.org>; Wes Haskett  
<whaskett@southernshores-nc.gov>

Subject: Criminal Conspiracy Being Committed By Wes Haskett And Southern Shores

Dear Law Enforcement,

"EXHIBIT I"



RE: 75 E Dogwood Trail Subdivision

A

chestercountyla.../Inbox



Wes Haskett <whaskett@southernshores-nc.gov>  
To: Anthony Mina <chestercountylawn@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 15<sup>th</sup> and the Town Council will be holding a public hearing on June 6<sup>th</sup>. 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](http://www.southernshores-nc.gov)



Wes Haskett's July 16<sup>th</sup>, 2024 subdivision denial (Variance "Exhibit 1B") 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 <chestercountylawn@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](http://www.southernshores-nc.gov)



From: Anthony Mina <chestercountylawn@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)

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

"EMAIL IT"



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

"EXHIBIT 1"



1 - 247

VICINITY MAP

246

Lot A

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

Lot 6

EXISTING HOME  
WITH STREET  
FRONTAGE

LOT 1  
42.000 00 00  
00 00 00 00 00

A

DOGWOOD (100) TRAIL

SURVEYED FOR  
LINDA L. LAUBY  
LOT 1, BLOCK 104  
SOUTHERN SHORES  
ATLANTIC TOWNSHIP, DARE COUNTY, NORTH CAROLINA

[illegible]

**KIRK R. FOREMAN**  
LAND SURVEYING COMPANY

WILL DEWITT, JR., MC 27042  
1916-1917

SUGGESTION LINES NOT TO SCALE  
"EXHIBIT 5"





BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed.

CANAL

*[Signature]*  
Notary Public  
for North Carolina

Lot B

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

LOT 1  
40,000 sq. ft.  
FRONT SETBACK

A

LOT 100' SET

DOGWOOD

(100)

TRAIL

SURVEYED FOR  
LINDA L. LAUBY  
LOT 1, BLOCK 103  
SOUTHERN SHORES  
ATLANTIC TOWNSHIP, DARE COUNTY, NORTH CAROLINA

DATE: 10/10/00	SCALE: 1" = 40'
FILE: 2000-00-0	BY: KRF
BOOK: V. 2, P. 100	
RECORDED: 10/10/00	
FILE: 2000-00-0	

KIRK R. FOREMAN  
LAND SURVEYING COMPANY

PO BOX 1001  
KILL DEVIL HILL, NC 27540  
(919) 281-1200

SUBDIVISION LINES NOT TO SCALE  
"EXHIBIT D"



RE: 75 E. Dogwood Trail Subdivision

chestercountyla.../Inbox



Wes Haskett <whaskett@southernshores-nc.gov>  
To: Anthony Mina <chestercountylawn@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 <chestercountylawn@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\\_option=logitem&mail\\_id=1684773651-1bKta-23fa%5C&our\\_address=whaskett%40southernshores-nc.gov&report=1](https://us1.proofpointessentials.com/index01.php?mod_id=11&mod_option=logitem&mail_id=1684773651-1bKta-23fa%5C&our_address=whaskett%40southernshores-nc.gov&report=1)

"EXHIBIT 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](http://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=PTIICOOR\\_CH30SU\\_ARTIVMISTDEGE\\_S30-97DEST](https://library.municode.com/nc/southern_shores/codes/code_of_ordinances?nodeId=PTIICOOR_CH30SU_ARTIVMISTDEGE_S30-97DEST).

-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](http://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

"EXHIBIT d"



To: Wes Haskett <[whaskett@southernshores-nc.gov](mailto: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](mailto: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 (hc)  
[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

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

From: Anthony Mina <[chestercountyvawn@yahoo.com](mailto:chestercountyvawn@yahoo.com)>

Sent: Monday, May 1, 2023 12:50 PM

To: Kevin Clark <[kclark@southernshores-nc.gov](mailto:kclark@southernshores-nc.gov)>; Kevin Clark <[kclark@southernshores-nc.gov](mailto:kclark@southernshores-nc.gov)>; Marcey Baum <[mbaum@southernshores-nc.gov](mailto:mbaum@southernshores-nc.gov)>; Wes Haskett <[whaskett@southernshores-nc.gov](mailto: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 Harrell, MM & J Law Firm

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EXHIBIT 1



THE UNIVERSITY OF CHICAGO PRESS

CANON

VICTORY 2000

14' side  
cell back \*

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

C: EXISTING HOME  
1/3 LOT Pursuant to  
RS1 ZONING requirements  
\* Except for 74' side  
setback \*

DOGWOOD (100') TRAIL

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

DATE MAR 20 1967

SCALE: 1" = 40'

76 0937 1172 7

04 24 2004

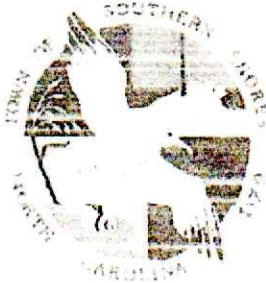
1953年10月1日

ORL - 575-30 000 5 14 12 1951

**KIRK R. FOREMAN**  
LAND SURVEYING COMPANY  
P.O. BOX 186  
KILL DEVIL HILLS, NC 27842  
(919) 261-1221

EXHIBIT 3





## 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](mailto:info@southernshores-nc.gov)

[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

June 5, 2024

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

PROOF OF WES  
HASKETT'S SPECIAL INTEREST  
IN 75 E. DOGWOOD TRAIL

**Re: 75 E. Dogwood Trl. Subdivision**

Dear Mr. Mina and Ms. Franz:

Following further review, the administrative decision to deny your application to subdivide Lot 1, Block 105 located at 75 E. Dogwood Trl. (parcel #021731000) has been revised. However, the decision to deny the application has not been revised. The reason for the denial remains that the proposed lots do not equal or exceed the standards in Town Code Section 30-97 of the Town's Subdivision Ordinance because the proposed lots do not meet the zoning requirements for properties located in the Town's RS-1, Residential zoning district as established in the Town's Zoning Ordinance and incorporated into the Town's Subdivision Ordinance via Section 30-97(2).

Town Code Section 30-97(2) states that all lots in new subdivisions shall conform to the zoning requirements of the district in which the subdivision is located. Conformance to zoning requirements means, among other things, that the smallest lot in the subdivision must meet all dimensional requirements of the zoning chapter. It is not sufficient merely for the average lot to meet zoning requirements. Subdivisions must comply in all respects with the requirements of the zoning chapter in effect in the area to be subdivided and any other officially adopted plans. Specifically, the proposed lots do not meet the zoning requirements for properties located in the Town's RS-1 Residential zoning district and as a result do 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 do not have a lot width of 100 feet measured from the front lot line at right angles to the rear lot line.

"EXHIBIT K"



2. There is no drive aisle shown on proposed Parcel B providing access from E. Dogwood Trl. to the existing single-family dwelling. Town Code Section 36-163(4)a.1.ii. states that an eight-foot-wide drive aisle shall be provided, which must be separate from any parking spaces, such that no vehicle will be required to back into the public right-of-way.
3. There are no parking spaces shown on proposed Parcel B for the existing single-family dwelling. Town Code Section 36-163(4)a.1 requires three parking spaces for each dwelling unit with up to eight-person septic capacity and one additional space for each two persons of septic capacity, or fraction thereof, in excess of eight-person septic capacity up to 12-person septic capacity and one additional space for each person of septic capacity over 12.



Per Town Code Section 36-132(c) and Section 36-132(c)(1), the existing single-family dwelling on proposed Parcel B that encroaches the minimum side yard (setback) requirement has been determined legally nonconforming and it can remain as is or it can be enlarged or altered as long as the enlargement or alternation doesn't increase the nonconformity. As a result, the encroachment is no longer applicable to the decision to deny your application.

Should you wish to appeal this revised 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-ne.gov/bc-ph>. Feel free to contact me at (252) 261-2394 or [whaskett@southernshores-ne.gov](mailto:whaskett@southernshores-ne.gov) if you have any questions or concerns.

Sincerely,

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

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

"EXHIBIT K"

## 75 E Dogwood Trail

chestercountyla.../Sent

Jun 4 at 2:18 PM



**Anthony Mina** <chestercountylawn@yahoo.com>

To: Marcey Baum <mbaum@southernshores-nc.gov>.

Southernshores Nc Info <irfo@southernshores-nc.gov>, Kevin Clark <kclark@southernshores-nc.gov>.

Wes Haskett <whaskett@southernshores-nc.gov>

Hello,

Please find the attached building permit application to:

-repair first floor sagging problems, as needed.

-enlarge the foyer/first floor family room opening.

-replace a defective beam supporting the second floor family room floor.

-remove walls on each side of the 2nd floor fireplace.

-remove the section of 75 E. Dogwood Trail Wes Haskett claims prevents a lot subdivision plan from being approved.

Engineered approved plans for all the jobs are attached to this email.

Thank you,

Anthony S Mina

3 Files 16.7MB



75DogwoodPermitApp.pdf

1MB



NC0519\_ Anthony Mina\_ 75 E Dogwood Trail Kitchen Renovation REV 1\_ Sealed.pdf

14MB



NC0519\_ Anthony Mina\_ 75 E Dogwood\_ 2nd Floor Ext Wall Revision\_ Sealed.pdf

1MB

"EXHIBIT K"



# PLAN SUBMITTED TO REMOVE 1' SECTION OF HOUSE



Submittal Date: 6/7/24

Page 1 of 2

Page 2 is Building Plan Specification Form

## TOWN OF SOUTHERN SHORES PLANNING AND CODE ENFORCEMENT

5375 N. Virginia Dare Trail, Southern Shores, NC 27949  
(252) 261-2394 phone (252) 255-0876 fax  
[www.southernshores-nc.gov](http://www.southernshores-nc.gov)

## BUILDING/FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

**Applications WILL NOT be accepted until all required information is provided**

### PROPERTY INFORMATION:

Project Address: 75 E. Dogwood Trl.

Lot Number: 1 Block: 105 Section:

Property ID Number (PIN #): 986817213502

Lot Area: 46,500 sq ft

Flood Zone (circle): AE 4 ft - AE 5 ft - AO 1 ft depth - AO 2 ft depth - VE 11 ft - VE 12 ft - VE 13 ft - Shaded X - Unshaded X

Base Flood Elevation:  ft / Plus 3 ft of Freeboard or LES 8 ft =  ft = Regulatory Flood Protection Elevation

Zoning District: RS1 Septic Permit #  Permit Date:  # Person Septic Capacity

CAMA Permit required? Yes or No CAMA Permit #  CAMA AEC (circle):  Estuarine Shoreline or Ocean Hazard

### CONTRACTOR INFORMATION: Home owner is doing work

Business Name:

Contractor Name:

Mailing Address:

City:  State:  Zip Code:

Business #  Cell #

Fax #  Email

NC G. C. Licensed Contractor  OR  Non-Licensed Contractor

NC G. C. License Number:

Limitation:

Classification:

Qualifier:

DESCRIPTION OF WORK: Make structural improvement to first floor, widen family room/fire doorway, remove walls on each side of second floor fireplace and remove section of house. Wes Haskett claims prevents the lot subdivision

PERMIT TYPE (X): RESIDENTIAL 2nd HOME RENTAL (> 30 days) VACATION COTTAGE (< 30 days)

TYPE OF CONSTRUCTION (X): REMODEL/RENOVATION/REPAIR NEW CONSTRUCTION ADDITION/EXPANSION ACCESSORY OTHER

PROPERTY USE (X): SINGLE FAMILY DUPLEX MULTI-FAMILY GOVERNMENT - INSTITUTIONAL COMMERCIAL

COMMERCIAL USE ONLY:  CURRENT USE  PROPOSED USE

SQUARE FOOTAGE AND/OR DIMENSIONS: 3543 GARAGE  SHED  SWIMMING POOL

GAZEBO  DUNE DECK  RETAINING WALL  BULKHEAD  PIER/DOCK

DECK(S)  PORCH(ES)  STORAGE ENCLOSURE  OTHER

PROPOSED BUILDING AREA: 7/9 SQ FT - HEATED / LIVING AREAS (NEW SPACE)

60 FT - NON HEATED AREAS (NEW SPACE)  
\$1600. - \$1800. - COST OF REMODEL/RENOVATION/REPAIR - ONLY (DO NOT INCLUDE NEW SQ FT)

\$1600. - \$1800. - ESTIMATED CONSTRUCTION COST OF TOTAL PROJECT

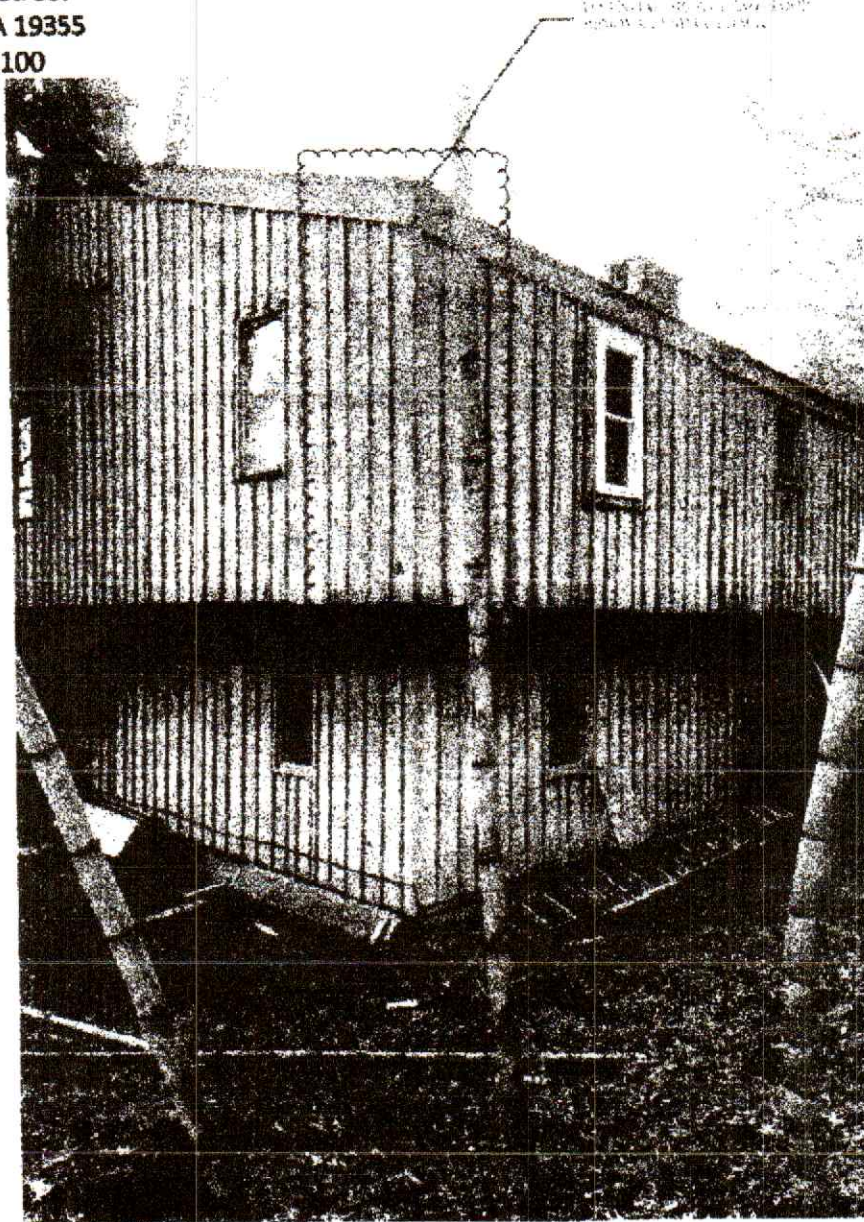
NOTE: Although the Town of Southern Shores does not enforce or consider the effect of covenants in the various subdivisions of Southern Shores, applicants for a building permit should be advised that their building plans may be affected by subdivision covenants and are advised to consult with the appropriate property owners' association. You are strongly urged to obtain approval from the appropriate association before you apply for a permit and begin construction. Failure to do so could result in legal action by the association to enforce the covenants.

\* Please note Wes Haskett now does not claim existing side set back distances prevent a lot subdivision so Applicant will not be removing any of the existing house.  
"EXHIBIT K"



UZMAN ENGINEERING, LLC

116 E. King Street  
Malvern, PA 19355  
(610) 320-2100



Due to the existing setback requirements, there are questions whether the existing 2<sup>nd</sup> floor cantilever is outside of the required property setback. Although the house has been there since 1970, the Homeowner has considered removing an approximate 1'-0" section of the 2<sup>nd</sup> floor cantilever corner to meet the requirements. The corner of the building would be removed, new 2x4 framing installed from 2<sup>nd</sup> floor to roof, flashing and roof patching as well as siding re-configuring to meet the setback. Uzman recommends the installation of Simpson Strong Hurricane ties to the revised roof rafters and SDS wood screws to the joists and built up 2x10 below. UE also recommends mid height blocking of the joists along with exterior sheathing nailed to the new studs @ 4" o.c. vert spacing.

ENGINEERED PLANS SUBMITTED  
NC0519  
6/4/2024 TO REMOVE 1' OF REAR  
CORNER OF HOUSE "EXHIBIT K"



Anthony Stocker Mina

5/24/2024

Forwarded Message

From: Phillip Hornthal <phornthal@hrem.com>  
To: Anthony Mina <chestercountyawn@yahoo.com>; Wes Haskett <whaskett@southernshores-nc.gov>  
Cc: Cliff Ogburn <cggburn@southernshores-nc.gov>  
Sent: Friday, May 24, 2024 at 03:51:32 PM EDT  
Subject: RE: Questions Regarding Wes Haskett's Denial Of 75 E. Dogwood Trail Lot Sub-Division

Mr. Mina:

You are free to submit any application you wish to submit. However, in response to your specific question, please understand that, unless all four reasons are satisfied, the proposal would be denied, and you would have the option to appeal.

I strongly suggest you consult with an attorney as I cannot give you legal advice, as attorney for the Town.

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](http://www.hrem.com)

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

From: Anthony Mina <chestercountyawn@yahoo.com>  
Sent: Friday, May 24, 2024 2:27 PM  
To: Phillip Hornthal <PHornthal@hrem.com>; Wes Haskett <whaskett@southernshores-nc.gov>  
Subject: Re: Questions Regarding Wes Haskett's Denial Of 75 E. Dogwood Trail Lot Sub-Division

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

Hello,

REFUSAL TO ACCEPT  
SIDE SETBACK AS  
CONFORMING FROM TOWN  
ATTORNEY PHIL HORNTHAL  
ON BEHALF OF WES HASKETT  
AND SOUTHERN SHORES

"EXHIBIT K"

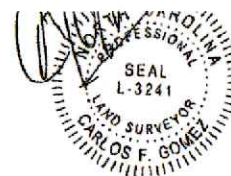
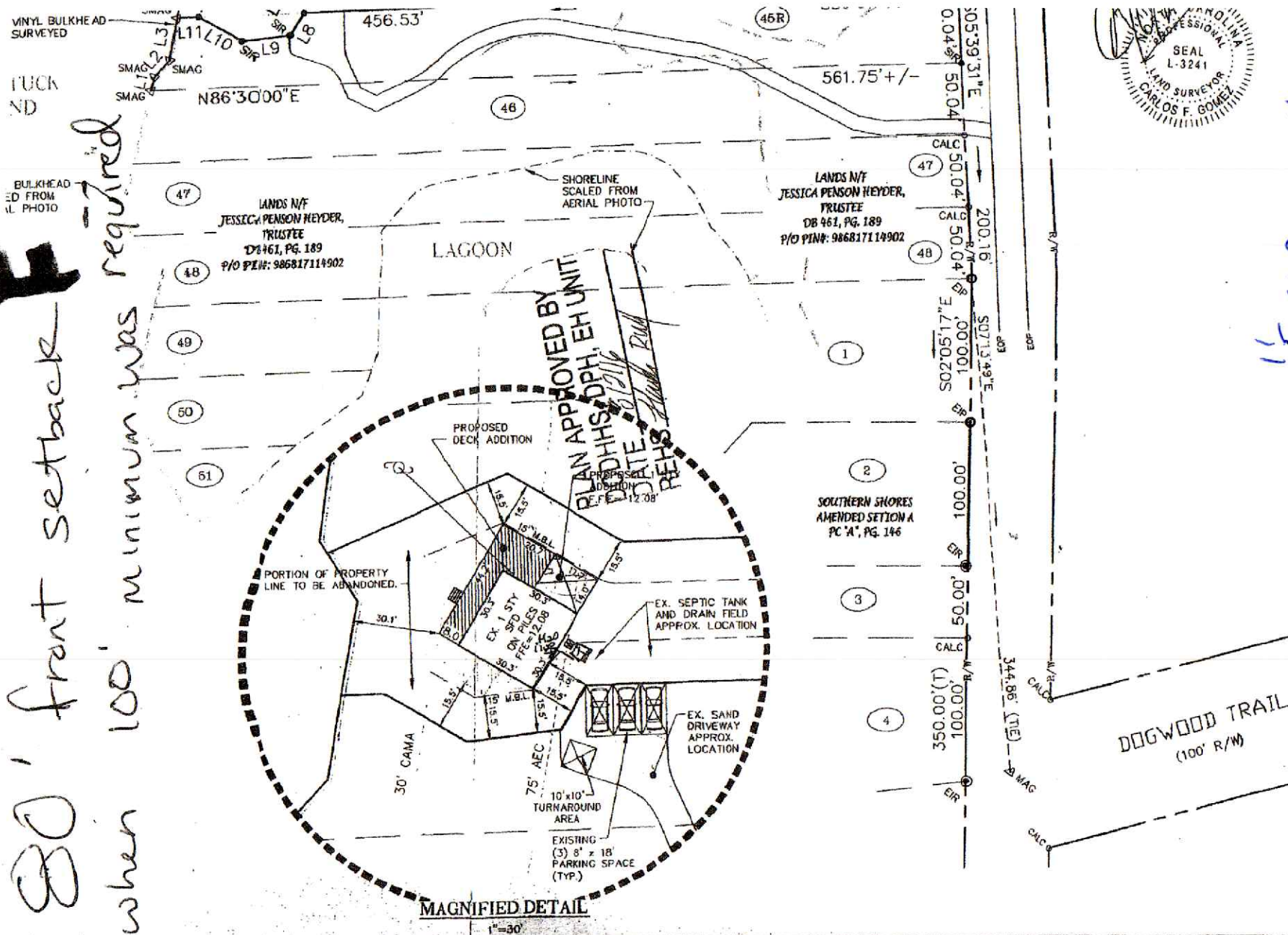




FUCK  
ND

BULKHEAD  
ED FROM  
AL PHOTO

80' front setback  
when 100' minimum was re-



11 Exhibit C

SITE PLAN FOR: <b>JESSICA PENSON-REYDER, TRUSTEE</b> ATLANTIC TWSP      DARE COUNTY      NORTH CAROLINA LOT 44R, BLK H. SOUTHERN SHORES AMENDED SECTION "A"		REVISION NO.    DATE    DESCRIPTION
DATE: 6/28/16 CHECKED: CFG PROJECT NO: S2766.16 CAD FILE: S2716SP2 SHEET: 1 OF 1		SCALE: 1"=50' DRAWN: MMH/BW

RE: Public Records Request (2) 06.10.2024

chestercountyla.../inbox



Wes Haskett <whaskett@southernshores-nc.gov>

To: Anthony Mina <chestercountylawn@yahoo.com>

Cc: Sheila Kane <skane@southernshores-nc.gov>, Cliff Ogburn <cogburn@southernshores-nc.gov>.

Philip Homthal <phomthal@hrem.com>

Jun 17 at 10:45 AM

Good morning again, Mr. Mina. The lot with the address 233 N. Dogwood Trl. and the adjacent lots with the addresses of 0 N. Dogwood Trl. were created prior to the Town's incorporation in 1979.

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

[www.southernshores-nc.gov](http://www.southernshores-nc.gov)



WES HASKETT LYING  
TO HIDE PLAT HE  
APPROVED WITHOUT ALL  
ZONING REQUIREMENTS  
BEING MET.

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Friday, June 14, 2024 2:15 PM

To: Sheila Kane <skane@southernshores-nc.gov>

Cc: Wes Haskett <whaskett@southernshores-nc.gov>; Cliff Ogburn <cogburn@southernshores-nc.gov>

Subject: Re: Public Records Request (2) 06.10.2024

Are you saying the (2) addresses 0 N. Dogwood Trail were created without any documentation?

Thank you,

Anthony Stocker Mina

On Friday, June 14, 2024 at 01:37:01 PM EDT, Sheila Kane <skane@southernshores-nc.gov> wrote:

Mr. Mina:

The clerk's office can provide you with copies of public records, existing documents that the town has in its custody and control. There is no subdivision document related to 233 N. Dogwood/O Dogwood; therefore, no public record.

If it is information you are seeking, I would encourage you to simply call the proper department at town hall and ask your questions.

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](mailto:skane@southernshores-nc.gov)



From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Friday, June 14, 2024 12:07 PM

To: Sheila Kane <skane@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>; Cliff Ogburn <cogburn@southernshores-nc.gov>

Subject: Re: Public Records Request (2) 06.10.2024

I'm sorry, maybe my request was worded wrong. Can you please provide me the information relating to the lots addressed as 0 dogwood trail being created. Thank you, Anthony S Mina

On Friday, June 14, 2024 at 09:06:08 AM EDT, Sheila Kane <skane@southernshores-nc.gov> wrote:

Dear Mr. Mina:

"EXHIBIT L"



## Wes Haskett

---

**From:** Ann Sjoerdsma <anns@earthlink.net>  
**Sent:** Sunday, January 8, 2023 8:36 AM  
**To:** Wes Haskett  
**Cc:** Cliff Ogburn  
**Subject:** Pipkin recombination  
**Attachments:** PC I, SL 354 (the 2017 Plat) (1).pdf

Jan. 8, 2023

Mr. Wes Haskett, Deputy Town Manager/Planning  
Director

Town of Southern Shores, NC

Dear Mr. Haskett:

I write to follow up with your request of Oct. 21, 2022 that I put into writing my objection to the recombination by the Pipkin family of lots 1-4, blk. 27, sec. 3 of Southern Shores, which the Town of Southern Shores approved Oct. 3, 2017. I represent myself and my three siblings, with whom I co-own the property at 172 Ocean Blvd., in this matter.

As you know, the result of the Pipkin family's 2017 recombination was the creation of two new lots, labeled A and B on the plat ("2017 Plat") submitted by Ashmead Pipkin. Lot B, which was/is vacant, is adjacent to our property, to the south, and is now known as 172 Ocean Blvd. A residential development, with the historic single family dwelling, "Pink Perfection," is situated on Lot A, which is now known as 170 Ocean Blvd. Both lots are in the RS-1 residential district.

A copy of the 2017 Plat is recorded at PC I, SL 354. I attach a copy with this correspondence for your convenience.

My siblings and I have directly observed that the location of the Pink Perfection dwelling and its garage on Lot A are closer than 15 feet to the newly created adjacent property line of Lot B, a clear violation of Town Code sec. 36-202(4)(a), which was in effect in 2017.

The 2017 Plat shows a side setback between the Pink Perfection dwelling and its garage and Lot B of 10.1 feet—well shy of 15 feet. Based on our observations, we believe that the setback distance is actually less than 10 feet. The recombination shown in the 2017 Plat, therefore, rendered Lot A nonconforming. The Town cannot allow this Town Code violation to continue, even if the Town may have mistakenly approved the lot boundary shown on the plat. (*See City of Raleigh v. Fisher*, 232 N.C. 629 (1950) (holding that a city or town shall not allow a mistakenly permitted use when the zoning regulations prohibit same).

Had the legally required side-yard setback standard been properly enforced at the time of the proposed recombination shown in the 2017 Plat, we contend that Lot B would have been nonconforming because it would not have been wide enough to meet the dimensional standard of Town Code sec. 202(d)(2), which mandates a lot width of 100 feet. Accordingly, the 2017 Plat was approved in error, and the Town should correct this mistake.

My siblings and I strongly believe that the Town's mistake in allowing the nonconforming Lot A to be created has caused—or will cause—us damage. It is extremely important to us that the Town correct this error.

Thank you.

Sincerely yours,

Ann

Ann G. Sjoerdsma

232 N. Dogwood Trail

Southern Shores, N.C. 27949  
(252) 256-0058

Attachment (1)

cc: Cliff Ogburn, Town Manager

---

This email has been scanned for spam and viruses by Proofpoint Essentials. Click [here](#) to report this email as spam.



E

OCTOBER 21, 2024 PICTURE OF "OH-SO SANDY" SIGN PROVING  
CLIFF OGBURN AND WES HASKETT HAVE A SPECIAL INTEREST  
IN INTERFERING WITH APPLICANT'S WORK/REAL ESTATE NEEDS  
AT 75 E. DOGWOOD TRAIL BY ENFORCING SIGN CODES NOT  
ENFORCED ON OTHER SOUTHERN SHORES PROPERTY OWNERS



"EXHIBIT N"



RE: Public Records Request 06.21.2024\_#15 Anthony Mina

chestercountyla.../Inbox



Cliff Ogburn <cogburn@southernshores-nc.gov>

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

Sheila Kane <skane@southernshores-nc.gov>

Cc: Paula Sherlock <psherlock@southernshores-nc.gov>,

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

Mark Batenic <mbatenic@southernshores-nc.gov>, Robert Neilson <rneilson@southernshores-nc.gov>

12/17/24

Jul 17 at 11:44 AM

Mr. Mina – Please open the attachment. Your request was answered in this document which has now been provided to you for the third time. The date and time the signs were addressed was between 7:48 am and 10:56 am on 6/20/24.

As I have stated before – the signs that were placed in the r/w in front of your property are not permitted, therefore no permit will be issued. Likewise, an encroachment agreement will not permit these signs to be placed in the r/w either.

It may be helpful for us to discuss the confusion and work through it in a phone call. Please feel free to contact me at 261-2394.

Thank you.

Cliff

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Wednesday, July 17, 2024 10:33 AM

To: Cliff Ogburn <cogburn@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>; info@southernshores-nc.gov; Sheila Kane <skane@southernshores-nc.gov>

Cc: Paula Sherlock <psherlock@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; David Kole <dkole@southernshores-nc.gov>; Mark Batenic <mbatenic@southernshores-nc.gov>; Robert Neilson <rneilson@southernshores-nc.gov>; Robert Neilson <rneilson@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>

Subject: Re: Public Records Request 06.21.2024\_#15 Anthony Mina

Southern Shores,

You are not answering my request which asks for the "date and time the signs were addressed". Please stop trying to deceive me with falsified records and violations of North Carolina law governing Public Records Requests. I would like the "date and time the signs were addressed". Anthony Stocker Mina

PS You have a Right of Way Encroachment Application of mine that has not been decided asking for permission for me to advertise my 75 E Dogwood Trail real estate opportunity. I'd appreciate the right of way encroachment application being approved...especially since I have just proved that Southern Shores is selectively prosecuting me for real estate signs (harassment) when other real estate signs in the right of way have been allowed by Southern Shores on a regular basis for years.

On Wednesday, July 17, 2024 at 10:03:06 AM EDT, Cliff Ogburn <cogburn@southernshores-nc.gov> wrote:

Good morning Mr. Mina –

I have attached two of your Public Records Requests dated June 20, 2024.

You provided the list of signs referenced as 1-6 in your request for information. We addressed the signs in violation of the Town Code on the list after you brought them to our attention. I responded in an email to you on June 20, 2024, that there are no permits issued for the signs referenced in 1-6 because the signs are either not permitted or a permit wasn't required. We have no record of names of people making complaints about these signs. The attached PDF was sent to you yesterday as part of the response to your request for information.

The other request asks for the names of the individuals that complained about the signs in the r/w in front of your property. We answered this request in the email provided by the Town Clerk dated July 17, 2024.

Based on my understanding of these requests we have provided you the information you requested.

Thank you.

" EXHIBIT N "



Cliff

E

From: Anthony Mina <[chestercountyflawn@yahoo.com](mailto:chestercountyflawn@yahoo.com)>

Sent: Tuesday, July 16, 2024 10:51 PM

To: Sheila Kane <[skane@southernshores-nc.gov](mailto:skane@southernshores-nc.gov)>; [info@southernshores-nc.gov](mailto:info@southernshores-nc.gov); Cliff Ogburn <[cogburn@southernshores-nc.gov](mailto:cogburn@southernshores-nc.gov)>

Subject: Re: Public Records Request 06.21.2024\_#15 Anthony Mina

Hello,

Thank you for the public records request response but my response asked for:

The name of the person making the complaint about signs referenced as 1-6 in Cliff Ogburn's public record request response dated 6/20/2024 and the date and time the "sign was addressed", according to Cliff Ogburn.

The response provided did not provide the information requested in the 6/20/2024 public records request.

Please provide me the information I requested pursuant to North Carolina law.

Thank you,  
Anthony S Mina

On Tuesday, July 16, 2024 at 03:44:31 PM EDT, Sheila Kane <[skane@southernshores-nc.gov](mailto:skane@southernshores-nc.gov)> wrote:

Dear Mr. Mina:

On June 21, 2024 you filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

1. The name of the person making the complaint about signs referenced as 1-6 in Cliff Ogburn's public record request response dated 6/20/2024 and the date and time the "sign was addressed", according to Cliff Ogburn.

**Anthony Mina Requested:** Please provide me:

- 1) All permits issued to allow Beach Realty & Construction sign at 105 S. Dogwood Trail.
- 2) All permits issued to allow Vacation Bible School signs at "Welcome Southern Shores" entrance at S. Dogwood Trail.
- 3) All permits issued to allow Village Realty sign at 20 S. Dogwood Trail.
- 4) All permits issued to allow "Join our team" sign at Duck Woods Country Club.
- 5) All permits issued to allow Beach Realty Sign and "Oh-So Sandy" sign at 15 E. Dogwood Trail.
- 6) All permits issued to allow Outer Banks Realty sign at 75 E. Dogwood Trail.

**Cliff Ogburn Responded:**

Response to the 6 locations you referenced in your email below:

1. Not allowed in this location. This sign has been addressed.
2. Organizational leaders were notified and made aware of the regulations and given the same opportunity to comply on their own that you were.
3. Not allowed in this location. This sign has been addressed.
4. temporary sign legally placed - no permit required.
5. Not allowed in this location. These signs have been addressed
6. This sign does not exist at this location

Please find all records that pertain to your request attached.

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) 255-0878 fax  
[skane@southernshores-nc.gov](mailto:skane@southernshores-nc.gov)



"EXHIBIT N"

**Re: Zoning Amendment To Require 100' Street Frontage For Each Southern Shores Lot**

chestercountyla.../Sent



**Anthony Mina** <chestercountyawn@yahoo.com>  
To: Wes Haskett <whaskett@southernshores-nc.gov>,  
Elizabeth Morey <emorey@southernshores-nc.gov>

Jun 7, 2023 at 3:22 PM

Hello,

Thank you for the email.

Could you please tell me how Southern Shores residents and home owners were notified of the proposed amendment to the zoning code dated 3/31/2023 (the zoning code adopted last night). I asked my realtor Alan Creach and Southern Shores questions about Southern Shores zoning code prior to providing a \$5000 due diligence fee and June 1, 2023 is the first time I was informed about the proposed amendment (75 E. Dogwood Trail was listed for sale as being potentially sub-dividable).

Could you please explain how and when Southern Shores "will be submitting another text amendment in the near future that may allow pie-shaped or other irregularly-shaped lots". How will this next amendment reverse the fact that the amendment passed last night literally steals land value from Southern Shores residents that have been paying property taxes on enough square footage to sub-divide (In the world of finance, land is considered an asset and owning enough property to sub-divide is a financial plan that is taxed at a higher rate than owning not enough square footage to sub divide)?

Thank you for your help,  
Anthony S Mina

On Wednesday, June 7, 2023 at 09:10:34 AM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

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 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](http://www.southernshores-nc.gov)

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

From: Anthony Mina <chestercountyawn@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

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[https://us1.proofpointessentials.com/index01.php?mod\\_id=11&mod\\_option=logitem&mail\\_id=1686141324-FWUUsGXDoMzC&r\\_address=whaskett%40southernshores-nc.gov&report=1](https://us1.proofpointessentials.com/index01.php?mod_id=11&mod_option=logitem&mail_id=1686141324-FWUUsGXDoMzC&r_address=whaskett%40southernshores-nc.gov&report=1)

"EXHIBIT 0"



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

chestercountyla.../Inbox



**Anthony Mina** <chestercountylawn@yahoo.com>  
To: Anthony Mina <chestercountylawn@yahoo.com>

Jan 5 at 8:33 PM

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

**From:** Anthony Mina <chestercountylawn@yahoo.com>

**To:** "summer.stevens@thecoastlandtimes.com" <summer.stevens@thecoastlandtimes.com>; "summer.stevens@thecoastlandtimes.com" <summer.stevens@thecoastlandtimes.com>; "theresa.schneider@thecoastlandtimes.com" <theresa.schneider@thecoastlandtimes.com>; "theresa.schneider@thecoastlandtimes.com" <theresa.schneider@thecoastlandtimes.com>; "danielle.puleo@thecoastlandtimes.com" <danielle.puleo@thecoastlandtimes.com>; "danielle.puleo@thecoastlandtimes.com" <danielle.puleo@thecoastlandtimes.com>; "greg.clark@thecoastlandtimes.com" <greg.clark@thecoastlandtimes.com>; "greg.clark@thecoastlandtimes.com" <greg.clark@thecoastlandtimes.com>; Hannah Russ <hannah.russ@thecoastlandtimes.com>; "maryhelen.goodloemurphy@thecoastlandtimes.com" <maryhelen.goodloemurphy@thecoastlandtimes.com>; "maryhelen.goodloemurphy@thecoastlandtimes.com" <maryhelen.goodloemurphy@thecoastlandtimes.com>; "philip.ruckle@thecoastlandtimes.com" <philip.ruckle@thecoastlandtimes.com>; "philip.ruckle@thecoastlandtimes.com" <philip.ruckle@thecoastlandtimes.com>; "donna@islandfreepress.org" <donna@islandfreepress.org>; "joy@islandfreepress.org" <joy@islandfreepress.org>; "m.jurkowitz@yahoo.com" <m.jurkowitz@yahoo.com>; "l.jurkowitz@yahoo.com" <l.jurkowitz@yahoo.com>; "desk@wtkr.com" <desk@wtkr.com>; "nworshambagley@nexusstar.tv" <nworshambagley@nexusstar.tv>  
**Cc:** Wes Haskett <whaskett@southernshores-nc.gov>; Cliff Ogburn <cogburn@southernshores-nc.gov>; Southernshores Nc Info <info@southernshores-nc.gov>; "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>; 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 11:27:37 AM EDT  
**Subject:** Southern Shores Property Tax Fraud Scheme Involving The Deception Of Southern Shores Police Chief

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 property 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).
- 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>; 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

"EXHIBIT X"



-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](mailto:whaskett@southernshores-nc.gov)>  
To: Anthony Mina <[chestercountyjawn@yahoo.com](mailto:chestercountyjawn@yahoo.com)>  
Cc: Cliff Ogburn <[cogburn@southernshores-nc.gov](mailto: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 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](http://www.southernshores-nc.gov)

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

From: Anthony Mina <[chestercountyjawn@yahoo.com](mailto:chestercountyjawn@yahoo.com)>  
Sent: Wednesday, June 7, 2023 8:35 AM  
To: Wes Haskett <[whaskett@southernshores-nc.gov](mailto: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](mailto:whaskett@southernshores-nc.gov)>  
To: Anthony Mina <[chestercountyjawn@yahoo.com](mailto:chestercountyjawn@yahoo.com)>  
Cc: David Kole <[dkole@southernshores-nc.gov](mailto:dkole@southernshores-nc.gov)>; Elizabeth Morey <[emorey@southernshores-nc.gov](mailto:emorey@southernshores-nc.gov)>; Phillip Homthal <[phomthal@hrem.com](mailto:phomthal@hrem.com)>; Cliff Ogburn <[cogburn@southernshores-nc.gov](mailto: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 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.

"EXHIBIT X"



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 <[chestercountyjawn@yahoo.com](mailto:chestercountyjawn@yahoo.com)>

Sent: Monday, May 20, 2024 12:12 PM

To: Wes Haskett <[whaskett@southernshores-nc.gov](mailto:whaskett@southernshores-nc.gov)>; Phillip Hornthal <[phornthal@hrem.com](mailto:phornthal@hrem.com)>

Cc: David Kole <[dkole@southernshores-nc.gov](mailto:dkole@southernshores-nc.gov)>; David Kole <[dkole@southernshores-nc.gov](mailto:dkole@southernshores-nc.gov)>; Elizabeth Morey <[emorey@southernshores-nc.gov](mailto:emorey@southernshores-nc.gov)>; Phillip Hornthal <[phornthal@hrem.com](mailto:phornthal@hrem.com)>; Cliff Ogburn <[cogburn@southernshores-nc.gov](mailto:cogburn@southernshores-nc.gov)>; Jonathan Slegel <[jslegel@southernshores-nc.gov](mailto:jslegel@southernshores-nc.gov)>; Matt Cooke <[mcooke@southernshores-nc.gov](mailto:mcooke@southernshores-nc.gov)>; Eric Brinkley <[erinkley@southernshores-nc.gov](mailto:erinkley@southernshores-nc.gov)>; Darrell Brickhouse <[dbrickhouse@southernshores-nc.gov](mailto:dbrickhouse@southernshores-nc.gov)>; Tracy Mann <[tmann@southernshores-nc.gov](mailto:tmann@southernshores-nc.gov)>; Chris Simpson <[csimpson@southernshores-nc.gov](mailto:csimpson@southernshores-nc.gov)>; Richard Deaneer <[rdeaneer@southernshores-nc.gov](mailto:rdeaneer@southernshores-nc.gov)>; Thomas Long <[tlong@southernshores-nc.gov](mailto:tlong@southernshores-nc.gov)>; Jason Thompson <[jthompson@southernshores-nc.gov](mailto:jthompson@southernshores-nc.gov)>; Andrew Spottswood <[aspottswood@southernshores-nc.gov](mailto:aspottswood@southernshores-nc.gov)>; Jennifer Couture <[jcouture@southernshores-nc.gov](mailto:jcouture@southernshores-nc.gov)>; FBI <[philadelphia.complaints@ic.fbi.gov](mailto:philadelphia.complaints@ic.fbi.gov)>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <[andrea.powell@nccourts.org](mailto:andrea.powell@nccourts.org)>; Elizabeth Morey <[emorey@southernshores-nc.gov](mailto:emorey@southernshores-nc.gov)>; Jasper Rogers <[jrogers@kittyhawktown.net](mailto:jrogers@kittyhawktown.net)>; cgarriss@kittyhawktown.net; cgarriss@kittyhawktown.net; Casey Varnell <[varnell@ncobxlaw.com](mailto:varnell@ncobxlaw.com)>; Mike Talley <[mike.talley@kittyhawktown.net](mailto: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](mailto:dryan@chesco.org)>; cccommissioners@chesco.org; cccommissioners@chesco.org; jmaxwell@chesco.org; jmaxwell@chesco.org; Marian Moskowitz <[mmoskowitz@chesco.org](mailto:mmoskowitz@chesco.org)>; mkichline@chesco.org; [mkichline@chesco.org](mailto:mkichline@chesco.org)

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

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](mailto: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?

1 File 4.6MB

 IMG\_1806.jpeg  
5MB

"EXHIBIT X"





**Anthony Mina** <chestercountylawn@yahoo.com>

Oct 15, 2024 at 2:20 PM

To: Southernshores Nc Info <info@southernshores-nc.gov>,  
Wes Haskett <whaskett@southernshores-nc.gov>, Cliff Ogburn <cogburn@southernshores-nc.gov>,  
Phillip Hornthal <phornthal@hrem.com>, Norwood Blanchard <norwood@cmclawfirm.com>  
Cc: David Kole <dkole@southernshores-nc.gov>, Andrea C. Powell <andrea.powell@nccourts.org>,  
olivia.s.hines@nccourts.org, olivia.s.hines@nccourts.org, olivia.s.hines@nccourts.org [more...](#)

Hello Southern Shores,

I will not be providing my fiancé, Jennifer Franz's email address to Southern Shores. Jennifer and myself moved to the Outer Banks to get away from small town corruption that preys on civilians and she does not need to be any part of Wes Haskett's fraud. If Southern Shores needs Jennifer Franz to sign a notarized statement indicating that she wants 75 E. Dogwood Trail subdivided, just like the sub-division applications I already submitted, I will get her to notarize my variance application.

Southern Shores can send copies of their Variance related documents to attorney Jason Portnoy at: jportnoy@invtitle.com. Mr. Portnoy is handling a fraud complaint I filed against Wes Haskett with my insurance company.

Thank you,  
Anthony S Mina

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

**From:** Wes Haskett <whaskett@southernshores-nc.gov>

**To:** Anthony Mina <chestercountylawn@yahoo.com>; Cliff Ogburn <cogburn@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>; Norwood Blanchard <norwood@cmclawfirm.com>

**Cc:** David Kole <dkole@southernshores-nc.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>; FBI <philadelphia.complaints@ic.fbi.gov>; ncago@ncdoj.gov <ncago@ncdoj.gov>; ncago@ncdoj.gov <ncago@ncdoj.gov>; Planning Board <planningboard@southernshores-nc.gov>; Planning Board <planningboard@southernshores-nc.gov>; council@southernshores-nc.gov <council@southernshores-nc.gov>; council@southernshores-nc.gov <council@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Mark Batenic <mbatenic@southernshores-nc.gov>; Robert Neilson <rnelson@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>

**Sent:** Tuesday, October 15, 2024 at 01:52:06 PM EDT

**Subject:** RE: 75 E. Dogwood Trl. Variance Materials With False Information From Wes Haskett

Good afternoon, Mr. Mina. See attached application with page two that is not cut off. I will not revise the staff report nor will I answer any questions about your application prior to the hearing.

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



**From:** Anthony Mina <chestercountylawn@yahoo.com>

**Sent:** Tuesday, October 15, 2024 9:58 AM

**To:** Cliff Ogburn <cogburn@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>; Norwood Blanchard <norwood@cmclawfirm.com>

**Cc:** David Kole <dkole@southernshores-nc.gov>; Andrea C. Powell <andrea.powell@nccourts.org>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; FBI <philadelphia.complaints@ic.fbi.gov>; ncago@ncdoj.gov; ncago@ncdoj.gov; Planning Board <PlanningBoard@southernshores-nc.gov>; Planning Board <PlanningBoard@southernshores-nc.gov>; council@southernshores-nc.gov; council@southernshores-nc.gov; Paula Sherlock <psherlock@southernshores-nc.gov>; Mark Batenic <mbatenic@southernshores-nc.gov>; Robert Neilson <rnelson@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>

**Subject:** 75 E. Dogwood Trl. Variance Materials With False Information From Wes Haskett

Mr. Haskett,

Thank you for the email.

Could you please rescan my Variance Application so the last sentence on page 2 which states "Wes Haskett started communicating with Applicant on May 1, 2023 and his withholding of material information allowed the previous owner to negotiate an additional \$75,000 from applicant." is not cut off from my Variance Application.

Could you please provide me a staff report that does not falsely claim all town and state notification requirements were met when making the June 6, 2023 & August 3, 2021 zoning amendments when "Exhibit 2C" from Sheila Kane proves Southern Shores did not give Notice to the U.S. Army's Duck Facility pursuant to 160D-601(b), Wes Haskett did not get permission to down-zone on June 6, 2023 (change sub-dividable lots to non-sub-dividable lots) from the property owners and never received a unanimous vote for the zoning amendment Wes Haskett initiated AND SOUTHERN SHORES DID NOT HAVE POSTED NOTICE AT EFFECTED PROPERTY(S) AS REQUIRED BY TOWN CODE SECTION 36-414(b).

"EXHIBIT Y"



Could you please define the "spirit" of the town code for me?

Exhibit 6 of my Variance Application is the Code of Ethics for Town of Southern Shores Employees and since May 1, 2023 Wes Haskett and people working with Wes Haskett have refused to comply with:

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 Southern Shores taxpayers in mind in the expenditure of these funds.

Being forced to spend \$350 to ask for a variance from illegally adopted zoning codes violates theft and conspiracy laws. To me, the spirit of the town code should mean town employees/town council are attempting to preserve and enhance the natural beauty of Southern Shores with ethical standards meeting the town ethics policy. So far, Wes Haskett, Cliff Ogburn and Philip Hornthal have not done anything but hide pertinent information from property owners and when they were caught continued their deception of property owners in reports to people including law enforcement and the planning board.

Thank you,  
Anthony S Mina

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

**From:** Wes Haskett <[whaskett@southernshores-nc.gov](mailto:whaskett@southernshores-nc.gov)>  
**To:** Anthony Mina <[chestercountylawn@yahoo.com](mailto:chestercountylawn@yahoo.com)>  
**Cc:** Cliff Ogburn <[cogburn@southernshores-nc.gov](mailto:cogburn@southernshores-nc.gov)>; Phillip Hornthal <[phornthal@hrem.com](mailto:phornthal@hrem.com)>  
**Sent:** Monday, October 14, 2024 at 03:59:17 PM EDT  
**Subject:** 75 E. Dogwood Trl. Variance Materials

Good afternoon, Mr. Mina. Please find the attached materials for your Variance application. Do you have an email address for Ms. Franz that I can use to send her the materials since she is a property owner who did not submit the application?

Wes Haskett  
Deputy Town Manager/Planning Director  
Town of Southern Shores  
(252) 261-2394 (ph)  
(252) 255-0876 (fx)  
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"EXHIBIT Y"

## 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 W"