

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

October 28, 2024

**APPLICANT'S MOTION TO RECONSIDER ORDER DENYING MOTION TO  
PRECLUDE VARIANCE HEARING BASED ON THE RELEVANT, COMPETENT  
AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY  
AND INTENTIONAL MISCONDUCT BY WES HASKETT, CLIFF OGBURN, PHILIP  
HORNTAL, LAUREN WOMBLE AND THE PLANNING BOARD ATTORNEY TO  
FRAUDULENTLY MISREPRESENT THE NOTIFICATION REQUIREMENTS OF  
ZONING AMENDMENTS USED TO PREVENT APPLICANT'S LOT SUB-DIVISION  
PLANS AND REQUIRE THE VARIANCE HEARING**

**\*\*THE PLANNING BOARD'S REFUSAL TO GRANT APPLICANT'S MOTION TO  
PRECLUDE SUBSTANTIATES A CRIMINAL CONSPIRACY WITH THE  
AFORESAID CONSPIRATORS\*\***

I, Applicant Anthony S Mina hereby Motion For Reconsideration of the Order Denying Motion to Preclude Variance Hearing and in support thereof aver the following:

1. On October 21, 2024 the Planning Board Attorney instructed the Planning Board/Board of Adjustments that they must grant Applicant's Motion To Preclude if there is "relevant, competent and substantial evidence of neglect, unlawful acts, conspiracy and intentional misconduct on the part of the town" prior to making a decision on Applicants Motion to Preclude. A true and correct copy of Applicant's Motion To Preclude Variance Hearing is attached hereto and marked "Exhibit 1".
2. On October 21, 2024 the Planning Board Attorney and Southern Shores' Attorney were misrepresenting the language of Town Code Section 36-414(b) which requires posted notice at the subject property for the purpose of notifying people of the proposed rezoning scheduled pursuant to Town Code Section 36-414(a).
3. On October 21, 2024 Applicant objected to the misrepresented language of Town Code Section 36-414(b), told the Planning Board Attorney and Southern Shores' Attorney they were colluding then was accused by the Planning Board Attorney of accusing the whole town of impropriety.
4. Town Ethics Policy # 4 prohibits Southern Shores Town money from being spent on attorneys mispresenting codes as it states: "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

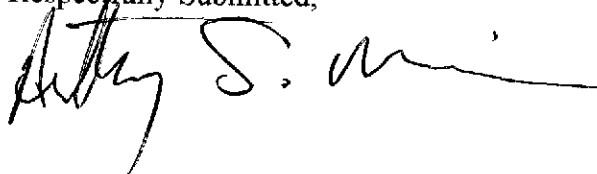
mind in the expenditure of these funds.” A true and correct copy of the Southern Shores Code of Ethics is attached hereto and marked “Exhibit D” in Exhibit 1.

5. Wes Haskett did not post notice pursuant to Town Code Section 36-414(b) at 75 E. Dogwood Trail prior to rezoning 75 E. Dogwood Trail from subdividable to unsubdividable as his June 7, 2023 email stated his intentions were to do. A true and correct copy of Wes Haskett’s June 7, 2023 email was in Applicant’s Application for Variance at “Exhibit 4” and is also attached hereto as “Exhibit 2”.
6. Applicant repeatedly complained to Wes Haskett and Philip Hornthal that the June 6, 2023 zoning amendment was illegally adopted and Wes Haskett responded with an email dated May 21, 2024 to Applicant and Police Chief Kole claiming to legally amend zoning code by citing town code and state law with notification requirements at Town Code Section 36-414(b) deleted and notification requirements at Town Code Section 36-362(b) omitted. A true and correct copy of Wes Haskett’s May 21, 2024 email is attached hereto and marked “Exhibit D” in Exhibit 1.
7. Wes Haskett’s staff report to the Planning Board dated October 21, 2024 states “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. A true and correct copy of Wes Haskett’s Staff Report is attached hereto and marked “Exhibit E” in “Exhibit 1”.
8. On October 15, 2024 Wes Haskett was provided an email asking him to provide a staff report that does not falsely claim notification requirements were met for the June 6, 2023 and August 3, 2021 zoning amendments and Wes Haskett responded in an email “I will not revise the staff report nor will I answer any questions about your application prior to the hearing.” A true and correct copy of Wes Haskett’s refusal to correct false statements is attached hereto and marked “Exhibit 3”.
9. Wes Haskett testified under oath at the October 21, 2024 hearing that notification requirements were met prior to the zoning amendments being adopted that were used to prevent the 75 E. Dogwood Trail subdivision.
10. Southern Shores’ attorney Lauren Womble repeatedly stated that Applicant was incorrect in his characterization of the TCA-21-06 and ZTA-23-03 amendments as illegally adopted and also claimed they were legally adopted.
11. On October 23, 2024 Wes Haskett emailed Applicant and stated the requirements for posted notice for Variances can be found in 36-362(b) when explaining why he emailed Applicant on October 10, 2024 and posted notice of the Planning Board’s October 21, 2024 meeting. A true and correct copy of Wes Haskett’s emails is attached hereto and marked “Exhibit 4”.
12. Wes Haskett did not comply with Town Code Section 36-362(b) notification requirements when he filed the March 31, 2023 Zoning Amendment pursuant to Chapter 36.
13. Wes Haskett did not comply with Town Code Section 36-362(b) notification requirements prior to the May 15, 2023 Planning Board/Adjustment Board hearing on his March 31, 2023 amendment application.

14. Wes Haskett admitted in an email to Applicant on November 9, 2023 that mailed notification of the lot width amendment he applied for on March 31, 2023 was not provided to the owner of 75 E. Dogwood Trail. A true and correct copy of Wes Haskett's November 9, 2023 email is attached hereto and marked "Exhibit 5".
15. Wes Haskett's staff report raised one reason why a subdivision plan at 75 E. Dogwood Trail (which is more than 46,000 sq. ft. in a zone requiring 20,000 sq. ft lots) is not exactly what the town is trying to promote because he claims the density of the population needs to be managed.
16. Wes Haskett's staff report completely contradicts itself by claiming "The district is intended to promote stable, PERMANENT NEIGHBORHOODS..." as Wes Haskett argues Applicant's lot should not be allowed to be sub-divided because Applicant can build an Accessory Dwelling Unit with living space at his property when ADUs are known for short term vacation rentals, not being used as permanent residences.
17. Wes Haskett refused to enter into a pre-variance sub-division agreement for 75 E. Dogwood Trail with a conditional subdivision plan that split town occupancy limits of 14 people per single home to 14 people between both lots when adding an ADU on Applicant's 1 acre property could increase the population to 28 people (14 in the single family home and 14 in the ADU).
18. Wes Haskett proved his ulterior motives prior to the Variance Hearing by declining to agree to a conditional sub-division plan that would reduce the density of the population from 28 people to 14 people.
19. Wes Haskett also proved his special interests and ulterior motives in Applicant's property by claiming a 2<sup>nd</sup> floor overhang of the house built in 1970 violated setback requirements by 1' and prohibited the lot subdivision. After months of telling Applicant and surveyor Douglas Styons they were wrong and the 1' overhang was not acceptable Wes Haskett hired Attorney Philip Hornthal to also claim the 1' overhang was a reason for prohibiting the sub-division. THEN, when Applicant filed a building permit to remove the 1' of house supposedly preventing the lot sub-division, Wes Haskett revised his sub-division denial the next day and allowed applicable zoning code at Town Code Section 36-132(c) and 36-132(c)(1) to govern Applicant's subdivision plan (Wes Haskett claimed under oath that he changed his mind because he spoke to a college about zoning code). A true and correct copy of Wes Haskett's special interest and abuse of zoning codes against Applicant is attached hereto and marked "Exhibit 6".

WHEREFORE, Applicant respectfully requests the Southern Shores Planning Board/Adjustment Board reverse their decision to deny Applicant's Motion To Preclude Hearing, Grant Applicant's Variances from Section 30-96(f) and 36-202(d) and refund Applicant's \$350 Variance fee as the entire Variance hearing requirement imposed upon Applicant by Wes Haskett is based on Wes Haskett's fraud, false statements and illegally adopted zoning codes made without meeting notification requirements.

Respectfully Submitted,



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

October 28, 2024

**APPLICANT'S BRIEF IN SUPPORT OF MOTION TO RECONSIDER ORDER  
DENYING MOTION TO PRECLUDE VARIANCE HEARING BASED ON THE  
RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT,  
UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT BY WES  
HASKETT, CLIFF OGBURN, PHILIP HORNTAL, LAUREN WOMBLE AND THE  
PLANNING BOARD ATTORNEY TO FRAUDULENTLY MISREPRESENT THE  
NOTIFICATION REQUIREMENTS OF ZONING AMENDMENTS USED TO  
PREVENT APPLICANT'S LOT SUB-DIVISION PLANS AND REQUIRE THE  
VARIANCE HEARING**

**\*\*THE PLANNING BOARD'S REFUSAL TO GRANT APPLICANT'S MOTION TO  
PRECLUDE SUBSTANTIATES A CRIMINAL CONSPIRACY WITH THE  
AFORESAID CONSPIRATORS\*\***

Wes Haskett is the epitome of town corruption which substantiates relevant, competent, and substantial evidence of neglect, unlawful acts, conspiracy and intentional misconduct. Wes Haskett went from filing a zoning amendment on 3/31/2023 to prevent lot subdivisions with a lot width change without notifying effected property owners pursuant to Town Code Section 36-414(b) and Town Code Section 36-362(b), to refusing to tell Applicant about the proposed zoning amendment scheduled for approval on June 6, 2023 until June 1, 2023 as Applicant asked 3 times about codes governing subdivisions and lot width requirements.

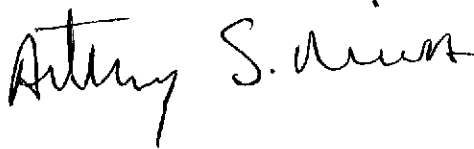
After Wes Haskett tricked the planning board and town council into illegally amending zoning codes without meeting notification requirements he provided Applicant and Police Chief Kole a false report claiming to have had a legal basis to amend zoning code with Section 36-414(b) deleted and notification requirements at Town Code Section 36-362(b) omitted. Wes Haskett's email to Police Chief Kole violates North Carolina Code ss 14-225 regarding false reports to law enforcement. Wes Haskett's abuse of zoning codes continued with the refusal to accept Applicant's house's 1' corner overhanging the setback requirement line (the house was built in 1970) until Applicant filed a building permit to remove the 1' of house. Wes Haskett then added some discriminatory misconduct to his abuse of power such as refusing to answer Applicant's questions about lot subdivisions without a subdivision application being submitted with a filing fee.

Wes Haskett denied Applicant's sub-division applications with knowledge he did not meet notification requirements prior to amending the codes being used to prevent the lot sub-division. Wes Haskett then continued his fraud by claiming in his staff report that notification requirements were met and making sworn statements claiming notification requirements were met.

Wes Haskett is determined to bring as many Southern Shores employees, board members and council members down with his disreputable, illegal conduct when he has been repeatedly told there is a simple solution which is correcting his wrong doing. Correcting his wrong doing would enable Applicant to obtain a lot subdivision that he would have obtained prior to June 6, 2023 if Wes Haskett was not hiding the proposed zoning amendment and would have given Southern Shores the opportunity to take corrective measures without the unnecessary burden and embarrassment of several different kinds of litigation required because of Wes Haskett's misconduct.

Simply put, at this point refusing to grant Applicant's Motion To Reconsider Motion To Preclude substantiates a criminal conspiracy with Wes Haskett to file false reports, make false sworn statements, harass Applicant for objecting to his misconduct and allow illegally adopted zoning codes to be used as weapons against Applicant in Wes Haskett's retaliation against Applicant for refusing to be a victim of his corruption that has actually victimized all of Southern Shores property owners.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read "Anthony S. Davis". The signature is written in a cursive, flowing style with a large initial "A".

CONTAINS STAFF  
REPORT

ANTHONY S MINA  
75 E DOGWOOD TRAIL  
SOUTHERN SHORES, NC 27949  
610 842 3905  
[chestercountylawn@yahoo.com](mailto:chestercountylawn@yahoo.com)

October 15, 2024

**APPLICANT'S MOTION TO PRECLUDE VARIANCE HEARING SCHEDULED FOR OCTOBER 21, 2024 DUE TO SOUTHERN SHORES' CONSPIRACY TO FALSIFY MATERIAL INFORMATION TO THE PUBLIC AND PLANNING BOARD, GRANT APPLICANT'S VARIANCES FROM SECTION 30-96(f) AND SECTION 36-202(d) AND REFUND APPLICANT'S \$350 VARIANCE APPLICATION FEE**

I, Anthony S. Mina, Applicant in the October 21, 2024 Zoning Variance Hearing hereby Motion to Preclude Variance Hearing scheduled for October 21, 2024 due to Southern Shores' conspiracy to falsify material information to the public and Planning Board, Grant Applicant's Variances from Section 30-96(f) and Section 36-202(d) and refund Applicant's \$350 Variance Application fee. In support thereof, I hereby aver the following facts:

1. Applicant has a Variance Hearing Scheduled on October 21, 2024 because of hardships including Wes Haskett's refusal to tell Applicant about the June 6, 2023 zoning amendment to prevent sub-divisions until June 1, 2023 despite Applicant's 4 emails during May 2023 asking about the 75 E. Dogwood Trail sub-division which Applicant was told by Outer Banks Realty that Southern Shores said was possible. During the month of May 2023 Outer Banks realty negotiated an additional \$75,000 from Applicant for a lot that was sub-dividable as proven by Wes Haskett's June 1, 2023 email which is attached hereto, made a part hereof and marked "Exhibit A".
2. Wes Haskett and Southern Shores did not comply with town and state notification requirements when making the June 6, 2023 & August 3, 2021 zoning amendments because Wes Haskett 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)**. A true and correct copy of a Public Records Request proving Notification requirements were not met for TCA-21-06 & ZTA-23-03 is attached hereto, made a part hereof and marked "Exhibit B".
3. Wes Haskett falsified Southern Shores' Town Code Notification requirements to Applicant, Police Chief Kole and Mayor Morey on May 21, 2023 by deleting Section 36-414(b) requiring posted notice of the Zoning Amendment at effected properties. A true and correct copy of Wes Haskett's May 21, 2023 email is attached hereto, made a part hereof and marked "Exhibit C".
4. **North Carolina Code - General Statutes § 14-225. False reports to law enforcement agencies or officers provides:** Any person who shall willfully make or cause to be made to a law

"EXHIBIT 1"

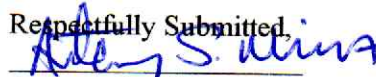


enforcement agency or officer any false, misleading or unfounded report, for the purpose of interfering with the operation of a law enforcement agency, or to hinder or obstruct any law enforcement officer in the performance of his duty, shall be guilty of a Class 2 misdemeanor.

5. **Wes Haskett is guilty of making false reports to law enforcement.**
6. Wes Haskett, Cliff Ogburn and Philip Hornthal have knowingly refused to correct their illegally adopted zoning codes (which violate all Southern Shores property owner's 4<sup>th</sup> Amendment Due Process Rights) for at least 5 months now when the only thing Federal Law, State Law and Southern Shores Town Code & Ethics Policy permits Southern Shores to do is remedy their wrong doing.
7. Wes Haskett is in violation of Southern Shores Town Ethics Policy #1, #2, #3 & #6 which provide:
  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.
  6. I will never use my position to harass or adversely influence any of the town's other employees.A true and correct copy of the town's ethics policy is attached hereto made a part hereof and marked "Exhibit D".
8. **Wes Haskett prepared a "Staff Report" on October 14, 2024 and again falsely claimed all applicable notification requirements were met.** A true and correct copy of Wes Haskett's falsified "Staff Report" is attached hereto, made a part hereof and marked "Exhibit E"
9. **SOUTHERN SHORES LACKS JURISDICTION TO ENFORCE ILLEGALLY ADOPTED ZONING CODES, THEREFORE, FORCING APPLICANT TO PAY \$350 FOR A VARIANCE HEARING SUBSTANTIATES A CRIMINAL CONSPIRACY TO STEAL \$350 FROM APPLICANT AND HARASS APPLICANT WITH UNENFORCABLE ZONING CODES.**

Wherefore, Applicant Anthony S. Mina hereby respectfully requests Southern Shores and/or the Planning Board to Preclude Variance Hearing scheduled for October 21, 2024 due to Southern Shores' conspiracy to falsify material information to the public and Planning Board, Grant Applicant's Variances from Section 30-96(f) and Section 36-202(d) and refund Applicant's \$350 Variance Application fee.

Respectfully Submitted,

  
Anthony S. Mina

75 E Dogwood Trail

Southern Shores, NC 27949

610 842 3905

chestercountylawn@yahoo.com

"EXHIBIT 1"

**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> 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).

"EXHIBIT 2" — "EXHIBIT A"



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" — "EXHIBIT A"

**Public Records Request Regarding TCA-21-06 and ZTA-23-03 Not Meeting Public Notice Requirements**

chestercountyla.../Sent



Anthony Mina <chestercountyawn@yahoo.com>

Jun 21 at 11:02 AM

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

Southernshores Nc Info <info@southernshores-nc.gov>,

Wes Haskett <whaskett@southernshores-nc.gov>, Cliff Ogburn <cogburn@southernshores-nc.gov>

Dear Southern Shores,

Please provide me all public records, including Southern Shores' employees names who claim that mailed letters, 1/2 page newspaper advertising, posted notice on affected properties and direct communication with the property owner are not required for TCA-21-06 and ZTA-23-03 as town code Sec. 36-414(b) and Article 6 ss 160D-602(a),(b),(c) and (d) indicate is required as notification for an AMENDMENT OF A ZONING REGULATION, such as TCA-21-06 and ZTA-23-03.

Thank you,  
Anthony S Mina

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

From: Anthony Mina <chestercountyawn@yahoo.com>

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

Sent: Thursday, June 20, 2024 at 07:03:28 PM EDT

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

Thank you for the email. Could you please tell me who stated that the public notice requirements in paragraphs 1, 2 and 4 where not required. Thank you, Anthony S Mina

On Thursday, June 20, 2024 at 05:07:47 PM EDT, Sheila Kane <skane@southernshores-nc.gov> wrote:

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

CHESHER COUNTY, NC



1 File 4.3MB

IMG\_1328.jpeg  
4MB

"EXHIBIT", " — " EXHIBIT B"

mkichline@chesco.org; 717.326.8700

**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 ~~at 252-261-2394~~ 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 Phillip 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 cross-tour) 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?

**My concerns are the following:**

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.

**Anthony Stocker Mina**

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 guerrilla. Since there is a white crosstour 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).

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

From: Anthony Mina <amin@nccourts.org>  
To: "dkole@southernshores-nc.gov" <dkole@southernshores-nc.gov>; "dkole@southernshores-nc.gov" <dkole@southernshores-nc.gov>; Elizabeth Morey <emorey@nccourts.org>; Phillip Hornthal <phornthal@nccourts.org>; Cliff Ogburn <cliff.ogburn@nccourts.org>  
Cc: "jslegel@southernshores-nc.gov" <jslegel@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>; "tlang@southernshores-nc.gov" <tlang@southernshores-nc.gov>; "jthompson@southernshores-nc.gov" <jthompson@southernshores-nc.gov>; "jspottswood@southernshores-nc.gov" <jspottswood@southernshores-nc.gov>; "jcouture@southernshores-nc.gov" <jcouture@southernshores-nc.gov>; FBI <fbi@fbi.gov>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; Andrea C. Powell <acpowell@nccourts.org>; Elizabeth Morey <emorey@nccourts.org>; Jasper Rogers <jrogers@nccourts.org>; "cgarriss@kittyhawktown.net" <cgarriss@kittyhawktown.net>; Casey Varnell <cvarnell@kittyhawktown.net>; "mike.palkovics@kittyhawktown.net" <mike.palkovics@kittyhawktown.net>; Mike Talley <mtalley@kittyhawktown.net>; "mike.palkovics@kittyhawktown.net" <mike.palkovics@kittyhawktown.net>; "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\_mitchell\_s\_goldberg@paed.uscourts.gov" <chambers\_of\_judge\_mitchell\_s\_goldberg@paed.uscourts.gov>; "chambers\_of\_judge\_pappert@paed.uscourts.gov" <chambers\_of\_judge\_pappert@paed.uscourts.gov>; "chambers\_of\_judge\_timothy\_j\_savage@paed.uscourts.gov" <chambers\_of\_judge\_timothy\_j\_savage@paed.uscourts.gov>; "cccommissioners@chesco.org" <cccommissioners@chesco.org>; "jmaxwell@chesco.org" <jmaxwell@chesco.org>; "jmaxwell@chesco.org" <jmaxwell@chesco.org>; Marian Moskowitz <mmoskowitz@chesco.org>; "mkichline@chesco.org" <mkichline@chesco.org>; "mkichline@chesco.org" <mkichline@chesco.org>; Wes Haskett <whaskett@chesco.org>

Sent: Friday, May 17, 2024 at 05:35:45 PM EDT

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

**Dear Law Enforcement,**

# "SHITTE"



Wes Haskett <whaskett@southernshores-nc.gov>

May 21 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 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.

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 <jtsiegel@hrem.com>; Matt Cooke <mcooke@hrem.com>; Eric Brinkley <brinkley@hrem.com>; Darrell Brickhouse <brickhouse@hrem.com>; Tracy Mann <tmann@hrem.com>; Chris Simpson <csimpson@hrem.com>; Richard Deaner <rdeaner@hrem.com>; Thomas Long <tlong@hrem.com>; Jason Thompson <jthompson@hrem.com>; Andrew Spottswood <aspottswood@hrem.com>; Jennifer Couture <jc couture@hrem.com>; FBI <fbi@hrem.com>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <acpowell@nccourts.org>; Elizabeth Morey <emorey@southernshores-nc.gov>; Jasper Rogers <jrogers@hrem.com>; cgariss@kittyhawktown.net; cgariss@kittyhawktown.net; Casey Varnell <cvarnell@hrem.com>; Mike Talley <mtalley@hrem.com>; 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@hrem.com>; cccommissioners@chesco.org; cccommissioners@chesco.org; jmaxwell@chesco.org; jmaxwell@chesco.org; Marian Moskowitz <mmoskowitz@hrem.com>

"EXHIBIT 1"

"EXHIBIT C"

## 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:

- X 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.
- X 2. I will always uphold the integrity and independence of my job.
- X 3. I will always avoid any impropriety or the appearance of impropriety in all of my activities.
- X 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.
- X 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.
- X 6. I will never use my position to harass or adversely influence any of the Town's other employees.
- X 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 2" — "EXHIBIT D"



## STAFF REPORT

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

### GENERAL INFORMATION

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

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

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

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

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

**Existing Land Use:** "Residential"

**Surrounding Land Use & Zoning:**

**North-**Residential; RS-1, Single-Family Residential District

**South-** Canal

**East-** Residential; RS-1, Single-Family Residential District

**West-** Canal

**Physical Characteristics:** Developed (existing single-family dwelling)

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

### ANALYSIS

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

"EXHIBIT 1" — "EXHIBIT E"

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

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

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

The denial was not appealed.

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

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


EXHIBIT "1" - "EXHIBIT E"

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

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

"EXHIBIT 1" - "EXHIBIT E"



 **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>

Oct 15 at 1:52 PM

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).

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 -----

"EXHIBIT 3"



**RE: 75 E. Dogwood Trl. Variance Notice**

chestercountyla.../Inbox



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

Oct 23 at 10:54 AM

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

Norwood Blanchard <norwood@cmclawfirm.com>, Cliff Ogburn <cogburn@southernshores-nc.gov>

Cc: 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>.

David Kole <dkole@southernshores-nc.gov> more...

Good morning, Mr. Mina. The Order will be prepared and sent to you following approval. The requirement for posted notice for Variances can be found in Town Code Section 36-362(b).

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 22, 2024 5:34 PM

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

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

<emorey@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Mark Batenic <mbatenic@southernshores-nc.gov>; Matt

Neal <mneal@southernshores-nc.gov>; Robert Neilson <neilson@southernshores-nc.gov>; council@southernshores-nc.gov; Planning Board <PlanningBoard@southernshores-nc.gov>

**Subject:** 75 E. Dogwood Trl. Variance Notice

Dear Southern Shores,

In addition to providing me the Orders from the Variance hearing on October 21, 2024 and the first subdivision denial I was provided from Wes Haskett for 75 E. Dogwood Trail, could you please also provide me the town code that required the posted notice at 75 E. Dogwood Trail of the variance from section 30-96(f) and section 36-202(d).

Last night Southern Shores Town Attorney and the Planning Board Attorney both misrepresented town code 36-414(b) to make excuses why Notice was not posted at 75 E. Dogwood Trail when Section 30-96(f) and Section 36-202(d) were illegally adopted but the email from Wes Haskett below clearly shows Wes Haskett explaining posted Notice is required for a variance from Sections 30-96(f) and 36-202(d).

Wes Haskett also claimed last night under oath that section 36-414(b) did not apply to adopting the codes yet the email below proves he believes posted notice is required to get a variance from the codes (unadopt the codes for a specific property).

Please explain to me where Town Code has different Notification requirements for adopting and getting a variance from codes.

Thank you,

Anthony S Mina

PS This issue is part of my legal argument in my Reconsideration of Motion To Preclude so all the town code stating the difference between Notification for adopting a code and obtaining a variance is needed. The only information I have found is Section 36-414(b) governs the adoption of codes and the variance of codes, meaning Wes Haskett committed sworn perjury repeatedly last night.

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

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

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

**Cc:** Cliff Ogburn <cogburn@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>

**Sent:** Thursday, October 10, 2024 at 10:18:27 AM EDT

**Subject:** 75 E. Dogwood Trl. Variance Notices

Good morning, Mr. Mina. FYI: We are required to post a sign with a copy of the public notice for your Variance hearing that is scheduled for October 21st. Our Public Works Dept. will be posting the sign in the right-of-way adjacent to your property this afternoon. We will also be mailing a copy of the notice via certified mail to you and Ms. Franz.

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

"EXHIBIT 4"

RE: Southern Shores Zoning Code

chestercountyla.../Inbox



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

Nov 9, 2023 at 1:29 PM

Good afternoon, Mr. Mina. Mailed notice isn't required for Zoning Text Amendments so no notices were sent for the lot width Zoning Text Amendment that was adopted on June 6, 2023. We did publish a public notice of the public hearing for the Zoning Text Amendment twice in the Coastland Times newspaper, as required (see attached images of the published notices). Approval for accessory structures with living space can be obtained by submitting an application, site plan, building plans, and required documents for a Building Permit and Zoning Permit. If all applicable requirements are met, the Town will issue the permits.

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 DID NOT MEET  
NOTIFICATION REQUIREMENTS



From: Anthony Mina <chestercountylawn@yahoo.com>  
Sent: Wednesday, November 8, 2023 6:57 PM  
To: Wes Haskett <whaskett@southernshores-nc.gov>  
Cc: Cliff Ogburn <cogburn@southernshores-nc.gov>  
Subject: Re: Southern Shores Zoning Code

Hello,

Could you please send me the notifications Southern Shores sent 75 East Dogwood Trail, Southern Shores and Linda Lauby (at her High Dune Loop address) prior to the zoning code change in regards to the front set back minimum lot width distance.

Could you please tell me the way an accessory unit approval like in the attached picture at 144 Beech Trail at 75 East Dogwood Trail would be obtained. Dominion Power was at my house a few weeks ago and explained my lot is wired for 2 homes (that's why there is 2 Dominion Power electric boxes on my property). I'm trying to find the quickest, cheapest solution to starting to build the second home on my lot, even if I start with an accessory dwelling unit like at 144 Beech Trail then submit my lot subdivision application.

Thank you for your help,  
Anthony S Mina

On Monday, November 6, 2023 at 10:38:35 AM EST, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good morning, Mr. Mina. The requirements for accessory structures with living space can be found in Town Code Sections 36-102, 36-202(b)(2), and 36-202(d). There aren't currently any requirements or exemptions for irregular, pie shaped lots but they will probably be discussed by our Planning Board within the next few months when they revisit lot width.

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: Sunday, November 5, 2023 11:50 AM  
To: Wes Haskett <whaskett@southernshores-nc.gov>  
Subject: Southern Shores Zoning Code

Hello,

I hope you are doing good.

EXHIBIT 5"

Could you please tell me where the zoning code regulating Accessory Dwelling Units is in Southern Shores zoning code and where the zoning code regulating "irregular, pie shaped" lots which would be exempt from lot width set back requirements is.

I live at 75 East Dogwood Trail.

Thank you,  
Anthony S Mina

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

**3 Files** 148.6kB



**5-24-23 Notice1.JPG**  
35kB



**5-24-23 Notice2.JPG**  
33kB



**5-31-23 Notice.JPG**  
81kB

"EXHIBIT 5"



## 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

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 6 "



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-nc.gov/bc-ph>. 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 6"



## 75 E Dogwood Trail

chestercountyla.../Sent



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

Jun 4 at 2:18 PM

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

Southernshores Nc Info <info@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 6"

# PLAN SUBMITTED TO REMOVE 1' SECTION OF HOUSE



Submittal Date: 6/4/24

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 LE 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: Homeowner 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): ☐ COMMERCIAL ☒ RESIDENTIAL

☐ RESIDENCE ☐ 2ND HOME ☐ RENTAL (> 30 days) ☐ VACATION COTTAGE (< 30 days)

TYPE OF CONSTRUCTION (X): ☐ NEW CONSTRUCTION ☐ ADDITION/EXPANSION ☒ REMODEL/RENOVATION/REPAIR ☐ 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)

SQ FT - NON HEATED AREAS (NEW SPACE)

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

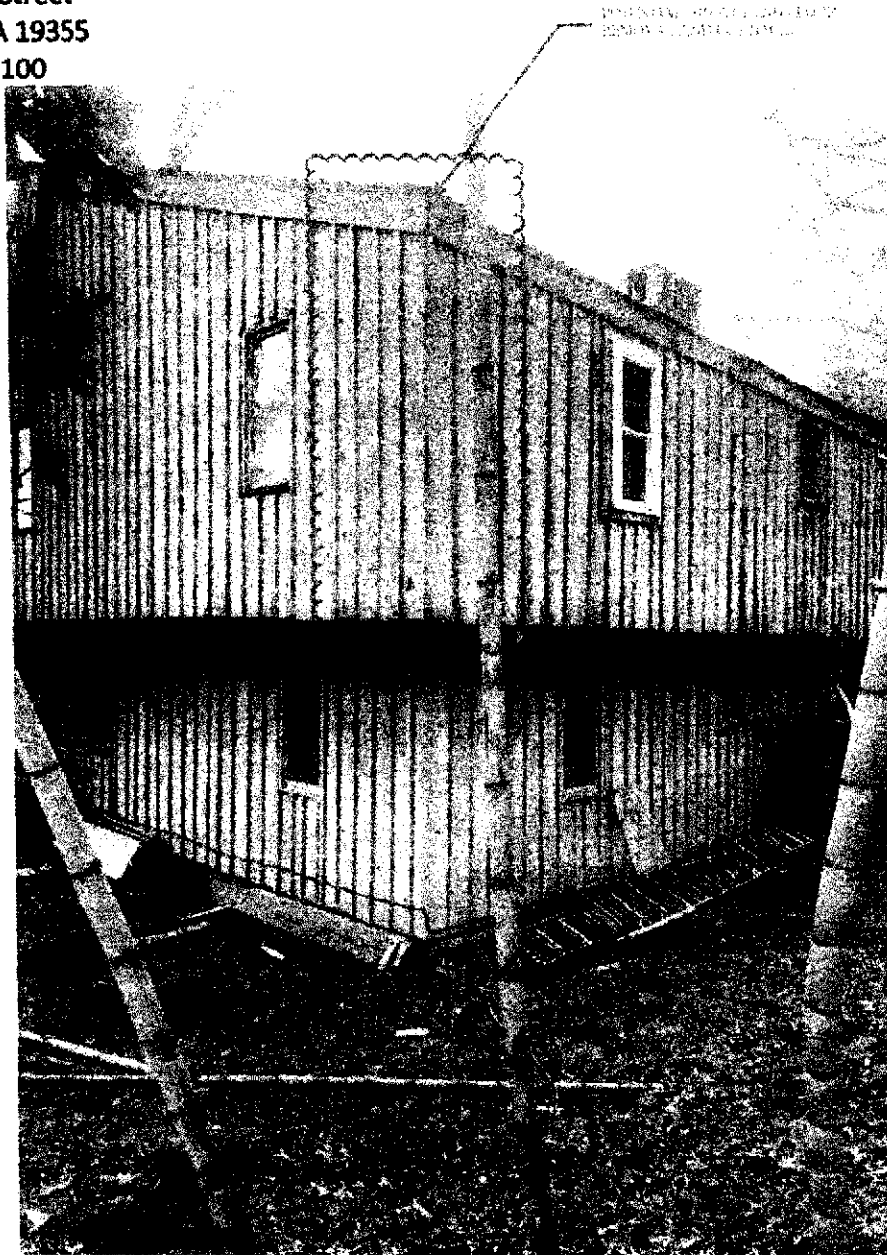
\$1600. - \$1800. - ESTIMATED CONSTRUCTION COST OF TOTAL PROJECT

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 6

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 6"

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 <ogburn@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 6 "