

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

March 16, 2025

CASE: APA -25-01

**APPLICANT'S OPPOSITION TO SOUTHERN SHORES' AMENDED MOTION TO DISMISS
WHICH FURTHER SUPPORTS AN EMBEZZLEMENT CASE AGAINST WES HASKETT FOR
USING TOWN MONEY TO ILLEGALLY PAY AN ATTORNEY(S) TO AID FRAUDULENT
TRANSACTIONS**

I, Anthony S Mina hereby oppose Southern Shores' Amended Motion To Dismiss and in support thereof aver the following:

1. Admitted. Anthony S Mina and Jennifer L Franz are the owners of 75 E Dogwood Trail, Southern Shores, NC 27949.
2. Admitted in part and denied in part. It is admitted that the property is zoned RS-1 residential. It is denied that the property is 47,000 square feet. Linda Lauby's realtor, Jim Munroe sold 75 E. Dogwood Trail to Applicant with a lot survey in the listing indicating the lot is 48,853 square feet. A true and correct copy of the lot survey is attached hereto and marked Exhibit A.
3. Admitted. It is admitted that on or about July 3, 2024 Applicant submitted 2 applications to subdivide 75 E. Dogwood Trail.
4. Admitted in part. Denied in part. It is admitted that Wes Haskett denied both lot subdivision applications submitted on July 3, 2024. However, it is Applicant's position that both lot subdivision applications were denied using illegally adopted zoning codes. Town Code 36-414(b) requires posted notice at property(s) effected by zoning amendments and posted notice was not placed at 75 E. Dogwood Trail when Wes Haskett filed his March 31, 2023 lot width amendment application to rezone subdividable property to unsubdividable as Wes Haskett stated the purpose of the lot width amendment was. Applicant did not Appeal the denied applications by paying a \$350 filing fee, Applicant appealed the decisions to deny the lot subdivision by reporting the illegally adopted zoning codes to Southern Shores Town Office employees Wes Haskett and Cliff Ogburn, Southern Shores attorneys Philip Hornthal, Lauren Womble and Jay Wheless, Southern Shores Town Council and Southern Shores Planning Board. The zoning codes Wes Haskett claims prevent the 75 E Dogwood Trail subdivision are NULL AND VOID at 75 E Dogwood Trail and every other property that did not have posted Notice of the proposed zoning amendment. Southern Shores Code of Ethics, which Andy Ward agreed to comply with on October 21, 2024 states "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", "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" and "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." Instead of correcting the wrong doing by complying with the Code of Ethics, Southern Shores has engaged in a Federal Witness Tampering Conspiracy with the Southern Shores Beacon against Applicant, in clear violation of **18 U.S. CODE § 1512**. Southern Shores has also repeatedly conspired to embezzle Southern Shores's tax payers money to pay attorneys Philip Hornthal, Lauren Womble and Jay Wheless to aid their fraudulent zoning code adoptions by misrepresenting Town Code 36-414(b), which violates Rule 4.1 of the North Carolina Rules of Professional Conduct. Wes Haskett constantly lies to claim the June 6, 2023 lot width amendment was legally adopted, including in his VA-24-01 staff report and sworn testimony on October 21, 2024, Lauren Womble fraudulently misrepresented Town Code 36-414(B) at the Variance Hearing youtube video minutes 1:41-1:44, 3:24-3:29, 3:48-3:51 and 5:09-5:11. Jay Wheless misrepresented Town Code 36-414(b) at Variance Hearing Youtube video 3:09-3:12, 3:48-3:51. Lastly, **APPLICANT'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLIGENCE, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512** is hereby incorporated into the response of this averment as if each fact was set forth individually.

5. Admitted in part. Denied in part. It is admitted that Applicant submitted a lot subdivision application of January 6, 2024. It is denied that the application was "identical" to the first and second application. Applicant hereby incorporates the January 6, 2025 lot division application in its entirety in this averment as if each fact was individually set forth. AND, because Applicant's January 6, 2025 lot subdivision application clearly was not "identical" and stated new material facts on the first page of the supporting documentation as:

"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'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512 to be incorporated into the response of this averment as if each fact was set forth individually.

6. It is admitted that Wes Haskett denied the January 6, 2025 lot subdivision but it is denied that Res Judicata prohibits approval of the January 6, 2025 lot subdivision. It is also Applicant's position that Wes Haskett's denial does not make sense using the English language. It also must be noted that Wes Haskett spent months claiming 75 E Dogwood Trail had a setback encroachment preventing the lot subdivision and even paid attorney Philip Hornthal to also claim there was a setback encroachment preventing the lot subdivision. Then, 1 day after Applicant filed a building permit application to remove the 1' of claimed setback encroachment from Applicant's house Wes Haskett revised his subdivision denial so the claimed setback encroachment was no longer preventing the lot subdivision. Wes Haskett's fraudulent misconduct to try and use the inapplicable Res Judicata doctrine to prevent the January 6, 2025 lot subdivision further proves Wes Haskett's undisclosed special interest in 75 E Dogwood Trail evidenced in his revised subdivision denial to stop Applicant from removing 1' of his own house. A true and correct copy of Wes Haskett's revised subdivision denial with documentation of Philip Hornthal being paid to claim there was a setback encroachment preventing the lot subdivision is attached hereto as "Exhibit B". Because Applicant's lot subdivision Application is being denied with a false "Res Judicata" claim as Wes Haskett's excuse for not correcting his wrong-doing with an approved lot subdivision, the additional evidence of Wes Haskett's special interest evidenced in Exhibit B require **APPLICANT'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512** is hereby incorporated into the response of this averment as if each fact was set forth individually.
7. Admitted.
8. Denied. It is Applicant's position that both lot subdivision applications were denied using illegally adopted zoning codes. Town Code 36-414(b) requires posted

notice at property(s) effected by zoning amendments and posted notice was not placed at 75 E. Dogwood Trail when Wes Haskett filed his March 31, 2023 lot width amendment application to rezone subdividable property to unsubdividable as Wes Haskett stated the purpose of the lot width amendment was. Applicant did not Appeal the denied applications by paying a \$350 filing fee, Applicant appealed the decisions to deny the lot subdivision by reporting the illegally adopted zoning codes to Southern Shores Town Office employees Wes Haskett and Cliff Ogburn, Southern Shores attorneys Philip Hornthal, Lauren Womble and Jay Wheless, Southern Shores Town Council and Southern Shores Planning Board. The zoning codes Wes Haskett claims prevent the 75 E Dogwood Trail subdivision are NULL AND VOID at 75 E Dogwood Trail and every other property that did not have posted Notice of the proposed zoning amendment. Southern Shores Code of Ethics, which Andy Ward agreed to comply with on October 21, 2024 states "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", "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" and "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." Instead of correcting the wrong doing by complying with the Code of Ethics, Southern Shores has engaged in a Federal Witness Tampering Conspiracy with the Southern Shores Beacon against Applicant, in clear violation of **18 U.S. CODE § 1512**. Southern Shores has also repeatedly conspired to embezzle Southern Shores's tax payers money to pay attorneys Philip Hornthal, Lauren Womble and Jay Wheless to aid their fraudulent zoning code adoptions by misrepresenting Town Code 36-414(b), which violates Rule 4.1 of the North Carolina Rules of Professional Conduct. Wes Haskett constantly lies to claim the June 6, 2023 lot width amendment was legally adopted, including in his VA-24-01 staff report and sworn testimony on October 21, 2024, Lauren Womble fraudulently misrepresented Town Code 36-414(B) at the Variance Hearing youtube video minutes 1:41-1:44, 3:24-3:29, 3:48-3:51 and 5:09-5:11. Jay Wheless misrepresented Town Code 36-414(b) at Variance Hearing Youtube video 3:09-3:12, 3:48-3:51. Lastly, **APPLICANT'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLIGENCE, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512** is hereby incorporated into the response of this averment as if each fact was set forth individually.

9. Admitted in part. Denied in part. It is admitted that res judicata prevents relitigating **IDENTICAL** matters. It is denied that Res Judicata applies to the January 6, 2025 subdivision application because of the new material facts and Wes Haskett's fraudulent concealment and misrepresentation of Town Code 36-414(b)'s strictures being complied with. As such, **APPLICANT'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION**

BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512 is hereby incorporated into the response of this averment as if each fact was set forth individually.

10. Admitted in part. Denied in part. It is admitted that the doctrine of res judicata applies to local zoning decisions. It is denied that the doctrine of res judicata applies to the January 6, 2025 subdivision application which stated on the first page of supporting documentation:

"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'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512 is hereby incorporated into the response of this averment as if each fact was set forth individually.

11. Admitted. It has been clearly proven that Applicant's January 6, 2025 lot subdivision denial can not be characterized as the same claim for many reasons, one of which is Southern Shores refused to order a tax reassessment on 75 E Dogwood Trail after they claimed to rezone the property from subdividable to unsubdividable on July 16, 2024. Devaluing property by taking a property right requires a tax assessment which would have needed to be completed prior to January 6, 2025. Wes Haskett's claims that 75 E Dogwood Trail is now unsubdividable violate property tax laws and substantiate tax fraud against Applicant being committed by Southern Shores.

12. Denied. Applicant's Application for lot subdivision dated January 6, 2025 clearly documented new material facts that needed to be considered. As such, **APPLICANT'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLIGENCE, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512** is hereby incorporated into the response of this averment as if each fact was set forth individually.
13. Denied. Wes Haskett's attempts to deny the 75 E Dogwood Trail lot subdivision with illegally adopted zoning code amendments that Applicant has proven were made without posted notification at 75 E Dogwood Trail prove Wes Haskett has orchestrated a criminal conspiracy against Applicant which now includes embezzling Southern Shores property owners tax money to pay attorneys to fraudulently misrepresent Town Code 36-414(b), violating Federal Witness Intimidation Laws, violating property tax laws and violating insurance fraud laws. As such, **APPLICANT'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLIGENCE, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512** is hereby incorporated into the response of this averment as if each fact was set forth individually.
14. Denied. Applicant has proven the July 16, 2024 lot subdivision denials are based on fraud. The July 16, 2024 lot subdivision denials are based on illegally adopted zoning codes that did not have posted notice at 75 E Dogwood Trail as required by Town Code 36-414(b). Wes Haskett had a legal obligation to correct his wrong-doing and refused to do so. Wes Haskett, Cliff Ogburn and their attorneys retaliated with a witness intimidation conspiracy against Applicant. Furthermore, Applicant's Subdivision Application dated January 6, 2024 clearly stated:

"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.

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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"*** "

As such, **APPLICANT'S MOTION TO PRECLUDE APPEAL OF JANUARY 21, 2025 LOT SUBDIVISION DENIAL AND APPROVE APPLICANT'S LOT SUBDIVISION BASED ON THE "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN", INCLUDING FEDERAL WITNESS TAMPERING LAW VIOLATIONS OF 18 U.S. CODE § 1512** is hereby incorporated into the response of this averment as if each fact was set forth individually.

15. Denied. Res Judicata does not bar Applicant's lot subdivision application as Applicant has repeatedly stated numerous reasons the January 6, 2025 subdivision application is not identical to the July, 2024 subdivision applications from the fraudulent use of illegally adopted zoning codes made without complying with Town Code 36-414(b), to fraudulent misrepresentations made by Wes Haskett (and fraudulent concealment), to the new material facts, including property tax records that must be factored into the decision. Applicant's subdivision application dated January 6, 2025 clearly stated:

"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.

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To sum things up, Wes Haskett's res judicata claim only proves a Southern Shores criminal conspiracy to steal property owners property rights (to subdivide) without complying with Town Code 36-414(b), then engaging in Witness Intimidation crimes against Applicant with the Southern Shores Beacon for identifying the misconduct and then into an embezzlement scheme to steal property owner's tax money to pay attorneys to aid the fraudulent zoning code adoptions that are victimizing property owners.

Southern Shores, specifically Wes Haskett, was made aware prior to the October 21, 2024 Variance hearing that Applicant has a fraud insurance claim filed with an insurance company against Wes Haskett and the Town of Southern Shores. Applicant specifically asked Wes Haskett to correct his false statements in his Variance staff report and Wes Haskett would not, Wes Haskett encouraged the Planning Board, Jay Wheless and Lauren Womble to also fraudulently misrepresent notification requirements knowing the information was part of an insurance fraud investigation.

Town Code Section 22-1 states:

Any person who shall do or engage in any of the following shall be guilty of disorderly conduct:

(8) Frequent any public place and obtain money from another by an illegal and fraudulent scheme, trick, artifice or device, or attempt to do so.

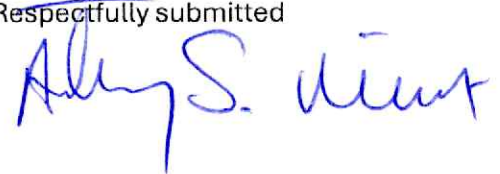
Southern Shores Town Planning Board/ Board of Adjustments, Town Office Employee Wes Haskett and Southern Shores paid attorneys are all guilty of disorderly conduct at the October 21, 2024 Variance Hearing for their fraudulent scheme to misrepresent Town Code 36-414(b). Southern Shores Planning Board will be guilty of another count of disorderly conduct on March 19, 2025 (about 6 months after they aided Wes Haskett's fraud at the Variance hearing) when they aid Wes Haskett's fraud again, which currently involves being in contempt of a Dare County Superior Court Order requiring a complete copy of the Variance hearing to be provided to the court within 30 days of December 18, 2024. Applicant has been forced to pay for Applications, Appeals and a Variance and has yet to have Southern Shores Town make a decision not based on an illegal, fraudulent scheme. Wes Haskett, Cliff Ogburn and the Planning Board's use of Southern Shores Town money to misrepresent 36-414(b) with claims that posted notice is not required for zoning amendments rezoning subdividable property to unsubdividable property when the code clearly states that in addition to 36-414(a) posted notice is required also violates embezzlement laws. Applicant's filing fees for subdivision denials based on illegally adopted zoning codes were \$200, Applicant paid \$350 for the Variance hearing, \$200 for the Variance Appeal, \$100 for the January 6, 2025 subdivision application and \$350 for the February 14, 2025 Appeal of the January 21, 2025 Subdivision Denial. Wes Haskett has knowingly committed \$1200 worth of false pre-tense theft crimes against Applicant by collecting filing fees and opposing applications with code he knows is based on fraud.

As such, Wes Haskett is again guilty of disorderly conduct the second he steps foot into Town Hall on March 19, 2025 and all of the board members and attorneys will also be guilty of disorderly conduct as Applicant has clearly proven Southern Shores does not even have a legal right to spend property owners tax dollars on a Motion to Dismiss or expenses associated with the Opposition to Applicant's lot subdivision application because the zoning code(s) used to deny the lot subdivision were not effectuated at 75 E Dogwood Trail. A true and correct copy of an email titled "Southern Shores Town Insurance Fraud Scheme And Embezzlement Scheme" dated March 11, 2025 providing notice of the scheduled disorderly conduct for March 19, 2025 that Wes Haskett has caused is attached hereto and marked "Exhibit C"

WHEREFORE, for the reasons set forth, Applicant respectfully requests the Board of Adjustments deny Wes Haskett's Amended Motion to Dismiss and file a police report with the Town of Southern Shores' Police Department against Wes Haskett and his embezzlement scheme he is committing when paying attorneys to aid his fraudulent zoning code amendment made without complying with Town Code 36-414(b).

March 16, 2025

Respectfully submitted



I HEREBY CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. (RECORDED IN M.B. 2, PG. 182 OF THE DARE COUNTY REGISTRY.) THAT THE ERROR OF CLOSURE AS CALCULATED BY LATITUDES AND DEPARTURES IS 10.000 THAT BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED FROM INFORMATION FOUND IN M.B. 2, PG. 182 AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED. WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 5TH DAY OF MARCH A.D. 1997.

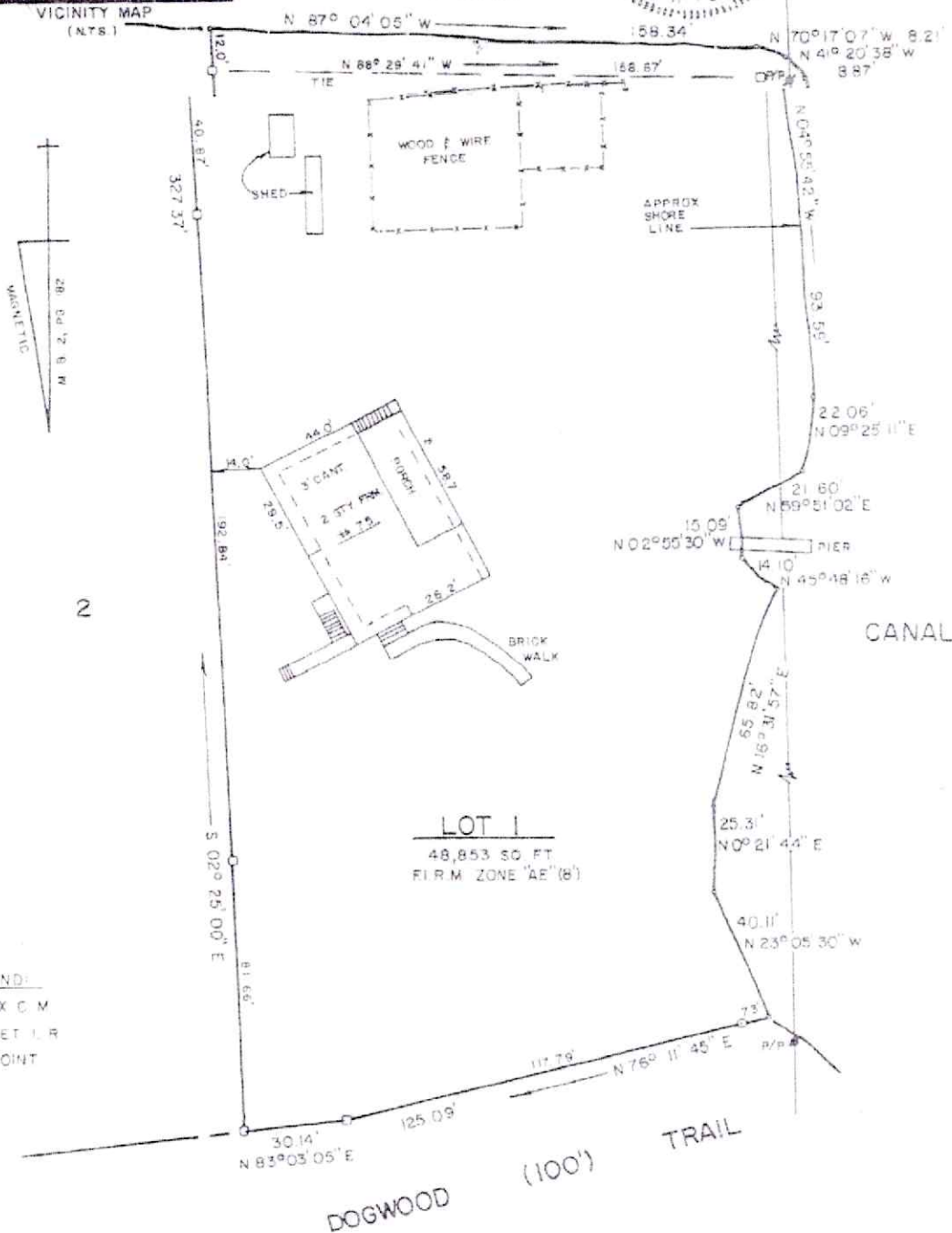
L-2801
REGISTRATION NUMBER



CANAL



VICINITY MAP
(N.T.S.)



LOT 1
48,853 SQ. FT.
FIRM ZONE "AE" (B)

LEGEND:
O EX. C. M.
C SET I. R.
• POINT

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

| | |
|--------------------------------|-----------------|
| DATE: MARCH 5, 1997 | SCALE: 1" = 40' |
| TITLE: 4827-72-71 | DR. BY: RDB |
| REF: M.B. 2, PG. 182 | |
| J.R.M. 370-430 0001 C (4/2/93) | |
| IN # | |

KIRK R. FOREMAN
LAND SURVEYING COMPANY
PO. BOX 1961
KILL DEVIL HILLS, NC 27948
(919) 261-1221

EXHIBIT A



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.

B

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.i.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.i 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-nj.gov/tb-pb>. Feel free to contact me at (252) 261-2394 or whaskett@southernshores-nj.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

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 <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

B

PLAN SUBMITTED TO REMOVE 1' SECTION OF HOUSE



**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
**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 3ft of Freeboard or LESS 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:

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
RESIDENCE 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)

SQ FT - NON HEATED AREAS (NEW SPACE)

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

ESTIMATED CONSTRUCTION COST OF TOTAL PROJECT

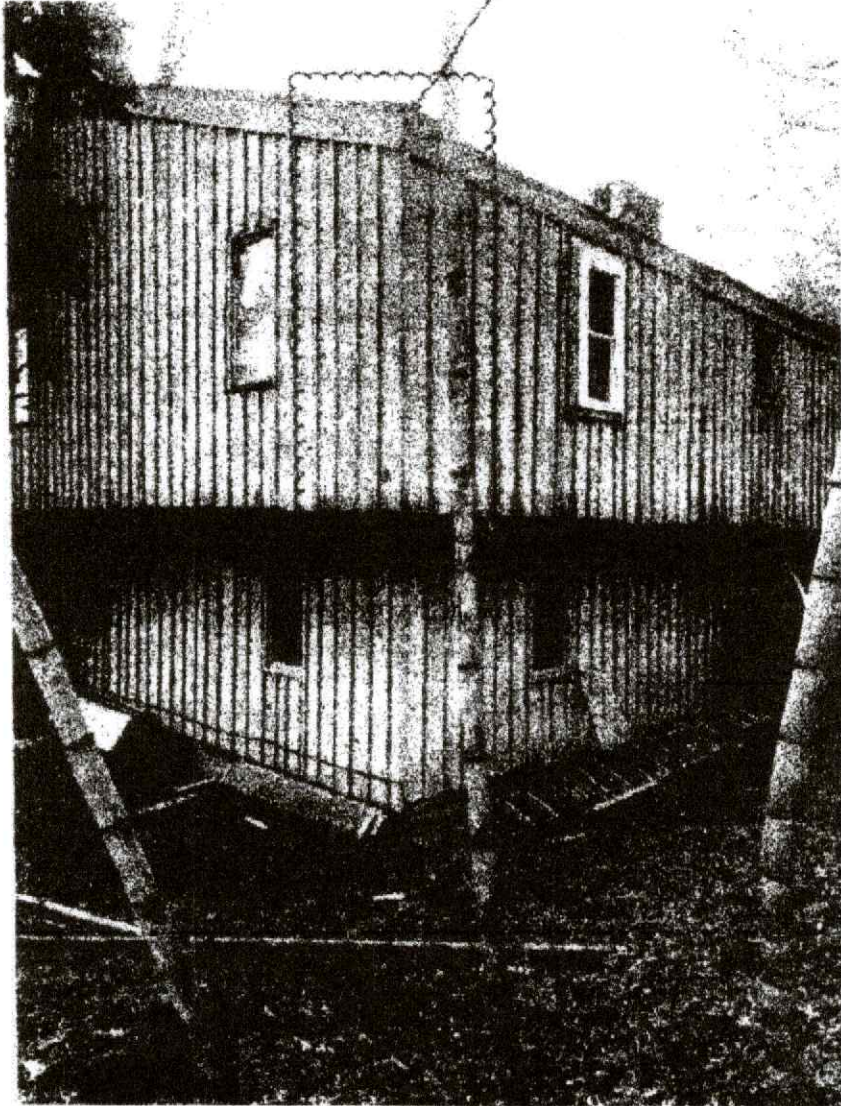
NOTE: Although the Town of Southern Shores does not enforce or consider the effect of covenants in the various subdivisions of Southern Shores, applicants for a building permit should be advised that their building plans may be affected by subdivision covenants and are advised to consult with the appropriate property owner's 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.

B

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 2nd 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 2nd floor cantilever corner to meet the requirements. The corner of the building would be removed, new 2x4 framing installed from 2nd 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
6/4/2024 TO REMOVE 1' OF REAR
CORNER OF HOUSE

B

Anthony Stocker Mina

5/24/2024

— Forwarded Message —

From: Philip Hornthal <phornthal@hrem.com>
To: Anthony Mina <chestercountyawn@yahoo.com>; Wes Haskett <whaskett@southernshores-nc.gov>
Cc: Cliff Ogbum <ogbum@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: 252.696.0214

Office: 252.335.0671

Fax: 252.335.4223 Attn: P. Hornthal

Email: phornthal@hrem.com

301 East Main Street
Elizabeth City, NC 27909

www.hrem.com

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[Legal Notices & Privacy Policy](#)

From: Anthony Mina <chestercountyawn@yahoo.com>
Sent: Friday, May 24, 2024 2:27 PM
To: Philip 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

B

Southern Shores Town Insurance Fraud Scheme And Embezzlement Scheme

chestercountyla.../Sent



Anthony Mina <chestercountylawn@yahoo.com>

Mar 11 at 7:47 AM

To: Phillip Hornthal <phornthal@hrem.com>, W. Jay Wheless <jay@whelesslawfirm.com>,
Lauren Arizaga-Womble <lawomble@hrem.com>, Cliff Ogburn <cogburn@southernshores-nc.gov>,
Planning Board <planningboard@southernshores-nc.gov>
Cc: FBI <philadelphia.complaints@ic.fbi.gov>, ncago@ncdoj.gov, ncago@ncdoj.gov,
Andrea C. Powell <andrea.powell@nccourts.org>, olivia.s.hines@nccourts.org more...

Dear Mr. Hornthal & Southern Shores,

Please be advised that Southern Shores, specifically Wes Haskett, was made aware prior to the October 21, 2024 Variance hearing that I have a fraud insurance claim filed with an insurance company against Wes Haskett and the Town of Southern Shores. I specifically asked Wes Haskett to correct his false statements in his Variance staff report and Wes Haskett would not, Wes Haskett encouraged the Planning Board, Jay Wheless and Lauren Womble to also fraudulently misrepresent notification requirements knowing the information was part of an insurance fraud investigation.

Please also be advised that Town Code Section 22-1 states:

Any person who shall do or engage in any of the following shall be guilty of disorderly conduct:

(8) Frequent any public place and obtain money from another by an illegal and fraudulent scheme, trick, artifice or device, or attempt to do so.

Southern Shores Town Planning Board/ Board of Adjustments, Town Office Employee Wes Haskett and Southern Shores paid attorneys are all guilty of disorderly conduct at the October 21, 2024 Variance Hearing for their fraudulent scheme to misrepresent Town Code 36-414(b). Southern Shores Planning Board will be guilty of another count of disorderly conduct on March 19, 2025 (about 6 months after they aided Wes Haskett's fraud at the Variance hearing) when they aid Wes Haskett's fraud again, which currently involves being in contempt of a Dare County Superior Court Order requiring a complete copy of the Variance hearing to be provided to the court within 30 days of December 18, 2024. I am being forced to pay for Applications, Appeals and a Variance and have yet to have Southern Shores Town make a decision not based on an illegal, fraudulent scheme. Wes Haskett, Cliff Ogburn and the Planning Board's use of Southern Shores Town money to misrepresent 36-414(b) with claims that posted notice is not required for zoning amendments rezoning subdividable property to unsubdividable property when the code clearly states that in addition to 36-414(a) posted notice is required also violates embezzlement laws. My filing fees for subdivision denials based on illegally adopted zoning codes were \$200, I paid \$350 for the Variance hearing, \$200 for the Variance Appeal, \$100 for the January 6, 2025 subdivision application and \$350 for the February 14, 2025 Appeal of the January 21, 2025 Subdivision Denial. Wes Haskett has knowingly committed \$1200 worth of false pre-tense theft crimes against me by collecting filing fees and opposing my applications with code he knows is based on fraud.

Andy Ward agreed to comply with the Southern Shores Code of Ethics on October 21, 2024 and as of right now I can only see criminal law violations being committed by Andy Ward and the Planning Board...including insurance fraud (Wes Haskett hiding his March 31, 2023 lot width amendment from me in May of 2023 allowed Linda Lauby to negotiate an additional \$75,000 from me).

Anthony S Mina

PS. It is my position that Wes Haskett and the Planning Board do not even have a legal right to turn on the lights that tax payers pay for at Town Hall on March 19, 2025. Wes Haskett and Southern Shores were notified a long time ago about their fraudulent zoning code amendment dated March 31, 2023 and have done nothing but continue the fraud and engage in witness intimidation schemes. I suggest Wes Haskett, the Planning Board and their paid attorneys stop embezzling Southern Shores tax payers money for their fraudulent scheme and correct their wrong doing prior to March 19, 2025.

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

From: Phillip Hornthal <phornthal@hrem.com>

To: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Monday, March 10, 2025 at 08:59:51 AM EDT

Subject: RE: Southern Shores Town Embezzlement Scheme Aiding Fraudulent Transactions Victimizing Property Owners

Forwarded to Planning Board attorney.

L. Phillip Hornthal, III
Attorney at Law
Direct: 252.698.0214
Office: 252.335.0871
Fax: 252.335.4223 Attn: P. Hornthal
Email: phornthal@hrem.com

301 East Main Street
Elizabeth City, NC 27909

www.hrem.com

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

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Sunday, March 9, 2025 10:39 PM

To: Phillip Hornthal <PHornthal@hrem.com>; W. Jay Wheless <jay@whelesslawfirm.com>; Lauren Arizaga-Womble <lawomble@hrem.com>; Cliff Ogburn <cogburn@southernshores-nc.gov>; Planning Board <planningboard@southernshores-nc.gov>

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

Subject: Southern Shores Town Embezzlement Scheme Aiding Fraudulent Transactions Victimizing Property Owners

EXHIBIT C

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

Dear Mr. Hornthal,

Thank you for the email dated March 6, 2025 indicating I must provide any additional information for my subdivision denial Appeal at least 48 hours prior to the March 19, 2025 3:00 PM hearing (the hearing referenced as the "March 17, 2025 Appeal" in my filings provided before the March 19, 2025 special meeting was scheduled).

Please be advised that Section 36-414(b) of the Southern Shores Town Code requires posted notice at property(s) effected by a zoning amendment prior to the zoning amendment being effectuated at the property. Public records requests proved posted notice was not placed at 75 E Dogwood Trail for Wes Haskett's March 31, 2023 zoning amendment application and there was no notification records in the 75 E Dogwood Trail file for the lot width amendment.

I have included Section 36-414(a) and Section 36-414(b) below with copies of emails from Wes Haskett and Philip Hornthal both making false claims that notification requirements were complied with prior to the June 6, 2023 lot width amendment.

My Motion To Prohibit Wes Haskett From Using Town Money On the March 17, 2025 Appeal proves Wes Haskett made false statements about notification requirements being complied with for his March 31, 2023 lot width amendment.

My Motion to Ban Jay Wheless From The March 17, 2025 Appeal proves Jay Wheless made false statements about the strictures of Town Code 36-414(b) at the October 21, 2024 Variance Hearing.

My Motion to ban HREM attorneys from the March 17, 2025 Appeal proves Lauren Womble made false statements about the strictures of Town Code 36-414(b) at the October 21, 2024 Variance Hearing.

My Motion For Andy Ward's recusal proves the Southern Shores Beacon published Andy Ward's false claims that the June 6, 2023 lot width amendment was not illegally adopted.

The email below dated May 28, 2024 shows Philip Hornthal falsely claiming the June 6, 2023 lot width amendment was properly adopted.

And, the May 21, 2024 email below to me and Chief Kole violates false reports to law enforcement laws because Wes Haskett deleted Section 36-414(b) from the applicable codes as he claims he had a legal basis to change lot width requirements (Cliff Ogburn may be the author of the email that Wes Haskett sent).

As such, Wes Haskett, HREM law firm and the Planning Board's refusal to approve my lot subdivision violates criminal laws including but not limited to: embezzlement of town money to pay attorneys to aid fraudulent transactions (the June 6, 2023 lot width amendment), criminal conspiracy, false sworn statements, a false report to law enforcement and Tampering With A Witness, Victim or Informant.

Southern Shores is not in position to do anything but approve my lot subdivision and notify all Southern Shores property owners of their illegally adopted zoning codes that have yet to be corrected.

Anthony S Mina

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.

(b) 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.

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

From: Phillip Hornthal <phornthal@hrem.com>
To: Anthony Mina <chestercountylawn@yahoo.com>
Cc: Wes Haskett <whaskett@southernshores-nc.gov>; Cliff Ogburn <cogburn@southernshores-nc.gov>
Sent: Tuesday, May 28, 2024 at 03:04:09 PM EDT
Subject: RE: Criminal Conspiracy To Steal Land Value At 75 E. Dogwood Trail

Mr. Mina:

As to your first question, exemption criteria #4 in the definition of "Subdivision" in Town Code Section 30-2 states "The division of a tract of land in single ownership, the entire area of which is no greater than two acres, into not more than three lots, where no street right-of-way dedication is involved, and if the resultant lots are equal to or exceed the standards of the town as required by this chapter." "Equal to or exceed the standards of the town as required by this chapter" means that all zoning requirements in Chapter 36 must also be satisfied per Town Code Section 30-97(2). The existing single-family dwelling at 75 E. Dogwood Trl. which encroaches into the applicable 15 ft. side yard (setback) on the east side is currently considered legally nonconforming due to the encroachment 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. However, in order to approve a subdivision of the property, the lot would have to meet all current zoning requirements to satisfy Town Code Section 30-97(2) which states "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." The subdivision request is what triggers bringing the structure into compliance.

As to your second question, I've previously advised that the June 6, 2023, ZTA was properly adopted, and legally, doesn't give rise to a taking. This is the last time we will answer this question. Again, you have the right to consult with an attorney if you do not agree with the Town's interpretation.

Sincerely,

EXHIBIT C

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

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

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

To: Anthony Mina <chestercountyland@yahoo.com>

Cc: David Kole <dkole@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>; Cliff Ogburn <cogburn@southernshores-nc.gov>

Sent: Tuesday, May 21, 2024 at 02:27:31 PM EDT

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

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

1. The Town of Southern Shores Town Code states:

Sec. 1-10. - Amendments to Code.

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

Sec. 36-414. Motion to amend.

(a) The town council may, on its own motion or upon motion or upon petition by any person within any zoning jurisdiction of the town, after public notice and hearing, amend, supplement, change, modify or repeal the regulations herein established or the maps which are part of this chapter, subject to the rules prescribed in this article. No regulation or map shall be amended, supplemented, changed, modified or repealed until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Prior to adopting or rejecting any zoning amendment, the planning board shall adopt a statement describing whether its action is consistent with the adopted town comprehensive land use plan and explaining why the planning board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review. A notice of such hearing shall be given one 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)

https://urldefense.proofpoint.com/v2/url?u=http-3A__www.southernshores-2Dnc.gov&d=DWlFaQ&c=euGZstcaTDlvimEN8bzjXwqcQf-

EXHIBIT C

v5A_CdpgnVfiIMM&r=zBENyS0zSsu3R4FL3liGIIYhkWuaaF3YYSF9TW9LzU&m=ogPGrShcSYH5ss3Lallmc2eFqzV2oJUxWgogxiuWwXJoZP6ugwkD4HDI-
x0q2Ntx&s=9hbQUzrxr5OqmeF3XT0wIwUGqnBQOfKMaShz8aVhfaQ&e=

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

From: Anthony Mina <chestercountyfawn@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 <ogburn@southernshores-nc.gov>; Jonathan Slegel <jslegel@southernshores-nc.gov>; Matt Cooke <mcooke@southernshores-nc.gov>; Eric Brinkley <ebrinkley@southernshores-nc.gov>; Darrell Brickhouse <dbrickhouse@southernshores-nc.gov>; Tracy Mann <tmann@southernshores-nc.gov>; Chris Simpson <csimpson@southernshores-nc.gov>; Richard Deaner <rdeaner@southernshores-nc.gov>; Thomas Long <tlong@southernshores-nc.gov>; Jason Thompson <jthompson@southernshores-nc.gov>; Andrew Spottswood <jspottswood@southernshores-nc.gov>; Jennifer Couture <jc couture@southernshores-nc.gov>; FBI <https://urldefense.proofpoint.com/v2/url?u=https://3A_philadelphia.complaints-40ic.fbi.gov&d=DwlFaQ&c=euGZsicaTDilvimEN8b7jXrwgQf-v5A_CdpgnVfiIMM&r=zBENyS0zSsu3R4FL3liGIIYhkWuaaF3YYSF9TW9LzU&m=ogPGrShcSYH5ss3Lallmc2eFqzV2oJUxWgogxiuWwXJoZP6ugwkD4HDI-x0q2Ntx&s=ioA66a8mBWelF8MEqMm8pxescKBxJBr5bna1t5DbYKl&e=>; 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>; cocommissioners@chesco.org; cocommissioners@chesco.org; jmaxwell@chesco.org; jmaxwell@chesco.org; Marian Moskowitz <mmoskowitz@chesco.org>; mkichline@chesco.org; mkichline@chesco.org

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

Dear Wes Haskett,

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

My questions are:

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

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

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 guerilla. 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).

EXHIBIT C