

ANTHONY S MINA & JENNIFER L FRANZ

75 E. DOGWOOD TRAIL

SOUTHERN SHORES, NC 27949

610 842 3905

chestercountylawn@yahoo.com

July 3, 2024

RE: 75 Lot Subdivision Approval

Dear Southern Shores,

Please find the attached (2) Lot Subdivision Applications with notarized preliminary plats and (2) \$100 checks for the Application fee. Please disregard Application # 2 with the approval of Application #1. After being told by Mr. Douglas Styon's that the mylar copy and final subdivision plan will be provided to Applicant when Southern Shores decides which subdivision plan will be accepted, it is Applicant's position that the procedure Wes Haskett is forcing Applicants to use to obtain the lot subdivision is discriminately biased and involves local code violations by Wes Haskett in addition to North Carolina State and Federal Law violations.

Application # 1 contains subdivision plan "Exhibit A" and was created to identical standards as the 109 Osprey Lane subdivision plan approved by Wes Haskett on January 7, 2010 which is labeled Exhibit "B". Application # 1 is applicant's preference because the shared driveway layout will allow homeowners to enhance the aesthetic beauty of both lots the most and keep more of the trees providing privacy between 73 and 75 E. Dogwood Trail. Wes Haskett has indicated that TCA-21-06 now does not allow easement access like 109 Osprey Lane, but unfortunately for Wes Haskett a Public Records Request (labeled Exhibit "C") revealed TCA-21-06 was illegally adopted and is unenforceable because Southern Shores property owners effected by TCA-21-06 did not have posted Notices on their property, as required to be done pursuant to Town Code Sec. 36-414(b) in addition to newspaper publications. North Carolina Article 6 ss 160D-602 governing AMENDMENTS TO A ZONING REGULATION requires: (a) mailed notice to the effected property owners, which Applicants Public Records Request proved never happened, (b) a 1/2 page size advertisement in the newspaper of general circulation (Coastland Times) if letters are not mailed, which Applicant's Public Records Request proved never happened, (c) posted notice on the effected properties, which Applicants Public Records Request proved never happened and (d) optional direct communication with the property owner, which Applicants Public Records Request proved never happened. Wes Haskett claims North Carolina Article 6 ss 160D -601 governing AMENDMENTS TO A DEVELOPMENT REGULATION should apply to his ZONING AMENDMENTS and even if Art. 6 ss 160D-601 did apply to the zoning amendments, North Carolina Article 6 ss 160D-601 requires notice to military bases within 5 miles and Public Records Requests prove the U.S. Army's Duck facility was not notified. So, the illegally adopted TCA-21-06 Zoning Amendments are unenforceable. Wes Haskett attempted to make matters worse to Applicants and Southern Shores by trying to deceive Applicant, David Kole, Elizabeth Morey and Cliff Ogburn by falsifying records with fraudulently misrepresented Southern Shores' zoning code with Notice requirement "Sec. 36-414(b) deleted from the records (labeled Exhibit "D)". Wes Haskett's deceptiveness is part of a continuing pattern of corruption

that started on May 1, of 2023 when Wes Haskett refused to provide Applicant material information about 75 E. Dogwood Trail zoning code during an entire month of correspondence with a June 1, 2023 email telling Applicant for the 1st time that a zoning amendment proposed for town council approval on June 6, 2023 will change lot width requirements. During the 1 month from May 1, 2023 to June 1, 2023 the 75 E. Dogwood Trail was listed for sale as a sub-dividable lot that Southern Shores said was sub-dividable and the previous homeowner, Linda Lauby negotiated an additional \$75,000 from Applicant's for the purchase of 75 E. Dogwood Trail. Wes Haskett's fraudulent concealment of zoning code also prevented the easiest solution to the lot subdivision plans, which would have been to submit the lot subdivision plans prior to June 6, 2023. In addition to obstructing Applicant's right to knowledge of zoning codes, Wes Haskett also tampered with evidence by claiming the lots created at 233 N. Dogwood Trail and adjacent 0 N. Dogwood Trail lots were created prior to the town's incorporation in 1979 when Applicant submitted a Public Records Request (Labeled "Exhibit E"). A second public records request which asked for all records from 233 N. Dogwood Trail prove that not only were the current lots created on July 21, 2016 and approved by Wes Haskett, they also prove Wes Haskett uses his discretion to deviate from town code lot width regulations, but is discriminately trying to abuse illegally adopted lot width code to prevent the 75 E. Dogwood Trail lot subdivision. As such, Applicant's respectfully request that Application # 1 be approved as legally adopted codes have been met and Southern Shores discretion they may use to deviate from any zoning code is something other homeowners have been entitled to.

Application # 2 contains subdivision plan "Exhibit A" which was created identically to the lot subdivision plan Wes Haskett denied on June 5, 2024 (labeled "Exhibit B") with the defects in paragraphs 2 and 3 corrected. Wes Haskett claimed in "Exhibit B" that #1's lot width measurement requirement was not met, but unfortunately for Wes Haskett a Public Records Request (labeled Exhibit "C") revealed ZTA-23-03 was illegally adopted and is unenforceable because Southern Shores property owners effected by ZTA-23-03 did not have posted Notices on their property, as required to be done pursuant to Town Code Sec. 36-414(b) in addition to newspaper publications. North Carolina Article 6 ss 160D-602 governing AMENDMENTS TO A ZONING REGULATION requires: (a) mailed notice to the effected property owners, which Applicant's Public Records Request proved never happened, (b) a 1/2 page size advertisement in the newspaper of general circulation (Coastland Times) if letters are not mailed, which Applicant's Public Records Request proved never happened, (c) posted notice on the effected properties, which Applicant's Public Records Request proved never happened and (d) optional direct communication with the property owner, which Applicant's Public Records Request proved never happened. Wes Haskett claims North Carolina Article 6 ss 160D -601 governing AMENDMENTS TO A DEVELOPMENT REGULATION should apply to his ZONING AMENDMENTS and even if Art. 6 ss 160D-601 did apply to the zoning amendments, North Carolina Article 6 ss 160D-601 requires notice to military bases within 5 miles and Public Records Requests prove the U.S. Army's Duck facility was not notified. Furthermore, AMENDING A DEVELOPMENT REGULATION that involves "down zoning" (reducing the permitted uses of land by doing something like prohibiting lot sub-divisions) requires the written consent of the property owners unless the local government initiated the down sizing. Southern Shores local government did not initiate the down sizing involved with the June 6, 2023 AMENDMENT OF ZONING REGULATIONS changing lot width requirements, Wes Haskett initiated the down sizing, and Wes Haskett did so without ever receiving approval from each of Southern Shores employees and town council members with the intent to prevent lot subdivisions (as Wes Haskett indicated in his email to me on June 7, 2023). So, the illegally adopted ZTA-23-03 Zoning Amendments are unenforceable. Wes Haskett attempted to make matters worse to Applicants and Southern Shores by trying to deceive Applicant, David Kole, Elizabeth Morey and Cliff Ogburn by falsifying records with fraudulently misrepresented Southern Shores' zoning code with Notice requirement Sec. 36-414(b) deleted from the records (labeled Exhibit "D"). Wes Haskett's deceptiveness is part of a continuing pattern of corruption that started on May 1, of 2023 when Wes Haskett refused to provide Applicant material information about 75 E. Dogwood Trail zoning code during an entire month of correspondence with a June 1, 2023 email telling Applicant for the 1st time that a zoning amendment proposed for town council approval on June 6, 2023 will change lot width requirements. During the 1

month from May 1, 2023 to June 1, 2023 the 75 E. Dogwood Trail was listed for sale as a sub-dividable lot that Southern Shores said was sub-dividable and the previous homeowner, Linda Lauby negotiated an additional \$75,000 from Applicant's for the purchase of 75 E. Dogwood Trail. Wes Haskett's fraudulent concealment of zoning code also prevented the easiest solution to the lot subdivision plans, which would have been to submit the lot subdivision plans prior to June 6, 2023. In addition to obstructing Applicant's right to knowledge of zoning code, Wes Haskett also tampered with evidence by claiming the lots created at 233 N. Dogwood Trail and adjacent 0 N. Dogwood Trail lots were created prior to the town's incorporation in 1979 when Applicant submitted a Public Records Request (labeled "Exhibit E"). A second public records request which asked for all records from 233 N. Dogwood Trail prove that not only were the current lots created on July 21, 2016 and approved by Wes Haskett, they also prove Wes Haskett uses his discretion to deviate from town code lot width regulations, but is discriminately trying to abuse illegally adopted lot width code to prevent the 75 E. Dogwood Trail lot subdivision. As such, Applicant's respectfully request that Application # 2 be approved as legally adopted codes have been met and Southern Shores discretion they may use to deviate from any zoning code is something other homeowners have been entitled to. Please disregard Application #2 with the approval of Application #1.

Please find attached, signed General Application Forms #1 & #2 with (2) \$100 checks made payable to Southern Shores.



Town of Southern Shores

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

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

info@southernshores-nc.gov

www.southernshores-nc.gov

GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: / / Filing Fee: \$50/lot Receipt No. Application No.

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

Please check the applicable Chapter/Article:

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

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

Applicant

Name Anthony S. Mina & Jennifer L. Franz

Address: 75 E. Dogwood Trail
Southern Shores, NC 27949

Phone 610 842-3905 Email chestercountyjawn@yahoo.com

Applicant's Representative (if any)

Name _____

Agent, Contractor, Other (Circle one)

Address _____

Phone _____ Email _____

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

Address: 75 E. Dogwood Trail, Southern Shores, NC 27949

Section soundside Block 105 Lot 1 Lot size (sq. ft.) 47,213

Zoning district RS-1

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

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

X lot subdivision approval

Signature

* Attach supporting documentation.

Date

REVIEW OFFICER CERTIFICATE

State of North Carolina

County of Dare

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

Date _____

Review Officer _____

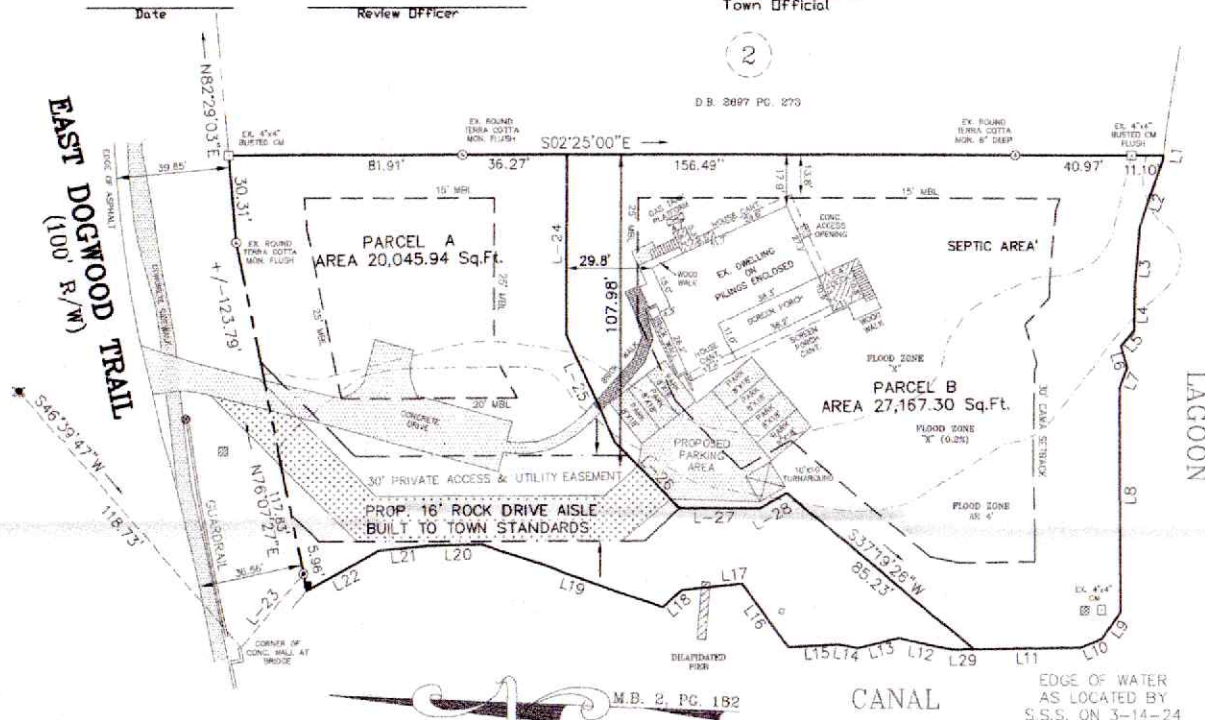
Town Official _____

EXEMPTION CERTIFICATE

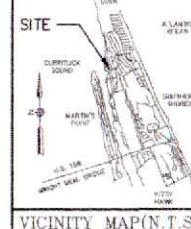
This plat is exempt from subdivision regulations under N.C.G.S. 160 A-376 and the Town of Southern Shores Subdivision Ordinance, Section 30-2. (4)

2

D.B. 2697 PG. 273



LINE TABLE		
LINE	BEARING	LENGTH
L1	N86°12'33"W	1.29'
L2	N73°43'10"W	25.14'
L3	N67°46'49"W	20.94'
L4	S88°18'36"W	14.86'
L5	N61°30'23"W	7.18'
L6	S79°39'48"W	7.77'
L7	N71°10'54"W	7.47'
L8	S87°22'48"W	78.67'
L9	N57°12'36"W	10.97'
L10	N24°38'48"W	8.44'
L11	N03°27'34"W	36.89'
L12	N09°17'19"E	18.53'
L13	N15°30'59"W	14.78'
L14	N07°30'59"E	6.93'
L15	N05°24'26"W	17.93'
L16	N51°52'59"E	27.20'
L17	N08°17'08"W	21.40'
L18	N43°02'57"W	8.96'
L19	N16°45'38"E	66.51'
L20	N03°34'58"W	19.30'
L21	N67°45'28"W	17.15'
L22	N31°03'24"W	28.87'
L23	S51°51'33"E	33.46'
L24	S87°35'00"W	62.63'
L25	S62°48'58"W	41.15'
L26	S43°22'44"W	32.08'
L27	S02°25'00"E	28.40'
L28	S32°56'04"E	10.52'
L29	N03°27'34"W	7.80'



LEGEND:

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

OWNER CERTIFICATE

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

Owner _____

NOTARY CERTIFICATE

State of _____, County of _____

State aforesaid, certify that _____

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

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

Notary Public _____

NOTES:

Current Owners: Anthony Stocker Mina
Jennifer Lynn Franz

Address: 75 E. Dogwood Trail

Lot Coverage for Parcel A: 4,076.36 Sq. Ft. (20.34%)

Lot Coverage for Parcel B: 5,387.84 Sq. Ft. (19.83%)

Zone: RSI

Setbacks shown are as per Zoning.

There are no geodetic control within 2000'.

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

SURVEYOR'S CERTIFICATE:

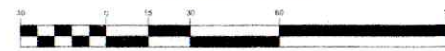
I, M. Douglas Styons Jr., certify that this plat was drawn under my supervision from an actual survey made under my supervision using the description found in DB 2689, PG 776, that the boundaries not surveyed are clearly indicated as drawn from information found in KB 2, PG 182; that the ratio of precision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

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

Witness my original signature and seal this 27th day of June 2024.

PRELIMINARY

GRAPHIC SCALE



Styons Surveying Services

2700 N. Croatan Hwy. Kill Devil Hills, NC. 27948
Phone: (252) 441-1415 Fax: (252) 480-1152 C-1697

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

"MINA DIVISION"

SECOND REVISED DIVISION OF LOT 1, SOUTHERN SHORES
SOUND SIDE BLOCK 105

SCALE: 1" = 30'	SURVEYED FOR ANTHONY S. MINA and JENNIFER L. FRANZ		
FILE NO.: 24-065	ATLANTIC TOWNSHIP DARE COUNTY	SOUTHERN SHORES NORTH CAROLINA	SHEET: 1 OF 1
DWG NO.: 2406553	DATE: 03-14-2024	REC. REF. M.B. 2, PG. 182	
FLOOD ZONE:	REV. DATE: 6-27-24	DESIGN: D.B. 2689, PG. 776	
SEE PLOT	PRIN. NO.: 202406517213502	FIRM NO.: 3720 9568 00 K	FIRM DATE: 6-18-20

EXHIBIT 101

LINE TABLE		
L-1	N19°14'21"W	30.56'
L-2	N04°22'28"E	15.14'
L-3	N06°36'21"E	10.47'
L-4	N08°53'06"E	47.53'
L-5	N04°22'07"W	23.36'
L-6	N11°27'52"W	62.67'
L-7	N27°22'43"W	31.36'
L-8	S86°32'03"W	15.85'
L-9	S44°49'35"W	23.00'
L-10	N4°02'40"W	9.02'
L-11	N36°12'59"W	5.21'
L-12	N05°17'46"E	23.19'
L-13	N28°15'46"E	38.66'
L-14	N20°24'30"E	62.01'
L-15	N22°14'45"E	45.08'
L-16	N34°40'18"E	53.66'
L-17	N70°24'52"E	33.84'
L-18	N81°32'09"E	7.32'
L-19	S66°55'09"E	27.47'
L-20	S41°56'16"E	22.39'
L-21	S27°37'37"E	15.31'
L-22	S16°31'03"E	25.10'
L-23	S19°28'49"E	34.09'
L-24	S18°10'16"E	130.85'
L-25	S19°00'21"E	77.03'
L-26	S06°15'11"E	23.27'
L-27	S04°44'32"W	38.74'
L-28	S14°59'45"W	106.67'
L-29	S20°49'19"W	60.00'

JEAN
GUITE
CREEK

LOT 1

130,958 SQ. FT. - 3.01 ACRES

LOT 2

40,250 SQ. FT. - 0.92 ACRES

DETAIL
N.T.S.

GRAPHIC SCALE

(IN FEET)
1 inch = 50 ft

LEGEND:

- Ex. Rebar
- 5/8" Rebar Set Flush with Ground
- Concrete Monument Set
- Ex. OP
- Ex. Concrete Monument
- Computed Point
- Drop Inlet
- Water Meter
- Fence
- Fire Hydrant
- Lamp Post
- Transformer
- Cable TV Pedestal
- Ex. S.S.S. Nail & Washer

NOTES:

Lot 1 Address: 113 Osprey Lane

Lot 2 Address: 109 Osprey Lane

New PIN Numbers to be assigned

This property is Zoned RS1

Flood Zones are subject to change

Setbacks shown are as per the Town of Southern Shores Zoning

This survey was based on the existing property corners found in conjunction with the recorded reference given.

A 10' Drainage and Utility Easement along all road frontages and 5' along all side and rear lot lines is hereby established.

All Utilities for Lot 2 will be placed underground alongside the drive and inside the easement. They will connect to existing utilities alongside the drive.

There is no Geodetic Control Monuments within 2,000' of this property.

SITE DATA:

Total Property Area= 3.93 Acres

Average Lot Size= 85,604 Sq. Ft. - 1.97 Acres

Total number of lots in subdivision: 2

FINAL PLAT OF
OLIVOLA PENINSULA

Styons Surveying Services

2700 N. Croatan Hwy. Kill Devil Hills, NC. 27948
Phone: (252) 441-1415 Fax: (252) 480-1182

C-1697

SHEET:
2 OF 2

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

chestercountyla.../Inbox



Sheila Kane <skane@southernshores-nc.gov>

To: Anthony Mina <chestercountylawn@yahoo.com>

Jun 20 at 5:07 PM

Dear Mr. Mina:

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

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

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

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

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



11 Files 13.9MB

EXHIBIT "C"



Wes Haskett <whaskett@southernshores-nc.gov>

May 21 at 2:27 PM

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

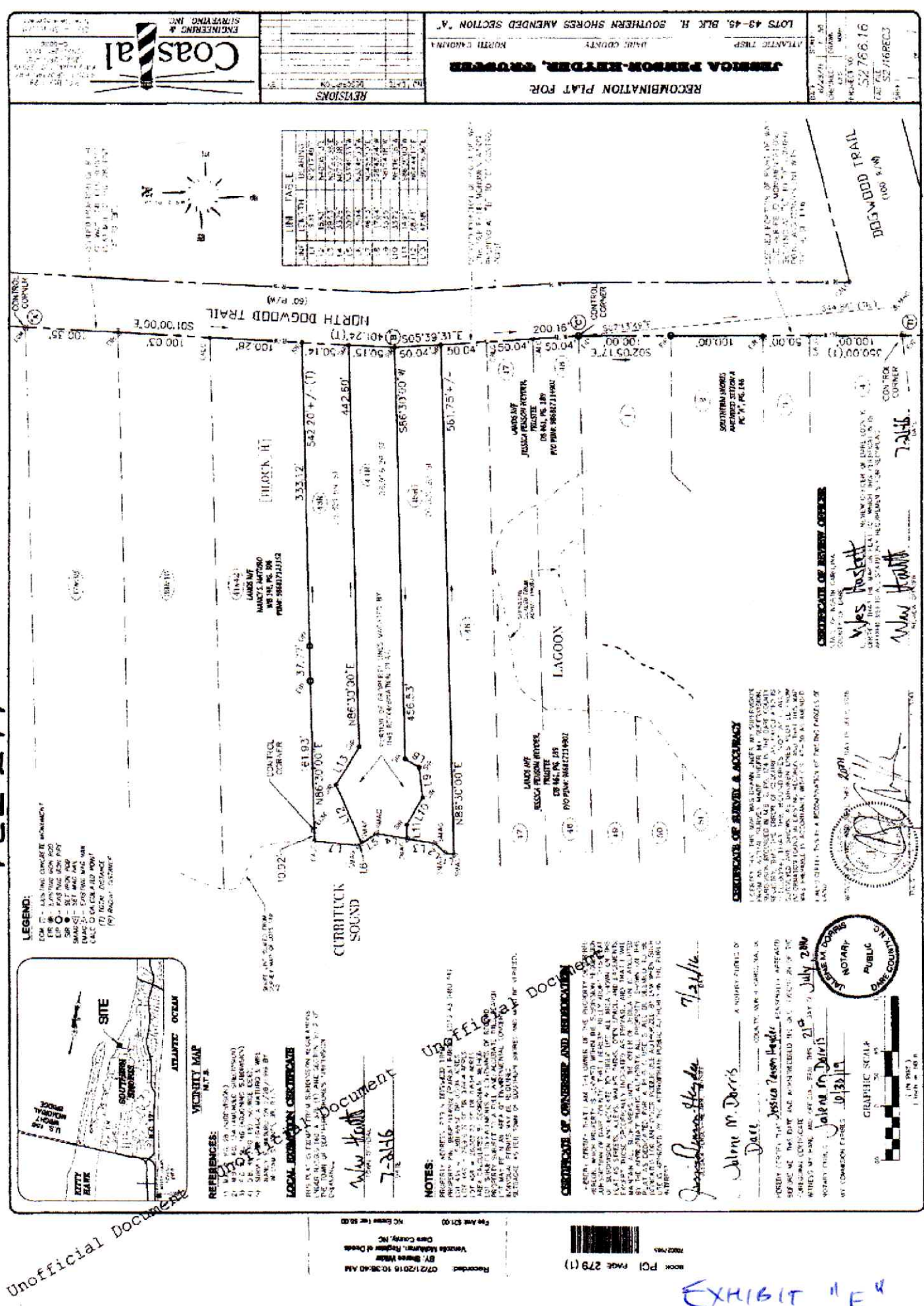
Sent: Monday, May 20, 2024 12:12 PM

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 <jdsiegel@townofss.com>; Matt Cooke <mcooke@southernshores-nc.gov>; Eric Brinkley <brinkley@townofss.com>; Darrell Brickhouse <dbrickhouse@townofss.com>; Tracy Mann <tracymann@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 <aspottswood@southernshores-nc.gov>; Jennifer Couture <jcouture@southernshores-nc.gov>; FBI <fbi@fbi.gov>; olivia.s.hincs@nccourts.org; olivia.s.hincs@nccourts.org; Andrea C. Powell <apowell@nccourts.org>; Elizabeth Morey <emorey@southernshores-nc.gov>; Jasper Rogers <jrogers@kittyhawktown.net>; cgarriss@kittyhawktown.net; cgarriss@kittyhawktown.net; Casey Varnell <cvarnell@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_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@paed.uscourts.gov>; cccommissioners@chesco.org; cccommissioners@chesco.org; jmaxwell@chesco.org; jmaxwell@chesco.org; Marian Moskowitz <mmoskowitz@chesco.org>;

EXHIBIT "D"

PCI-279



RE: Public Records Request (2) 06.10.2024

chestercountyla.../Inbox

Jun 17 at 10:45 AM



Wes Haskett <whaskett@southernshores-nc.gov>

To: Anthony Mina <chestercountylawn@yahoo.com>

Cc: Sheila Kane <skane@southernshores-nc.gov>, Cliff Ogburn <cogburn@southernshores-nc.gov>, Philip Homthal <phomthal@hrem.com>

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

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

www.southernshores-nc.gov



From: Anthony Mina <chestercountylawn@yahoo.com>

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

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

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

Subject: Re: Public Records Request (2) 06.10.2024

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

Thank you,

Anthony Stocker Mina

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

Mr. Mina:

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

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

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

Sheila Kane, CMC, NCCMC

Town Clerk

Town of Southern Shores

5375 N Virginia Dare Trail

Southern Shores, NC 27949

(252) 261-2394 phone

(252) 255-0876 fax

skane@southernshores-nc.gov



From: Anthony Mina <chestercountylawn@yahoo.com>

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

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

Subject: Re: Public Records Request (2) 06.10.2024

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

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

Dear Mr. Mina:

EXHIBIT "E"

On June 10, 2024 you filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

- Subdivision plat for 233 N. Dogwood Trail and each lot next to 233 N. Dogwood Trail, currently addressed as 0 N. Dogwood Trail. Lot width requirements at the time of 233 N. Dogwood Trail lot subdivision.

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

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

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



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EXHIBIT "E"



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

Application # 2
Please disregard
with approval
of application
1

GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: / / Filing Fee: \$50/lot Receipt No. Application No.

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

Please check the applicable Chapter/Article:

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

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

Applicant

Name Anthony S. Mina & Jennifer L. Franz
Address: 75 E. Dogwood Trail
Southern Shores, NC 27949
Phone 610 842-3905 Email chestercountylaw@yahoo.com

Applicant's Representative (if any)

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

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

Address: 75 E. Dogwood Trail, Southern Shores, NC 27949 Zoning district RS-1
sandside
Section _____ Block 105 Lot 1 Lot size (sq.ft.) 47,213

Request: ☐ Site Plan Review ☐ Final Site Plan Review ☐ Conditional Use ☐ Permitted Use
☐ PUD (Planned Unit Development) ☒ Subdivision Ordinance ☐ Vested Right ☐ Variance
lot subdivision approval

Signature Anthony S. Mina
Jennifer L. Franz

Date July 3, 2024

* Attach supporting documentation.

LEGEND:

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

10'x10' Turnaround

REVIEW OFFICER CERTIFICATE

State of North Carolina

County of Dare

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

Date

Review Officer

Town Official

EXEMPTION CERTIFICATE

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

LINE TABLE

LINE	BEARING	LENGTH
L1	N86°02'33"W	129'
L2	N73°43'10"W	25.14'
L3	N87°48'49"W	20.94'
L4	S88°18'36"W	14.86'
L5	N51°30'23"W	7.18'
L6	S70°39'48"W	7.77'
L7	N71°10'54"W	7.47'
L8	S87°22'48"W	78.67'
L9	N57°12'36"W	10.97'
L10	N24°38'48"W	8.44'
L11	N03°27'34"W	44.69'
L12	N09°17'19"E	10.79'
L13	N15°30'59"W	14.70'
L14	N07°30'59"E	6.93'
L15	N05°24'26"W	17.93'
L16	N51°52'59"E	27.20'
L17	N08°17'08"W	21.40'
L18	N43°02'57"W	8.96'
L19	N16°45'38"E	66.51'
L20	N03°34'58"W	19.30'
L21	N07°45'26"W	17.15'
L22	N31°03'24"W	28.87'
L23	S51°51'33"E	33.46'
L12A	N09°17'19"E	7.75'

EASEMENT LINE TABLE

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

EASEMENT CURVE DATA

C-1: R=34.00 L=37.89'
C=506°46'05"W 35.96'
C-2: R=46.00 L=51.26'
C=N06°46'51"E 48.65'

NOTES:

Current Owners: Anthony Stocker Mina & Jennifer Lynn Franz

Address: 75 E. Dogwood Trail

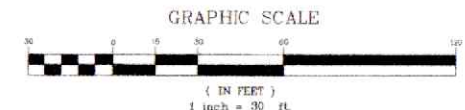
Lot Coverage for Parcel A: 2,965.5 Sq. Ft. (14.82%)

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

Setbacks shown are as per RS 1 Zoning.

There are no geodetic control within 2000'.

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



Styons Surveying Services

2700 N. Croatan Hwy. Kill Devil Hills, NC. 27948
Phone: (252) 441-1415 Fax: (252) 480-1182 C-1697

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

"MINA DIVISION"
REVISED DIVISION OF LOT 1 SOUTHERN SHORES
SOUND SIDE BLOCK 105

SCALE: 1" = 30'	FILE NO.: 24-065	DWG NO.: 24065SR	DATE: 03-14-2024	REV DATE: 8-26-24 ADD PARKING	REC. REF. M.B. 2, PG. 182 D.B. 2669, PG. 776	SHEET: 1 OF 1
SOUTHERN SHORES NORTH CAROLINA			ANTHONY S. MINA and JENNIFER L. FRANZ			

PRELIMINARY

OWNER CERTIFICATE

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

Owner

Owner

NOTARY CERTIFICATE

State of _____, County of _____
I, _____ a Notary Public of the County and
State aforesaid, certify that

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

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

Notary Public

SURVEYOR'S CERTIFICATE:

I, M. Douglas Styons Jr., certify that this plat was drawn under my supervision from an actual survey made under my supervision using the description found in DB 2689, PG 776, that the boundaries not surveyed are clearly indicated as drawn from information found in MB 2, PG 182; that the ratio of precision as calculated is at least 1:10,000; and that this plat was prepared in accordance with G.S. 47-50 as amended. I also certify to the following:

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

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

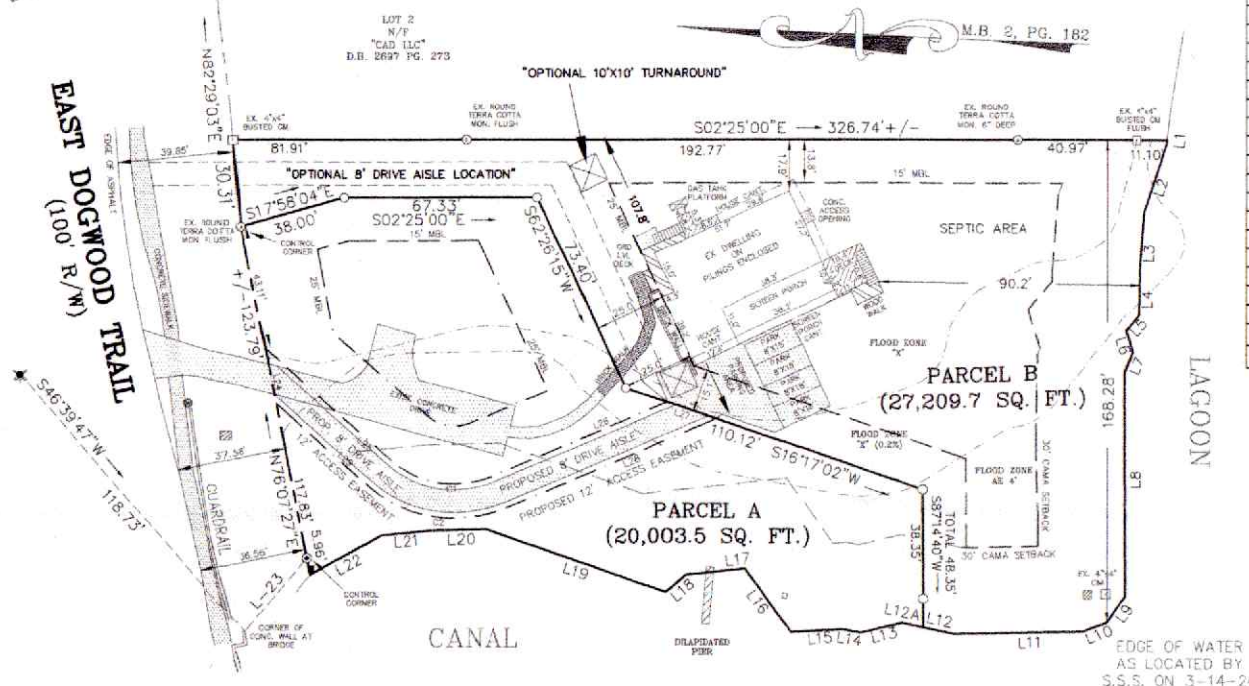


EXHIBIT "A"



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

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.

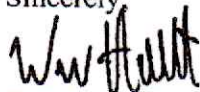
EXHIBIT "B"

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.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 if you have any questions or concerns.

Sincerely,



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

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

EXHIBIT "B"

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

chestercountyla.../Inbox



Sheila Kane <skane@southernshores-nc.gov>

To: Anthony Mina <chestercountylawn@yahoo.com>

Jun 20 at 5:07 PM

Dear Mr. Mina:

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

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

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

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

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



11 Files 13.9MB

EXHIBIT "c"



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 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

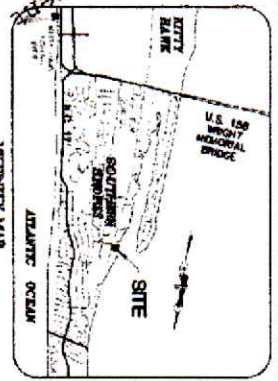
To: Wes Haskett <whaskett@southernshores-nc.gov>; Phillip Hornthal <phornthal@hrem.com>

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 <jonsiegel@southernshores-nc.gov>; Matt Cooke <mattcooke@southernshores-nc.gov>; Eric Brinkley <brinkley@southernshores-nc.gov>; Darrell Brickhouse <brickhouse@southernshores-nc.gov>; Tracy Mann <tracymann@southernshores-nc.gov>; Chris Simpson <csimpson@southernshores-nc.gov>; Richard Deaner <rdeaner@southernshores-nc.gov>; Thomas Long <thomlong@southernshores-nc.gov>; Jason Thompson <jthompson@southernshores-nc.gov>; Andrew Spottswood <aspottswood@southernshores-nc.gov>; Jennifer Couture <jcouture@southernshores-nc.gov>; FBI <fbi@fbi.gov>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <apowell@nccourts.org>; Elizabeth Morey <emorey@southernshores-nc.gov>; Jasper Rogers <jasperrogers@kittyhawktown.net>; cgarriss@kittyhawktown.net; Casey Varnell <caseyvarnell@kittyhawktown.net>; Mike Talley <miketalley@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@paed.uscourts.gov>; cccommissioners@chesco.org; cccommissioners@chesco.org; jmaxwell@chesco.org; jmaxwell@chesco.org; Marian Moskowitz <mmoskowitz@chesco.org>;

EXHIBIT "D"



Unofficial Document



VICINITY MAP

REFERENCES:

1. B.L. 150 (SOUTH SHORES)
2. B.L. 150 (SOUTH SHORES)
3. B.L. 150 (SOUTH SHORES)
4. B.L. 150 (SOUTH SHORES)
5. B.L. 150 (SOUTH SHORES)
6. B.L. 150 (SOUTH SHORES)
7. B.L. 150 (SOUTH SHORES)
8. B.L. 150 (SOUTH SHORES)
9. B.L. 150 (SOUTH SHORES)
10. B.L. 150 (SOUTH SHORES)

LOCAL PROPERTY CORRELATION

THIS IS A FIELD SURVEY OF THE PROPERTY CORRELATION OF THE LOCAL PROPERTY OWNERS OF THE TRACT OF LAND SHOWN ON THE MAP.

John H. Hoff
7-24-16

NOTES:

PROPERTY ACQUISITION: THIS SURVEY WAS CONDUCTED IN 2016 BY JOHN H. HOFF, A PROFESSIONAL SURVEYOR, FOR THE PURPOSE OF DETERMINING THE BOUNDARIES OF THE TRACT OF LAND SHOWN ON THE MAP. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING IN THE STATE OF NORTH CAROLINA.

DESCRIPTION OF CORRELATION AND RECONSTRUCTION

THE TRACT OF LAND SHOWN ON THE MAP IS A TRACT OF LAND THAT WAS ACQUIRED BY THE STATE OF NORTH CAROLINA IN 1964. THE TRACT WAS ACQUIRED BY THE STATE OF NORTH CAROLINA IN ACCORDANCE WITH THE STANDARDS AND PRACTICES OF THE PROFESSION OF SURVEYING IN THE STATE OF NORTH CAROLINA.

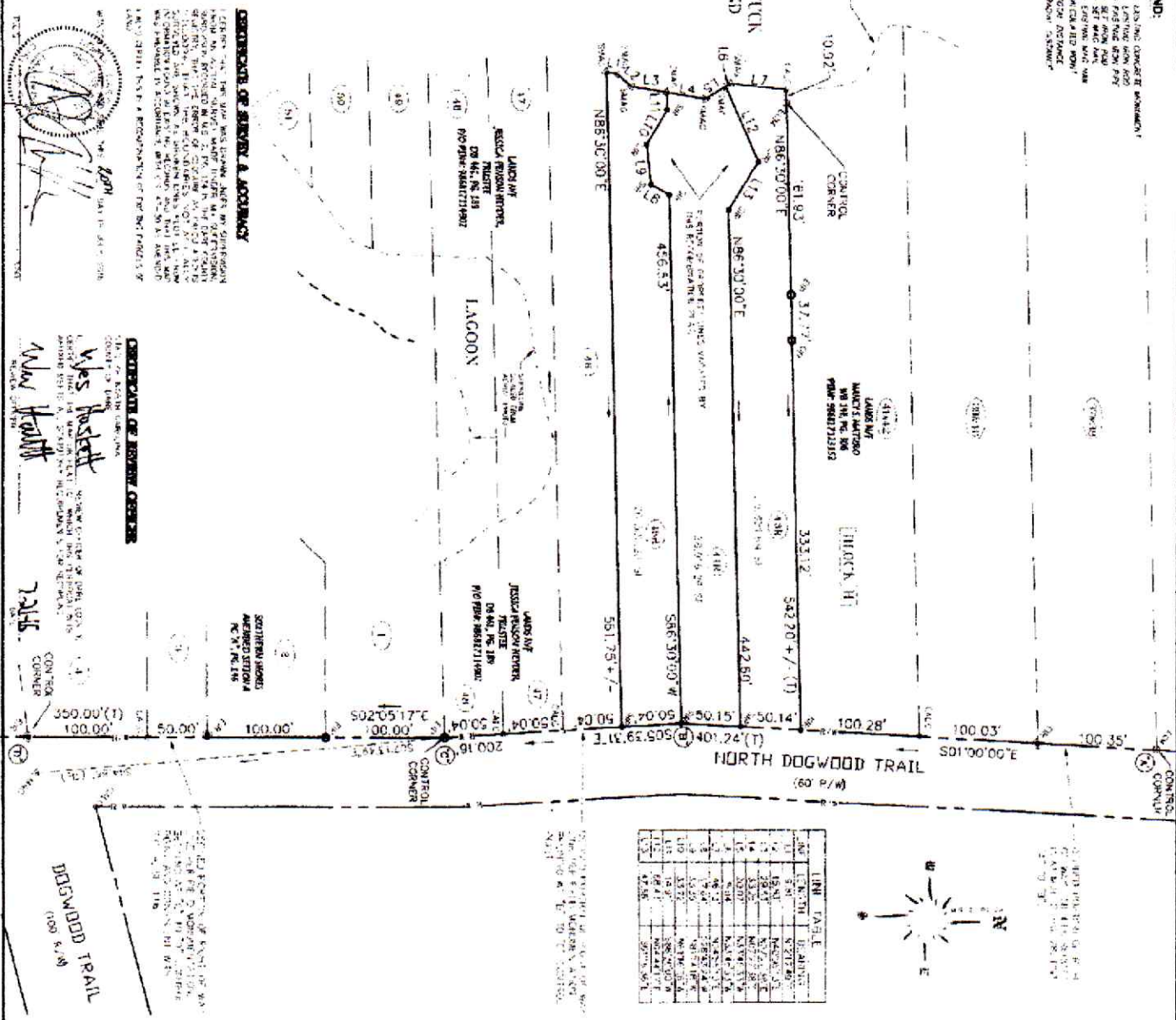
John H. Hoff
7/24/16

John M. Davis
Date

John M. Davis
10/31/16



- LEGEND:
- 1. B.L. 150 (SOUTH SHORES)
 - 2. B.L. 150 (SOUTH SHORES)
 - 3. B.L. 150 (SOUTH SHORES)
 - 4. B.L. 150 (SOUTH SHORES)
 - 5. B.L. 150 (SOUTH SHORES)
 - 6. B.L. 150 (SOUTH SHORES)
 - 7. B.L. 150 (SOUTH SHORES)
 - 8. B.L. 150 (SOUTH SHORES)
 - 9. B.L. 150 (SOUTH SHORES)
 - 10. B.L. 150 (SOUTH SHORES)



John H. Hoff
7-24-16

John M. Davis
10/31/16

John H. Hoff
7-24-16

RECOMBINATION PLAT FOR
JESSICA PERSON-HYDER, TRUSTEE
ATLANTIC TRSP
DADE COUNTY
NORTH CAROLINA
LOTS 43-45, BLK H, SOUTHERN SHORES AMENDED SECTION "A"

REVISIONS

NO.	DATE	DESCRIPTION
1	7/24/16	INITIAL SURVEY

Coastal
ENGINEERING & SURVEYING, INC.
1000 S. 10TH ST.
SUITE 100
NORFOLK, VA 23502
757-248-1111
www.coastalsurveying.com

EXHIBIT "E"

RE: Public Records Request (2) 06.10.2024

chestercountyla.../inbox

Jun 17 at 10:45 AM



Wes Haskett <whaskett@southernshores-nc.gov>

To: Anthony Mina <chestercountylawn@yahoo.com>

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

Philip Hornthal <phornthal@hrem.com>

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

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

www.southernshores-nc.gov



From: Anthony Mina <chestercountylawn@yahoo.com>

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

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

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

Subject: Re: Public Records Request (2) 06.10.2024

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

Thank you,

Anthony Stocker Mina

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

Mr. Mina:

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

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

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

Sheila Kane, CMC, NCCMC

Town Clerk

Town of Southern Shores

5375 N Virginia Dare Trail

Southern Shores, NC 27949

(252) 261-2394 phone

(252) 255-0876 fax

skane@southernshores-nc.gov



From: Anthony Mina <chestercountylawn@yahoo.com>

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

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

Subject: Re: Public Records Request (2) 06.10.2024

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

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

Dear Mr. Mina:

EXHIBIT "E"

On June 10, 2024 you filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

- Subdivision plat for 233 N. Dogwood Trail and each lot next to 233 N. Dogwood Trail, currently addressed as 0 N. Dogwood Trail. Lot width requirements at the time of 233 N. Dogwood Trail lot subdivision.

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

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

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



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EXHIBIT "E"