

DOCUMENTS NEEDED FOR FILING WITH VARIANCE APPLICATION SCENARIO #2 DUE TO WES HASKETT'S STAFF REPORT CLAIMING GRANTING THE VARIANCE WOULD BE INCONSISTENT WITH THE SPIRIT, PURPOSE AND INTENT OF THE ORDINANCE

APPLICANT'S DESIRE TO SUB-DIVIDE 75 E DOGWOOD TRAIL WITH LOT SUB-DIVISION LABELED EXHIBIT 3A OF THE VARIANCE APPLICATION IS A LEGAL RIGHT OF APPLICANT'S BECAUSE EXHIBIT 3B PROVES THE ONLY THING WES HASKETT CLAIMS PREVENTS THE SUB-DIVISION IS THE JUNE 6, 2023 LOT WIDTH AMENDMENT WHICH APPLICANT HAS PROVEN IS ILLEGALLY ADOPTED. WES HASKETT'S ENTIRE OPPOSITION TO THE LOT SUB-DIVISION IS FOUNDED ON HASKETT'S HOPES THAT ALL BOARD MEMBERS, ATTORNEYS AND STAFF WILL CONSPIRE WITH HIM AND CLAIM THE NOTIFICATION REQUIREMENTS AT 36-414(B) AND 36-362(B) HAVE MEANINGS NOT FOUND IN ENGLISH DICTIONARIES USED AT NORTH CAROLINA SCHOOLS.

-Applicant's application explains that "Applicant will fully explain the unnecessary hardships created on the property by the strict enforcement of the zoning ordinance at the hearing" and Applicant will explain the peculiar conditions to the property's 46,500 sq ft size in the RS-1 zone where 20,000 sq. ft is needed per lot and how the house built in 1970 faces the canal, not the street. Wes Haskett's claim that the illegally adopted 100' lot width amendment makes the lot sub-division inconsistent with the spirit, purpose and intent of the ordinance is completely false and is evidence of Wes Haskett's corruption because Haskett approved a plot plan that did not meet lot width requirements at 233 N. Dogwood Trail then tried hiding the plot plans from a Public Records Request (please see Exhibit 1).

Wes Haskett claimed "The hardship identified by Applicant is self-created in that Applicant voluntarily purchased the property under the financial terms and obligations he contends are his hardship".

The truth is that on June 7, 2023 Wes Haskett claimed Town staff would be submitting another text amendment that may allow pie shaped or other irregularly shaped lots. Then on June 12, 2023 Wes Haskett refused to explain how property owners were notified of his March 31, 2023 lot width amendment. Applicant's research also indicates the Town Attorney was contacted on or before June 8, 2023 after Applicant asked for notification records and the only thing Wes Haskett has done since is claim Southern Shores Town Codes have meanings not found in dictionaries used in North Carolina Schools (See Exhibit 2).

Lastly, Wes Haskett's defense to the fraud case against him was that misrepresentations of law do not substantiate a fraud case (please see Exhibit 5 of the Variance Application). Unfortunately for Wes Haskett's malicious victim intimidation scheme against Applicant, evidence of neglect and misconduct require the board to Preclude the Variance hearing and Grant Applicant's Sub-division Variance using subdivision plan 3A. Not approving the lot subdivision substantiates a criminal conspiracy with Wes Haskett for crimes including, but not limited to Disorderly Conduct.

Wes Haskett argued that Applicant inappropriately filed a Variance Application at the October 21, 2024 hearing and his argument resulted with the Southern Shore's Beacon publishing an article ridiculing Applicant like Applicant was a waste of town money without any legal knowledge. The truth is Wes Haskett told Applicant twice to file the Variance Application as proven with Exhibit 3 and Wes Haskett's claims that he is not helping a real estate scam are beyond ridiculous. Wes Haskett and Cliff Ogburn refuse to file and publish Applicant's documents evidencing the town misconduct but want to publicly ridicule Applicant, who has spent most of his life as a self-employed home improvement provider with knowledge that their damage to his reputation interferes with his ability to obtain work needed to provide for his family.

Exhibit 4 documents Cliff Ogburn's fraudulent claims to Town Council that Applicant has an "interaction". Applicant does not have an interaction for Southern Shores Town, board members and attorneys to use. Applicant is being defrauded in a real estate scam where Wes Haskett helped the previous owner of the property to obtain an additional \$75,000 from Applicant with by hiding his March 31, 2023 lot width amendment.

THESE DOCUMENTS ARE ALSO EVIDENCE OF FRAUD, MISCONDUCT, NEGLECT AND CONSPIRACY

RE: Public Records Request (2) 06.10.2024

From: Wes Haskett (whaskett@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Cc: skane@southernshores-nc.gov; cogburn@southernshores-nc.gov; PHornthal@hrem.com

Date: Monday, June 17, 2024 at 10:45 AM EDT

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:

EXHIBIT 1

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:

1

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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2

PCI-279

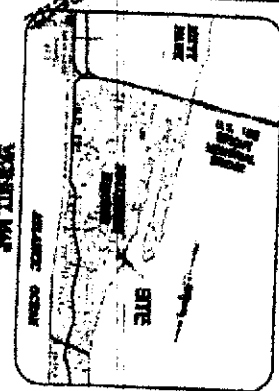
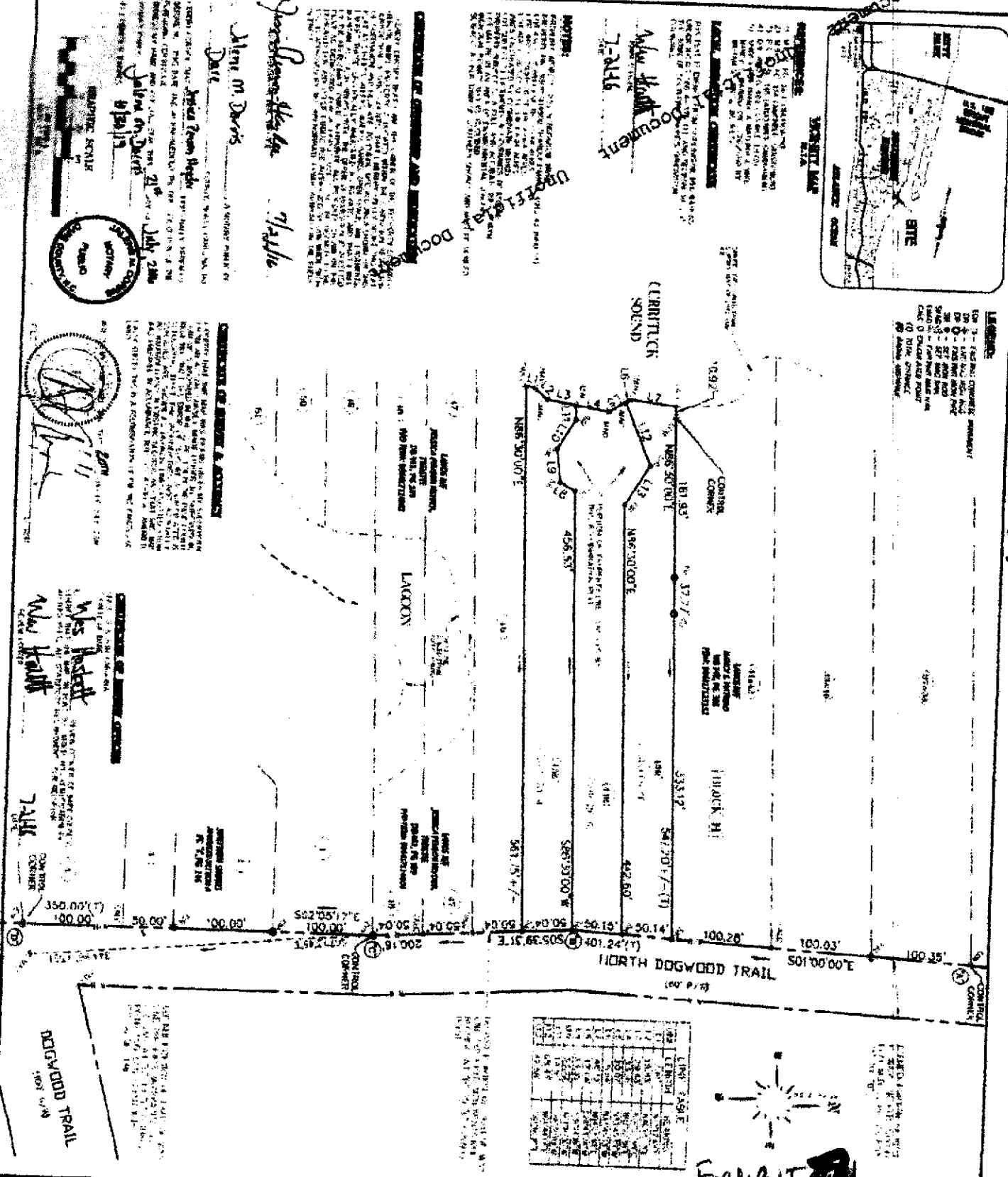
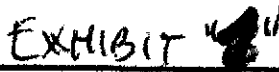
[illegible]

EXHIBIT ~~2~~

RECOMBINATION PLAT FOR JENNICA PERSON KEYMER, WIDOWER		REVISIONS 1. 11/15/11 2. 11/15/11 3. 11/15/11 4. 11/15/11 5. 11/15/11 6. 11/15/11 7. 11/15/11 8. 11/15/11 9. 11/15/11 10. 11/15/11	Coastal ENGINEERING & SURVEYING, INC.
475 WALK TWP 475 WALK TWP	DARE COUNTY DARE COUNTY	NORTH CAROLINA NORTH CAROLINA	
LOTS 43-48, BLK. H, SOUTHERN SHORES AMENDED SECTION "A"			



DATE: 8/28/18		SCALE: 1"=60'		REVISION	
DRAWN: DWAN		PROJECT NO: S2766.16		NO. DATE DESCRIPTION	
PROJECT NO: S2766.16		SHEET: 1 OF 1			
CADD FILE: S2716SP2					
SHEET: 1 OF 1					
SITE PLAN FOR:					
JESSICA PERSON-MEYER, TROOPER					
ATLANTIC TWSP		DARE COUNTY		NORTH CAROLINA	
LOT 44R, BLK H, SOUTHERN SHORES AMENDED SECTION "A"					

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

From: Wes Haskett (whaskett@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Cc: philadelphia.complaints@ic.fbi.gov; emorey@southernshores-nc.gov

Date: Monday, June 12, 2023 at 12:17 PM EDT

Good afternoon, Mr. Mina. At this point, you should direct your questions to our Town Attorney, Phillip Hornthal. He can be reached at 252-335-0878.

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: Thursday, June 8, 2023 9:17 AM

To: Wes Haskett <whaskett@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>

Cc: FBI <philadelphia.complaints@ic.fbi.gov>

Subject: Fw: Zoning Amendment To Require 100' Street Frontage For Each Southern Shores Lot

Hello,

When you respond to my email, could you please tell me I am understanding you correctly when you say the zoning code is to prevent future sub-divisions and higher densities. My understanding is you are saying the zoning code has been adopted to prevent the population from increasing per square mile by additional homes being built.

If I am correct, I believe that the legal way to achieve this goal is through eminent domain.
§ 40A-2.

(3) "Eminent domain" means the power to divest right, title or interest from the owner of property and vest it in the possessor of the power against the will of the owner upon the payment of just compensation for the right, title or interest divested.

How does Southern Shores possibly believe that taking a property right with the new zoning amendment from a tax payer is legal? I am having a hard time understanding how Linda Lauby and/or me have not been stolen from by Southern Shores.

Thank you,
Anthony S Mina

EXHIBIT 2

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

From: Anthony Mina <chestercountylawn@yahoo.com>

To: Wes Haskett <whaskett@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>

Sent: Wednesday, June 7, 2023 at 03:22:04 PM EDT

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

Hello,

Thank you for the email.

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

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

Thank you for your help.
Anthony S Mina

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

Good morning, Mr. Mina. The Town Council voted 3-2 to approve the text amendment. That means that at this time, all new lot must be 100 ft. wide measured from the front lot line to the rear lot line. The meeting video recording will soon be available on YouTube here: <https://www.southernshores-nc.gov/meetings>. As I told the Town Council during the public hearing, we realize that these requirements are more strict than what has been in place, but we believe that they're unambiguous and will prevent future subdivisions and recombinations with higher densities. Town Staff will be submitting another text amendment in the near future that may allow pie-shaped or other irregularly-shaped lots.

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

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

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Wednesday, June 7, 2023 8:35 AM

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

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

Good Morning,

2

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

Thank you,
Anthony S Mina

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https://us1.proofpointessentials.com/index01.php?mod_id=11&mod_option=logitem&mail_id=1686141324-FWeUsGXDoMzC&r_address=whaskett%40southernshores-nc.gov&report=1

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Cliff Ogburn

From: Cliff Ogburn
Sent: Thursday, June 8, 2023 12:11 PM
To: Elizabeth Morey
Cc: Wes Haskett
Subject: Re: Zoning Amendment To Require 100' Street Frontage For Each Southern Shores Lot

We did. Awaiting his response.

On Jun 8, 2023, at 12:08 PM, Elizabeth Morey <emorey@southernshores-nc.gov> wrote:

Is it appropriate to involve our attorney at this point?

On Jun 8, 2023, at 9:17 AM, Anthony Mina <chestercountylawn@yahoo.com> wrote:

Hello,

When you respond to my email, could you please tell me I am understanding you correctly when you say the zoning code is to prevent future sub-divisions and higher densities. My understanding is you are saying the zoning code has been adopted to prevent the population from increasing per square mile by additional homes being built.

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Anthony S Mina

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

From: Anthony Mina <chestercountylawn@yahoo.com>
To: Wes Haskett <whaskett@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>

2



Sent: Wednesday, June 7, 2023 at 03:22:04 PM EDT
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Anthony S Mina

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<whaskett@southernshores-nc.gov> wrote:

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

Good Morning,

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



Thank you,
Anthony S Mina

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https://us1.proofpointessentials.com/index01.php?mod_id=11&mod_option=logitem&mail_id=1686141324-FWeUsGXDoMzC&r_address=whaskett%40southernshores-nc.gov&report=1

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RE: 75 E. Dogwood Trail Zoning Question

From: Wes Haskett (whaskett@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Date: Thursday, May 18, 2023 at 01:51 PM EDT

Good afternoon. See my responses below.

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

www.southernshores-nc.gov

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Wednesday, May 17, 2023 12:18 PM

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

Subject: Re: 75 E. Dogwood Trail Zoning Question

Hello,

Thank you for your help.

-Could you please tell me which ordinance I need to read to understand the zoning requirements for subdividing a lot that has an existing structure that could possibly be 14' from the property line. See Town Code Section 30-97(2): https://library.municode.com/nc/southern_shores/codes/code_of_ordinances?nodeId=PTIICOOR_CH30SU_ARTIVMISTDEGE_S30-97DEST.

-Could you also please tell me about Southern Shores' procedure for asking Southern Shores to make an exception to their local code. For example, if I hired an attorney to file my applications and ask Town Council or Dare County to approve the subdivision. An exception would be in the form of a Variance. Our Town Planning Board considers Variances which are only granted if the applicant can demonstrate that there is a hardship involved if a Variance is not granted. See attached application which includes questions that address the criteria for granting a Variance.

75 E. Dogwood Trail can be divided so each property has street frontage and a 100' lot width at the front of the building (by making the existing lot similar to a "flag lot"). I would just prefer not to literally remove 1' of the existing home if the home was really built 14' from a property line that required 15'. Please submit a drawing showing what you have in mind, including the existing structure and measurements from existing and proposed property lines.

If you would like, I am available to meet with you to make sure I am creating a subdivision plan consistent with other approved subdivisions and existing zoning requirements. I am available to meet next Tuesday at 10:30 or 2:00 if you'd like to meet to discuss and review your drawing.

EXHIBIT

3

RE: 75 East Dogwood Trail Subdivision

From: Wes Haskett (whaskett@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Cc: emorey@southernshores-nc.gov; cogburn@southernshores-nc.gov; phornthal@hrem.com

Date: Wednesday, November 1, 2023 at 09:33 AM EDT

 Good morning, Mr. Mina. We do have a process for Variances. They are considered by our Town Planning Board (performing the duties of the Board of Adjustment). The standards and application requirements for Variances can be found here: https://library.municode.com/nc/southern_shores/codes/code_of_ordinances?nodeId=PTIICOOR_CH36ZO_ARTXIIBOAD_S36-367VA. I have attached a copy of our Variance application.

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: Tuesday, October 31, 2023 9:04 PM

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

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

Subject: Re: 75 East Dogwood Trail Subdivision

Thank you for the email. The part of your email I do not understand (I apologize for not knowing the proper legal terms) is how to make an application for a building or zoning permit that does not meet all the applicable requirements, if required. Dare county and Kitty Hawk deviate from zoning requirements in ways that cause neighbors to suffer damages because of the leniency and I was wondering how leniency is asked for in Southern Shores for aesthetically pleasing improvements. In Pennsylvania I was used to variances being the formal way of obtaining leniency.

I am hoping I can just get 75 east dogwood trail documented according to the actual measurements so I don't need to ask for leniency but I want to be prepared to do whatever I need to do to obtain the lot sub-division I purchased 75 East Dogwood Trail with.

Thank you,

Anthony S Mina

On Tuesday, October 31, 2023 at 01:44:27 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon, Mr. Mina. There are several surveyors in the area that prepare subdivision plats but I cannot make a recommendation. The Outer Banks Homebuilders Association may be able to recommend someone. They can be reached at 252-449-8232. The Town can only approve subdivision plats and permits if they meet all applicable requirements.

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: Monday, October 30, 2023 11:44 PM

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

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

Subject: Re: 75 East Dogwood Trail Subdivision

Hello Southern Shores,

I am having a little problem getting the sub division plan to Southern Shores because the potentially sub dividable lot I bought from Jim Munroe at Outer Banks Realty with a survey provided with the listing supposedly shrunk 10' in the back width and 1' in the front width last week when I hired the surveyor who surveyed 73 East Dogwood Trail for the owners who also bought their house from Jim Munroe.

Does Southern Shores have any suggestions? The survey I was given obviously isn't worth anything to me since I bought a larger, potentially sub-dividable lot and the surveyor won't even document a measurement he provided for me after he did the 73 East Dogwood Trail survey.

Could you please tell me the proper way to ask Southern Shores for leniency when reviewing my sub-division plan and future building permits if there is ever any building or zoning codes that I would like to be exempt from.

I am currently trying to sell my last house in Kitty Hawk and Dare County and Kitty Hawk don't enforce zoning codes on the street I lived on and I am expecting between \$30,000 and \$50,000 worth of damages because of the zoning codes not being enforced on Vista Lane. I was forced to file a zoning complaint with Jasper Rogers but Vista Lane is still an unsafe junkyard with abandoned vehicles on Kitty Hawk property. The hummer in the one picture across the street from my old house is on 3 wheels and a jackstand that appears to be falling/sinking...right where my kids and the other neighborhood kids play and do things like reach under vehicles to get their ball.

Anything that I would ever build would be as aesthetically pleasing as I could possibly build and I would never ask for leniency to use land in Southern Shores to create dangerous, unsightly filth that reduces the values of all the neighboring homes as Dare County and Kitty Hawk has allowed to take place on Vista Lane. (If I do sell a newly sub-divided lot, I am planning on having an attorney draft home owners association by laws for the new owners to live under so I am guaranteed they will comply with my standards).

Thank you,

Anthony S Mina

On Wednesday, October 25, 2023 at 03:46:06 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon, Mr. Mina. Please find the attached application for a subdivision. If you'd like to move forward with your request, please complete and submit the application, the application fee (\$50.00 per lot), a mylar subdivision plat prepared by an N.C. licensed land surveyor, and two paper copies of the subdivision plat. If/when submitted, it will be reviewed for compliance with the Town Code and a decision to approve or to deny the application will be made.

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

3

Cliff Ogburn

From: Cliff Ogburn
Sent: Friday, June 2, 2023 12:03 PM
To: council@southernshores-nc.gov
Subject: FW: Unduly Prejudicial Zoning Amendment Scheduled For Council Review On June 6, 2023
Attachments: 5-16-23 ZTA-23-03 Lot Width.pdf

We don't want to get in a back and forth with Mr. Mina, but I do want to share a couple of points. I see these as two separate issues. If he removes his interaction with Wes, he still has an issue with the ZTA. As far as his interaction with Wes, as Mr. Mina says, May 1 was his first communication with Wes. His email included a drawing of what he was proposing at that time. Mr. Mina brought up the fact that the existing house encroached into the setback, and he acknowledged that as a problem. Wes replied the same day that what was proposed would not be approved as both lots didn't front a street. Mr. Mina replied and only thanked Wes for his reply. Mr. Mina started his due diligence process May 8. Their next interaction was May 16 and they went back and forth until May 31. Mr. Mina produced a new drawing in an email on May 31. With Wes then having the answers to his questions and being able to determine that what was proposed would be impacted by the proposed ZTA he shared that with Mr. Mina.

This is an example of a time where we should have just said "submit an application".

Thank you.

Cliff

From: Anthony Mina <chestercountylawn@yahoo.com>
Sent: Friday, June 2, 2023 9:41 AM
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