

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

February 20, 2025

MOTION TO BAN HORNTAL, RILEY, ELLIS & MALAND (HREM) ATTORNEYS FROM ANY INVOLVEMENT WITH THE MARCH 17, 2025 APPEAL OF JANUARY 21, 2025 SUBDIVISION DENIAL DUE TO THEIR LAW FIRM'S INVOLVEMENT WITH VIOLATIONS OF 18 U.S. CODE § 1512- TAMPERING WITH A WITNESS, VICTIM OR AN INFORMANT, VIOLATIONS OF RULE 4.1 OF THE NORTH CAROLINA RULES OF PROFESSIONAL CONDUCT AND VIOLATIONS OF SOUTHERN SHORES TOWN ETHICS POLICY

Applicant, Anthony Mina hereby Motions To Ban HREM Law Firm From Any Involvement With The March 17, 2025 Appeal Of The January 21, 2025 Subdivision Denial and in support there of aver the following:

1. Applicant is Anthony Mina, Variance hearing Applicant from the October 21, 2024 Variance VA-24-01 hearing.
2. Lauren Womble is the Southern Shores Attorney who represented Wes Haskett on October 21, 2024.
3. Philip Hornthal is the HREM Law Firm representing Southern Shore's Town.
4. Applicant Anthony Mina does not have any type of relationship with HREM Law Firm, meaning he is not a friend, colleague, client, partner, student or any other person besides a Variance Applicant on October 21, 2024 and Southern Shores resident and tax payer.
5. Dare County Superior Court Ordered Wes Haskett and Southern Shores to provide a complete verified record from the Variance hearing within 30 days of December 18, 2024. A true and correct copy of the Order is attached hereto as "Exhibit 1".
6. Despite Southern Shores and Town Council being served by U.S. Mail with electronic receipt of service and the Planning Board being served by email the Order dated

December 18, 2024, Wes Haskett, Southern Shores and/or the Planning Board are in Contempt of Dare County Superior Court's Order requiring a complete copy of the record from the Variance hearing VA-24-01. A true and correct copy of the email received by HREM Law Firm and the Planning Board on December 18, 2024 is attached hereto as "Exhibit 2".

7. Town Code 36-414(a) provides: The town council may, on its own motion or upon motion or upon petition by any person within any zoning jurisdiction of the town, after public notice and hearing, amend, supplement, change, modify or repeal the regulations herein established or the maps which are part of this chapter, subject to the rules prescribed in this article. No regulation or map shall be amended, supplemented, changed, modified or repealed until after a public hearing in relation thereto, at which parties in interest and citizens shall have an opportunity to be heard. Prior to adopting or rejecting any zoning amendment, the planning board shall adopt a statement describing whether its action is consistent with the adopted town comprehensive land use plan and explaining why the planning board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review. A notice of such hearing shall be given one a week for two successive calendar weeks in a newspaper of general circulation in the town, said notice to be published the first time not less than ten days nor more than 25 days prior to the date fixed for the hearing.
 8. **Town Code 36-414(b) provides: In addition and where a zoning map amendment is proposed, the town shall cause to be placed a sign on the subject property announcing the date, time, and place of the public hearing for the purpose of notifying persons of the proposed rezoning.**
 9. On October 21, 2024 Lauren Womble misrepresented Town Code 36-414(b) by removing the 1st 3 words from the code and claimed the code does not apply to text amendments. See youtube video 1:42-1:44.
 10. On October 21, 2024 Lauren Womble argued Wes Haskett's statement that notification requirements were met in his staff report was not cross examinable when Town Code 36-414(b) was stated by Applicant. See youtube video 3:24-3:29.
 11. On October 21, 2024 Lauren Womble again claimed notification requirements were met and also claimed the use of 75 E Dogwood Trail was not changed when Wes Haskett's email dated June 7, 2023 indicated the lot width requirement was adopted to prevent future subdivisions (Wes Haskett's June 1, 2023 email proves Wes Haskett knew the new lot width requirement prevented the 75 E Dogwood Trail subdivision. See youtube video 3:48-3:51.
 12. On October 21, 2024 Lauren Womble claimed the zoning ordinances Applicant was seeking a variance from, which did not have posted notice pursuant to Town Code 36-414(b) prior to their adoption were "valid, legal enforceable laws". See youtube video 5:09-5:11.
 13. Paragraph 1 of the Code of Ethics provides: I will always obey the law and will not try in any way to influence the application of the law by any of the town's authorities or personnel.
- Paragraph 2 of the Code of Ethics provides: I will always uphold the integrity and independence of my job.
- Paragraph 3 of the Code of Ethics provides: I will always avoid any impropriety in all of my activities.

Paragraph 4 of the Code of Ethics provides: 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.

Paragraph 7 of the Code of Ethics provides: 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.

14. Andy Ward agreed the Code of Ethics would be complied with at the October 21, 2024 Variance Hearing. A true and correct copy of the code of ethics is attached hereto as "Exhibit 3".

15. The Code of Ethics prohibits Southern Shores money from being spent on HREM law firm, as their fraudulent misrepresentations violate Town Code #1, 2, 3, 4 and 7.

16. Rule 4.1 OF THE RULES OF PROFESSIONAL CONDUCT STATES: TRUTHFULNESS IN STATEMENTS TO OTHERS: In the course of representing a client a lawyer shall not knowingly make a false statement of material fact or law to a third person.

Misrepresentation

[1] A lawyer is required to be truthful when dealing with others on a client's behalf, but generally has no affirmative duty to inform an opposing party of relevant facts. A misrepresentation can occur if the lawyer incorporates or affirms a statement of another person that the lawyer knows is false. Misrepresentations can also occur by partially true but misleading statements or omissions that are the equivalent of affirmative false statements. For dishonest conduct that does not amount to a false statement or for misrepresentations by a lawyer other than in the course of representing a client, see Rule 8.4.

Statements of Fact

[2] This Rule refers to statements of fact. Whether a particular statement should be regarded as one of fact can depend on the circumstances. Under generally accepted conventions in negotiation, certain types of statements ordinarily are not taken as statements of material fact. Estimates of price or value placed on the subject of a transaction and a party's intentions as to an acceptable settlement of a claim are ordinarily in this category, and so is the existence of an undisclosed principal except where nondisclosure of the principal would constitute fraud. Lawyers should be mindful of their obligations under applicable law to avoid criminal and tortious misrepresentation.

Crime or Fraud by Client

[3] Under Rule 1.2(d), a lawyer is prohibited from counseling or assisting a client in conduct that the lawyer knows is criminal or fraudulent. Ordinarily, a lawyer can avoid assisting a client's crime or fraud by withdrawing from the representation. Sometimes it may be necessary for the lawyer to give notice of the fact of withdrawal and to disaffirm an opinion, document, affirmation or the like. In extreme cases, substantive law may require a lawyer to disclose information relating to the representation to avoid being deemed to have assisted the client's

crime or fraud. Rule 1.6(b)(1) permits a lawyer to disclose information when required by law. Similarly, Rule 1.6(b)(4) permits a lawyer to disclose information when necessary to prevent, mitigate, or rectify the consequences of a client's criminal or fraudulent act in the commission of which the lawyer's services were used.

17. Rule 4.1 Of The Rules Of Professional Conduct prohibit HREM Law Firm's conduct.

18. 18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant provides: **(a)**

(1)Whoever kills or attempts to kill another person, with intent to—

(A)prevent the attendance or testimony of any person in an official proceeding;

(C) prevent the production of a record, document, or other object, in an official proceeding;

or

(C)prevent the communication by any person to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

(2)Whoever uses physical force or the threat of physical force against any person, or attempts to do so, with intent to—

(A)influence, delay, or prevent the testimony of any person in an official proceeding;

(B)cause or induce any person to—

(i)withhold testimony, or withhold a record, document, or other object, from an official proceeding;

(ii)alter, destroy, mutilate, or conceal an object with intent to impair the integrity or availability of the object for use in an official proceeding;

(iii)evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or

(iv)be absent from an official proceeding to which that person has been summoned by legal process; or

(C)hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3). **(3)**The punishment for an offense under this subsection is—

(A)in the case of a killing, the punishment provided in sections 1111 and 1112;

(B)in the case of—

(i)an attempt to murder; or

(ii)the use or attempted use of physical force against any person; imprisonment for not more than 30 years; and

(C)in the case of the threat of use of physical force against any person, imprisonment for not more than 20 years.

(b)Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to—

(1)influence, delay, or prevent the testimony of any person in an official proceeding;

(2)cause or induce any person to—

(A) withhold testimony, or withhold a record, document, or other object, from an official proceeding

(B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding;

(C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or

(D) be absent from an official proceeding to which such person has been summoned by legal process; or

(3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation [1] supervised release,,[1] parole, or release pending judicial proceedings;

shall be fined under this title or imprisoned not more than 20 years, or both.

(c) Whoever corruptly—

(1) alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or

(2) otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both. **(d)** Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from—

(1) attending or testifying in an official proceeding;

(2) reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal offense or a violation of conditions of probation ¹ supervised release,,¹ parole, or release pending judicial proceedings;

(3) arresting or seeking the arrest of another person in connection with a Federal offense; or

(4) causing a criminal prosecution, or a parole or probation revocation proceeding, to be sought or instituted, or assisting in such prosecution or proceeding;

or attempts to do so, shall be fined under this title or imprisoned not more than 3 years, or both.

(e) In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

(f) For the purposes of this section—

(1) an official proceeding need not be pending or about to be instituted at the time of the offense; and

(4) the testimony, or the record, document, or other object need not be admissible in evidence or free of a claim of privilege.

(5) (g) In a prosecution for an offense under this section, no state of mind need be proved with respect to the circumstance—

(1) that the official proceeding before a judge, court, magistrate judge, grand jury, or government agency is before a judge or court of the United States, a United States

magistrate judge, a bankruptcy judge, a Federal grand jury, or a Federal Government agency;
or

(2)that the judge is a judge of the United States or that the law enforcement officer is an officer or employee of the Federal Government or a person authorized to act for or on behalf of the Federal Government or serving the Federal Government as an adviser or consultant.

(h)There is extraterritorial Federal jurisdiction over an offense under this section.

(i)A prosecution under this section or section 1503 may be brought in the district in which the official proceeding (whether or not pending or about to be instituted) was intended to be affected or in the district in which the conduct constituting the alleged offense occurred.

(j)If the offense under this section occurs in connection with a trial of a criminal case, the maximum term of imprisonment which may be imposed for the offense shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

(k)Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

19. Philip Hornthal and Lauren Womble are in violation of 18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant laws.
20. Applicant filed a Motion To Preclude Variance Hearing Based On Fraudulent misrepresentations of Town Code Notification requirements. A true and correct copy of the Motion is attached hereto and marked "Exhibit 4".
21. Lauren Womble's fraudulent misrepresentations of Town Code 36-414(b) were illegal, biased, premeditated misconduct trying to undermine the fraud Applicant proved Wes Haskett has committed by falsifying records relating to property owners being notified of the March 31, 2023 lot width amendment.
22. Lauren Womble stated Anthony Mina inappropriately sought a Variance on October 21, 2024 several times and made references to Adam Lovelady.
23. Lauren Womble's client, Wes Haskett provided Applicant a Variance Application on November 1, 2023 when Applicant asked how leniency is asked for in Southern Shores and on May 17, 2023 Wes Haskett emailed Applicant and stated "An exception would be in the form of a variance" when asked the proper way to ask Southern Shores to make an exception to their local code. A true and correct copy of the November 1, 2023 and May 17, 2023 emails are attached hereto as "Exhibit 5" along with an email to the Southern Shores Beacon proving the falsity of the defaming, ridiculing article published about Applicant.
24. Exhibit A- 11/25/2024- Philip Hornthal did not forward 3 filings to the Southern Shores Planning Board/Board of Adjustments for filing that were attached to the emails in Exhibit B-D These documents were submitted to Philip Hornthal for filing because Philip Hornthal blocked Applicant from emailing Southern Shores and requires filings to be provided to Philip Hornthal for filing.
25. Exhibit B-10/31/2024- Philip Hornthal claimed to forward the email with the "Notice Of Wes Haskett's False Sworn Testimony" for Case VA-24-01
26. Exhibit C-10/29/2024- Philip Hornthal claimed to forward the email with the "Motion To Reverse Variance Denial Explaining Wes Haskett's Ulterior Motives"-case VA-24-01.
27. Exhibit D- 10/29/2024- Philip Hornthal claimed to forward the email with the "Motion For Reconsideration Of Motion To Preclude Variance Hearing"-case VA-24-01

28. Exhibit E- 10/24/2024- Philip Hornthal claimed he will forward any police report Applicant wants to file against Wes Haskett to the Southern Shores Police Department
29. Exhibit F- 10/24/2024- Philip Hornthal blocked Anthony Mina from emailing Southern Shores email accounts but claimed that he will forward the emails to the town and respond on behalf of the town.
30. Exhibit G- 8/14/2024- Chief Kole emailed Anthony Mina to explain Sgt. Cooke has been assigned to take a police report against Wes Haskett.
31. Exhibit H- 8/23/2024- Philip Hornthal emailed Anthony Mina and Sgt. Cooke explaining that Mr. Cooke will not be responding to Applicant's police report as Chief Kole assigned Sgt. Cooke to do.
32. Exhibit I- 12/27/2024- Philip Hornthal emailed Anthony Mina after 911 was called on Southern Shores Police Department for refusing to allow Anthony Mina to file a police report against Wes Haskett for insurance fraud. Philip Hornthal claimed to provide Sgt. Brinkley Anthony Mina's police report against Wes Haskett.
33. Exhibit J- 1/2/2025- Philip Hornthal emailing Anthony Mina in response to a Public Records Request for all police reports filed with the town of Southern Shores and the Police Department against Wes Haskett. Philip Hornthal indicated he did not think any of Anthony Mina's reports against Wes Haskett were filed with the town or police department and to this date, no police reports against Wes Haskett have been provided to Anthony Mina in response to the Public Records Request.
34. Exhibit K-6/20/2024- Cliff Ogburn emailing Anthony Mina telling Anthony Mina to remove his work/real estate signs and acknowledging the "Oh So Sandy" at 18 E. Dogwood Trail as not being allowed.
35. Exhibit L 6/27/2024- A right of way encroachment application Cliff Ogburn denied for allowing Anthony Mine to install a real estate sign on the right and left side of his driveway until a buyer was found for 75 E Dogwood Trail.
36. Exhibit M 9/30/2024- A public records request response proving the Episcopal Church has signs in the "right of way without an encroachment agreement and THERE IS NO SOUTHERN SHORES CODE PERMITTING EPISCOPAL CHURCH SIGNS AS THEY ARE POSITIONED, BUT PROHIBITING WHALEY FUN RETURNS SIGNS AS THEY WERE POSITIONED (at 75 E Dogwood Trail).
37. Exhibit N 7/29/2024- Southern Shores did not notify Dare County they reduced property value by taking the right to subdivide on June 6, 2023 with a lot width amendment.
38. Exhibit O 10/9/2024- Cliff Ogburn will not allow the Southern Shores Newsletter email list to be used for the sole purpose of:
 - informing property owners that Southern Shores made zoning amendments on 8/3/2021 and 6/6/2023 without complying with Town Code 36-414(b),
 - informing property owners the zoning amendment on 6/6/2023 was made to rezone subdividable property as unsubdividable with a lot width amendment,
 - inform property owners Southern Shores is aware that property tax reductions have not been made and Southern Shores refuses to correct their wrong doing.
39. Exhibit P 6/7/2023-5/1/2023- Wes Haskett was asked how the property owner of 75 E Dogwood Trail was notified of the lot width amendment on 6/7/2023 and would not answer the question, Wes Haskett instructed Anthony Mina to contact Philip Hornthal. There are (4) additional emails from Wes Haskett during May, 2023 where Wes Haskett withheld the information about the 3/31/23 proposed lot width amendment being used to prevent lot subdivisions when specifically asked about lot width requirements and subdivisions. Wes Haskett was supposed to have posted notice at effected property(s) during the month of May, 2023 pursuant to Town Code 36-414(b). Wes Haskett claims 75 E Dogwood Trail is an effected property of the lot width amendment but did not have posted notice at 75 E Dogwood Trail as required to effectuate a zoning code amendment.
40. Exhibit Q- 1/21/2025- Philip Hornthal received an email explaining how Wes Haskett's denial of the January 6, 2025 subdivision plan violates tax fraud and insurance fraud laws.
41. Exhibit R- Wes Haskett spent months claiming there was a setback encroachment on the 75 E Dogwood Trail house (which was built to code in 1970) that prohibited the subdivision. Wes Haskett paid Philip Hornthal to also claim there was a setback encroachment. One day

after Anthony Mina filed a building permit to remove 1' of the house (the claimed "set back encroachment") Wes Haskett revised his subdivision denial and removed his setback encroachment claim. Plats Wes Haskett signed at 233 N. Dogwood Trail and 170-172 Ocean Boulevard prove Wes Haskett does not require setback requirements to be met on new approved plats but Haskett tried claiming Anthony Mina's house built in 1970 had a setback encroachment.

42. HREM Law Firm is involved with misstating town codes such as Town Code 36-414(b) and side setback requirements.
43. HREM Law Firm is involved with interfering with Applicant filing Exhibit B,C and D with the Planning Board.
44. HREM Law Firm is involved with preventing police reports from being filed against Wes Haskett, even after Philip Hornthal said the police report could be provided to Philip Hornthal for filing (but the public records request at Exhibit J proves the police reports were never filed as Philip Hornthal claimed was occurring).
45. HREM Law Firm is involved with helping Cliff Ogburn prevent Applicant from obtaining the Southern Shores Newsletter email list to notify property owners that Southern Shores claims to have taken the right to subdivide from property owners without notifying property owners pursuant to Town Code 36-414(b) and without ordering a property tax reduction for devaluing property(s).
46. HREM Law Firm is involved with publicly stating Applicant inappropriately filed a Variance application after their client, Wes Haskett stated a Variance is how Applicant would ask for leniency and/or an exception from zoning code.
47. HREM Law Firm is involved with publicly stating Wes Haskett's March 31, 2023 lot width amendment was legally adopted when the facts are Wes Haskett did not comply with Town Code 36-414(b) which requires posted notice at effected properties prior to the adoption of a new zoning code (and there was not posted notice at 75 E Dogwood Trail).
48. HREM Law Firm has been repeatedly informed in emails, filings and sworn testimony that the previous owner of 75 E Dogwood Trail was able to negotiate an additional \$75,000 for a subdividable lot from Applicant (subdivision is proven in Haskett's July 16, 2024 subdivision denial stating the new lot width requirement as the only reason for the denial) because Wes Haskett hid the March 31, 2023 proposed lot width amendment from Applicant during the month of May 2023 when Applicant agreed on the purchase price for 75 E Dogwood Trail.
49. HREM Law Firm has responded to Applicant's complaints of Wes Haskett's misconduct by publicly misstating Town Code 36-414(b) and claiming Wes Haskett had a legal basis to amend the zoning code.
50. HREM Law Firm has interfered with Applicant filing police reports against Wes Haskett's \$75,000 fraud against Applicant.

WHEREFORE, Applicant Anthony Mina respectfully requests that HREM Law Firm be banned from any involvement with Applicant's March 17, 2025 Appeal of the January 21, 2025 subdivision denial.

February 20, 2025

Respectfully Submitted,



ANTHONY S. MINA

: DARE COUNTY SUPERIOR COURT

Petitioner

:

FILED

V.

: No.

DATE: December 18, 2024

TIME: 2:48:51 PM

SOUTHERN SHORES/WES HASKETT :

DARE COUNTY

CLERK OF SUPERIOR COURT

Respondent

: Southern Shores No. VA-24-01.

BY: L. Watts

PROPOSED WRIT OF CERTIORARI

12/18/2024

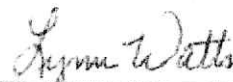
Now, that on this _____ day, of _____, 2024 a Petition For Writ Of Certiorari has been filed in the Dare County Superior Court, Respondent Southern Shores/Wes Haskett is hereby ORDERED to prepare and certify to the court a complete record from the proceedings Variance No. VA-24-01 within 30 days of the date 12/18/2024.

Petitioner is hereby ORDERED to serve the Petition For Writ of Certiorari and Proposed Writ of Certiorari on the Respondent pursuant to Rule 4(j) of the Rules of Civil Procedure.

Additional requirements, if any, are: _____

Date: 12/18/2024

Signature: _____



Asst. Clerk

EXHIBIT * 1

PETITION FOR WRIT OF CERTIORARI WITH PROOF OF FALSE PRE-TENSE, FALSE SWORN TESTIMONY AND A FALSE REPORT TO LAW ENFORCEMENT COMMITTED BY WES HASKETT

From: Anthony Mina (chestercountylawn@yahoo.com)

To: phornthal@hrem.com; norwood@cmclawfirm.com; dkole@southernshores-nc.gov; cogburn@southernshores-nc.gov; lawomble@hrem.com; emorey@southernshores-nc.gov; ps Sherlock@southernshores-nc.gov; whaskett@southernshores-nc.gov; mbatenic@southernshores-nc.gov; mneal@southernshores-nc.gov; rneilson@southernshores-nc.gov; council@southernshores-nc.gov; council@southernshores-nc.gov; planningboard@southernshores-nc.gov; info@southernshores-nc.gov

Cc: philadelphia.complaints@ic.fbi.gov; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; andrea.powell@nccourts.org; ncago@ncdoj.gov; ncago@ncdoj.gov; jportnoy@invtitle.com

Date: Wednesday, December 18, 2024 at 05:03 PM EST

Dear Southern Shores and Law Enforcement (Mr. Hornthal, please provide this email to all Southern Shores addresses blocked from receiving my emails that I have included in this email),

Please find the attached:

1) PETITION FOR WRIT OF CERTIORARI WITH PROOF OF FALSE PRETENSE, FALSE SWORN TESTIMONY AND A FALSE REPORT TO LAW ENFORCEMENT COMMITTED BY WES HASKETT (contains exhibits A-H)

2) My Variance Application, which is Exhibit I of my Petition for Writ of Certiorari

3) The timestamped copies of the Writ and Proposed Writ Ordering Southern Shores to produce the complete record to the Dare County Superior Court within 30 days of December 18, 2024.

PLEASE NOTE THAT SOUTHERN SHORES CODE OF ETHICS PROHIBITS SOUTHERN SHORES TOWN MONEY FROM BEING SPENT ON LEGAL FEES (ESPECIALLY LEGAL FEES INVOLVING WES HASKETT) ASSOCIATED WITH MY PETITION FOR WRIT OF CERTIORARI AND VARIANCE HEARING.

SOUTHERN SHORES CODE OF ETHICS STATES IN PART:

1. I will always obey the law and will not try in any way to influence application of the law by any of the town's authorities or personnel.
2. I will always uphold the integrity and independence of my job.
3. I will always avoid any impropriety or the appearance of impropriety in all of my activities.
4. I will manage and spend the town's funds as if they were my own and will have the best interests of SOUTHERN SHORES TAX PAYERS in mind in the expenditure of these funds.

My Petition For Writ of Certiorari, like my Variance Application, prove Wes Haskett lied about meeting/complying with notification requirements to affected property owners prior to adoption of the zoning amendment being used to deny my lot sub-division plan. Because property owner notification is a pre-requisite to zoning code being applicable to the property the only thing Wes Haskett's lies that convinced Southern Shores Planning Board/Adjustment Board to deny

EXHIBIT ~~1~~ 2

my Variance application add up to is a criminal conspiracy to commit crimes, including a false pre-tense real estate scam that helped Linda Lauby defraud me of \$75,000 for a lot that was sub-dividable when I entered into an agreement to purchase the property as Wes Haskett was hiding his proposed March 31, 2023 lot width amendment when I was specifically asking about sub-dividing and lot width requirements in May, 2023 (when posted notice was required at 75 E. Dogwood Trail).

Please arrest Wes Haskett and correct his wrong doing. The Petition for Writ of Certiorari cost me another \$200 that I would not have been required to spend if Wes Haskett stopped lying and stopped defrauding me with unenforceable, illegally adopted zoning codes that can not apply to properties that did not receive notice of the zoning amendment.

Thank you,
Anthony S Mina

PS. My Petition States:

ANTHONY S. MINA : DARE COUNTY SUPERIOR COURT
Petitioner :
V. : No.
SOUTHERN SHORES/WES HASKETT :
Respondent :
: Southern Shores No. VA-24-01

PETITION FOR WRIT OF CERTIORARI
WITH PROOF OF FALSE PRETENSE, FALSE SWORN TESTIMONY AND A FALSE REPORT TO LAW
ENFORCEMENT COMMITTED BY WES HASKETT

Petitioner, Anthony S Mina hereby petitions to the Honorable Dare County Superior Court to reverse the decision of the Planning Board/Board of Adjustments pursuant to Article 14 160A-393(L) and order injunctive relief/legal sanctions, including a request for criminal prosecution of Wes Haskett to the District Attorney's Office for violating false pretense, false reports to law enforcement and false sworn testimony laws. In support thereof, Petitioner avers the following:

FACTS

1. Petitioner is Anthony S. Mina, owner of 75 E. Dogwood Trail, Southern Shores, NC 27949
2. Respondent is Wes Haskett, Deputy Town Manager of Southern Shores 5375 N. Virginia Dare Trail, Southern Shores, NC 27949
3. Southern Shores Board of Adjustments/Planning Board signed an Order on November 19, 2024 Denying Petitioner's Application For Variance and Petitioner's Motion To Preclude Variance Hearing. A true and correct copy of the November 19, 2024 Order is attached hereto and marked "Exhibit A".
4. The Order dated November 19, 2024 ("Exhibit A") was written by Wes Haskett and his attorney, Lauren Womble and not written by the Planning Board/Board of Adjustments.
5. Paragraph 12 of the Order dated November 19, 2024 ("Exhibit A") states "There has been no competent evidence present to support Applicant's motion to preclude. There is no evidence of fraud, criminal conspiracy or misconduct by Town Staff."
6. Town Code Section 36-414(b) requires posted notice at the subject property(s) of zoning amendments announcing the date, time, and place of the public hearing for the purpose of notifying persons of the proposed rezoning (prior to the zoning amendment's adoption).
7. Town Code Section 36-362(b) provides: Notices. Notice of hearings conducted pursuant to this article (Article XII-governing Planning Board/Board of Adjustment hearings) shall be mailed to: (i) the person or entity whose appeal, application, or request is the subject of the hearing; (ii) to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; (iii) to the owners of all parcels of land abutting the parcel of land that is the

EXHIBIT B2

subject of the hearing; and (iv) to any other persons entitled to receive notice as provided by this chapter. In the absence of evidence to the contrary, the town may rely on the Dare County tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least ten days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.

8. Wes Haskett and Southern Shores did not post Notice at 75 E. Dogwood Trail (Petitioner's property) or mail notice to the property owner of 75 E. Dogwood Trail for Wes Haskett's zoning amendment application (changing lot width requirements) filed on March 31, 2023 which was heard and recommended for approval by the Planning Board/Board of Adjustments on May 15, 2023 and approved by town council on June 6, 2023. A true and correct copy of a public records request response from Southern Shores stating mailed notice was not provided and posted notice was not placed at 75 E. Dogwood Trail is attached hereto as "Exhibit B".

9. Complying with Town Code Notification requirements and North Carolina notification requirements to affected property owners is a pre-requisite to adopting and/or amending zoning code.

10. The proof that Wes Haskett and Southern Shores did not properly notify the 75 E Dogwood Trail property owner prior to the lot width requirement amendment on June 6, 2023 or an easement restriction amendment on August 3, 2021 was included with Petitioner's Variance Application as "Exhibit 2C" and Petitioner's Motion To Preclude Variance Hearing as "Exhibit B".

11. Wes Haskett made a false report to law enforcement on May 21, 2024 claiming he legally amended lot width requirements on June 6, 2023 but what Wes Haskett did was delete Town Code notification requirement Sec. 36-414(b) and omit Town Code notification requirement 36-362(b) from the report that he emailed to Petitioner, Police Chief Kole and Mayor Morey. A true and correct copy of the false report to law enforcement made by Wes Haskett is attached hereto as "Exhibit C".

12. Petitioner's Variance Application proves at "Exhibit 1A" the only thing preventing the 75 E. Dogwood Trail lot being subdivided with a shared driveway is the illegally adopted August 3, 2021 amendment preventing easement lot access and proves at "Exhibit 1B" the only thing preventing the 75 E. Dogwood Trail lot subdivision with 2 separate driveways is the illegally adopted June 6, 2023 lot width amendment.

13. Exhibit 1B is based on land surveyor Douglas Styons plat designed according to the plat sketch Wes Haskett reviewed on June 1, 2023 and emailed Petitioner about (found in Exhibit F").

14. Wes Haskett's false report to law enforcement ("Exhibit C") was included in Petitioner's Variance Application as "Exhibit 5" and Petitioner's Motion To Preclude Variance Hearing as "Exhibit C".

15. "Exhibit 2" of Petitioner's Variance Application references North Carolina Chapter 14 ss 14-225 false reports to law enforcement being violated by Wes Haskett on May 21, 2024.

16. Wes Haskett emailed Petitioner a staff report for Petitioner's Variance Application on October 14, 2024 stating "All applicable notification requirements established in N.C.G.S. 160D-601 and in the Town's Zoning Ordinance were satisfied prior to adoption of the August 3, 2021 Town Code Text Amendment and June 6, 2023 Zoning Ordinance Amendment". A true and correct copy of Wes Haskett's staff report is attached hereto and marked "Exhibit D".

17. Petitioner responded to Wes Haskett's emailed staff report with an email on October 15, 2024 that stated in part: "Could you please provide me a staff report that does not falsely claim all town and state notification requirements were met when making the June 6, 2023 & August 3, 2021 zoning amendments when "Exhibit 2C" from Sheila Kane proves Southern Shores did not give Notice to the U.S. Army's Duck Facility pursuant to 160D-601(b), Wes Haskett did not get permission to down-zone on June 6, 2023 (change sub-dividable lots to non-sub-dividable lots) from the property owners and never received a unanimous vote for the zoning amendment Wes Haskett initiated AND SOUTHERN SHORES DID NOT HAVE POSTED NOTICE AT EFFECTED PROPERTY(S) AS REQUIRED BY TOWN CODE SECTION 36-414(b). A true and correct copy of Petitioner's email is attached hereto and marked "Exhibit E".

18. Wes Haskett refused to stop claiming he met/complied with notification requirements prior to the lot width amendment on June 6, 2023 and Wes Haskett and/or his attorney Lauren Womble also repeatedly claimed to satisfy notification requirements at the Variance Hearing on October 21, 2024.

EXHIBIT X 2

19. At the Variance Hearing on October 21, 2024 Planning Board attorney Jay Wheless stated Petitioner was "accusing the whole town of impropriety" when Petitioner objected to attorney Jay Wheless and Wes Haskett's attorney Lauren Womble misrepresenting the language of the Town Notification requirement that posted notice must be at affected properties prior to zoning amendments at Town Code Sec. 36-414(b) when Petitioner stated the attorneys were colluding.
20. Wes Haskett's staff report claims "the district is intended to promote stable, PERMANENT NEIGHBORHOODS..." and then completely contradicts itself by arguing Petitioner's Variance for his subdivision should be denied because Petitioner can build an Accessory Dwelling Unit (ADU) when ADU's are known for short term vacation rentals.
21. Wes Haskett's staff report claims "the density of the population is managed" but contradicts himself by refusing to approve a conditional subdivision plan limiting each of the (2) lots to seven occupants for a total of fourteen occupants when using Petitioner's lot for a single family home and ADU allows a total occupancy of twenty eight people (14 people at the home and 14 people at the ADU).
22. Petitioner entered into evidence (4) emails from Wes Haskett during May of 2023 (when posted notice was required at properties affected by his March 31, 2023 zoning amendment application) that prove Wes Haskett was being asked specifically about the 75 E Dogwood Trail lot subdivision and lot width requirements and Wes Haskett refused to tell Petitioner about the March 31, 2023 proposed zoning amendment to change lot width requirements. A true and correct copy of the exhibit entered into evidence is attached hereto as "Exhibit F".
23. On October 21, 2024 at the Variance hearing Petitioner proved Wes Haskett has an undisclosed special interest in Petitioner's property by getting Wes Haskett to admit that he did not allow Petitioner's side setback on his 50+ year old home to be considered "legally non-conforming" until June 5, 2024 which was one day after Petitioner emailed Wes Haskett a building permit application to remove the one foot of Wes Haskett's claimed "non-conforming" section of Petitioner's house and after months of Wes Haskett claiming there was a non-conforming setback preventing the subdivision so much that he even hired attorney Philip Hornthal to also contact Petitioner to claim the side setback prevented the subdivision. A true and correct copy of the documentation presented to Wes Haskett on October 21, 2024 as an Exhibit is attached hereto and marked "Exhibit G".
24. Planning Board Jay Wheless advised the Planning Board/Board of Adjustments that "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN" require the Planning Board/Board of Adjustments to grant Petitioner's Motion to Preclude Variance Hearing and Grant Petitioner's Variance.
25. Wes Haskett's lies that notification requirements were met/complied with prior to the June 6, 2023 and August 3, 2021 zoning amendments is "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN".
26. Wes Haskett's refusal to tell Petitioner about his March 31, 2023 zoning Application in 4 emails responding to subdivision/lot width questions in May of 2023 (when posted notice at affected properties was required) is "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN".
27. Wes Haskett's refusal to allow Town Code Section 36-132(c) and Section 36-132(c)(1) to admit Petitioner's house's setback is "legally non-conforming" for months until Petitioner filed a building permit to remove the 1' of house Wes Haskett claimed was non-conforming is "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN".
28. Wes Haskett and his attorney Lauren Womble's argument on October 21, 2024 that notification requirements for the June 6, 2023 and August 3, 2021 zoning amendment were met/complied with when Southern Shores Public Records Request Response (Exhibit B) proves they were not is "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN".
29. Wes Haskett's false report to law enforcement on May 21, 2024 found in "Exhibit C" (in violation of North Carolina Chapter 14 ss 14-225 false reports) is "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLECT, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN".

EXHIBIT X2

30. Wes Haskett's refusal to correct his wrong-doing as required by Southern Shores Town Code Ethics Policy #7 (found as Exhibit 6 of Petitioner's Variance Application) which states "I will 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" is "RELEVANT, COMPETENT AND SUBSTANTIAL EVIDENCE OF NEGLIGENCE, UNLAWFUL ACTS, CONSPIRACY AND INTENTIONAL MISCONDUCT ON THE PART OF THE TOWN".
31. A true and correct copy of Petitioner's "MOTION TO PRECLUDE VARIANCE HEARING SCHEDULED FOR OCTOBER 21, 2024 DUE TO SOUTHERN SHORES' CONSPIRACY TO FALSIFY MATERIAL INFORMATION TO THE PUBLIC AND PLANNING BOARD, GRANT APPLICANT'S VARIANCES FROM SECTION 30-96(f) AND SECTION 36-202(d) AND REFUND APPLICANT'S \$350 VARIANCE APPLICATION FEE" is attached hereto as "Exhibit H".
32. A true and correct copy of Petitioner's Variance Application is attached hereto as "Exhibit I".
33. The previous owner of 75 E Dogwood Trail was able to negotiate an additional \$75,000 from Petitioner in May of 2023 for the purchase of 75 E Dogwood Trail (when Petitioner's lot was subdividable, as proven with "Exhibit 1B" of Petitioner's Variance Application) because Wes Haskett did not have posted notice at 75 E. Dogwood Trail and refused to tell Petitioner about his March 31, 2023 zoning amendment application.
34. Wes Haskett communicated with the previous owner and the listing agent of 75 E. Dogwood Trail on and off the record about the lot subdivision, as proven with Exhibit 3 of Petitioner's Variance Application.
35. Wes Haskett's claim at paragraph 17(d) of the Order denying Variance that "On July 6, 2023, Mr. Mina was given the opportunity to rescind the offer to purchase the subject property with a full refund of his due diligence funds prior to closing on the subject property and declined to do so" is a fraudulently misrepresented fact because the truth is on July 5, 2023 Petitioner emailed the previous owner's attorney stating that if the real estate transaction was not legally conforming on July 7, 2023 Petitioner would be using the legal system to seek his damages the previous owner procured with fraud, including Wes Haskett's fraud. The previous owner did not offer a refund of Petitioner's legal costs, inspection fees or approximately \$50,000 Petitioner was in the process of spending on his previous home in preparation for the move to 75 E. Dogwood Trail.
36. Wes Haskett is guilty of being a part of a false pretense real estate scam and Wes Haskett is guilty of false pretense theft for repeatedly forcing Petitioner to pay hundreds of dollars on subdivision applications and a Variance Application that require law, town code and facts to be used when deciding but providing Petitioner nothing but misrepresented facts and the use of zoning code Wes Haskett's knows are inapplicable for reasons including that a pre-requisite to the zoning code being enforced is the property owner being notified, which did not occur at 75 E. Dogwood Trail.
37. Planning Board Chairman Andy Ward agreed to comply with Southern Shores Town Ethic's policy when admitting he made a sign complaint against Petitioner for having a real estate sign in the right of way. Andy Ward did not make sign Complaints against other Southern Shores Property owners and a church that had signs in the "right of way" in locations you can not miss when coming and going from Dogwood Trail when the complaint was made against Petitioner. Petitioner did not ask Andy Ward to recuse his self from the Variance proceedings because he agreed to comply with Southern Shores Code of Ethics (Exhibit 6 of Petitioner's Variance Application).
38. Andy Ward has yet to comply with Southern Shores Code of Ethics.
39. The Planning Board/Board of Adjustment's November 19, 2024 Order is in violation of constitutional provisions including those protecting the right to hearing without fabricated evidence, false sworn testimony and due process violations, the decision is inconsistent with applicable procedures specified by statute and ordinance, the decision is affected by error of law and the decision is unsupported by substantial competent evidence (the decision is based on ridiculous amounts of Wes Haskett's lies).

WHEREFORE, Petitioner respectfully requests this Honorable Court to REVERSE the decision of the Planning Board/Board of Adjustments, REMAND the case to Southern Shores, Request that the Dare County District Attorney's Office review this case and grant Petitioner other relief the court deems appropriate, such as a refund of Southern Shores filing fees and an order requiring Wes Haskett to pay Petitioner's legal costs.

EXHIBIT 2

December 18, 2024

Respectfully Submitted,

Anthony S. Mina
75 E Dogwood Trail
Southern Shores, NC 27949
610 842 3905
chestercountylawn@yahoo.com



PetitionForWritWithExhibitsA-H.pdf
3.7MB



VA-24-01 75 E. Dogwood Trl.pdf
11.1MB



PetitionForWritTimeStamped.pdf
58.2kB

EXHIBIT X 2

Code of Ethics for Town of Southern Shores Employees

The proper operation of democratic government in the Town of Southern Shores requires that Public Officials and employees: a) be independent, impartial and responsible to the people, b) make decisions and policy in public, c) not use their position for personal gain and d) conduct all duties and direct all actions to maintain public confidence in the integrity of Southern Shores Government and its employees.

In recognition of these requirements a Code of Ethics and Standards of Conduct is hereby promulgated:

As an employee in the Town of Southern Shores:

1. I will always obey the law and will not try in any way to influence application of the law by any of the town's authorities or personnel.
2. I will always uphold the integrity and independence of my job.
3. I will always avoid any impropriety or the appearance of impropriety in all of my activities.
4. I will manage and spend the town's funds as if they were my own and will have the best interests of all Southern Shores taxpayers in mind in the expenditure of these funds.
5. I will always minimize the risk of conflict of my private life dealings with my official duties. This particularly applies to any private employment or service for private interests when incompatible with the proper discharge of my official duties.
6. I will never use my position to harass or adversely influence any of the Town's other employees.
7. I will always respond promptly to any concern brought to me by any employee or Town resident. In this regard I will grant no special consideration, treatment or advantage to any citizen beyond that which is available to any other citizen.
8. I will not engage in any contractual dealing with the Town or try to influence any such dealing on the behalf of any friend or relative.
9. I will accept no gift or other gratuity, including meals, from anyone that could do business with the Town or that is presently conducting business with the Town. This will also apply to any gift that a reasonable person believed was intended to influence an employee in the performance of official duties.

Exempted from the provision concerning gifts are advertising items or souvenirs of nominal value or meals furnished at banquets. Gifts between employees and their friends and relatives are also exempted.

EXHIBIT 3

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

October 15, 2024

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

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

1. Applicant has a Variance Hearing Scheduled on October 21, 2024 because of hardships including Wes Haskett's refusal to tell Applicant about the June 6, 2023 zoning amendment to prevent sub-divisions until June 1, 2023 despite Applicant's 4 emails during May 2023 asking about the 75 E. Dogwood Trail sub-division which Applicant was told by Outer Banks Realty that Southern Shores said was possible. During the month of May 2023 Outer Banks realty negotiated an additional \$75,000 from Applicant for a lot that was sub-dividable as proven by Wes Haskett's June 1, 2023 email which is attached hereto, made a part hereof and marked "Exhibit A".
2. Wes Haskett and Southern Shores did not comply with town and state notification requirements when making the June 6, 2023 & August 3, 2021 zoning amendments because Wes Haskett did not give Notice to the U.S. Army's Duck Facility pursuant to 160D-601(b), Wes Haskett did not get permission to down-zone on June 6, 2023 (change sub-dividable lots to non-sub-dividable lots) from the property owners and never received a unanimous vote for the zoning amendment Wes Haskett initiated **AND SOUTHERN SHORES DID NOT HAVE POSTED NOTICE AT EFFECTED PROPERTY(S) AS REQUIRED BY TOWN CODE SECTION 36-414(b)**. A true and correct copy of a Public Records Request proving Notification requirements were not met for TCA-21-06 & ZTA-23-03 is attached hereto, made a part hereof and marked "Exhibit B".
3. Wes Haskett falsified Southern Shores' Town Code Notification requirements to Applicant, Police Chief Kole and Mayor Morey on May 21, 2023 by deleting Section 36-414(b) requiring posted notice of the Zoning Amendment at effected properties. A true and correct copy of Wes Haskett's May 21, 2023 email is attached hereto, made a part hereof and marked "Exhibit C".
4. **North Carolina Code - General Statutes § 14-225. False reports to law enforcement agencies or officers provides:** Any person who shall willfully make or cause to be made to a law

EXHIBIT 4

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

5. **Wes Haskett is guilty of making false reports to law enforcement.**
6. Wes Haskett, Cliff Ogburn and Philip Hornthal have knowingly refused to correct their illegally adopted zoning codes (which violate all Southern Shores property owner's 4th Amendment Due Process Rights) for at least 5 months now when the only thing Federal Law, State Law and Southern Shores Town Code & Ethics Policy permits Southern Shores to do is remedy their wrong doing.
7. Wes Haskett is in violation of Southern Shores Town Ethics Policy #1, #2, #3 & #6 which provide:
 1. I will always obey the law and will not try in any way to influence application of the law by any of the town's authorities or personnel.
 2. I will always uphold the integrity and independence of my job.
 3. I will always avoid any impropriety or the appearance of impropriety in all of my activities.
 6. I will never use my position to harass or adversely influence any of the town's other employees.A true and correct copy of the town's ethics policy is attached hereto made a part hereof and marked "Exhibit D".
8. **Wes Haskett prepared a "Staff Report" on October 14, 2024 and again falsely claimed all applicable notification requirements were met.** A true and correct copy of Wes Haskett's falsified "Staff Report" is attached hereto, made a part hereof and marked "Exhibit E"
9. **SOUTHERN SHORES LACKS JURISDICTION TO ENFORCE ILLEGALLY ADOPTED ZONING CODES, THEREFORE, FORCING APPLICANT TO PAY \$350 FOR A VARIANCE HEARING SUBSTANTIATES A CRIMINAL CONSPIRACY TO STEAL \$350 FROM APPLICANT AND HARASS APPLICANT WITH UNENFORCABLE ZONING CODES.**

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

Respectfully Submitted,

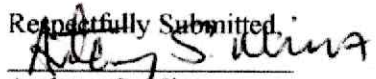

Anthony S. Mina
75 E Dogwood Trail
Southern Shores, NC 27949
610 842 3905
chestercountylawn@yahoo.com

EXHIBIT 4

RE: 75 E Dogwood Trail Subdivision

chestercountyla.../Inbox



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

Jun 1, 2023 at 9:44 AM

Good morning. The main issue is the setback encroachment. The lot widths as shown may be ok per our current lot width requirements but I can't confirm that without seeing them on a plat prepared by a surveyor. However, we have been discussing amending our current lot width requirements. The Town Planning Board recommended approval of the attached amendments on May 15th and the Town Council will be holding a public hearing on June 6th. If the proposed amendments are adopted, I can say that the lots as drawn would not be in compliance. Let me know if you have any additional questions.

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



From: Anthony Mina <chestercountyawn@yahoo.com>
Sent: Wednesday, May 31, 2023 7:58 AM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: Re: 75 E Dogwood Trail Subdivision

Good Morning,

The attached drawing shows lot B with a 100' front set back.

The attached drawing is not drawn exactly to scale. I anticipate wanting to keep the street frontage of lot B only wide enough to install a driveway with walls on each side of the driveway so I can landscape the driveway entrance myself. I expect the street frontage of Lot B to be under 35'.

Thank you for your help,
Anthony S Mina

On Tuesday, May 30, 2023 at 04:41:19 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. Thank you for sending the drawing. How much frontage would Lot B have and at what point is it 100 ft. wide?

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



From: Anthony Mina <chestercountyawn@yahoo.com>
Sent: Friday, May 26, 2023 12:21 PM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: 75 E Dogwood Trail Subdivision

Hello,

I've attached a subdivision plan I sketched to give you an idea of one idea I had that I believe meets Southern Shores zoning requirements (I am still deciding whether I would remove 1' of the existing 75 E Dogwood Trail structure, purchase 1' of property from 73 E Dogwood Trail or request a variance).

I really only want enough street frontage to build some walls at the beginning of the driveway like in the attached picture. I'll be able to give you a much more accurate subdivision plan after I purchase 75 E Dogwood Trail and get some legal advice about all my possible subdivision plans. But I am thinking that I may want both lots sharing one driveway opening that I own, if zoning code allows a subdivision plan like this (if not Lot A could use the existing driveway).

"EXHIBIT A" ~~2~~ ~~4~~

Lot A has 20,000 sq. ft and lot B has 28,853 sq. ft.
Both lots will have 100 ft width at the front set back.

Thank you for your help.

Anthony S Mina

1 File 2.2MB



5-16-23 ZTA-23-03 Lot Width.pdf
2MB

"EXHIBIT A" of ~~4~~ 4

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

chestercountyla.../Sent



Anthony Mina <chestercountylawn@yahoo.com>

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

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

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

Jun 21 at 11:02 AM

Dear Southern Shores,

Please provide me all public records, including Southern Shores' employees names who claim that mailed letters, 1/2 page newspaper advertising, posted notice on affected properties and direct communication with the property owner are not required for TCA-21-06 and ZTA-23-03 as town code Sec. 38-414(b) and Article 6 ss 160D-602(a),(b),(c) and (d) indicate is required as notification for an AMENDMENT OF A ZONING REGULATION, such as TCA-21-06 and ZTA-23-03.

Thank you,
Anthony S Mina

— Forwarded Message —

From: Anthony Mina <chestercountylawn@yahoo.com>

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

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

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

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

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

Dear Mr. Mina:

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

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

1. A copy of the letters mailed to the owner of 75 E. Dogwood Trail and proof of receipt of mail informing the owner of TCA-21-06 and ZTA-23-03. **NOT REQUIRED**
2. A paid receipt for the advertising of TCA-21-06 and ZTA-23-03 in the Coastland Times (or other newspaper of general circulation) at least 1/2 of a newspaper page size.
 1. Coastland Times Advertisement Invoices and copies of notices are attached. **A 1/2 of a page size is NOT REQUIRED**
3. A copy of the posted notices of TCA-21-06 and ZTA-23-03, paid receipts for printing the notices of TCA-21-06 and ZTA-23-03 and location of all posted notices of TCA-21-06 and ZTA-23-03.
 1. Bulletin Board(s) notices have been attached (one inside and one outside Town Hall), as well as notice to the sunshine list, Town Newsletter, meeting notices/agenda/ posters 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
sheila.kane@townofss.com



1 File 4.3MB

IMG_1328.jpeg
4MB

"EXHIBIT B" *[Handwritten signature]*

Dear Wes Haskett,

My questions are:

My concerns are the following:

Anthony Stocker Mina

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

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

Dear Law Enforcement,

"EXHIBIT" 274

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

chest@countyla.../inbox



Wes Haskett <whaskett@southernshores-nc.gov>

To: Anthony Mina <chestercountylaw@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>

May 21 at 2:27 PM

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 <chestercountylaw@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 <josiegel@hrem.com>; Matt Cooke <mcooke@southernshores-nc.gov>; Eric Brinkley <brinkley@southernshores-nc.gov>; Darrell Brickhouse <brickhouse@southernshores-nc.gov>; Tracy Mann <tracy@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 <jc couture@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 <jrogers@southernshores-nc.gov>; cgariss@kittyhawktown.net; cgariss@kittyhawktown.net; Casey Varnell <cvarnell@southernshores-nc.gov>; Mike Taley <mtaley@southernshores-nc.gov>; 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_a_goldberg@paed.uscourts.gov; chambers_of_judge_timothy_j_savage@paed.uscourts.gov; Dylan <dylan@paed.uscourts.gov>; cccommissioners@chesco.org; cccommissioners@chesco.org; jmaxwell@chesco.org; jmaxwell@chesco.org; Marian Moskowitz <mmoskowitz@chesco.org>

EXHIBIT C of 4

Code of Ethics for Town of Southern Shores Employees

The proper operation of democratic government in the Town of Southern Shores requires that Public Officials and employees: a) be independent, impartial and responsible to the people, b) make decisions and policy in public, c) not use their position for personal gain and d) conduct all duties and direct all actions to maintain public confidence in the integrity of Southern Shores Government and its employees.

In recognition of these requirements a Code of Ethics and Standards of Conduct is hereby promulgated:

As an employee in the Town of Southern Shores:

- X 1. I will always obey the law and will not try in any way to influence application of the law by any of the town's authorities or personnel.
- X 2. I will always uphold the integrity and independence of my job.
- X 3. I will always avoid any impropriety or the appearance of impropriety in all of my activities.
- X 4. I will manage and spend the town's funds as if they were my own and will have the best interests of all Southern Shores taxpayers in mind in the expenditure of these funds.
- X 5. I will always minimize the risk of conflict of my private life dealings with my official duties. This particularly applies to any private employment or service for private interests when incompatible with the proper discharge of my official duties.
- X 6. I will never use my position to harass or adversely influence any of the Town's other employees.
- X 7. I will always respond promptly to any concern brought to me by any employee or Town resident. In this regard I will grant no special consideration, treatment or advantage to any citizen beyond that which is available to any other citizen.
- 8. I will not engage in any contractual dealing with the Town or try to influence any such dealing on the behalf of any friend or relative.
- 9. I will accept no gift or other gratuity, including meals, from anyone that could do business with the Town or that is presently conducting business with the Town. This will also apply to any gift that a reasonable person believed was intended to influence an employee in the performance of official duties.

Exempted from the provision concerning gifts are advertising items or souvenirs of nominal value or meals furnished at banquets. Gifts between employees and their friends and relatives are also exempted.

"EXHIBIT D" of X4

STAFF REPORT

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

GENERAL INFORMATION

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

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

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

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

PIN #: 986817213502
Location: 75 E. Dogwood Trl.
Zoning: RS-1 Single-Family Residential District
Existing Land Use: "Residential"

Surrounding Land Use & Zoning:
North- Residential; RS-1, Single-Family Residential District
South- Canal
East- Residential; RS-1, Single-Family Residential District
West- Canal

Physical Characteristics: Developed (existing single-family dwelling)

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

ANALYSIS

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

"EXHIBIT E"

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

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

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

The denial was not appealed.

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

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

EXHIBIT E 

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

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

"EXHIBIT E" 44

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

EXHIBIT X5

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

EXHIBIT 5

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.

EXHIBIT X5

Fw: Defaming Harassment Published On The Southern Shores Beacon From Variance Hearing Heard On October 21, 2024

From: Anthony Mina (chestercountylawn@yahoo.com)

To: annsj@earthlink.net

Date: Monday, December 23, 2024 at 12:46 AM EST

Please see www.savesouthernshores.com for the Variance Application not attached to this email (the file size was too big for your email account). Anthony S Mina

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

From: Anthony Mina <chestercountylawn@yahoo.com>

To: "annsj@earthlink.net" <annsj@earthlink.net>; "ssbeaconeditor@gmail.com" <ssbeaconeditor@gmail.com>

Cc: "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; "olivia.s.hines@nccourts.org"

<olivia.s.hines@nccourts.org>; Andrea C. Powell <andrea.powell@nccourts.org>; FBI

<philadelphia.complaints@ic.fbi.gov>; "ncago@ncdoj.gov" <ncago@ncdoj.gov>; "ncago@ncdoj.gov"

<ncago@ncdoj.gov>; Anthony Mina <chestercountylawn@yahoo.com>

Sent: Monday, December 23, 2024 at 12:40:09 AM EST

Subject: Defaming Harassment Published On The Southern Shores Beacon From Variance Hearing Heard On October 21, 2024

Dear Ms. Sjoerdsma,

Thank you for taking the time to publish information from the October 21, 2024 Variance Hearing. I also appreciate you taking the time to exercise your 1st Amendment Rights and voice your opinions. However, I do have to respectfully tell you that you are not permitted to publish false information mistakenly or intentionally about anyone, including me. I understand Andy Ward provided some of the false information, but a Southern Shores Public Records Response proved Andy Ward wrong.

I think it is great that the Southern Shore's Beacon states that "Since its debut, The Beacon has taken on an identity as a watchdog for the Town of Southern Shores and its property owners. The Beacon prides itself on its fact-based research and commentary and on its breaking-news reporting."

Please correct the following false information on the Southern Shores Beacon and make sure the corrected information reaches the same readers the false information reached:

Your publication states: "Lest anyone be as confused as Mr. Mina clearly was about the zoning ordinances in the Town Code—which are sometimes referred to as the "Zoning Code" or the "Zoning Ordinance"—we would like to clarify that Southern Shores' zoning ordinances are part of the Town Code, which is readily available on the Town website. An ordinance is a municipal law: It is a law enacted by local government. Mr. Haskett could not "hide" the Town's ordinances if he wanted to."

ISSUE #1

EXHIBIT 5

The facts are Wes Haskett filed an application to amend lot widths on March 31, 2023 and Town Code 36-362(b) required Wes Haskett to mail the affected properties a letter and post notice at affected properties prior to the May 15, 2023 Planning Board/Adjustment Board hearing on the lot width amendment. Not only did Wes Haskett not mail 75 E. Dogwood Trail a letter or post notice of a zoning amendment at 75 E Dogwood Trail, Wes Haskett also refused to tell me about the proposed lot width amendment in 4 emailed questions about lot width requirements and/or the 75 E. Dogwood Trail subdivision during May, 2023. These 4 emails were entered into evidence and can be seen in the attached "Petition For Writ of Certiorari With Proof of False Pretense, False Sworn Testimony And A False Report To Law Enforcement By Wes Haskett" as "Exhibit F". Exhibit 2C of my Variance Application is a Southern Shores Public Information Request Response that proved mailed notice and posted notice was not provided to 75 E. Dogwood Trail. Town Code 36-414(b) also requires posted notice at affected properties prior to subdividable property being rezoned as unsubdividable because of a zoning amendment. As Wes Haskett was hiding his proposed lot width amendment from me and 75 E. Dogwood Trail the previous owner of 75 E Dogwood Trail negotiated an additional \$75,000 from me for a lot that was subdividable, knowing I would not pay the extra \$75,000 for an unsubdividable lot.

A VERY, VERY IMPORTANT FACT FOR YOUR WATCHDOG PUBLICATION IS THAT THE SOUTHERN SHORES PLANNING BOARD ATTORNEY JAY WHELESS AND TOWN ATTORNEY LAUREN WOMBLE WERE BOTH MISREPRESENTING THE LANGUAGE OF TOWN CODE 36-414(b) AND WHEN I OBJECTED AND STATED THEY WERE COLLUDING JAY WHELESS STATED I WAS ACCUSING THE WHOLE TOWN OF IMPROPRIETY. Town Money can not be spent on attorneys misrepresenting Town Codes.

Andy Ward and Wes Haskett's claims that notification requirements were met is what law enforcement call a "criminal conspiracy". Exhibit 2C of my Variance Application is proof from Southern Shores notification requirements were not met.

IN OTHER WORDS, HIDING THE LOT WIDTH AMENDMENT AS I TESTIFIED IS EXACTLY WHAT WES HASKETT DID FROM ME AND THE 75 E DOGWOOD TRAIL PROPERTY. THE SOUTHERN SHORES BEACON'S CLAIM THAT "WES HASKETT COULD NOT "HIDE" ZONING CODE IF HE WANTED TO IS A COMPLETE FALSE FACT.

ISSUE #2

The Southern Shores Beacon falsely states "Mr. Mina submitted to the Town two applications for a subdivision of 75 E. Dogwood, each of which had a preliminary plat and each of which appears to depend upon an easement for access to a back lot."

The facts are I submitted 2 applications for a lot subdivision one of which did not depend upon easement access and was denied for one reason, the lot width amendment referenced in Issue #1 that Wes Haskett never complied with notification requirements for at 75 E Dogwood Trail. Notification requirements are a mandated pre-requisite to zoning code being enforceable and as such, the 75 E Dogwood Trail sub-division should have been approved prior to the Variance Hearing. The 2nd subdivision application which was designed with an access easement was denied because of an easement restriction that was also adopted without notification requirements being met at 75 E. Dogwood Trail. My two subdivision application denials were part of my Variance Application as Exhibit 1A and 1B with their corresponding subdivision plats at Exhibit 2A and 2B. (I also obtained a complete copy of the 75 E. Dogwood Trail file and the file also did not contain any letters regarding zoning amendments affecting the property)

EXHIBIT 5

ISSUE #3

The Southern Shores Beacon false states "Mr. Mina presented no evidence at the hearing to suggest, much less prove, that the required public notice of the hearing on TCA 21-06 was defective in any way. He insinuated that it was, but he presented no facts to bolster that insinuation."

The facts presented proving notification requirements pursuant to Town Code 36-362(b) and Town Code 36-414(b) were not complied with at 75 E. Dogwood Trail came from Southern Shores Town Office Employee Sheila Kane in a Public Records Response and were Exhibit 2C of my Variance Application (Exhibit F of the attached Writ of Certiorari").

****Those 3 issues are false facts that law requires to be corrected for several reasons in addition to defamation/slander laws****

The other reasons are:

-That because I caught Wes Haskett and Southern Shores lying about meeting notification requirements, the retaliation against me violates North Carolina Witness Intimidation Law § 14-226. Intimidating or interfering with witnesses.

-I've been reported for violating Southern Shores sign code by both Andy Ward and Ann Sjoerdsma for a sign in the right of way. Both Andy Ward and Ann Sjoerdsma only reported me when there was about 6-10 other signs on Dogwood Trail in violation of sign code that they could not miss when coming and going from Dogwood Trail (There is a continuing pattern of lies and harassment targeting me).

I also wanted the Southern Shores Beacon to know that their article referenced how much of a waste of the town's money my Variance hearing was, and I completely agree. If Southern Shores corrected their wrongdoing as their ethics policy requires, the Variance hearing would have never been necessary. But now, Southern Shores has to explain their lies to the Dare County Superior Court and their ethics policy prohibits town money from being spent on things that are not in all of the property owner's interests. Lying about meeting notification requirements to change property owner's property rights is not in any property owner's interests, so Wes Haskett should be required to pay for all his legal fees from the Variance and in the Dare County Superior Court.

Lastly, the Southern Shores Beacon commented about why the town even let me file a variance with the following comment:

"We question the Town's decision even to let Mr. Mina file a request for a variance, inasmuch as a variance is not the "appropriate remedy," as Town Attorney Lauren Arigaza-Womble of Hornthal, Riley, Ellis & Maland said several times during the hearing, for the hardship that Mr. Mina claimed."

Please find the emails at the end of this email where Wes Haskett advised me to file a Variance if I wanted to ask for an exception from the zoning codes.

I sincerely apologize for contacting you and telling you some facts need to be changed, but the bottom line is the article written about me repeatedly diminishes my credibility and character with misrepresentations. I work hard to

EXHIBIT 45

provide for my family and can't afford to have my reputation in the community damaged by the false information in the Southern Shores Beacon. As of right now, if you made mistakes, your mistakes violate defamation, harassment and witness intimidation laws. If the information is not corrected as I asked by December 26, 2024 I am going to ask law enforcement to shut down the Southern Shores Beacon and arrest Ann Sjoerdsma. I am the victim here. There is no way around the fact that notification requirements were not met for a zoning code that was hidden from me when the previous owner negotiated an additional \$75,000 from me.

If you want to say something respectable about me you may tell people that I am a home improvement provider that presented an article written about me by the Philadelphia Inquirer at: <https://www.inquirer.com/real-estate/housing/market-rebuilt-four-bedroom-home-malvern-867000-20220810.html>

You may also say that I have started a website called www.savesouthernshores.com where I will be exposing Wes Haskett's corruption, which Chief Kole has yet to stop with knowledge Wes Haskett is committing crimes (See the attached Notice of Chief Kole's Slavery/Involuntary Servitude Conspiracy Against Anthony Mina). I hope the focus of the website will eventually be more about giving back to the community, but as of right now, the town government is morally bankrupt and operating under the misconception that lies will get them out of the trouble lies got them into. Because of the negative information I have to share with Southern Shores' property owners my public relations research indicated that after the holidays would be a better time for me to start spreading the news.

If you want to help me, you may contact me to discuss a "GoFundMe" page I am going to advertise after Christmas to help my family recover damages caused by Wes Haskett's lies. My GoFundMe page is going to be much different than the typical GoFundMe page because I am going to guarantee any donors repayment, with a generous interest rate. What Wes Haskett did was take my right to subdivide when my extra lot was planned to be a source of income for my business to use for renovation and construction costs prior to me reselling 75 E Dogwood Trail. I've never heard of a GoFundMe campaign guaranteeing repayment and I'm going to expose Wes Haskett's corruption on the GoFundMe page and also guarantee repayment with the equity in my property (so the GoFundMe page is equivalent to a 2nd Mortgage contract)

Thank you,
Anthony S Mina

On Thursday, May 18, 2023, 01:51:04 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. See my responses below.

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

EXHIBIT X5

(252) 255-0876 (fx)

www.southernshores-nc.gov

image001

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. WES'S RESPONSE:
See Town Code Section 30-97(2): https://library.municode.com/nc/southern_shores/codes/code_of_ordinances?nodeId=PTIIICOR_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. WES'S
RESPONSE: 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'. WES'S
RESPONSE: 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. WES'S RESPONSE:
I am available to meet next Tuesday at 10:30 or 2:00 if you'd like to meet to discuss and review your drawing.

Thank you,
Anthony S Mina

EXHIBIT 5

FW: Mina. Anthony Public Records Request #46

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com

Date: Monday, November 25, 2024 at 11:48 AM EST

Mr. Mina:

See below and attached regarding the Town of Southern Shore's response to your above referenced public records request.

Thank you.

Phil Hornthal

L. Phillip Hornthal, III

Attorney at Law

Direct: 252.698.0214

Office: 252.335.0871

Fax: 252.335.4223 Attn: P. Hornthal

Email: phornthal@hrem.com

301 East Main Street

Elizabeth City, NC 27909

www.hrem.com



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

Sent: Monday, November 25, 2024 11:41 AM

To: Phillip Hornthal <PHornthal@hrem.com>

Subject: Mina. Anthony Public Records Request #46

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

Phillip, please see Mr. Mina's public records request # 46 below.

Mr. Mina:

On November 14, 2024 you filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

1. All emails received from the Southern Shores Planning Board from Philip Hornthal forwarding Anthony S Mina's emails.
2. All information provided to the Southern Shores Planning Board about 75 E. Dogwood Trail and Anthony S Mina which did not come from the email address: chestercountylawn@yahoo.com

A

Item number one, following review of your request, no public records exist pertaining to your request.

Item number two, please find all public records that pertain to your request attached. A copy of the meeting materials is also still available on the website at <https://www.southernshores-nc.gov/board/meeting/planning-board-will-meet-october-21-2024>

Thank you,

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



20241125112334835.pdf
11.4MB



20241125112423013.pdf
1.3MB



20241125112522755.pdf
11.8MB



20241125112556734.pdf
935.1kB

RE: Notice Of Wes Haskett's False Sworn Testimony- Case: VA-24-01

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com

Date: Thursday, October 31, 2024 at 03:36 PM EDT

Forwarded to client.

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: Thursday, October 31, 2024 1:10 PM

To: Phillip Hornthal <phornthal@hrem.com>; Norwood Blanchard <norwood@cmulawfirm.com>

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

Subject: Notice Of Wes Haskett's False Sworn Testimony- Case: VA-24-01

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

Mr. Hornthal,

Please provide this email and the attached document to the Planning Board/Adjustment Board and Town Council for filing.

Please note that Andy Ward was conditionally allowed to hear my October 21, 2024 without me asking for his recusal because he agreed the Town Ethics Policy would be complied with. Paragraph #7 provides "I will always respond promptly to any concern brought to me by any town 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."

On June 1, 2023 Wes Haskett emailed Applicant an email that stated in part "The Town Planning Board recommended approval of the attached amendments (Wes Haskett's March 31, 2023 Amendment Application) on May 15th and the Town Council will be holding a public hearing on June 6." A true and correct copy of Wes Haskett's email is attached hereto and marked "Exhibit A". On October 30, 2023 Wes Haskett responded to a public records request for "all notification records including paid receipts of posted notice and postal records (including letters sent) pursuant to Section 36-362(b) for the May 15, 2023 Planning Board/Board of Adjustments hearing on Wes Haskett's 3/31/2023 zoning amendment application and the zoning amendment (including Planning Board/Board of Adjustments meeting notification) notifications for the 8/3/2021 zoning amendment." with a claim that the Planning Board did not hold a hearing on May 15, 2023 (like his June 1, 2023 email states occurred). A true and correct copy

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of Wes Haskett's email is attached hereto and marked "Exhibit A". Wes Haskett's staff report and sworn testimony state notification requirements were met for his amendments, but yet again I am catching Wes Haskett lying in violation of North Carolina law.

Paragraph 7 requires Southern Shores, their Planning Board (especially Andy Ward) and Town Council to file a police report against Wes Haskett for:

§ 20-112. Making false affidavit perjury. Any person who shall knowingly make any false affidavit or shall knowingly swear or affirm falsely to any matter or thing required by the terms of this Article to be sworn or affirmed to shall be guilty of a Class I felony.

§ 14-209. Punishment for perjury.

If any person knowingly and intentionally makes a false statement under oath or affirmation in any suit, controversy, matter or cause, or in any unsworn declaration deemed sufficient pursuant to G.S. 7A-98 depending in any of the courts of the State; in any deposition or affidavit taken pursuant to law; in any oath or affirmation duly administered of or concerning any matter or thing where such person is lawfully required to be sworn or affirmed, that person is guilty of perjury, and punished as a Class F felon

§ 14-226. Intimidating or interfering with witnesses.

(a) If any person shall by threats, menaces or in any other manner intimidate or attempt to intimidate any person who is summoned or acting as a witness in any of the courts of this State, or prevent or deter, or attempt to prevent or deter any person summoned or acting as such witness from attendance upon such court, the person shall be guilty of a Class G felony.

18 U.S. Code § 1512 - Tampering with a witness, victim, or an informant U.S. Code

(a)

(1) Whoever kills or attempts to kill another person, with intent to— (A) prevent the attendance or testimony of any person in an official proceeding; (B) prevent the production of a record, document, or other object, in an official proceeding; or (C) prevent the communication by any person to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

(2) Whoever uses physical force or the threat of physical force against any person, or attempts to do so, with intent to— (A) influence, delay, or prevent the testimony of any person in an official proceeding; (B) cause or induce any person to— (i) withhold testimony, or withhold a record, document, or other object, from an official proceeding; (ii) alter, destroy, mutilate, or conceal an object with intent to impair the integrity or availability of the object for use in an official proceeding; (iii) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or (iv) be absent from an official proceeding to which that person has been summoned by legal process; or (C) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings; shall be punished as provided in paragraph (3).

(3) The punishment for an offense under this subsection is— (A) in the case of a killing, the punishment provided in sections 1111 and 1112; (B) in the case of— (i) an attempt to murder; or (ii) the use or attempted use of physical force against any person; imprisonment for not more than 30 years; and (C) in the case of the threat of use of physical force against any person, imprisonment for not more than 20 years.

(b) Whoever knowingly uses intimidation, threatens, or corruptly persuades another person, or attempts to do so, or engages in misleading conduct toward another person, with intent to— (1) influence, delay, or prevent the testimony of any person in an official proceeding; (2) cause or induce any person to— (A) withhold testimony, or withhold a record, document, or other object, from an official proceeding; (B) alter, destroy, mutilate, or conceal an object with intent to impair the object's integrity or availability for use in an official proceeding; (C) evade legal process summoning that person to appear as a witness, or to produce a record, document, or other object, in an official proceeding; or (D) be absent from an official proceeding to which such person has been summoned by legal process; or (3) hinder, delay, or prevent the communication to a law enforcement officer or judge of the United States of information relating to the commission or possible commission of a Federal offense or a violation of conditions of probation [1] supervised release, [1] parole, or release pending judicial proceedings; shall be fined under this title or imprisoned not more than 20 years, or both.

(c) Whoever corruptly—

(1) alters, destroys, mutilates, or conceals a record, document, or other object, or attempts to do so, with the intent to impair the object's integrity or availability for use in an official proceeding; or (2) otherwise obstructs, influences, or impedes any official proceeding, or attempts to do so, shall be fined under this title or imprisoned not more than 20 years, or both.

(d) Whoever intentionally harasses another person and thereby hinders, delays, prevents, or dissuades any person from— (1) attending or testifying in an official proceeding; (2) reporting to a law enforcement officer or judge of the United States the commission or possible commission of a Federal offense or a violation of conditions of probation, supervised release, parole, or release pending judicial proceedings; (3) arresting or seeking the arrest of another person in connection with a Federal offense; or (4) causing a criminal prosecution, or a parole or probation revocation proceeding, to be sought or instituted, or assisting in such prosecution or proceeding; or attempts to do so, shall be fined under this title or imprisoned not more than 3 years, or both.

(e) In a prosecution for an offense under this section, it is an affirmative defense, as to which the defendant has the burden of proof by a preponderance of the evidence, that the conduct consisted solely of lawful conduct and that the defendant's sole intention was to encourage, induce, or cause the other person to testify truthfully.

(f) For the purposes of this section—

(1) an official proceeding need not be pending or about to be instituted at the time of the offense; and (2) the testimony, or the record, document, or other object need not be admissible in evidence or free of a claim of privilege.

(g) In a prosecution for an offense under this section, no state of mind need be proved with respect to the circumstance— (1) that the official proceeding before a judge, court, magistrate judge, grand jury, or government agency is before a judge or court of the United States, a United States magistrate judge, a bankruptcy judge, a Federal grand jury, or a Federal Government agency; or (2) that the judge is a judge of the United States or that the law enforcement officer is an officer or employee of the Federal Government or a person authorized to act for or on behalf of the Federal Government or serving the Federal Government as an adviser or consultant.

(h) There is extraterritorial Federal jurisdiction over an offense under this section.

(i) A prosecution under this section or section 1503 may be brought in the district in which the official proceeding (whether or not pending or about to be instituted) was intended to be affected or in the district in which the conduct constituting the alleged offense occurred.

(j) If the offense under this section occurs in connection with a trial of a criminal case, the maximum term of imprisonment which may be imposed for the offense shall be the higher of that otherwise provided by law or the maximum term that could have been imposed for any offense charged in such case.

(k) Whoever conspires to commit any offense under this section shall be subject to the same penalties as those prescribed for the offense the commission of which was the object of the conspiracy.

Wes Haskett's menacing abuse of the town zoning code has interfered with my work for about one year now. Wes Haskett has done nothing but lie, commit crimes and intimidate me with the application of zoning code not used on other property owners. Please have Wes Haskett arrested.

Thank you,
Anthony S Mina

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

October 31, 2024

CASE: VA-24-01

APPLICANT'S NOTICE OF FALSE REPORTS, INCLUDING VIOLATIONS OF NORTH CAROLINA'S PUBLIC RECORDS REQUEST LAWS THAT WES HASKETT MADE ON OCTOBER 30, 2024 PERTAINING TO HIS SWORN TESTIMONY AND OCTOBER 21, 2024 STAFF REPORT CLAIMING NOTIFICATION REQUIREMENTS WERE MET PRIOR TO THE JUNE 6, 2023 & AUGUST 3, 2021 AMENDMENTS

I, Anthony S. Mina, Applicant in the October 21, 2024 Zoning Variance Hearing hereby notify the Southern Shores' Planning Board/Adjustment Board and Town Council that Wes Haskett made additional false reports in violation of North Carolina's Public Records Request Laws. In support thereof, I hereby aver the following facts:

1. On June 1, 2023 Wes Haskett emailed Applicant an email that stated in part "The Town Planning Board

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recommended approval of the attached amendments (Wes Haskett's March 31, 2023 Amendment Application) on May 15th and the Town Council will be holding a public hearing on June 6." A true and correct copy of Wes Haskett's email is attached hereto and marked "Exhibit A".

2. On October 30, 2023 Wes Haskett responded to a public records request for "all notification records including paid receipts of posted notice and postal records (including letters sent) pursuant to Section 36-362(b) for the May 15, 2023 Planning Board/Board of Adjustments hearing on Wes Haskett's 3/31/2023 zoning amendment application and the zoning amendment (including Planning Board/Board of Adjustments meeting notification) notifications for the 8/3/2021 zoning amendment." with a claim that the Planning Board did not hold a hearing on May 15, 2023 (like his June 1, 2023 email states occurred). A true and correct copy of Wes Haskett's email is attached hereto and marked "Exhibit A".

3. Southern Shores Town Ethics Policy states:

- 1) I will always obey the law and will not try in any way to influence application of the law by any of the town's authorities or personnel.
- 2) I will always uphold the integrity and independence of my job.
- 3) I will always avoid any impropriety or the appearance of impropriety in all of my activities.
- 4) I will manage and spend the town's funds as if they were my own and will have the best interests of all Southern Shores taxpayers in mind in the expenditure of these funds.
- 5) #7 I will always respond promptly to any concern brought to me by any town 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

A true and correct copy of the town ethics policy is attached hereto and marked "Exhibit B".

4. Planning Board Chairman Andy Ward agreed to conduct the October 21, 2024 Variance hearing in compliance with the Southern Shores Code of Ethics as Applicant's condition to not asking Mr. Ward to recuse himself due to a sign complaint made against Applicant but not other property owners violating sign code, as Applicant was.

5. Compliance with the Ethics policy prohibits Wes Haskett's conduct, requires a police report to be filed against Wes Haskett and requires Southern Shores and Andy Ward to "respond promptly to any concern brought to me by any town 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."

Wherefore, Applicant Anthony S. Mina hereby provides the Planning Board/Board of Adjustments and Town Council Notice of Southern Shores obligation to respond to Applicant's proof of false reports and false sworn statements against Wes Haskett with a police report filed against Wes Haskett, as required by law.

Respectfully Submitted,

RE: Motion To Reverse Variance Denial Explaining Wes Haskett's Ulterior Motives

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com

Date: Tuesday, October 29, 2024 at 06:52 PM EDT

Mr. Mina:

Forwarded to my clients.

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

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

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Tuesday, October 29, 2024 5:15 PM

To: Phillip Hornthal <phornthal@hrem.com>; Norwood Blanchard <norwood@emclawfirm.com>

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

Subject: Motion To Reverse Variance Denial Explaining Wes Haskett's Ulterior Motives

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

Dear Mr. Hornthal,

Please forward this email to Southern Shores Planning Board Members, Southern Shores Town Council and Southern Shores Police Chief.

The document attached is my Motion To Reverse The October 21, 2024 Decision Of The Planning Board/Adjustment Board.

I made my document real easy to understand Wes Haskett intentionally presenting a case based on lies that he knew he was caught in as he allowed Planning Board members to ridicule me, like I was the problem. Ridiculing me, the victim of Wes Haskett's misconduct makes Planning Board members in violation of Witness Intimidation laws referenced in the Motion.

I recognize Wes Haskett's corruption as part of a scheme to acquire power, using me as the pawned victim in a real estate scam. I am not in agreement with Wes Haskett's corruption and think Southern Shores should immediately

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arrest Wes Haskett for crimes including labor trafficking me. There is no reason a competent Southern Shores employee could force me to file a Variance from zoning codes I have proven were illegally adopted.

I did not object to Andy Ward being a part of my Variance hearing when I had evidence that Andy Ward complained about real estate sign violations of mine, but not other property owner's signs you could not miss when leaving Southern Shores. My agreement to not object to Andy Ward not recusing his self was based on the condition that the Southern Shores Town Ethics Policy would be upheld.

The Southern Shores Town Ethics Policy has yet to be upheld for my October 21, 2024 Variance hearing. There is a long list of crimes and fraudulent conduct documented in the attached document that must be corrected with the reversal of the denial of my Variance... and however else Southern Shores/North Carolina law enforcement deems appropriate.

Anthony S Mina

C

RE: Reconsideration Of Motion To Preclude Variance Hearing With Proof Of Conspiracy To Falsify Records

From: Phillip Hornthal (phornthal@hrem.com)
To: chestercountylawn@yahoo.com
Date: Tuesday, October 29, 2024 at 07:40 AM EDT

Mr. Mina:

Forwarded to my client.

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

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Elizabeth City, NC 27909

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

From: Anthony Mina <chestercountylawn@yahoo.com>
Sent: Monday, October 28, 2024 11:01 PM
To: Phillip Hornthal <PHornthal@hrem.com>; Norwood Blanchard <norwood@cnslawfirm.com>
Cc: olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <andrea.powell@nccourts.org>;
ncago@ncdoj.gov; ncago@ncdoj.gov; FBI <philadelphia.complaints@ic.fbi.gov>; David Kole
<dkole@southernshores-nc.gov>
Subject: Reconsideration Of Motion To Preclude Variance Hearing With Proof Of Conspiracy To Falsify Records

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

Dear Mr. Hornthal,

Please provide the attached Motion For Reconsideration of Motion To Preclude Variance Hearing to the Southern Shores Planning Board/Adjustment Board, Town Council and Police Chief Kole.

The attached Motion includes another email to be used as evidence of Wes Haskett's intentional deception claiming he had a legal basis to rezone 75 E. Dogwood Trail from subdividable to unsubdividable with his March 31, 2023 zoning amendment application, May 15, 2023 planning board/adjustment board hearing thereon and town council hearing approving the amendment on June 6, 2023. The email is dated November 9, 2023 (marked Exhibit 5) and admits mailed notice was not sent to 75 E. Dogwood Trail.

The attached Motion also includes an email from Wes Haskett dated October 15, 2024 in which he states he will not revise his staff report or answer any questions about my application prior to the Variance Hearing when I asked if he

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could provide a staff report that does not falsely claim all town and state notification requirements were met when making the June 6, 2023 and August 3, 2021 zoning amendments.

Wes Haskett's false reports and pre-meditated false sworn statements at the Variance Hearing require Wes Haskett to be arrested and the Planning Board/Adjustment Board to reverse their decisions.

Advising Wes Haskett to take his corruption all the way to the Planning Board/Adjustment Board knowing all along that notification requirements were not met pursuant to Town Code 36-414(b) and Town Code 36-362(b) substantiates a criminal conspiracy.

I suggest you advise the Planning Board/Adjustment Board that Wes Haskett's misconduct is not in Southern Shores best interests.

Thank you,
Anthony S Mina

From: Phillip Hornthal <phornthal@hrem.com>
To: Anthony Mina <chestercountylawn@yahoo.com>; Norwood Blanchard <norwood@cmclawfirm.com>
Cc: David Kole <dkole@southernshores-nc.gov>; Norwood Blanchard <norwood@cmclawfirm.com>; FBI
<philadelphia.complaints@ic.fbi.gov>; Andrea C. Powell <andrea.powell@nccourts.org>;
olivia.s.hines@nccourts.org <olivia.s.hines@nccourts.org>; ncago@ncdoj.gov <ncago@ncdoj.gov>
Sent: Thursday, October 24, 2024 at 03:51:53 PM EDT
Subject: RE: False Reports From Wes Haskett To Planning Board & Chief Kole Requiring Wes Haskett
To Be Arrested

Mr. Mina:

You may forward to me any report you wish to file or otherwise communicate to the Town of
Southern Shores Police Department concerning Mr. Haskett, and I will forward it to Police Chief
David Kole, who I note is copied on your Email, but did not receive it per my earlier Email.

Sincerely,

Phil Hornthal

Town 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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Copy sent to David and Christopher
See 10/24/2024 10:00 AM (10/24)

From: Anthony Mina <chestercountylawn@yahoo.com>
Sent: Thursday, October 24, 2024 3:48 PM
To: Phillip Hornthal <PHornthal@hrem.com>; Norwood Blanchard <norwood@cmclawfirm.com>
Cc: David Kole <dkole@southernshores-nc.gov>; Norwood Blanchard <norwood@cmclawfirm.com>; FBI <philadelphia.complaints@ic.fbi.gov>; Andrea C. Powell <andrea.powell@nccourts.org>; olivia.s.hines@nccourts.org; ncago@ncdoj.gov
Subject: Re: False Reports From Wes Haskett To Planning Board & Chief Kole Requiring Wes Haskett To Be Arrested

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

Mr. Hornthal,

Thank you for your email.

Am I allowed to file a police report against Wes Haskett with the police?

I have proved Wes Haskett emailed Police Chief Kole a false report on May 21, 2024 claiming to have a legal basis to amend my lot width by hiding town code notification requirements from Police Chief Kole. I have also proven Wes Haskett lied under oath at the October 21, 2024 hearing by claiming notification requirements were met for the lot width amendment and Wes Haskett claimed to be answering my questions about zoning code. The truth was you and Wes Haskett would not answer my zoning code questions and I was only allowed to file a subdivision application with a fee.

I pay taxes in Southern Shores and would like to file a police report against Wes Haskett.

I disagree with your interpretation that my emails are slanderous, harassing and hostile. I think you are projecting Southern Shores misconduct on me. I have offered to take a lie detector but Southern Shores defendants have refused to take a lie detector. I have asked Southern Shores to stay off my property without my permission and Cliff Ogburn sent the police to my house to hand deliver a letter for him claiming he needs to keep staff and the general public safe from me by banning me from Southern Shores property when he is the person hiding illegally adopted zoning codes from property owners. Cliff Ogburn, you and Wes Haskett are harassing me with inapplicable zoning codes and zoning codes not being enforced on other property owners, I think the problem is Wes Haskett is caught committing crimes against me and people are retaliating against me with their slanderous, witness intimidation schemes.

How am I the person harassing people when Exhibit D of the attached documents proves you and Wes Haskett spent months telling me that me and Douglas Styons were wrong with our interpretation that the

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second floor overhang 14' setback of my house built in 1970 should be accepted...then Wes Haskett completely contradicted his self 1 day after I filed a building permit to remove the 1' of house he claimed prevented the sub-division.

Exhibit C proves Wes Haskett was committing perjury on October 21, 2024 about other material facts relevant to my Variance hearing and Motion To Preclude Variance Hearing.

May I please file a police report against Wes Haskett Mr. Hornthal? I understand that providing false information to the police will be a crime.

Thank you,
Anthony S Mina

On Thursday, October 24, 2024 at 08:04:55 AM EDT, Anthony Mina <chestercountylaw@yahoo.com> wrote:

Dear Southern Shores & Law Enforcement,

Please find the attached proof that Wes Haskett emailed Chief Police Kole and Mayor Morey false reports on May 21, 2024 claiming he met notification requirements prior to adopting the lot width amendment at my property on June 6, 2023. Please also note Wes Haskett violated false sworn testimony laws at the October 21, 2024 Variance hearing (and in his staff report) claiming notification requirements were met prior to the June 6, 2023 adoption (which requires the Planning Board to reverse their decision to deny my Motion To Preclude Variance Hearing and Grant Variance...and have Wes Haskett arrested).

The emails below clearly show Wes Haskett now stating notification requirements found in Section 36-362(b) govern the Planning Board's hearing on amendments yet he did not follow the notification requirements for his March 31, 2023 amendment request. The email below to Chief Kole clearly shows Wes Haskett illegally misrepresenting notification requirements to Police Chief Kole. Wes Haskett committed false sworn testimony stating notification requirements were met on October 21, 2024 for the lot width amendment and filed a false staff report for the October 21, 2024 claiming notification requirements were met for the lot width amendment.

Please arrest Wes Haskett.

Anthony Stocker Mina

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

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

To: Anthony Mina <chestercountylaw@yahoo.com>; Norwood Blanchard <norwood@quicklawfirm.com>; Cliff Ogburn <coogburn@southernshores-nc.gov>

Cc: Andrea C. Powell

<andrea.powell@ncocourts.org>; olivia.s.hines@ncocourts.org <olivia.s.hines@ncocourts.org>; olivia.s.hines@ncocourts.org <olivia.s.hines@ncocourts.org>; FBI <philadelphia.complaints@ic.fbi.gov>; David Kole <dkole@southernshores-nc.gov>;

ncage@ncdoj.gov <ncage@ncdoj.gov>; ncage@ncdoj.gov <ncage@ncdoj.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Mark

E

Batenic <mbatenic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>; Robert Neilson <rnelson@southernshores-nc.gov>; council@southernshores-nc.gov <council@southernshores-nc.gov>; council@southernshores-nc.gov <council@southernshores-nc.gov>; Planning Board <planningboard@southernshores-nc.gov>

Sent: Wednesday, October 23, 2024 at 10:54:16 AM EDT

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

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

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

www.southernshores-nc.gov

image001

From: Anthony Mina <chestercountylaw@yahoo.com>

Sent: Tuesday, October 22, 2024 5:34 PM

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

Cc: Andrea C. Powell

<acpowell@nccourts.org>; carla.shines@nccourts.org; olivia.s.hines@nccourts.org; FBI

<philadelphia.complaints@ic.fbi.gov>; David Kole <dkole@southernshores-nc.gov>

<ncap@ncdcl.gov>; ncap@ncdcl.gov; Elizabeth Morey <emorey@southernshores-nc.gov>;

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

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

<PlanningBoard@southernshores-nc.gov>

Subject: 75 E. Dogwood Trl. Variance Notice

Dear Southern Shores,

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

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

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

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

Thank you,
Anthony S Mina

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

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

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

To: Anthony Mina <chestercountylawny@yahoo.com>

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

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

Subject: 75 E. Dogwood Trl. Variance Notices

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

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

www.southernshores-nc.gov

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

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

To: Anthony Mina <chestercountylawny@yahoo.com>

Cc: David Kole <dikole@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

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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 <chestercountylawru@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 <cofburn@southernshores-nc.gov>; Jonathan Siegel <jsiegel@southernshores-nc.gov>; Matt Cooke <mcooke@southernshores-nc.gov>; Eric Brinkley <ebrinkley@southernshores-nc.gov>; Darrell Brickhouse <dbrickhouse@southernshores-nc.gov>; Tracy Mann <tmann@southernshores-nc.gov>; Chris Simpson <csimpson@southernshores-nc.gov>; Richard Deaner <rdeaner@southernshores-nc.gov>; 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 <philadelphia.complaints@ic.fbi.gov>; olivia.s.hines@ncocourts.org; olivia.s.hines@ncocourts.org; Andrea C. Powell <andrea.powell@ncocourts.org>; Elizabeth Morey <emorey@southernshores-nc.gov>; Jasper Rogers <jrogers@kittyhawktown.net>; cgariss@kittyhawktown.net; cgariss@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_o_smith@paed.uscourts.gov; chambers_of_judge_pappert@paed.uscourts.gov; chambers_of_judge_mitchell_s_goldberg@paed.uscourts.gov; chambers_of_judge_timothy_savage@paed.uscourts.gov; Dryan <ddwan@chesco.org>; cocommissioners@chesco.org; cocommissioners@chesco.org; jmaxwell@chesco.org; marwell@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

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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).

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RE: 75 E. Dogwood Trl. Variance Notice Perjury Crimes

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com

Cc: lawomble@hrem.com

Date: Thursday, October 24, 2024 at 02:58 PM EDT

Mr Mina:

I am responding to an Email sent by you to our client the Town of Southern Shores dated October 22, 2024, at 5:34 p.m., in which you stated: "Please explain to me where Town Code has different Notification requirements for adopting and getting a variance from codes".

Wes Haskett previously responded to you on October 23, at 10:54 a.m., stating "The requirement for posted notice for Variances can be found in Town Code Section 36-362(b)".

Town Code Section 36-362(b) states: "Notice of hearings conducted pursuant to this article shall be mailed to: (i) the person or entity whose appeal, application, or request is the subject of the hearing; (ii) to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; (iii) to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and (iv) to any other persons entitled to receive notice as provided by this chapter. In the absence of evidence to the contrary, the town may rely on the Dare County tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least ten days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way". The requirement to post notice in that Section applies to hearings conducted by the Planning Board when they are acting as the Board of Adjustment (Variances and Appeals), not when the Board considers Zoning Ordinance Text Amendments or Town Code Text Amendments. When the Planning Board considers Zoning Ordinance Text Amendments and Town Code Text Amendments, they do not hold hearings as they are not required. Town Code Section 36-365 further states: "The board shall hear and decide requests for variances of the provisions of this chapter and appeals of decisions of administrative officials charged with enforcement of this chapter. The board shall follow quasi-judicial procedures when deciding appeals and requests for variances. The board shall hear and decide all matters upon which it is required to pass under any statute or ordinance that regulates land use or development that provides for the board to hear such matters".

Mr. Mina, you have been repeatedly cautioned not to contact our client or its employees during the course of the litigation you have filed in the Eastern District of North Carolina and we have requested that you refrain from doing so. Despite this, you have continued to Email our client and its employees and agents, often in a slanderous, hostile, and harassing matter. As such, please be further advised that all further communication with all Town employees, personnel or elected officials at their official Town of Southern Shores will be blocked and will not get through to your intended recipient. However, if you wish to communicate with any employee, manager, agent, or councilperson, you may do so through me as Town Attorney, and I will forward the messages, and respond to you if appropriate on behalf of the Town.

Sincerely,

Phil Hornthal
Town Attorney

F

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

301 East Main Street
Elizabeth City, NC 27909

www.hirem.com



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



From: Anthony Mina <chestercountylawn@yahoo.com>
Sent: Wednesday, October 23, 2024 12:47 PM
To: Norwood Blanchard <norwood@cmclawfirm.com>; Cliff Ogburn <cogburn@southernshores-nc.gov>;
Wes Haskett <whaskett@southernshores-nc.gov>; info@southernshores-nc.gov
Cc: Andrea C. Powell <andrea.powell@nccourts.org>; olivia.s.hines@nccourts.org; FBI
<philadelphia.complaints@ic.fbi.gov>; David Kole <dkole@southernshores-nc.gov>; ncago@ncdoj.gov;
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Mark Batenic <mbatenic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>;
Robert Neilson <rnelson@southernshores-nc.gov>; council@southernshores-nc.gov; Planning Board
<PlanningBoard@southernshores-nc.gov>; Jason Portnoy <jportnoy@invtitle.com>
Subject: 75 E. Dogwood Trl. Variance Notice Perjury Crimes

Mr. Haskett,

Could you now explain to me, Southern Shores and Law Enforcement why you clearly are aware of Notification requirements and your sworn testimony and reports to law enforcement state notification requirements were met for the June 6, 2023 lot width amendment. There definitely was not posted notice at 75 E. Dogwood Trail prior to the May 15, 2023 Planning Board meeting based on your March 31, 2023 zoning amendment request. I spent the entire month of May 2023 asking you about zoning codes pertaining to lot widths for a subdivision plan and you have yet to explain how you have done your job without violating the Code of Ethics, State and Federal Laws. You have also yet to correct your wrong doing. The only thing you have done since March 31, 2023 is tell lie after lie and change your claim that the rezoning that made 75 E Dogwood Trail go from subdividable "by right" to unsubdivable is governed by Town Code Section 36-414(a) which required posted notice to Town Code Section 36-363(b) which required posted notice.

Please promptly respond to my question without violating the towns code of ethics policy, which I have attached to this email. I have law enforcement and an insurance company investigating Southern Shores' fraud which appears to be all under Wes Haskett and the people influenced by his misconduct.

Your undisclosed special interests in 75 E Dogwood Trail are becoming more and more humiliating to the town every lie you tell. You went from claiming in your staff report that "In order to meet this intent, the density of population in the district is managed by establishment of minimum lot sizes, building setback and height limits, parking regulations and maximum

occupancy limits for single-family residences used as vacation cottages" to testifying density isn't the reason you are opposed to my variance when I agreed to a condition to reduce occupancy limits at 75 E Dogwood Trail with a subdivision. You argue in your staff report that 75 E. Dogwood Trail can be used for an Accessory Dwelling Unit when ADUs are known for short term vacation rentals then go on arguing "the district is intended to promote stable, PERMANENT NEIGHBORHOODS characterized by low vehicular traffic flows, abundant open space, and low impact of development on the natural environment and adjacent uses." You are completely contradicting yourself, I want a subdivision to build a separate single family PERMANENT HOME and you are arguing I should build an ADU.

Please stop lying, correct your wrong doing and approve my lot sub-division plan as required by law. Everyday you spend refusing to correct your wrong doing causes me and my family emotional and financial damages, costs Southern Shores property owners legal fees that Southern Shores can not legally pay according to their ethics policy and inconveniences many people who are aware of Southern Shores misconduct being led by WES HASKETT.

Thank you,
Anthony S Mina

PS. For your convenience I have included your email below stating Linda Lauby was not notified prior to the lot width changes which means your lot width amendment on June 6, 2023 was illegally adopted and can not be used to prevent my lot sub-division.

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

From: Wes Haskett <whaskett@southernshores-nc.gov>
To: Anthony Mina <chestercountylawn@yahoo.com>
Cc: Cliff Ogburn <cogburn@southernshores-nc.gov>
Sent: Thursday, November 9, 2023 at 01:29:46 PM EST
Subject: RE: Southern Shores Zoning Code

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

Wes Haskett

Deputy Town Manager/Planning Director

Town of Southern Shores

(252) 261-2394 (ph)

(252) 255-0876 (fx)

www.southernshores-nc.gov

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

Hello,

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

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

Thank you for your help,

Anthony S Mina

On Wednesday, October 23, 2024 at 10:54:16 AM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

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

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

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Tuesday, October 22, 2024 5:34 PM

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

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

Subject: 75 E. Dogwood Trl. Variance Notice

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Thank you,
Anthony S Mina

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

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

To: Anthony Mina <chestercountylawn@yahoo.com>

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

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

Subject: 75 E. Dogwood Trl. Variance Notices

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

Wes Haskett

F

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

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

RE: Police Report Filing Against Wes Haskett

From: David Kole (dkole@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Cc: ncago@ncdoj.gov; ncago@ncdoj.gov; andrea.powell@nccourts.org; olivia.s.hines@nccourts.org;
olivia.s.hines@nccourts.org; emorey@southernshores-nc.gov; philadelphia.complaints@ic.fbi.gov;
whaskett@southernshores-nc.gov; cogburn@southernshores-nc.gov

Date: Wednesday, August 14, 2024 at 10:36 AM EDT

Good morning Mr. Mina, please refer to the email that Inv./Sgt. Cooke sent you on 8/7/24 noting that he would try to assist you and that he would be out of the office from Aug. 8 and return on Aug. 25, 2024. Sgt. Cooke will contact you upon his return to work.

Thank you

D. Kole



OFFICE
EXTENSION

David M. Kole
Chief of Police
Southern Shores Police Dept.
5375 N. Virginia Dare Trail
Southern Shores, NC. 27949
W-252-261-3331 Fax-252-261-4851

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Wednesday, August 14, 2024 10:14 AM

To: David Kole <dkole@southernshores-nc.gov>

Cc: ncago@ncdoj.gov; ncago@ncdoj.gov; Andrea C. Powell <andrea.powell@nccourts.org>;
olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Elizabeth Morey <emorey@southernshores-
nc.gov>; FBI <philadelphia.complaints@ic.fbi.gov>; Wes Haskett <whaskett@southernshores-nc.gov>;

Cliff Ogburn <cogburn@southernshores-nc.gov>
Subject: Police Report Filing Against Wes Haskett

Hello Chief Kole,

Could you please have an officer call me at 610 842 3905 so an official police report is filed against Wes Haskett. Almost every last word I've communicated to Wes Haskett is through email so there really is no reason I should be asked certain questions about Wes Haskett other than to be provided certain emails (I can provide emails that have already been provided to Southern Shores, if asked). Wes Haskett is caught committing crimes against my family to illegally interfere with the 75 E Dogwood Trail lot subdivision that Wes Haskett indicated to Linda Lauby sounded possible in an email. Wes Haskett then tried hiding his mis conduct and illegally adopted zoning code be falsifying Southern Shore town code notification requirements in an email to me, Police Chief Kole and Mayor Morey. Lastly, Wes Haskett then also used about \$4000 of Southern Shores money on attorney Philip Hornthal to also lie about Southern Shores notification requirements and the legal basis for the June 6, 2023 zoning amendment. Spending money on an attorney to lie is illegal. Using Southern Shores tax payer's money to pay for an attorney to help commit crimes against tax payers (like fraudulently over taxing down zoned properties) is another crime.

It's time to arrest Wes Haskett.

Thank you,
Anthony S Mina

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

From: Anthony Mina <chestercountyjawn@yahoo.com>

To: David Kole <dkole@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; Cliff Ogburn <cogburn@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>; Southernshores Nc Info <info@southernshores-nc.gov>; "matt@che-county-nc.gov" <matt@che-county-nc.gov>; "cogburn@southernshores-nc.gov" <cogburn@southernshores-nc.gov>; "paula@che-county-nc.gov" <paula@che-county-nc.gov>; "planning@che-county-nc.gov" <planning@che-county-nc.gov>; "planning@che-county-nc.gov" <planning@che-county-nc.gov>; "planning@che-county-nc.gov" <planning@che-county-nc.gov>; Mark Batonic <mbatonic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Robert Neilson <rneilson@southernshores-nc.gov>

Cc: "phillip@che-county-nc.gov" <phillip@che-county-nc.gov>; "neal@che-county-nc.gov" <neal@che-county-nc.gov>; Andrea C. Powell <andrea@che-county-nc.gov>; "planning@che-county-nc.gov" <planning@che-county-nc.gov>; "planning@che-county-nc.gov" <planning@che-county-nc.gov>; "planning@che-county-nc.gov" <planning@che-county-nc.gov>; FBI <philadelphia@fbi.gov>

Sent: Wednesday, August 14, 2024 at 09:50:43 AM EDT

Subject: Fw: Anthony S Mina's Interaction With Wes Haskett Indicates Wes Haskett Must Be Arrested

My apologies. I did not mean to send the email below before I completed the email. Anthony S Mina

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

From: Anthony Mina <chestercountyjawn@yahoo.com>

To:

Cc: Sent: Wednesday, August 14, 2024 at 09:38:20 AM EDT

Subject: Anthony S Mina's Interaction With Wes Haskett Indicates Wes Haskett Must Be Arrested

Dear Southern Shores,

I wanted you to be aware that my interaction with Wes Haskett amounts to nothing more than enough probable cause to arrest and convict Wes Haskett of criminal crimes against me.

The only definition I use for interaction is "communication or direct involvement with someone or something".

6

RE: Criminal Charges Against Southern Shores Real Estate Scam Defendants

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com; mcooke@southernshores-nc.gov

Cc: dkole@southernshores-nc.gov; emorey@southernshores-nc.gov; info@southernshores-nc.gov; andrea.powell@nccourts.org; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; ncago@ncdoj.gov; ncago@ncdoj.gov; philadelphia.complaints@ic.fbi.gov

Date: Friday, August 23, 2024 at 05:37 PM EDT

Mr. Mina:

Please refrain from contacting my client and its employees directly. Mr. Cooke, nor anyone else employed by the Town of Southern Shores, will respond to these matters so long as the litigation is pending.

Thank you.

Phil

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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Legal Notices & Privacy Policy](#)



From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Friday, August 23, 2024 4:57 PM

To: Matt Cooke <mcooke@southernshores-nc.gov>

Cc: Phillip Hornthal <PHornthal@hrem.com>; David Kole <dkole@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; Southernshores Nc Info <info@southernshores-nc.gov>; Andrea C. Powell <andrea.powell@nccourts.org>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; ncago@ncdoj.gov; ncago@ncdoj.gov; FBI <philadelphia.complaints@ic.fbi.gov>

Subject: Criminal Charges Against Southern Shores Real Estate Scam Defendants

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

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Dear Officer Cooke,

I hope you are doing good.

I just wanted to let you know that the criminal charges I was asking about (for future filing) are specified in the attached Complaint naming Southern Shores as a defendant. I apologize, I am suffering emotional and financial damages everyday that passes without Southern Shores correcting their wrong doing so Chief Kole's timeframe to wait for your return prior to filing criminal charges couldn't fit into my schedule.

I can Amend my complaint, as needed, after Southern Shores corrects the wrong doing and arrests the people committing crimes against my family.

Could you please review my complaint because there is probable cause to make arrests specified in my complaint and let me know what, if any, additional information you would like about the Southern Shores defendants, including their attorney Phillip Hornthal who is being paid to deceive Southern Shores property owners. Please email me at cheatercourtlawyer@yahoo.com and I will give you the supporting evidence you need.

Thank you,
Anthony S Mina

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

From: Anthony Mina <cheatercourtlawyer@yahoo.com>

To: Southernshores Nc Info <info@southernshores-nc.gov>; Kittyhawktown Info <info@kittyhawktown-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>; David Kole <dkole@southernshores-nc.gov>; Mike Palkovics <mike.palkovics@kittyhawktown-nc.gov>; Jasper Rogers <jrogers@kittyhawktown-nc.gov>; "darcnc@dacnc.gov" <darcnc@dacnc.gov>; "skylark@skylark-nc.gov" <skylark@skylark-nc.gov>; Mike Talley <mike.talley@kittyhawktown-nc.gov>; "laurie.wilson@dacnc.gov" <laurie.wilson@dacnc.gov>; "linda.lauby@corolla.com" <linda.lauby@corolla.com>; "corolla@corolla.com" <corolla@corolla.com>; "laurie.wilson@dacnc.gov" <laurie.wilson@dacnc.gov>; "liz.morcy@kittyhawktown-nc.gov" <liz.morcy@kittyhawktown-nc.gov>; Elizabeth Morcy <emorcy@southernshores-nc.gov>; Mark Batenic <mbatenic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>; Cliff Ogburn <cliffogburn@southernshores-nc.gov>; Robert Neilson <rneilson@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; "planningboard@southernshores-nc.gov" <planningboard@southernshores-nc.gov>; "planningboard@southernshores-nc.gov" <planningboard@southernshores-nc.gov>; "council@southernshores-nc.gov" <council@southernshores-nc.gov>; "council@southernshores-nc.gov" <council@southernshores-nc.gov>; Phillip Hornthal <phornthal@hscull.com>

Sent: Monday, August 19, 2024 at 10:01:46 PM EDT

Subject: Federal Lawsuit Requiring Acceptance Of Service Pursuant To Rule 4 Of The Federal Rules Of Civil Procedure

Dear Southern Shores Town, Kitty Hawk Town, Wes Haskett, David Kole, Mike Palkovics, Jasper Rogers, Mike Talley, Mike Meredith, Corolla Water Sports, Dare County, Laurie Wilson and Linda Lauby,

Please find the attached Federal Civil Rights Law Suit in which you are named as a defendant. There also is an attachment containing a "Notice of Lawsuit and Request to Waive Service of a Summons" along with (2) copies of the "Waiver of the Service of Summons". Federal Rule 4 of the Federal Rules of Civil Procedure requires defendants within the United States to Waive Service. The Waiver of Service of Summons form may be emailed to me or mailed to me. If you would like for me to pay the cost of mailing the Waiver of Service of Summons Form to me, please ask for the costs of a U.S. Postal Stamp and I will provide the money to you.

Please note my sworn statements indicate that both me and Jennifer Franz both have not given anyone permission to have "Power of Attorney" to make legal decisions for us and both me and Jennifer Franz do not have court documents under seal in any court in Pennsylvania or North Carolina.

Please use cheatercourtlawyer@yahoo.com to provide me any needed communication that is not mailed to me. I do not

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communicate about my legal issues with defendants unless the communication is in writing. Please do not come to my house either, you are not allowed on my property without my permission.

I sincerely apologize I was unable to effectively communicate the fact that I am not in agreement with being a victim in wrong-doing and would like the damages and civil remedies I am entitled to under local, state and federal laws. I will also be seeking punitive damages and criminal charges related to the wrong-doing victimizing me and my family.

Thank you,
Anthony Stocker Mina

PS The next email will have the last of the documents provided to the Federal Court for filing which are the cover letter attachment and civil cover sheet attachment.

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

From: Anthony Mina <chestercountyvlawm@yahoo.com>

To: "ncago@ncdoj.gov" <ncago@ncdoj.gov>; "ncago@ncdoj.gov" <ncago@ncdoj.gov>; "olivia.s.hines@necourts.org" <olivia.s.hines@necourts.org>; "olivia.s.hines@necourts.org" <olivia.s.hines@necourts.org>; Andrea C. Powell <andrea.powell@necourts.org>

Sent: Monday, August 19, 2024 at 02:33:55 PM EDT

Subject: Fw: Mina V Dare County Real Estate Scam Defendants

Dear North Carolina Law Enforcement,

Please find the attached Federal Civil Rights Conspiracy Law Suit that is being mailed to the Federal Court today for filing and asking for Federal intervention because of North Carolina law enforcement's refusal to stop criminal conspiracies, including a conspiracy to recklessly endanger children.

Please note my sworn statements indicate that both me and Jennifer Franz both have not given anyone permission to have "Power of Attorney" to make legal decisions for us and both me and Jennifer Franz do not have court documents under seal in any court in Pennsylvania or North Carolina.

Anthony Stocker Mina

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

From: Anthony Mina <chestercountyvlawm@yahoo.com>

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

Cc: Anthony Mina <chestercountyvlawm@yahoo.com>

Sent: Monday, August 19, 2024 at 01:58:26 PM EDT

Subject: Mina V Dare County Real Estate Scam Defendants

Hello FBI...

Please find the attached Federal Civil Rights Law Suit I am going to mail to the Federal Court with the \$405 filing fee within the next hour or two.

Please note my sworn statements indicate that both me and Jennifer Franz both have not given anyone permission to have "Power of Attorney" to make legal decisions for us and both me and Jennifer Franz do not have court documents under seal in any court in Pennsylvania or North Carolina.

Thank you,
Anthony Stocker Mina

H

RE: 911 Emergency In Southern Shores Government

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com

Date: Saturday, December 28, 2024 at 08:42 AM EST

I have also spoken with Sgt Brinkley, and has access to everything you've ever provided to me or my client.

L. Phillip Hornthal, III

Attorney at Law

Direct: 252.698.0214

Office: 252.335.0871

Fax: 252.335.4229 Attn: P. Hornthal

Email: phornthal@hrem.com

301 East Main Street

Elizabeth City, NC 27909

www.hrem.com



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From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Friday, December 27, 2024 5:24 PM

To: Phillip Hornthal <PHornthal@hrem.com>; Norwood Blanchard <norwood@cmclawfirm.com>

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

Subject: Fw: 911 Emergency In Southern Shores Government

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

Hello Mr. Hornthal,

Today I made a 911 phone call and also reported Southern Shores government corruption to the Sheriff's Department.

I received a phonecall from Sergeant Brinkley and he instructed me to have you email all the incriminating evidence against Wes Haskett to their police department, including the evidence that Wes Haskett is now committing insurance fraud with his lies about complying with notification requirements prior to the June 6, 2023 lot width Amendment and August 3, 2021 easement access Amendment. Please email all evidence, including this email to each law enforcement officer. Sergeant Brinkley is not available this weekend and Wes Haskett should have been arrested today.

I

Only emailing Police Chief Kole is not an option as Police Chief Kole is part of a Slavery/Involuntary Servitude Conspiracy with his claims that false sworn testimony and a false report to law enforcement made by Wes Haskett are civil matters and not criminal law violations.

I don't pay taxes in Southern Shores to listen to the Police Chief lie about criminal law as Southern Shores employees and the Southern Shores Beacon use lies and witness intimidation tactics against my family.

Thank you,
Anthony S Mina

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

From: Anthony Mina <chestermountylawin@yahoo.com>

To: Hunter Duprey <hunter.duprey@darnc.gov>; "Doug Doughtie@daranc.com" <doug.doughtie@daranc.com>; "Doug Doughtie@daranc.com" <doug.doughtie@daranc.com>; Mary Lynn Cahoon <mcahoon@daranc.gov>

Cc: FBI <philadelphia.complaints@ic.fbi.gov>; "Olivia S. Hines@nccourts.org" <olivia.s.hines@nccourts.org>; "Olivia S. Hines@nccourts.org" <olivia.s.hines@nccourts.org>; Andrea C. Powell <andrea.powell@nccourts.org>; "ncagor@ncdof.gov" <ncagor@ncdof.gov>; "ncagor@ncdof.gov" <ncagor@ncdof.gov>; "ncagor@ncdof.gov" <ncagor@ncdof.gov>

Sent: Friday, December 27, 2024 at 04:11:33 PM EST

Subject: 911 Emergency In Southern Shores Government

To Whom It May Concern:

I am writing you to report a 911 corruption emergency in Southern Shores, North Carolina's police department a nd town building. Southern Shores Police Chief David Kole is in violation of slavery/involuntary servitude laws a nd is allowing Southern Shores employee Wes Haskett to commit crimes against my family, including insurance fraud. The 911 emergency involves crimes being committed by at least the following people:

Philip Hornthal, Southern Shores Town Attorney who has blocked me from emailing Southern Shores Police and employees. Philip Hornthal will not allow me to email incriminating evidence to the Southern Shores police aga inst town employee Wes Haskett who I wanted to file a police report against today. I have repeatedly asked Philli p Hornthal for an unblocked police officers email address to report Wes Haskett's crimes to and he will not provi de me an email address. Philip Hornthal is directly involved with Wes Haskett's corruption and I have emails fro m Philip Hornthal proving he is involved with the crimes Wes Haskett is committing.

Wes Haskett has been falsifying information about me and 75 E. Dogwood Trail by claiming he complied with no tification requirements prior to Wes Haskett's March 31, 2023 lot width amendment application being approved. A public records request proved Wes Haskett did not comply with Town Code 36-362(b) and Town Code 36-414(b) and notify 75 E. Dogwood Trail as required but Wes Haskett has refused to stop lying. Wes Haskett lied to Police Chief Kole in an email on May 21, 2024 and then again in all documents and testimony pertaining to m y Variance Application heard October 21, 2024. Wes Haskett lied in about notification requirements at my Varia nce hearing with knowledge that I filed an insurance claim for fraud against Southern Shores and my insurance company needed a copy of the documents from my Variance. My insurance claims representative is on vacation to January 2, 2024 but I would like to hav e Wes Haskett arrested now.

The attached Notice of Southern Shores Fraud and Notice Of Chief Dave Kole's Slavery/Involuntary Servitude p rove Southern Shores corruption has been progressing since March 31, 2023 and has gotten to the point that th e Southern Shores Beacon is publishing false information about me and my fiance to make me look like an idiot for following Wes Haskett's instructions to file a Variance Application to ask for an exception to zoning code (The

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Southern Shores Beacon knows notification requirements were not complied with at 75 E. Dogwood Trail but claims they were...and refuses to remove the false information).

All of these things I am complaining about amount to a witness intimidation conspiracy against me because Wes Haskett got caught claiming he amended the zoning code at 75 E Dogwood Trail but never complied with the notification pre-requisite required for an amendment to become effective (Wes Haskett is actually defrauding all property owners he is not notifying about zoning codes he claims effect their properties).

Please arrest Wes Haskett, Philip Homthal and Dave Kole.

Thank you,

Anthony Stocker Mina

I

RE: Public Records Request For Police Reports Made Against Wes Haskett

From: Phillip Hornthal (phornthal@hrem.com)

To: chestercountylawn@yahoo.com

Date: Thursday, January 2, 2025 at 02:21 PM EST

Forwarded to client, but I do not believe there are any documents responsive to your request.

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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From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Wednesday, January 1, 2025 7:51 PM

To: Phillip Hornthal <PHornthal@hrem.com>; Norwood Blanchard <norwood@cmclawfirm.com>; W. Jay Wheless <jay@whelesslawfirm.com>; Planning Board <planningboard@southernshores-nc.gov>

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

Subject: Public Records Request For Police Reports Made Against Wes Haskett

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

Dear Southern Shores,

Please provide me a complete copy of all Police Reports against Wes Haskett filed with Southern Shores Town and Southern Shores Police Department. Please make sure there are accurate dates of entry of complaints against Wes Haskett.

Please also provide all names of people such as insurance agents notified of Wes Haskett's deception of an insurance claim.

Thank you,
Anthony S Mina

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

From: Anthony Mina <chestercountylawn@yahoo.com>

To: Norwood Blanchard <norwood@nmcclawfirm.com>; Phillip Hornthal <phornthal@hrem.com>; W. Jay Wheless <jay@whelesslawfirm.com>; Planning Board <planningboard@southernshores-nc.gov>

Cc: Jason Portnoy <jportnoy@mytitle.com>; FBI <philadelphia.complaints@ic.fbi.gov>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; Andrea C. Powell <andrea.powell@nccourts.org>; "nccgo@nccgoi.gov" <nccgo@nccgoi.gov>; Anthony Mina <lonasmina@yahoo.com>; anthony mina <chestercountylawn@yahoo.com>

Sent: Tuesday, December 31, 2024 at 07:34:29 AM EST

Subject: 911 Emergency In Southern Shores Government Involving Wes Haskett's Insurance Fraud & Witness Intimidation

Dear Mr. Hornthal,

Please forward this email to all the blocked email addresses listed below. The emails contains more proof of Wes Haskett's corruption that all police officers, town council members and planning board members must be notified of.

Thank you,
Anthony S Mina

Elizabeth Morey <ernorey@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Mark Batonic <mbatonic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>; Robert Neilson <rnelson@southernshores-nc.gov>; council@southernshores-nc.gov; Planning Board <PlanningBoard@southernshores-nc.gov>; Andrew Spottswood <aspottswood@southernshores-nc.gov>; Jennifer Couture <jcouture@southernshores-nc.gov>; Jason Thompson <jthompson@southernshores-nc.gov>; Thomas Long <tlong@southernshores-nc.gov>; Chris Simpson <csimpson@southernshores-nc.gov>; Richard Deaner <rdeaner@southernshores-nc.gov>; Matt Cooke <mcooke@southernshores-nc.gov>; Tracy Mann <tmann@southernshores-nc.gov>; Darrell Brickhouse <dbrickhouse@southernshores-nc.gov>; Jonathan Slegel <jslegel@southernshores-nc.gov>; Eric Brinkley <ebrinkley@southernshores-nc.gov>; Sophia Wright <swright@southernshores-nc.gov>.

Dear Southern Shores Police, Town Council & Planning Board,

Please find the attached documents proving Wes Haskett has been committing insurance fraud since October 15, 2024 when lying about notification requirements being complied with at 75 E. Dogwood Trail prior to the June 6, 2023 lot width amendment and August 3, 2021 lot access through easement restriction.

The bottom line with Wes Haskett lying about notification requirements with a claim they were complied with (and there is no competent evidence of fraud, misconduct or criminal conspiracy) is that Wes Haskett's lies now mean Wes Haskett is attacking the credibility of Southern Shores and their notification records, which I obtained through a Public Records Request and included in my Variance Application as "Exhibit 2C". Unfortunately for Wes Haskett's lies and attack on Southern Shores credibility,

the false report Wes Haskett made to Chief Kole on May 21, 2024 also proves Wes Haskett did not comply with notification requirements.

The emails at the end of this email reference a defective side setback Wes Haskett approved at 170 & 172 Ocean Blvd. in a recombination/subdivision plat on 10-3-2017 without the plat meeting required side setback requirements (like Wes Haskett was trying to claim prevented a subdivision at my house until I filed a building permit to remove 1' of my house). The attached document titled "WesHaskettSpecialInterest75" proves Wes Haskett is harassing me with zoning codes not being enforced o

n other property owners when they are submitting subdivision/recombination plans where the non-conforming set back is part of the new property line (my side setback property line was not even being changed and Wes Haskett tried using it against me).

Please arrest Wes Haskett. The Southern Shores Ethics Policy prohibits employment of people conducting themselves like Wes Haskett.

Thank you,
Anthony S Mina

PS. Please be advised that Philip Hornthal is involved with schemes to prevent Southern Shores Police, Town Council and Planning Board from receiving information documenting Wes Haskett's crimes. I suggest you arrest Philip Hornthal for tampering with evidence because as the evidence shows, Wes Haskett's crimes are continuing and progressing to become more serious and now attack the credibility of Southern Shores.

--- Forwarded Message ---

From: Anthony Mina <chestercountyawn@yahoo.com>

To: Phillip Hornthal <phornthal@hrem.com>; Norwood Blanchard <norwood@cmclawfirm.com>

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

Sent: Saturday, December 28, 2024 at 02:14:39 PM EST

Subject: Fw: 911 Emergency In Southern Shores Government

Mr. Hornthal,

Please advise Chief Kole and Sgt. Brinkley of the following facts that require Wes Haskett to be arrested and immediately terminated.

1) Wes Haskett was told on October 15, 2024, prior to the Variance hearing that cost me \$350 that his staff report had false statements about notification requirements being complied with and the proof that notification requirements were not complied with was Exhibit 2C of my Variance Application. Wes Haskett was also told Jason Portnoy was handling a fraud complaint against Southern Shores with my insurance company and Mr. Portnoy needed a copy of all documents from my Variance hearing. Wes Haskett refused to correct his lies as shown with Wes Haskett's emailed response. The attached Notice of Wes Haskett's Insurance Fraud proves the false pretense theft associated with making me pay \$350 for a Variance Application that must be decided under law and facts and Wes Haskett's refusal to base the Variance hearing on law and facts.

2) Wes Haskett and/or Lauren Womble lied under oath claiming the June 6, 2023 lot width amendment and August 3, 2021 lot access through easement restriction were not illegally adopted. Town Code 36-414(b) and Town Code 36-

362(b) both require posted notice at affected properties prior to an amendment being adopted for the property, which was not done and Town Code 36-

362(b) also requires mailed notice to the affected property prior to a zoning change at the property (also not done).

(Wes Haskett claims 75 E Dogwood Trail was rezoned from subdividable to unsubdividable because of the June 6, 2023 amendment). The whole reason I was forced to spend \$350 on the Variance hearing is Wes Haskett denied my July 3, 2024 lot subdivision application using zoning codes that the 75 E Dogwood Trail file and Exhibit 2C of my Variance application prove do not apply to 75 E Dogwood Trail because 75 E Dogwood Trail was not an affected property, according to notification records.

3) I paid \$200 for lot subdivision applications on July 3, 2024. The subdivision application proved at Exhibit C that notification requirements were not complied with at 75 E Dogwood Trail for the lot width amendment on June 6, 2023 and the lot access easement restriction on August 3, 2021. Both the lot width amendment and lot access through easement restrictions require affected properties to be notified prior to the becoming effective and neither code notified 75 E Dogwood Trail.

4) I now had to pay \$200 to the Dare County Superior Court because of Wes Haskett's lies and also paid about \$450 to the Federal Court largely in part because of Wes Haskett's lies.

Wes Haskett's lies about meeting notifications in documents he knows are being used in a fraud investigation by an insurance company against him and Southern Shores violates insurance fraud laws and will get the entire to

wn of Southern Shores in trouble for insurance fraud if Wes Haskett is not arrested. Wes Haskett's claims that there is no competent evidence of fraud, misconduct and criminal conspiracy means Wes Haskett is attacking the credibility of Southern Shores (the entity responsible for responding to Public Records Requests made to Southern Shores) because he is discrediting a public records request response proving Wes Haskett did not notify 75 E Dogwood Trail.

The whole reason Chief Dave Kole and Southern Shores have been sued in Federal Court and now have pending litigation in Dare County Superior Court is because of Wes Haskett's lies.

Please arrest Wes Haskett before January 2, 2024, when I report this information to the insurance company investigating Wes Haskett's fraud.

Anthony S. Mina

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

From: Anthony Mina <chestercountyawn@yahoo.com>
To: Phillip Hornthal <phornthal@hrem.com>
Sent: Saturday, December 28, 2024 at 08:47:09 AM EST
Subject: Re: 911 Emergency In Southern Shores Government

Thank you for the email stating Sgt Brinkley has access to all the documents/emails I have provided you about Wes Haskett. Please ask Sgt. Brinkley to discuss the filing of criminal charges against Wes Haskett with me next week. I understand Sgt. Brinkley is not working today or tomorrow. Anthony S Mina
On Saturday, December 28, 2024 at 08:42:07 AM EST, Phillip Hornthal <phornthal@hrem.com> wrote:

I have also spoken with Sgt Brinkley, and has access to everything you've ever provided to me or my client.

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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From: Anthony Mina <chestercountyfawn@yahoo.com>
Sent: Friday, December 27, 2024 5:24 PM
To: Phillip Hornthal <PHornthal@hrem.com>; Norwood Blanchard <norwood@umclawfirm.com>
Cc: olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Andrea C. Powell <andrea.powell@nccourts.org>;
FBI <philadelphia.complaints@ic.fbi.gov>; ncago@ncdoj.gov; ncago@ncdoj.gov
Subject: Fw: 911 Emergency In Southern Shores Government

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

Hello Mr. Hornthal,

Today I made a 911 phone call and also reported Southern Shores government corruption to the Sheriff's Department.

I received a phonecall from Sergeant Brinkley and he instructed me to have you email all the incriminating evidence against Wes Haskett to their police department, including the evidence that Wes Haskett is now committing insurance fraud with his lies about complying with notification requirements prior to the June 6, 2023 lot width Amendment and August 3, 2021 easement access Amendment. Please email all evidence, including this email to each law enforcement officer. Sergeant Brinkley is not available this weekend and Wes Haskett should have been arrested today.

Only emailing Police Chief Kole is not an option as Police Chief Kole is part of a Slavery/Involuntary Servitude Conspiracy with his claims that false sworn testimony and a false report to law enforcement made by Wes Haskett are civil matters and not criminal law violations.

I don't pay taxes in Southern Shores to listen to the Police Chief lie about criminal law as Southern Shores employees and the Southern Shores Beacon use lies and witness intimidation tactics against my family.

Thank you,
Anthony S Mina

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

From: Anthony Mina <chestercountyfawn@yahoo.com>

To: Hunter Duprey <hunter.duprey@darenc.gov>; "Doug Doughtie@darenc.com" <doug.doughtie@darenc.com>; "doug.doughtie@darenc.com" <doug.doughtie@darenc.com>; Mary Lynn Cahoon <mcMahon@darenc.gov>

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

Sent: Friday, December 27, 2024 at 04:11:33 PM EST

Subject: 911 Emergency In Southern Shores Government

To Whom It May Concern:

I am writing you to report a 911 corruption emergency in Southern Shores, North Carolina's police department and town building. Southern Shores Police Chief David Kole is in violation of slavery/involuntary servitude laws and is allowing Southern Shores employee Wes Haskett to commit crimes against my family, including insurance fraud. The 911 emergency involves crimes being committed by at least the following people:

7

Philip Hornthal, Southern Shores Town Attorney who has blocked me from emailing Southern Shores Police and employees. Philip Hornthal will not allow me to email incriminating evidence to the Southern Shores police against town employee Wes Haskett who I wanted to file a police report against today. I have repeatedly asked Philip Hornthal for an unblocked police officers email address to report Wes Haskett's crimes to and he will not provide me an email address. Philip Hornthal is directly involved with Wes Haskett's corruption and I have emails from Philip Hornthal proving he is involved with the crimes Wes Haskett is committing.

Wes Haskett has been falsifying information about me and 75 E. Dogwood Trail by claiming he complied with notification requirements prior to Wes Haskett's March 31, 2023 lot width amendment application being approved. A public records request proved Wes Haskett did not comply with Town Code 36-362(b) and Town Code 36-414(b) and notify 75 E. Dogwood Trail as required but Wes Haskett has refused to stop lying. Wes Haskett lied to Police Chief Kole in an email on May 21, 2024 and then again in all documents and testimony pertaining to my Variance Application heard October 21, 2024. Wes Haskett lied in about notification requirements at my Variance hearing with knowledge that I filed an insurance claim for fraud against Southern Shores and my insurance company needed a copy of the documents from my Variance. My insurance claims representative is on vacation to January 2, 2024 but I would like to have Wes Haskett arrested now.

The attached Notice of Southern Shores Fraud and Notice Of Chief Dave Kole's Slavery/Involuntary Servitude prove Southern Shores corruption has been progressing since March 31, 2023 and has gotten to the point that the Southern Shores Beacon is publishing false information about me and my fiancé to make me look like an idiot for following Wes Haskett's instructions to file a Variance Application to ask for an exception to zoning code (The Southern Shores Beacon knows notification requirements were not complied with at 75 E. Dogwood Trail but claims they were...and refuses to remove the false information).

All of these things I am complaining about amount to a witness intimidation conspiracy against me because Wes Haskett got caught claiming he amended the zoning code at 75 E Dogwood Trail but never complied with the notification prerequisite required for an amendment to become effective (Wes Haskett is actually defrauding all property owners he is not notifying about zoning codes he claims effect their properties).

Please arrest Wes Haskett, Philip Hornthal and Dave Kole.

Thank you,

Anthony Stocker Mina

Thread Of Emails In Response To Public Records Request For 170 & 172 Ocean Blvd. Files

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

From: Anthony Mina <chestercountyleawn@yahoo.com>

To: Phillip Hornthal <phornthal@hsem.com>; Norwood Blanchard <norwood@omclawfirm.com>

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

Sent: Tuesday, December 31, 2024 at 06:34:18 AM EST

Subject: Fw: 170 & 172 Ocean Blvd-Missing Documents Proving Harassment/Witness Intimidation Of Me

Hi Mr. Hornthal (please provide this email to all Southern Shores Police),

Could you please tell me where the complaints made against Wes Haskett and Southern Shores are in the copies of the 170 & 172 Ocean Blvd files provided to me in my public records request response.

My understanding is that Wes Haskett approved a recombination/subdivision plat on 10-3-2017 without the plat meeting required side setback requirements (like Wes Haskett was trying to claim prevented a subdivision at my house until I filed a building permit to remove 1' of my house). My understanding is complaints were made against the approved 10-3-2017 plan with the defective setback.

I am building a corruption case against Wes Haskett for harassing me with zoning codes that are unenforceable at 75 E. Dogwood Trail (because they were never effectuated with proper notice) and zoning codes not being enforced on other property owners. Please tell me where the complaints made against the 10-3-2017 recombination/subdivision plat are in the complete files I requested.

I have attached a file proving Wes Haskett has an undisclosed special interest in 75 E Dogwood Trail and that Wes Haskett is treating me different than other property owners when the only thing I've done to Wes Haskett is caught him hiding zoning changes that require notice pursuant to Town Code 36-362(b) and Town Code 36-314(b).

Thank you,
Anthony S Mina

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

From: Phillip Hornthal <phornthal@hrem.com>
To: Anthony Mina <chestercountyjawn@yahoo.com>
Sent: Monday, December 30, 2024 at 01:44:46 PM EST
Subject: FW: 170 & 172 Ocean Blvd.

See below, additional information responsive to your public records request.

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

Click here to read ourDisclaimer,
Legal Notices & Privacy Policy

J

From: Sheila Kane <skane@southernshores-nc.gov>
Sent: Monday, December 30, 2024 11:23 AM
To: Phillip Hornthal <PHornthal@hrem.com>
Subject: RE: 170 & 172 Ocean Blvd.

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

Phillip:

My apologies, but I see now that 170 Ocean Blvd #1 was an incorrect link (just a duplicate of 172 Ocean Blvd). Please see the correct link below.

Thank you.

170 Ocean Blvd #1: <https://www.dropbox.com/scl/fi/czlnfb27nllmcsqmekbx/170OCEANBLVDTOSSNC27949BP.pdf?rlkey=6zt39c1jjcomyv97r2pzsinc8&st=px3kn317&dl=0>

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: Phillip Hornthal <PHornthal@hrem.com>
Sent: Monday, December 30, 2024 10:02 AM
To: Sheila Kane <skane@southernshores-nc.gov>
Subject: RE: 170 & 172 Ocean Blvd.

Forwarded to him.

J

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

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

From: Sheila Kane <skane@southernshores-nc.gov>
Sent: Monday, December 30, 2024 10:00 AM
To: Phillip Hornthal <PHornthal@hrem.com>
Subject: 170 & 172 Ocean Blvd.

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

Phillip: the files have been sent using Dropbox.

Dropbox Links for files.

170 Ocean Blvd #1: <https://www.dropbox.com/scl/fi/t6b6ztcw1k6ouwzqna6yl/172-Ocean-Blvd.pdf?rlkey=us3ygfetqx7khe80hyxbama5m&st=aegt9atl&dl=0>

170 Ocean Blvd #2: <https://www.dropbox.com/scl/fi/t6b6ztcw1k6ouwzqna6yl/170OCEANBLVDTOSSNCZ7949.pdf?rlkey=2cdep1qm7z9vuaphya3mmz15&st=his9nayw&dl=0>

172 Ocean Blvd: <https://www.dropbox.com/scl/fi/t6b6ztcw1k6ouwzqna6yl/172-Ocean-Blvd.pdf?rlkey=us3ygfetqx7khe80hyxbama5m&st=8gc34fys&dl=0>

J

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

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

J

RE: Public Records Request Re: signs placed in right-of-way

From: Cliff Ogburn (cogburn@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Cc: skane@southernshores-nc.gov; info@southernshores-nc.gov

Date: Thursday, June 20, 2024 at 10:56 AM EDT

Town Code Section 36-165 (3) Sign permit required.

No sign shall hereafter be erected or attached to, suspended from, or supported on a building or structure, nor shall any existing sign or outdoor advertising structure be structurally altered, remodeled, or relocated, until a sign permit for same has been issued by the zoning administrator. No permit is required for signs in residential districts, temporary signs, or any sign not exceeding three square feet in area.

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

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

From: Anthony Mina <chestercountylawn@yahoo.com>

Sent: Thursday, June 20, 2024 7:48 AM

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

Subject: Public Records Request Re: signs placed in right-of-way

Southern Shores,

Please provide me:

- 1) All permits issued to allow Beach Realty & Construction sign at 108 S. Dogwood Trail.
- 2) All permits issued to allow Vacation Bible School signs at "Welcome Southern Shores" entrance at S. Dogwood Trail.
- 3) All permits issued to allow Village Realty sign at 20 S. Dogwood Trail.
- 4) All permits issued to allow "join our team" sign at Duck Woods Country Club.
- 5) All permits issued to allow Beach Realty Sign and "Oh-So Sandy" sign at 18 E. Dogwood Trail.
- 6) All permits issued to allow Outer Banks Realty sign at 75 E. Dogwood Trail.

K

Thank you,
Anthony S Mina

On Wednesday, June 19, 2024 at 02:56:43 PM EDT, Cliff Ogburn <cogburn@southernshores-nc.gov> wrote:

Mr. Mina – in reference to the two signs in the below picture in front of your property at 75 East Dogwood Trl, please be advised that Town Code Section 36-165 prohibits temporary signs in the right-of-way (except from 30 days before early voting begins and 10 days after an election). Please either remove these signs or have them moved back outside of the right-of-way. Otherwise, they may be

subject to removal.

If you have any questions or would like to discuss this further, please contact me at 261-2394.

Thank you.

Cliff Ogburn

Town Manager

Town of Southern Shores



image001.png
1.3MB

4



K



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 and Agreement for Right-of-Way Encroachment

Owner: <u>Anthony S. Mina</u>	Contractor:
Address: <u>75 E. Dogwood Trail</u>	Address:
City, St & Zip: <u>Southern Shores, NC 27949</u>	City, St & Zip:
Phone: <u>610-842-3905</u>	Phone:
Fax:	Fax:
Mobile:	Mobile:

ChesterCountyLaw@Yahoo.com

PROPERTY LOCATION: 75 E. Dogwood Trail

Subdivision: RS-1 Lot: 1 Block: 105 Section:

Parcel #: 98681721350 Permit #: Receipt #:

SECTION 28-3. (3) RIGHT-OF-WAY ENCROACHMENT AGREEMENT: A property owner, or his agent, may apply to the Town for a right-of-way encroachment agreement. If approved by the Town Manager, the applicant may place an obstruction within the right-of-way. Except where the Town Manager, or his designee, makes written findings showing no practicable alternative, the obstruction shall not be closer than four feet from the paved road surface or four feet from any roadway. No obstructions may be placed within the street, except as otherwise provided by law. A right-of-way encroachment agreement shall be executed in such a format that it shall be recorded in the County registry and shall be made available by the applicant and any subsequent property owner to any future property owner. Any obstruction authorized by a right-of-way encroachment agreement shall be installed no sooner than the date the agreement has been recorded in the County registry and the agreement shall automatically expire 30 days after the obstruction has been removed.

SITE SPECIFIC TERMS AND CONDITIONS (referenced to attached site plan):

Installation of temporary signs on the right and left side of the driveway until a buyer is contracted.

Signature of Town Manager or Designee

Date

Anthony S. Mina
Signature of Owner or Contractor

6/27/2024
Date

10

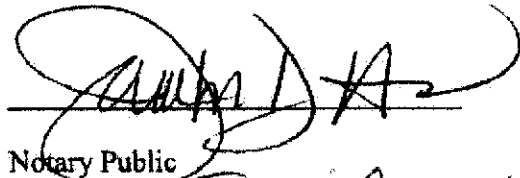
STATE OF NORTH CAROLINA

COUNTY OF DARE

I, a Notary Public, do hereby certify that the following person(s) personally appeared before me this day, each acknowledging to me that he or she signed the foregoing document: TOWN OF S. BRIDGE APPLICATION & AGREEMENT

This the 28 day of JUNE 2024

(Official seal.)

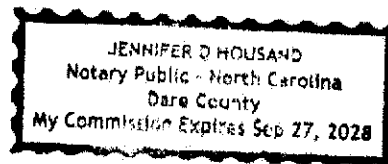


Notary Public

Printed Name: JENNIFER D HOUSAND

My Commission Expires:

9/27/2028



Public Records Request #34_Anthony Mina

From: Sheila Kane (skane@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Date: Monday, September 30, 2024 at 04:57 PM EDT

Dear Mr. Mina:

On September 20, 2024 you filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

- 1) All sign permits and Right of Way Encroachment agreements for the Episcopal Church sign at Pintail Road and S. Dogwood Trail.
- 2) Southern Shores code permitting Episcopal church signs as they are positioned but prohibiting Whaley Fun Returns signs as they were positioned.

Following review of your request, no records can be found pertaining to your request.

Thank you,

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

M

TOWN OF SOUTHERN SHORES

PUBLIC RECORDS REQUEST

Pursuant to N.C.G.S. Chapter 132, the Town of Southern Shores makes available to the public all records in its custody and control that are defined as "public records" under N.C.G.S. §132-1. Persons making the request should provide the following information and the Town Clerk will assist in gathering, providing for inspection, or copying the information requested. Please provide the Town with sufficient information to describe those public records being requested.

☐ Inspection (no charge)

☐ Copying

☒ Email

Records will be available for inspection or pick-up as promptly as reasonably possible, but in any event within five (5) business days if the documents being requested are small in nature (minutes, agendas, resolutions, current personnel policy etc). If the documents being requested are archived or extensive in nature the time frame could be as long as fifteen (15) business days, but hopefully would not exceed that time frame. Requests requiring legal review may exceed stated time frames. Requestor will be notified by mail when the records request has been completed and available.

The Town requires payment in accordance with the adopted Fee Schedule and the signature or initials of the requester prior to releasing any documents.

Name of Person Making Request: Anthony S. Mina

Mailing Address 75 E. Dogwood Trail

Email Address chestercountyland@yahoo.com

Phone Number to Contact Person Making Request: 616-842-3905

Date of Request: 7-22-2024

Public Records Being Requested: 1) A list of all properties reported to Dare County tax department for a tax decrease due to the June 6, 2023 zoning amendment intended to prevent further subdivisions ("downsizing" 2 single family home lots to 1 single family home lots). 2) Proof that Southern Shores informed Dare County of the proposed amendment made without properly notifying affected residents.

Total Copies provided: _____ Amount Due (25¢/copy B/W- 30¢ Color):\$ _____

Payment Received (method): Check _____ Cash _____ Money Order _____

Signature or Initials of Requesting Party Confirming Receipt of Requested Materials (please do not sign or initial until you have received the items requested above) : _____

_____ Date: _____

Town Staff Filling Request: _____ Date Request Fulfilled: _____

5375 N Virginia Dare Trail

Southern Shores NC 27949 (252) 261-2394

Complete and email Town Clerk: skane@southernshores-nc.gov

at the proposed amendment made without properly notifying affected residents.
residents as per
Code 96-
Low Code 96-
Art. 6 96-1600
NC Art. 6 96-1600
25 1600

Public Records Request 07.22.2024_List of properties reported to Dare County

From: Sheila Kane (skane@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

Date: Monday, July 29, 2024 at 01:36 PM EDT

Dear Mr. Mina:

On July 22, 2024 you filed a Request for Public Records from the Town of Southern Shores, specifically requesting:

- a list of all properties reported to Dare County tax department for a property decrease due to June 6, 2023 zoning amendment intended to prevent future lot subdivisions ("downsizing" 2 single family home lots to 1 single family home lot).
- Proof that Southern Shores informed Dare County.

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

N

Public Records Request

From: Sheila Kane (skane@southernshores-nc.gov)

To: chestercountylawn@yahoo.com

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

Date: Wednesday, October 9, 2024 at 09:11 AM EDT

Mr. Mina:

You have received three replies to the same duplicate request, two on 9/19/2024 and one on 9/5/2024.

The town provided you an appointment time to inspect the subscriber list on September 19, 2024.

My answer remains the same, Per § 132 1.13. the electronic subscriber list was made available to you for public **INSPECTION** in a printed format, as the unit of local government may elect (§ 132-1.13.(a)) This subscriber list is **not available for copying**.

Thank you,

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: Tuesday, October 8, 2024 4:47 PM

To: Cliff Ogburn <cogburn@southernshores-nc.gov>; Norwood Blanchard <norwood@cmclawfirm.com>; David Kole <dkole@southernshores-nc.gov>; Sheila Kane <skane@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>; info@southernshores-nc.gov; council@southernshores-nc.gov; council@southernshores-nc.gov; Wes Haskett <whaskett@southernshores-nc.gov>; info@southernshores-nc.gov; Elizabeth Morey <emorey@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Mark Batenic <mbatenic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>; Robert Neilson <rnelson@southernshores-nc.gov>; FBI <philadelphia.complaints@ic.fbi.gov>; Andrea C. Powell <andrea.powell@nccourts.org>; ncago@ncdoj.gov; ncago@ncdoj.gov; David Kole <dkole@southernshores-nc.gov>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org
Cc: Jonathan Siegel <jsiegel@southernshores-nc.gov>; Matt Cooke <mcooke@southernshores-nc.gov>; Eric Brinkley <ebrinkley@southernshores-nc.gov>; Darrell Brickhouse

<dbrickhouse@southernshores-nc.gov>; Tracy Mann <tmann@southernshores-nc.gov>; Chris Simpson <csimpson@southernshores-nc.gov>; Richard Deaner <rdeaner@southernshores-nc.gov>; Thomas Long <tlong@southernshores-nc.gov>; Jason Thompson <JThompson@southernshores-nc.gov>; Andrew Spottswood <jspottswood@southernshores-nc.gov>; Jennifer Couture <jcouture@southernshores-nc.gov>; FBI <philadelphia.complaints@ic.fbi.gov>; Andrea C. Powell <andrea.powell@nccourts.org>; olivia.s.hines@nccourts.org; olivia.s.hines@nccourts.org; Elizabeth Morey <emorey@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Mark Batenic <mbatenic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>; Robert Neilson <rnelson@southernshores-nc.gov>

Subject: Fw: Legal Obligation To Inform Property Owners of Southern Shores Illegal Zoning Amendments And Tax Fraud (Public Records Request)

Hello,

I do not believe I have received a response to my public records request dated September 20, 2024 for the Southern Shores Newsletter email list for the sole purpose of informing Southern Shores property owners:

- 1) Zoning amendments were made on 8/3/2021 and 6/6/2023 without complying with Town Code 36-414(b),
- 2) The town has refused to remedy their wrong doing,
- 3) 4 licensed realtors have indicated 75 E Dogwood Trail should be sub-divided with 2 licensed realtors specifically saying the property is more valuable sub-divided.
- 4) The town is aware that property tax reductions have not been made with knowledge that sub-dividable lots are more valuable than unsubdividable lots, as Wes Haskett's June 7, 2023 email indicated the purpose of the June 6, 2023 zoning amendment was for.

Thank you,
Anthony Stocker Mina

PS Not providing me the email addresses for the sole purpose of informing Southern Shores property owners of the above referenced crimes substantiates a governmental criminal conspiracy to defraud property owners, since Southern Shores has refused to correct their wrong doing. Please comply with North Carolina Public Records Request Laws and ALL LAWS GOVERNING NOTIFICATION TO VICTIMS OF CRIMES, LIKE PROPERTY BEING ILLEGALLY DOWN ZONED WITHOUT NOTIFYING THE PROPERTY OWNER OR REDUCING PROPERTY TAXES.

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

From: Anthony Mina <chestercountylawn@yahoo.com>

To: Cliff Ogburn <cogburn@southernshores-nc.gov>; Norwood Blanchard <norwood@emclawfirm.com>; David Kole <dkole@southernshores-nc.gov>; Sheila Kane <skane@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>; Southernshores Nc Info <info@southernshores-nc.gov>; "council@southernshores-nc.gov" <council@southernshores-nc.gov>; "council@southernshores-nc.gov" <council@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>; Southernshores Nc Info <info@southernshores-nc.gov>; Elizabeth Morey <emorey@southernshores-nc.gov>; Paula Sherlock <psherlock@southernshores-nc.gov>; Mark Batenic <mbatenic@southernshores-nc.gov>; Matt Neal <mneal@southernshores-nc.gov>; Robert Neilson <rnelson@southernshores-nc.gov>; FBI <philadelphia.complaints@ic.fbi.gov>; Andrea C. Powell <andrea.powell@nccourts.org>; "ncago@ncdoj.gov" <ncago@ncdoj.gov>; "ncago@ncdoj.gov" <ncago@ncdoj.gov>; David Kole <dkole@southernshores-nc.gov>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>

Cc: Jonathan Siegel <jsiegel@southernshores-nc.gov>; Matt Cooke <mcooke@southernshores-nc.gov>; Eric Brinkley <ebrinkley@southernshores-nc.gov>; Darrell Brickhouse <dbrickhouse@southernshores-nc.gov>; Tracy Mann <tmann@southernshores-nc.gov>; Chris Simpson <csimpson@southernshores-nc.gov>; Richard Deaner <rdeaner@southernshores-nc.gov>; Thomas Long <tlong@southernshores-nc.gov>; Jason Thompson <jthompson@southernshores-nc.gov>; Andrew Spottswood <jspottswood@southernshores-nc.gov>; Jennifer Couture <jcouture@southernshores-nc.gov>; FBI <philadelphia.complaints@ic.fbi.gov>; Andrea C. Powell <andrea.powell@nccourts.org>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; "olivia.s.hines@nccourts.org" <olivia.s.hines@nccourts.org>; Elizabeth Morey <emorey@southernshores-

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

chestercountyil.../inbox



Wes Haskett <whaskett@southernshores-nc.gov>

To: Anthony Mina <chestercountyilawm@yahoo.com>

Cc: FBI <philadelphia.complaints@ic.fbi.gov>, Elizabeth Morey <emorey@southernshores-nc.gov>

Jun 12, 2023 at 12:17 PM

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) 261-2304 (ph)
(252) 255-0876 (fx)
www.southernshores-nc.gov



From: Anthony Mina <chestercountyilawm@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

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

From: Anthony Mina <chestercountyilawm@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

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future that may allow pie-shaped or other irregularly-shaped lots.

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 281-2384 (rh)
(252) 255-0678 (fx)
www.southernshores-nc.gov

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

From: Anthony Mine <chartercountydw@ 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 Mine

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https://us1.proofpointessentials.com/index01.php?mod_id=11&mod_option=ipolitem&mail_id=1855141324-FW%3dGX00MzC&r_address=whaskett%40southernshores-nc.gov&resid=1

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RE: 75 E Dogwood Trail Subdivision

chestercounty.lawm...Antox

Jun 1, 2023 at 9:41 AM



Wes Haskett <whaskett@southernshores-nc.gov>
To: Anthony Mina <chestercounty.lawm@yahoo.com>

Good morning. The main issue is the setback encroachment. The lot widths as shown may be ok per our current lot width requirements but I can't confirm that without seeing them on a plat prepared by a surveyor. However, we have been discussing amending our current lot width requirements. The Town Planning Board recommended approval of the attached amendments on May 15th and the Town Council will be holding a public hearing on June 6th. If the proposed amendments are adopted, I can say that the lots as drawn would not be in compliance. Let me know if you have any additional questions.

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



Wes Haskett's July 16th, 2024 sub-division denial (Variance "Exhibit 1B") confirmed lot widths met town code as the drawing referenced in this email was provided on a plat prepared by a surveyor and is found as Variance "EXHIBIT 2B"

From: Anthony Mina <chestercounty.lawm@yahoo.com>
Sent: Wednesday, May 31, 2023 7:58 AM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: Re: 75 E Dogwood Trail Subdivision

Good Morning,

The attached drawing shows lot B with a 100' front set back.

The attached drawing is not drawn exactly to scale. I anticipate wanting to keep the street frontage of lot B only wide enough to install a driveway with walls on each side of the driveway so I can landscape the driveway entrance myself. I expect the street frontage of Lot B to be under 35'.

Thank you for your help,
Anthony S Mina

On Tuesday, May 30, 2023 at 04:41:19 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. Thank you for sending the drawing. How much frontage would Lot B have and at what point is it 100 ft. wide?

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



WES HASKETT ADMITTING ON JUNE 1, 2023 THE LOT WIDTH REQUIREMENTS FOR A SUBDIVISION WERE MET, BUT THEN TELLING APPLICANT FOR THE 1ST TIME THAT LOT WIDTH REQUIREMENTS OF 100' AT THE FRONT BUILDING SETBACK LINE WERE BEING CHANGED ON JUNE 6, 2023 TO REQUIRE THE ENTIRE LOT

From: Anthony Mina <chestercounty.lawm@yahoo.com>
Sent: Friday, May 26, 2023 12:21 PM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: 75 E Dogwood Trail Subdivision

Hello,

I've attached a subdivision plan I sketched to give you an idea of one idea I had that I believe meets Southern Shores zoning requirements (I am still deciding whether I would remove 1' of the existing 75 E Dogwood Trail structure, purchase 1' of property from 73 E Dogwood Trail or request a variance).

I really only want enough street frontage to build some walls at the beginning of the driveway like in the attached picture. I'll be able to give you a much more accurate subdivision plan after I purchase 75 E Dogwood Trail and get some legal advice about all my possible subdivision plans. But I am thinking that I may want both lots sharing one driveway opening that I own, if zoning code allows a subdivision plan like this (if not Lot A could use the existing driveway).

TO BE 100' WIDE. (ATTACHMENT EXPLAINED PROPOSED ZONING AMENDMENT)

Lot A has 20,000 sq. ft and lot B has 28,853 sq. ft.
Both lots will have 100 ft width at the front set back.

Thank you for your help.

Anthony S Mina

1 File 2.2MB



5-16-23 ZTA-23-03 Lot Width.pdf
2MB

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LOT 3

LOT 1

A

ROAD

TRAIL

New single family
dwelling previously
to RSP zoning
requirements,
width of 100' to
width of front
lot back
Lot # 4220
20,000

EXISTING HOUSE
WITH STREET
FRONTAGE

P

RE: 75 E. Dogwood Trail Subdivision

chestercountyla.../inbox



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

May 23, 2023 at 2:13 PM

Good afternoon. I had a good weekend and I hope the same for you. Purchasing land from the adjacent property owner (both properties and structures meet all requirements) or removing a portion of the building would resolve the setback issue. Can you please explain or show on a drawing how the Town's 100 ft. lot width requirement would be satisfied for both lots?

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

WES HASKETT
HIDING JUNE 6, 2023
LOT WIDTH AMENDMENT

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

From: Anthony Mina <chestercountyla...@yahoo.com>
Sent: Monday, May 22, 2023 12:41 PM
To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: 75 E. Dogwood Trail Subdivision

Hello,

I hope you had a good weekend.

I am writing you again about 75 E. Dogwood Trail. I apologize if I am asking a lot of questions. My last job in Pennsylvania was building an addition onto a house on a non-conforming lot and I feel like the job went smoothly because I asked the building inspector lots of questions before I even started getting my building plans (and as of right now, I still don't even live at 75 E. Dogwood Trail).

Can I ask you how you would suggest I go about subdividing 75 E. Dogwood Trail if it was your property and you wanted to make it two properties (or how you think the smartest way to get Southern Shores approval would be)?

I believe my options are (assuming the house is 14' from the 73 E. Dogwood Trail property line):

- Remove one foot of the existing home (the back left corner of the home) and make the lot farthest from the street similar to a "flag lot". 193 N. Dogwood Trail is the closest home with a small amount of public road frontage.

- Apply for a variance and make the lot farthest from the street similar to a "flag lot". 193 N. Dogwood Trail is the closest home with a small amount of public road frontage.

- Purchase a few square feet of property from 73 E. Dogwood Trail so the property line angles around the house of 75 E. Dogwood Trail so there is at least 15' between the house and property line. Some examples of property lines literally wrapping around houses like I am describing are at 233 N. Dogwood Trail and 378 Sea Oats Trail. Then the lot would then again be subdivided with a "flag lot" in the back.

Thank you for your help,
Anthony S Mina

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https://us1.proofpointessentials.com/index05.php?msg_id=11&msg_action=report&mail_id=1684773651-jokTz-23f-A5&context=whaskett%40southernshores-nc.gov

P

Re: 75 E. Dogwood Trail Zoning Question

chestercountyla.../Sent

Anthony Mina <chestercountyla@yaho.com>
To: Wes Haskett <whaskett@southernshores-nc.gov>

May 18, 2023 at 2:54 PM

Thank you for your help. I am not going to ask to meet with you next Tuesday to review my proposed subdivision for 75 E. Dogwood Trail, but I hope to provide you the drawing of the subdivision before then I will talk to you soon. Anthony S Mina

On Thursday, May 18, 2023, 01:51:04 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. See my responses below.

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



WES HASKETT HIDING
JUNE 6, 2023 PROPOSED
LOT WIDTH AMENDMENT

From: Anthony Mina <chestercountyla@yaho.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=PTTICQOR_CH30SU_ARTIVMISTDEGE_530-97DEST

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

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

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

Thank you,
Anthony S Mina

On Wednesday, May 17, 2023, 11:31:21 AM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good morning, Anthony. I'm doing well and I hope the same for you. I don't believe that creating two lots that front E. Dogwood Trl. would work either, unfortunately. This is due to our minimum lot width requirement which is 100 ft, so both lots would have to be 100 ft. wide and front E. Dogwood Trl. However, I'd be glad to take a look at a sketch if you're able to draw what you have in mind. The other issue is the existing structure not being at least 15 ft. from the side property line. Our ordinance requires compliance with all zoning requirements whenever new lots are created.

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



WES HASKETT HIDING JUNE
6, 2023 PROPOSED LOT
WIDTH REQUIREMENT

From: Anthony Mina <chestercountyla@yaho.com>
Sent: Tuesday, May 16, 2023 11:51 AM

P

To: Wes Haskett <whaskett@southernshores-nc.gov>
Subject: Re: 75 E. Dogwood Trail Zoning Question

Good Morning,

I hope you are doing good, I'm a little confused about the Southern Shores local codes governing subdivision plans. Can you tell me why 75 E. Dogwood Trail could not be divided so each of the (2) new lots has street frontage. There is about 165' of street frontage and it does not matter to me if the lots shared the driveway or each had their own driveway. I believe that a second house could be built at 75 E Dogwood Trail and positioned so each lot has at least a 75' width at the side of the house closest to Dogwood Trail.

Thank you for your help,
Anthony S Mina

On Monday, May 1, 2023, 01:54:54 PM EDT, Wes Haskett <whaskett@southernshores-nc.gov> wrote:

Good afternoon. I'm doing well and I hope the same for you. I don't think a subdivision of 75 E. Dogwood Trl. would be allowed per Town Code Section 30-96(f) in our Subdivision Ordinance which states: All lots shall front upon a public road. Let me know if you have any additional questions.

Wes Haskett
Deputy Town Manager/Planning Director
Town of Southern Shores
(252) 261-2364 (ph)
(252) 256-0876 (fx)
www.southernshores-nc.gov

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

From: Anthony Mina <cheater@southshore@yahoo.com>

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

To: Kevin Clark <kclark@southernshores-nc.gov>; Kevin Clark <kclark@southernshores-nc.gov>; Marcey Baum <mbaum@southernshores-nc.gov>; Wes Haskett <whaskett@southernshores-nc.gov>
Subject: 75 E. Dogwood Trail Zoning Question

Hello,

I hope you are doing good.

I have attached a survey with a sketch of a proposed subdivision for 75 E. Dogwood Trail and wanted to make sure I am correct to believe that the lot can be subdivided as a right to the homeowner because the lot is larger than one acre. The only thing I noticed that did not meet the current zoning code requirements is a 14' setback from the existing home to the property line on the left side (I believe there should be 15').

Could you please tell me anything that would prevent me from subdividing the 75 E. Dogwood Trail lot so I could build another house. I do not own the property but have made an offer on the property.

Thank you,
Anthony S Mina

CC Ashton Harrell, MM & J Lew Firm

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THE SURVEY OF THE MAP AND LOTS OF THE SURVEYOR THAT ARE
 SURVEYED UNDER MY SUPERVISION, RECORDED IN W. & L. 125, 1991
 OF THE COUNTY RECORDS THAT THE BOUNDARIES AS CALCULATED
 BY LATITUDES AND DEPARTURES IN THE MAP THAT BOUNDARIES NOT SURVEYED
 ARE SHOWN AS BROKEN LINES PLOTTED FROM THE SECTION FOUND IN W. & L. 125, 1991
 AND THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH W. & L. 125, 1991 AS AMENDED
 WITNESS MY ORIGINAL SIGNATURE, RECORDED NUMBER AND SEAL THIS 5TH
 DAY OF MARCH 1991

REGISTERED SURVEYOR

CANAL

14' side
 set back *

A: New single family
 dwelling pursuant to
 RS1 zoning requirements

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

C: EXISTING HOME
 & LOT pursuant to
 RS1 zoning requirements
 * Except for 14' side
 setback *

DOGWOOD

(100')

TRAIL

SURVEYED FOR
 LINDA L. LAUBY
 LOT 1, BLOCK 105
 SOUTHERN SHORES

ATLANTIC TOWNSHIP, DARE COUNTY, NORTH CAROLINA

DATE: MARCH 6, 1991	SCALE: 1" = 40'
FILE: 6877-72	OR BY: 608
PER: M. B. 2, PG. 182	
TR.M. 370430 0001 P (4/8/93)	
115. 4	

KIRK R. FOREMAN
 LAND SURVEYING COMPANY
 P.O. BOX 1991
 KILL DEVIL HILLS, NC 27049
 (919) 881-1231

P

Wes Haskett's Tax Fraud and Zoning Code Scam

From: Anthony Mina (chestercountylawn@yahoo.com)

To: jportnoy@invtitle.com; davec@darenc.gov; philadelphia.complaints@ic.fbi.gov; olivia.s.hines@nccourts.org; andrea.powell@nccourts.org; ncago@ncdoj.gov; phornthal@hrem.com; norwood@cmclawfirm.com; planningboard@southernshores-nc.gov; jay@whelesslawfirm.com; lawwomble@hrem.com

Date: Tuesday, January 21, 2025 at 07:28 PM EST

Dear Law Enforcement, Dare County Tax Department and Mr. Portnoy (please forward this email to police Chief Kole, Mr. Hornthal),

Please find Wes Haskett's denial of my lot subdivision plan dated January 6, 2025 based on the new evidence that:

- Wes Haskett claimed on November 19, 2024 that there is no evidence of misconduct, fraud or criminal conspiracy by the town (Wes Haskett prepared the Order he had the Planning Board sign to deny my Variance application).
- Wes Haskett's claim on or about October 16, 2024 (in his staff report) that all notification requirements were met for the June 6, 2023 zoning amendment and August 3, 2021 zoning amendment.
- Wes Haskett's claims on October 30, 2024 that the Planning Board did not hold a hearing on May 15, 2023 on his March 31, 2023 zoning amendment (The June 6, 2023 town council minutes prove March 31, 2023 amendment was heard on May 15, 2023 and recommended (This lie told by Wes Haskett to try and justify his refusal to post notice at 75 E Dogwood Trail prior to the May 15, 2023 hearing and tell me about the proposed amendment when I was specifically asking about lot width requirements for the subdivision at 75 E Dogwood Trail.).
- Wes Haskett and/or his attorney Lauren Womble fraudulently claimed under oath that notification requirements required to effectuate the June 6, 2023 lot width amendment at 75 E Dogwood Trail were complied with, when my October 30, 2024 Public Records Response proves the notification requirements to effectuate a zoning change at 75 E Dogwood Trail were not complied.

The attached decision from Wes Haskett claims Res Judicata prevents my lot subdivision because of my July 3, 2024 zoning application. Now Wes Haskett is acting like new evidence I have from after July 3, 2024 is not "new evidence".

It is my position that the new evidence requires Wes Haskett to approve my lot subdivision and requires law enforcement to arrest Wes Haskett for not approving my lot subdivision, for reasons including Dare County Tax Fraud since Wes Haskett won't order a reassessment on 75 E Dogwood Trail after making claims that the subdivision (by right of property owner) at 75 E Dogwood Trail is no longer possible because of his March 31, 2023 zoning amendment application.

Please arrest Wes Haskett. Please make sure Wes Haskett is charged with Insurance Fraud for repeatedly filing false documents he knows are being used in an insurance fraud investigation against Southern Shores (specifically Wes Haskett). Wes Haskett is never going to stop lying.

Anthony S Mina

— Forwarded Message —

From: Phillip Hornthal <phornthal@hrem.com>

To: Anthony Mina <chestercountylawn@yahoo.com>

Cc: Lauren Arizaga-Womble <lawwomble@hrem.com>

Sent: Tuesday, January 21, 2025 at 04:33:15 PM EST

Subject: FW: 1-6-2025 75 E. Dogwood Trl. Subdivision Application Decision

Mr. Mina:

See attached decision from the Town regarding your subdivision application.

Q

Sincerely,

Phil Hornthal

L. Phillip Hornthal, III
Attorney at Law

Direct: 252.698.0214

Office: 252.335.0871

Fax: 252.335.4223 Attn: P. Hornthal

Email: phornthal@hrem.com

301 East Main Street

Elizabeth City, NC 27909

www.hrem.com



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[Legal Notices & Privacy Policy](#)



1-21-2025 75 E. Dogwood Trl. Subdivision Decision.pdf
315.7kB



75E.DogwoodSubdivisionJanuary62025.pdf
12.1MB

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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



June 5, 2024

Proof of WES

HASKETT'S SPECIAL INTEREST IN 75 E. DOGWOOD TRAIL

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.

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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.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-ma.gov/town-ph>. Feel free to contact me at (252) 261-2394 or whaskett@southernshores-ma.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_Anythony Mina_ 75 E Dogwood Trail Kitchen Renovation REV 1_ Sealed.pdf
14MB



NC0519_Anythony Mina_ 75 E Dogwood_ 2nd Floor Ext Wall Revision_ Sealed.pdf
1MB

R

Abstract



OVER-ALL COPY

GIFLOODPLAIN DEVELOPMENT

G/FLOODPLAIN DEVELOPMENT PERMIT APPLICATION

PROPERTY INFORMATION:

PROPERTY INFORMATION:



PROPERTY OF _____ COMMERCIAL _____ RESIDENTIAL _____

FOUR FOOTAGE ANALYST 3543 CURRENT LAB PROCESSED IN

STANDARD ENCYCLOPEDIA

CONFIDENTIAL

50 FT - HIGH HEATED CHIMNEY (NEW SPACE)

COST OF REMOVAL AND AVOIDANCE

SYSTEMS CONSTRUCTION COST OF

[illegible]

* Please note bus blasted now does not claim existing side set back distances prevent a lot subdivision so Applicant will not be removing any of the existing house.

✓

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

R

Anthony Stocker Milne

5/24/2024

Forwarded Message

From: Philip Hornthal <phornthal@bham.com>
To: Anthony Milne <stockeranthony@yahoo.com>; Wes Haskett <whaskett@cauthernbama-nc.gov>
Cc: Cliff Ogden <ogdencliff@cauthernbama-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. Milne:

You are free to submit any application you wish to submit. However, in response to your specific question, please understand that, unless all four residents 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. Philip Hornthal, II
Attorney at Law

Direct:252.898.0214

Office:252.335.0671

Fax:252.335.6223 Adm: P. Hornthal

Email:phornthal@bham.com

301 East Main Street

Elizabeth City, NC 27808

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Legal Notice & Privacy Policy

From: Anthony Milne <stockeranthony@yahoo.com>

Sent: Friday, May 24, 2024 2:27 PM

To: Philip Hornthal <phornthal@bham.com>; Wes Haskett <whaskett@cauthernbama-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 SHOES

R

24CV001667-270

ANTHONY S. MINA

Petitioner

V.

SOUTHERN SHORES/WES HASKETT

Respondent

: DARE COUNTY SUPERIOR COURT

:

: No.

:

: Southern Shores No. VA-24-01.

:

FILED

DATE: December 18, 2024

TIME: 2:48:51 PM

DARE COUNTY

CLERK OF SUPERIOR COURT

BY: L. Watts

PROPOSED WRIT OF CERTIORARI

Now, that on this 12/18/2024 day, of _____, 2024 a Petition For Writ Of Certiorari has been filed in the Dare County Superior Court, Respondent Southern Shores/Wes Haskett is hereby ORDERED to prepare and certify to the court a complete record from the proceedings Variance No. VA-24-01 within 30 days of the date 12/18/2024.

Petitioner is hereby ORDERED to serve the Petition For Writ of Certiorari and Proposed Writ of Certiorari on the Respondent pursuant to Rule 4(j) of the Rules of Civil Procedure.

Additional requirements, if any, are: _____

Date: 12/18/2024

Signature: _____

Lynne Watts

Asst. Clerk

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