

8/20/2014

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NCDOT - North Carolina Department of Transportation

Division 3

Instructions

1. this page (or write down the Tracking Number and URL, displayed below) and keep it for your records.
2. If you have provided us a valid email address, within seven business days you will receive an email with instructions for how to view the response to your comment. Note: If you choose to submit a comment anonymously, you will not receive this email notification. In order to receive an email notification, you must enter your email address in the Email field.
Make sure you retain the tracking number and the URL to your comment for future use, when submitting a comment anonymously.
3. If you do not receive an email within seven business days, please go to the URL listed below.

Tracking Number: 83G5T2N9W

URL: [Response.aspx?TrackingNumber=83G5T2N9W&UserEmail=ecaveness@ec.rr.com](https://apps.dot.state.nc.us/Response.aspx?TrackingNumber=83G5T2N9W&UserEmail=ecaveness@ec.rr.com)

User Information

Name: ELIZABETH CAVENESS **Phone:** (910)520-2248 **Email:** ecaveness@ec.rr.com

Message Detail

Sent By: ELIZABETH CAVENESS **Date/Time:** 8/20/2014

Comment:

I am an owner of the Beacon Building located at 14057 Hwy 17 Harpsstead, NC. We have a sign that was made in 2007 when the building was built but the county said the sign had to be placed 15 feet from the property line. The property line is about 15 or 20 feet from the road. The placement of the sign that far from the road would put it in our parking lot and not be visible from the road. We would like permission to place the sign in the right of way. The neighboring properties have dense vegetat on the cause the building to be hidden until you almost pass it. We would not put the sign close to the road, but in a location to make it visible. Thank you.

PERMIT PROCEDURES

Permits Required

No person shall erect and/or maintain any outdoor advertising within 660 feet of the nearest edge of the right of way of the controlled route, including outdoor advertising mounted on trailers or skids, without first obtaining a permit from the Department of Transportation. The following signs do not require permits: on-premise signs; official signs and notices; public utility signs; service club and religious notices; and public service signs.

The district engineer of the Division of Highways of the Department of Transportation for the county in which the outdoor advertising structure is proposed to be located is authorized to issue permits on behalf of the Department of Transportation.

A permit will not be issued for any unlawful outdoor advertising structures as determined by the North Carolina Outdoor Advertising Control Act (G.S. 136-126 et seq.) and the rules and regulations promulgated by the Department of Transportation pertaining to outdoor advertising structures (Title 19A NCAC 2E.0200).

The permit requirements contained herein are in addition to any permit or licensing requirements of local governing bodies, or other state agencies.

Application

No permit shall be issued until an application has been completed for each separate outdoor advertising structure and submitted to the appropriate district office along with the required initial fee and attachments as noted in 19A NCAC 2E.0206. Incomplete applications will be returned to the applicant.

Applications for a permit to erect and/or maintain an existing outdoor advertising device may be obtained from the Division of Highways' district engineer who has jurisdiction over the county in which the sign is located. The district offices for each county are shown as an Exhibit. Questions about outdoor advertising should be directed to the appropriate district office.

Instructions for completing and processing the application are included on the permit form. A sample permit application is also included as an Exhibit.

Fees

Initial application and annual renewal fees shall be paid by the owners of the outdoor advertising structures for each permit requested.

An initial non-refundable fee of one hundred twenty dollars (\$120.00) per outdoor advertising structure shall be submitted with each application. Annual renewal fees of sixty dollars (\$60.00) per sign structure shall be paid by the owners of the outdoor advertising structures by April 15th of each year. If requested by the district engineer, the sign owner must provide a valid lease or other proof of interest in the land where the sign is located

Permit and Permit Emblem

The erection of new outdoor advertising structures shall not commence until a permit has been approved and the emblem issued. The permit emblem must be placed on the outdoor advertising in such a position as to be visible and readable from the main traveled way of the controlled route.

Any person, firm or corporation owning or maintaining outdoor advertising shall affix the name of the sign owner to the sign structure in sufficient size to be clearly visible from the main traveled way of the controlled route.

SIGNS ON HIGHWAY RIGHT OF WAY

Those signs erected on highway right of way do not fall under the controls of the act. However, they are in violation of the following General Statute and/or North Carolina Administrative Code.

19A NCAC 2E .0415 provides it shall be unlawful for any person, firm or corporation to erect or place any advertising or other sign, except regulation traffic and warning signs approved by the Department of Transportation, on any highway or the right of way thereof, or so as to overhang the right of way, or to permit the erection or placing of any advertising or other sign, as herein prohibited, on any highway right of way which is situated over any land owned, rented, leased or claimed by such person, firm or corporation. It shall be unlawful for any person, firm or other corporation that has erected or placed, any advertising or other sign, as herein prohibited, or for any person, firm or corporation owning, renting, leasing or claiming any land over which a highway or highway right of way is situated and on which highway or highway right of way any advertising or other sign has been erected or placed, to allow such advertising or other signs to remain on state highway or right of way thereof.

SCENIC BYWAYS

Outdoor advertising is prohibited adjacent to any highway designated as a Scenic Byway by the NC Board of Transportation after the date of designation. (Ref. NCAC 2E.0224) The routes are clearly marked with highway signs and the Scenic Byways logo. A list of specific routes is available from the appropriate district engineer or may be viewed at the NC Scenic Byway web site at: www.doh.dot.state.nc.us/operations/dp_chief_eng/roadside/scenic

Lindsey Hess

From: Racine, Douglas W <dracine@ncdot.gov>
Sent: Thursday, August 21, 2014 11:09 AM
To: Lindsey Hess
Cc: Grady, Don H
Subject: RE: Request for Sign in DOT ROW
Attachments: Signs in the Right of Way.pdf

Ms. Hess,

Per our conversation earlier NCDOT will not allow signs in the NCDOT Right of Way. I have attached the regulation from the August 2000 Outdoor Advertising Manual covering signs in the right of way. If you have any questions, please contact me.

Thank You,
Douglas W. Racine
Journey Engineering Technician
North Carolina Department of Transportation
295 Wilmington Hwy. Suite A
Jacksonville, NC 28540
(910)-346-2040

From: Lindsey Hess [mailto:lindsey@capefearcommercial.com]
Sent: Thursday, August 21, 2014 10:59 AM
To: Racine, Douglas W
Cc: Elizabeth Caveness (beth.caveness@gmail.com)
Subject: Request for Sign in DOT ROW

Mr. Racine,

I am the Asset Manager for the property located at 14057 US Hwy 17, Hampstead, NC, the Beacon Building. I have copied Beth Caveness on this email, she is a Managing Partner/Owner of the property.

This property was built in 2008 and at that time, a sign was constructed to be installed at the property at the cost of \$5,000+/- . We are requesting permission to place the sign in the DOT ROW as the property suffers from zero visibility from Hwy 17 both North and South bound. The neighboring properties have thick tree cover and brush which extends just a few feet from the highway (as seen in attached photos and map).

Please let us know if this would be possible or if you need more information. I appreciate your time and consideration.

Best Regards,

Lindsey E. Hess



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Per NC Real Estate Law, we ask you to review "*Working with Real Estate Agents*", or if this is a lease transaction, "*Working with Real Estate Agents [Lease Transaction]*". After you have reviewed the applicable publication, please schedule a meeting with us to discuss the contents of the publication.

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