

N.C. DIVISION OF COASTAL MANAGEMENT
ADJACENT RIPARIAN PROPERTY OWNER NOTIFICATION/WAIVER FORM
CERTIFIED MAIL · RETURN RECEIPT REQUESTED or HAND DELIVERY

(Top portion to be completed by owner or their agent)

Name of Property Owner: _____

Address of Property: _____

Mailing Address of Owner: _____

Owner's email: _____ Owner's Phone#: _____

Agent's Name: _____ Agent Phone#: _____

Agent's Email: _____

ADJACENT RIPARIAN PROPERTY OWNER'S CERTIFICATION
(Bottom portion to be completed by the Adjacent Property Owner)

I hereby certify that I own property adjacent to the above referenced property. The individual applying for this permit has described to me, as shown on the attached drawing, the development they are proposing. A description or drawing, with dimensions, must be provided with this letter.

_____ I DO NOT have objections to this proposal. _____ I DO have objections to this proposal.

If you have objections to what is being proposed, you must notify the N.C. Division of Coastal Management (DCM) in writing within 10 days of receipt of this notice. Correspondence should be mailed to 401 S. Griffin St., Ste. 300, Elizabeth City, NC, 27909. DCM representatives can also be contacted at (252) 264-3901. No response is considered the same as no objection if you have been notified by Certified Mail.

WAIVER SECTION

I understand that any proposed pier, dock, mooring pilings, boat ramp, breakwater, boathouse, lift, or groin must be set back a minimum distance of 15' from my area of riparian access unless waived by me (this does not apply to bulkheads or riprap revetments). (If you wish to waive the setback, you **must sign** the appropriate blank below.)

I DO wish to waive some/all of the 15' setback

Signature of Adjacent Riparian Property Owner

-OR-

I **do not** wish to waive the 15' setback requirement (initial the blank) _____

Signature of Adjacent Riparian Property Owner: _____

Typed/Printed name of ARPO: _____

Mailing Address of ARPO: _____

ARPO's email: _____ **ARPO's Phone#:** _____

Date: _____ ***waiver is valid for up to one year from ARPO's Signature***

Revised July 2021

TIPS FOR ADJACENT RIPARIAN OWNER NOTIFICATION & WAIVER FORMS

CAMA Regulations require notice of proposed development to the Adjacent Riparian Property Owners (15A NCAC 7J.0204(b)(5)). Proof of actual notice (a sign-off by the owner on this form) or certified mail return receipts (showing *delivery* of notice) are needed.

The purpose of this notice is to make adjacent riparian property owners aware of the proposed development so that they have an opportunity to provide comments (or potentially object to) the proposed development, and to give DCM an opportunity to consider these comments/objections before a permit decision is made. “Permission” of adjacent property owners is not necessarily required for DCM to issue a permit; however, permission must be obtained for certain types of proposed developments if they fall within a 15’ setback area along the riparian access area of the adjacent property, as determined solely by DCM. It is in the applicant’s best interest to provide comprehensive and accurate notice so that any concerns or objections can be resolved early in the permit review process. In addition, if the adjacent riparian property owner appeals the permit decision, insufficient notice could be a basis for granting such an appeal.

Who is an Adjacent Riparian Property Owner?

What is Adjacent? (Note: DCM reads this broadly to ensure comment by potentially impacted neighbors)

- A property that shares a boundary line with the site of proposed development; AND
- A property that fronts a natural or manmade waterbody that is connected to coastal waters and can support some form of navigation, even a kayak or canoe, including a common canal system or a manmade basin.
- Easement holders? Yes, if the easement could be impacted by the proposed development.
- Streets/Roads? Only if the street/road could be impacted by the proposed development. This might include street-ends which might be used for parking and beach access.
- Holders of recognized submerged lands claims/shellfish franchises.

What is Riparian?

Do the boundaries of the adjacent property legally intersect with the water at mean high tide? If there is a question about whether an adjacent property is considered “riparian,” please reach out to DCM Staff - especially on the oceanfront beach where there may be undeveloped parcels on the beach or in the water.

Who/What is a Property Owner?

For private individuals (or families), send notice to the address listed on the tax card. If the property is owned by an Inc. or LLC, please send notice to the person listed as the registered agent on the NC Secretary of State’s Corporations Look Up site: <https://www.sosnc.gov/search/index/corp>. For Condominiums or neighborhoods with an owners’ association (HOA/POA), send notice to the association (which is usually a corporation, for which you send notice to its registered agent).

What is Notice, and how do I ensure it is received?

- You can meet with your adjacent property owner, provide a description or drawing of the proposed development, and ask them to sign this form and return it to DCM; OR
- You can hand-deliver this form and a description or drawing, and ask your neighbor to return it to DCM (consider providing them with a stamped envelope); OR
- You can mail this form by USPS Certified Mail, return receipt requested (the Green Card). If you choose this option, you must provide either the signed & returned green card OR track the certified mail package number on USPS.GOV’s online tracking system, and provide the tracking print-out as proof of delivery to DCM

If you have any questions about this process, please reach out to DCM Staff and DCM Legal Counsel and we will work to answer your questions.

Revised July 2021