



**State of Delaware**  
**Department of Natural Resources & Environmental Control**  
**Division of Watershed Stewardship**  
285 Beiser Boulevard, Suite 102, Dover Delaware 19904 (302)739-9921 FAX (302) 739-6724

**APPLICATION FOR CONSTRUCTION**  
**LETTER OF APPROVAL**

This application form is provided for construction activities within the regulated area and landward of the DNREC Building Line as shown on maps prepared by the Shoreline & Waterway Management Section, and for construction activities requiring a Letter of Approval, as outlined in Part 4.0 of the Regulations Governing Beach Protection and the Use of Beaches. Copies of individual Building Line maps are available for planning by request to the Shoreline & Waterway Management Section.

**Please answer all questions thoroughly and provide the applicable drawings.**  
**Incomplete applications will be returned.**

**Name of Property Owner:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

Email Address: \_\_\_\_\_

Telephone Numbers: A/C ( ) \_\_\_\_\_ Residence A/C ( ) \_\_\_\_\_ Office \_\_\_\_\_

**Name of Authorized Agent:** \_\_\_\_\_

Mailing Address: \_\_\_\_\_

City/State/Zip Code: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

Telephone Numbers: A/C ( ) \_\_\_\_\_ Residence A/C ( ) \_\_\_\_\_ Office \_\_\_\_\_

**Location of proposed work:**

Lot(s) Number: \_\_\_\_\_ Block Number: \_\_\_\_\_

Street: \_\_\_\_\_

Subdivision/Community: \_\_\_\_\_

Tax Map #: \_\_\_\_\_

**The following information is required to be submitted with the application\*:**

**For the construction or modification of dwellings, septic systems, cantilevered decks, or if you are unsure of the category your application falls under, use Section A. For the construction or modification of driveways, walkways, skirting, fencing, sheds, stairs, pools, or other small non-structural features, use Section B.**

**Section A**

- 1) Copy of deed, lease, sales contract or County certificate showing ownership or legal interest in the property.
- 2) A copy of an original Topographic Survey or design drawings that include topographic survey information, **signed and sealed by a professional surveyor or engineer licensed in the State of Delaware**, of the lot (at one foot intervals) which includes the following information:
  - a. The location and dimensions of the proposed structure, modifications and/or additions drawn to scale, including but not limited to: the dwelling, decks, porches, stairs, septic systems and tanks, roof lines, heat/air condition systems, walkways and driveways.
  - b. Setback distances from front, back and side lot boundaries required by local municipalities, subdivisions or the County.
  - c. A **profile view** of the proposed construction (include area below first living floor) showing proposed foundation, Base Flood Elevation existing and proposed grade, first floor elevation, elevation of lowest horizontal member, roof line, and all amenities including showers, heat pumps, steps, fences, walkways, etc.
  - d. Distance to the DNREC Building Line and the DNREC Easement Line (if parcel is intersected by either) from each landward corner of the property.
  - e. The area of disturbance. By regulation, this area must be limited to the area located landward of the DNREC Building Line and/or landward of the DNREC Easement Line (if applicable).
  - f. **For the construction or replacement of a septic system**, please include the location of existing and proposed septic systems including seepage bed, tanks and dosing chamber. New construction must meet all the isolation distances from the septic system required by the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems.

**For Cantilevered Decks Only:**

- g.** The Cantilevered Deck Worksheet must be completed, providing calculations that indicate the proposed cantilevered deck does not extend beyond the most seaward point that is the average distance seaward of the Building Line of any lawfully constructed building, deck or porch of a similar nature that is already existing on parcels of real property located within the "smallest subset of lots". ***This average distance seaward of the Building Line must be indicated on the survey along with the proposed cantilevered deck.***

- h. Deck construction plans certified by an Architect or Engineer registered in the State of Delaware. All structural support for the cantilevered deck must be above Base Flood Elevation if located seaward of the DNREC Building Line and all space below the deck must remain open and free of obstruction.

**Optional:**

- 3) An elevation certificate, particularly if the proposed work is being done in a floodplain. This shows the reviewer the flood zones of all proposed construction and the elevation of the proposed structures.
- 4) Copies of any other permits, letters of permission, or variance documents for the proposed structures. Presenting these documents as part of your application can save time in the review process.
- 5) Photographs of the site, especially if existing structures are being replaced. This helps to confirm what previously existed on-site and gives the reviewer a way to visualize the proposed changes.

**Section B**

For the construction of structures such as driveways, walkways, skirting, fencing, sheds, steps, pools, etc. please include the following:

- 1) Copy of deed, lease, sales contract or County certificate showing ownership or legal interest in the property.
- 2) An 8.5x11 plan, drawn to scale, that includes:
  - a. The location of the proposed structure in relation to existing structures
  - b. The dimensions of the proposed structure
  - c. A profile view for any structure that extends above or below grade (shed, steps, skirting, pools, etc)
  - d. Distance to the DNREC Building Line and the DNREC Easement Line from the landward property boundary
  - e. The area of disturbance. This area must be limited to the area located landward of the DNREC Building Line and/or landward of the DNREC Easement Line (if applicable).
  - f. Setback distances from front, back and side lot boundaries required by local municipalities, subdivisions or the County (if applicable)

\*This checklist is a tool that applicants should use to ensure their application packages are complete. Complete applications can be processed faster, and require less correspondence with applicants. The items listed in the checklist are the minimum requirements that will present sufficient information to the reviewer regarding how the proposed activity complies with the Regulation Governing Beach Protection and the Use of Beaches. Reviewers reserve the right to request and require additional information prior to issuing a decision.

**Please address all questions**

**Type of work proposed:**

(Construction of a dwelling, deck, commercial building, subdivision, addition, pedestrian dune crossover, septic system, storage facility, placement of utilities, placement of fill, etc.)

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**Site Work:**

Will there be any lot clearing or excavation at the site? \_\_\_\_\_

If so, will any sand be removed from the site? \_\_\_\_\_

Where will the sand be taken? \_\_\_\_\_

Will sand or fill be added to the site? \_\_\_\_\_ How much? \_\_\_\_\_

What will be the source of the material? \_\_\_\_\_

**Indicate on the plans where the fill will be placed.**

Will there be any landscaping? \_\_\_\_\_ If so, will you be bringing in top soil? \_\_\_\_\_

Are there any structures (including irrigation systems) proposed in your landscape design?

\_\_\_\_\_

**Please indicate their location on the plans.**

**Activities Seaward of the Building Line are restricted**

**Placement of construction equipment or materials or disturbance of the area seaward of the DNREC Building Line is prohibited. The Building Line must be staked prior to initiation of construction. Erection of sand fencing will be required to mark the Building Line to prevent disturbance and damage to the dune or vegetation during construction.**

Is the property bisected by the building line, completely landward of the Building Line or completely seaward of the Building Line? \_\_\_\_\_

**Flood Zone/Construction Below Base Flood Elevation:**

**Construction Seaward of the Building Line must be located above Base Flood Elevation.**

What NFIP Flood Zone is the property located in (e.g. V, A, B, etc.)? \_\_\_\_\_

What NFIP Flood Zone is the proposed construction taking place? \_\_\_\_\_

What is the Base Flood Elevation (NAVD88)? \_\_\_\_\_

What is the effective/revised date of the FIRM panel used for flood zone determination? \_\_\_\_\_

**This information can be obtained from the applicable Town or County.**

**Please verify that all local Flood Zone requirements and ordinances are being met.**

**Flood Zone Requirement/Construction Below Base Flood Elevation:**

Will any enclosures, such as entrances, storage areas, elevators, showers, skirting, utilities etc., be constructed below the first living floor? \_\_\_\_\_ **If so, indicate their location on the plans.**

**These structures must be located landward of the Building Line or elevated above Base Flood Elevation.**

Will any concrete, brick or asphalt be used for flooring, driveways, side walks, etc.? \_\_\_\_\_

**Indicate their location on the plans. These structures must be located landward of the Building Line.**

**Additional Information:**

**Proposed construction should be designed and undertaken to minimize impacts to dunes and beaches.**

What mitigating measures will be taken to prevent disturbance and damage to the dune during construction? \_\_\_\_\_  
\_\_\_\_\_

Following construction, what steps will be taken to replant vegetation disturbed during construction or to vegetate bare areas in the dune? \_\_\_\_\_  
\_\_\_\_\_

Are there any wetlands on this lot? \_\_\_\_\_ **Please indicate their location on the plans.** If you propose to construct in wetlands, please include copies of written approvals from the Division of Water – Wetlands and Subaqueous Lands Section and/or the U. S. Army Corps of Engineers.

Is there a septic system on the lot? \_\_\_\_\_ **Please indicate the location of the septic tank, dosing chamber and drain field on the plans.** If you are connecting to an existing system, please provide written approval from the Division of Water - Ground Water Discharges Section. New construction must meet all the isolation distances from the septic system required by the Regulations Governing the Design, Installation and Operation of On-Site Wastewater Treatment and Disposal Systems.

Please sign the attached signature page and mail the application and plans to:

**Delaware Department of Natural Resources and Environmental Control  
Division of Watershed Stewardship  
285 Beiser Boulevard, Suite 102  
Dover, Delaware 19904  
Phone: (302) 739-9921  
Fax: (302) 739-6724**

## SIGNATURE PAGE

As legal property owner, I (we) accept the legally binding nature of the Construction Letter of Approval application and enclosed plans for construction and acknowledge the ultimate responsibility of the owner in executing the conditions of the approval. I (we) also understand that any unauthorized additions or modifications of the final approved construction plans will be considered a violation of the Construction Letter of Approval and the Regulations and are therefore subject to penalties found in the Beach Preservation Act and the Regulations. I (we) also understand that submission of an application does not signify that I (we) have approval to begin construction or that an approval is guaranteed.

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Signature of Property Owner(s)

Date

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Signature of Property Owner(s)

Date

### Statement of Agent Authorization

I hereby designate and authorize \_\_\_\_\_  
to act in my behalf as my agent in the processing of this Construction Letter of Approval application and to furnish, as requested, supplemental information in support of this application.

As legal property owner, I (we) accept the legally binding nature of this Construction Letter of Approval application and enclosed plans for construction and acknowledge the ultimate responsibility of the owner in executing the conditions of the approval. I also understand that this authorization does not transfer ultimate responsibility for this approval to the agent.

**Major modifications or subsequent additions involving horizontal or vertical expansion of the initial construction must be entered as a new application subject to conditions for construction outlined in the Regulations.** Copies of the Regulations are available upon request from the Shoreline & Waterway Management Section.

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Signature of Property Owner(s)

Date

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Signature of Property Owner(s)

Date

Application is hereby made for a beach construction Letter of Approval in the State of Delaware. I certify that I am familiar with the information contained in this application, and that to the best of my knowledge; such information is correct and complete. I further certify that I am authorized to undertake the proposed activities or I am acting as the duly authorized agent for the applicant.

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Signature of Authorized Agent

Date