

INSTRUCTIONS
APPLICATION FOR PERMIT TO BUILD
NEBRASKA DEPARTMENT OF TRANSPORTATION
DIVISION OF AERONAUTICS
(NDOT Form HP1)

Construction or Alteration Requiring Permit to Build

The sponsor who proposes any of the following construction or alterations shall request A Permit to Build from the Nebraska Department of Transportation Division of Aeronautics (NDOT) by submitting an Application for Permit to Build (NDOT Form HP1)

1. All new structures that exceed a height of one hundred fifty feet (150) above the surface of the ground at point of installation.
2. Altering (i.e., increasing the height) existing structures with a final height exceeding one hundred fifty feet (150) above the surface of the ground at point of installation

The sponsor must submit NDOT Form HP1 at least 60 days prior to the date the construction or alteration is to begin.

Application For Permit To Build

Upon receipt of the NDOT Form HP1 with attachments (i.e., FAA Airspace Determination or FAA Notice Criteria Tool indicating structure does not exceed Notice Criteria, USGS Map, Military Low-Level Flight Area Determination, and Certification of No Zoning Violations), the NDOT will send “notification of a permit to build” or “declination of permit to build” within 60 days. Notification of NDOT’s action will be conveyed to the Sponsor via mail to the address provided.

Permits will not be issued for structures that do not receive/include:

1. A favorable FAA airspace determination,
2. *A determination of FAA Notice Criteria Not Exceeded,*
3. A certification of no zoning violations
4. *USGS Map with Nebraska Registered Surveyor Stamp,* and
5. A printout of the Military Low-Level Flight Area Determination

FAA Notice Criteria Tool can be accessed at <https://oeaaa.faa.gov>

Per Nebraska Revised Statute 3-408, sponsors erecting structures exceeding 150-feet above the ground elevation at the point of installation without a permit shall be guilty of a Class III misdemeanor.

Marking and Lighting

As per Nebraska Administrative Code (NAC) Title 17, Chapter 3 – Marking and Lighting of Structures, the following structures, including appurtenances, must be marked and lighted as follows:

1. Structures outside the corporate limits of cities and villages and more than 200 feet above ground level, and

Instructions – Applications for Permit to Build
NDOT Division of Aeronautics
(NDOT Form HP1)

2. Structures within the corporate limits of cities and villages and more than 500 feet above ground level.

Marking and lighting must be in the manner prescribed in the Federal Aviation Administration Advisory Circular (AC) 70/7460-1K “Observation Marking and Lighting dated April 15, 2000, including Change 1, incorporated into these regulations by reference. A copy of this advisory circular may be obtained from the NDOT Division of Aeronautics, 3431 Aviation Road Suite 150, Lincoln, Nebraska 68524-1800. It shall be the duty of the persons, firms, and corporations owning, maintaining, or using such structures to provide and maintain such marking and lighting. The proposed marking and lighted plan will be prepared by the sponsor and submitted with the Application for Permit to Build.

Permit To Build

Upon receipt of Permit to Build, the Sponsor will provide written notification to the Nebraska Department of Transportation Division of Aeronautics:

1. Within 30 days completion of construction (Notice of Construction)
2. To cancel the Permit to Build if it is determined the Sponsor will not construct (Request to Cancel)
3. Upon transfer of ownership of the structure (Transfer of Ownership)

1. **Sponsor** (person, company, etc. proposing action)

Contact: _____ **Company:** _____

Address: _____ **City:** _____ **State:** _____ **Zip:** _____

Email _____ **Telephone:** _____ **FAX:** _____

2. **Notice of:** New Construction Alteration

3. **Duration:** Permanent Temporary (_____ Months, _____ Days)

4. **Work Schedule:** Beginning _____ End _____

6. **Structure Type:** Antenna Tower - FCC Antenna Structure Registration No. _____
 Crane, Building, Power Line, Tower, Wind Turbine
 Other _____

7. **Nature of Intended Use of Structure:** _____

8. **Marking/Painting and or Lighting Proposed:**

Red Lights and Paint, White Lights - Medium Intensity, White Lights - High Intensity, Dual Lights - Red and Medium Intensity White
 Dual - Red and High Intensity White, Other _____

9. **Latitude:** _____° _____' _____" **10. Longitude:** _____° _____' _____"

11. **Datum:** NAD 83 NAD 27 Other _____ **12. County** _____

13. **Nearest Nebraska Public-Use Airport:** _____ **14. Distance From #13 to Structure:** _____

15. **Direction From #13 to Structure:** _____

16. **Ground Elevation at Site (AMSL):** _____ ft. **17. Structure Height. (Including Appurtenances) (AGL):** _____ ft.

18. **Overall Ht. (15+16):** _____ ft.

19. **Required Attachments** (Failure to provide the following will delay processing and issuance of a permit):

FAA Airspace Determination (FAA Aeronautical Study Number _____), OR FAA Airspace Determination Not Submitted; Does Not Exceed FAA Notice Criteria (**FAA Notice Criteria Tool Printout Attached**)

Structure is NOT within Nebraska National Guard Terrain Flight Training Area (See Attached Documentation),
 OR Structure IS WITHIN Nebraska National Guard Terrain Flight Training Area (See Attached Mitigation Plan)

USGS 7.5 Minute Quadrangle Map with the Precise Site Marked and Stamped By Nebraska Registered Surveyor

Notarized Certification of No Zoning Violations From County/City Zoning Administrator

Marking and Lighting Plan - ATTACHED or NOT REQUIRED AS DEFINED IN NEBRASKA REVISED STATUTE 3-407

I hereby certify that all of the above statements are true, complete, and correct to the best of my knowledge.
 I acknowledge that any changes to the above information will require future submittals to the Nebraska Department of Aeronautics.

_____ **Date**

_____ **Typed or Printed Name and Title of Person Filing the Application**

_____ **Signature**

NDOT Division of Aeronautics	CERTIFICATION OF NO ZONING VIOLATIONS for APPLICATION FOR PERMIT TO BUILD	NDA USE ONLY
		NDOT PERMIT NO.

Sponsor (person, company, etc. proposing action)

Contact: _____ Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Telephone: _____ FAX: _____

Nature of Structure: _____

Latitude: _____° _____' _____" Longitude: _____° _____' _____"

Height of Structure (Including Appurtenances) (AGL): _____

This Certification of No Zoning Violations certifies that the Zoning Administrator of _____ County, Nebraska has reviewed the proposed structure Application for Permit to Build, which is being submitted to the Nebraska Department of Transportation Division of Aeronautics. Based on the information submitted, the Zoning Administrator of _____ County, Nebraska, finds that the proposed structure would not violate local zoning standards and the Zoning Administer does not object to the construction.

In Witness thereof, executed this _____ day of _____, _____

 Notary (Signature & Seal)

 Zoning Administrator

NDOT Division of Aeronautics	NOTICE OF CONSTRUCTION	PERMIT NO.

Sponsor (person, company, etc. proposing action)

Contact: _____ Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Telephone: _____ FAX: _____

Nature of Structure: _____

Latitude: _____ ° _____ " _____ ' Longitude: _____ ° _____ " _____ '

Height of Structure (Including Appurtences) (AGL): _____

Ground Elevation at Site (AMSL): _____ ft.

Structure Elevation (Includeing Appurtences) (AMSL): _____ ft.

This form is being provided as notification to the Nebraska Department of Transportation Division of Aeronautics that the referenced structure is being constructed and construction will be completed within 30 days of this notification.

Date

Sponsor Signature

**Submit to: NDOT Division of Aeronautics
 3431 Aviation Road Suite 150
 Lincoln, Nebraska 68524-1800**

NDOT Division of Aeronautics	REQUEST TO CANCEL	
	PERMIT TO BUILD	NDA PERMIT NO.

Sponsor (person, company, etc. proposing action)

Contact: _____ Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Telephone: _____ FAX: _____

Nature of Structure: _____

Latitude: _____ ° _____ " _____ ' Longitude: _____ ° _____ " _____ '

Height of Structure (Including Appurtenances) (AGL): _____

This form is being provided as notification to the Nebraska Department of Transportation Division of Aeronautics that the referenced structure

- will not be constructed
- has been constructed and is being permanently removed

and therefore, as sponsor of the structure the permit to build is being relinquished.

Date

Sponsor Signature

**Submit to: NDOT Division of Aeronautics
 3431 Aviation Road Suite 150
 Lincoln, Nebraska 68524-1800**

NDOT Division of Aeronautics	TRANSFER OF OWNERSHIP FOR PERMIT TO BUILD	PERMIT NO.

Sponsor (person, company, etc. proposing action)

EXISTING/ORIGINAL OWNER/SPONSOR

Contact: _____ Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Telephone: _____ FAX: _____

Nature of Structure: _____

Latitude: _____° _____" _____' Longitude: _____° _____" _____'

Height of Structure (Including Appurtences) (AGL): _____

NEW/CURRENT OWNER/SPONSOR

Contact: _____ Company: _____

Address: _____ City: _____ State: _____ Zip: _____

Email: _____ Telephone: _____ FAX: _____

Nature of Structure: _____

Latitude: _____° _____" _____' Longitude: _____° _____" _____'

Height of Structure (Including Appurtences) (AGL): _____

This form is being provided as notification to the Nebraska Department of Transportation Division of Aeronautics that ownership of the referenced structure has changed. As sponsor/owner of the referenced structure, I will maintain the structure and provide the NDOT Division of Aeronautics with future notification related to alterations, removal or ownership.

Date

Sponsor Signature

Submit to: NDOT Division of Aeronautics
3431 Aviation Road Suite 150
Lincoln, Nebraska 68524-1800