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,
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
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)
**APPLICATION FOR PERMIT TO BUILD**

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 ___________________

5. **Structure Type:**
   - □ Antenna Tower - FCC Antenna Structure Registration No. ___________________________
   - □ Crane, □ Building, □ Power Line, □ Tower, □ Wind Turbine
   - □ Other __________________________________________________________________________________

6. **Nature of Intended Use of Structure:**

7. **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 __________________________________________________________________________________

8. **Latitude:** ____________º ____________’ ____________”  **Longitude:** ____________º ____________’ ____________”

9. **Datum:**
   - □ NAD 83
   - □ NAD 27
   - □ Other ___________________________

10. **County** ______________________________

11. **Nearest Nebraska Public-Use Airport:** ____________________________

12. **Distance From #13 to Structure:** ____________________________

13. **Direction From #13 to Structure:** __________________________________________________________________________________

14. **Ground Elevation at Site (AMSL):** ____________________________ ft.

15. **Structure Height. (Including Appurtenances) (AGL):** ____________________________ ft.

16. **Overall Ht. (15+16):** ____________________________ ft.

17. **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.

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

**Signature**

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*NDT Form HP1*  
Submit Application & Attachments To: NDOT Division of Aeronautics  
3431 Aviation Road Suite 150  
Lincoln, NE 68524-1800
CERTIFICATION OF NO ZONING VIOLATIONS
for
APPLICATION FOR PERMIT TO BUILD

Sponsor (person, company, etc. proposing action)

Contact: ___________________________ Company: ___________________________
Address: ___________________________ City: __________ State: ______ Zip: ______
Email: __________________________________ Telephone: ________________ FAX: ______
Nature of Structure: ________________________________________________________

Latitude: _______º________"____’ Longitude: _______º________"____’

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 Administrator does not
object to the construction.

In Witness thereof, executed this ______ day of _____________, ______

Notary (Signature & Seal) ___________ Zoning Administrator ___________
NOTICE OF CONSTRUCTION

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): ________________________________

Ground Elevation at Site (AMSL): ________________________________ ft.

Structure Elevation (Includeing Appurtenances) (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
REQUEST TO CANCEL
PERMIT TO BUILD

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
TRANSFER OF OWNERSHIP FOR
PERMIT TO BUILD

Sponsor (person, company, etc. proposing action)

EXISTING/ORIGINAL OWNER/SPONSOR
Contact: _______________________
Company: ______________________
Address: ______________________
City: _______ State: _______ Zip: _______
Email: _______________________
Telephone: ______________ FAX: __________
Nature of Structure: ____________________________

Latitude: _______º _______" _______'
Longitude: _______º _______" _______'
Height of Structure (Including Appurtenances) (AGL): ____________________________

NEW/CURRENT OWNER/SPONSOR
Contact: _______________________
Company: ______________________
Address: ______________________
City: _______ State: _______ Zip: _______
Email: _______________________
Telephone: ______________ FAX: __________
Nature of Structure: ____________________________

Latitude: _______º _______" _______'
Longitude: _______º _______" _______'
Height of Structure (Including Appurtenances) (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