

Permit-By-Rule: A Guide for Construction Code Officials  
And Homeowners

EXPANSION OR CONSTRUCTION OF A SINGLE FAMILY HOME

Please answer the following questions by either circling yes or not

- |                                                                                             |     |    |
|---------------------------------------------------------------------------------------------|-----|----|
| 1. Is the proposed structure a single family or duplex dwelling?                            | Yes | No |
| 2. Is the proposed construction site located on man-made lagoon and not a natural waterway? | Yes | No |

A “man-made lagoon” is defined as an artificially created liner waterway sometimes branched, ending in a dead end with no Significant upland drainage. Lagoons have been created through dredging and filling of wetlands, bay bottom and other estuarine water areas for the purpose of creating waterfront lots for Residential development adjacent to the lagoon. A natural waterway which is altered by activities including, but not limited to filling, channel zing, or bulk heading is not to be a man-made lagoon, nor is bulk headed boat slip considered to be a lagoon.

- |                                                                                                                                                                                                              |     |    |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|----|
| 3. Does the bulkhead extend across the entire water frontage of the property?                                                                                                                                | Yes | No |
| 4. Are wetlands absent from the area of the site landward of the bulkhead?                                                                                                                                   | Yes | No |
| 5. Is all proposed construction (Excluding open decks and patios) set back at least 15 feet From the water ward face of bulkhead?                                                                            | Yes | No |
| 6. Is a silt fence proposed to be installed along the length of the bulkhead, with 10 feet return on each side (silt fence shall be maintained in place until all construction and landscaping is complete)? | Yes | No |
| 7. Is the driveway (proposed driveways only) proposed to be covered with a porous material, or pitched to drain runoff onto permeable areas of the site?                                                     | Yes | No |
| 8. Is the lowest habitable floor to the proposed dwelling at or above the base flood elevation as established on the municipal flood Insurance Rate Map (FIRM)?                                              | Yes | No |
| 9. Is the proposed dwelling served by an existing municipal sewer system                                                                                                                                     | Yes | No |
| 10. Are sub gravel landscape lines of filter cloth or other permeable material?                                                                                                                              | Yes | No |

11. If the proposed development includes the construction of swimming pool backwash system discharges to municipal sewer system or area other than adjacent wetlands or surface water body? Yes    No

**If the answer to question 1,2,3,4,6,7,8,9,10 or 11 is NO, then the proposed project is not eligible for a Permit-by-Rule, and the applicant should apply to the Department for a General Permit.**

**If the answer to question 5 only is NO, obtain a certification form a licensed Professional Engineer stating that, upon completion of the proposed construction, future bulkhead reconstruction can be accommodated within 18 inches of the existing bulkhead. In addition, a deed reconstruction must be within 18 inches of the existing bulkhead (as measured from the water ward face of the old bulkhead sheathing to the water ward face of the bulkhead sheathing).**

**Address:** \_\_\_\_\_

\_\_\_\_\_  
**Signature**

\_\_\_\_\_  
**Date**