

Date: April 8, 2000, rev. Feb. 5, 2003, rev. Nov. 9, 2009, rev. Oct. 11, 2010, rev. **May 20, 2013**

To: Arden Leaseholder

From: Trustees of Arden

Re: **Building Permit process**

You have expressed an interest in making further improvements to your leasehold. The following information will assist you in submitting the necessary information to the Trustees so that we can develop a "non-objection" letter to be submitted to New Castle County to obtain your building permit. This letter is only necessary if the construction will change the footprint of your structure.

Note that Arden is zoned NC-10 (single family with minimum lot size of 10,000 sq.ft. and a minimum lot width of 80 feet). The Trustees support Village of Arden policies for the Arden Forest Committee, the Arden Civic Committee, and the Arden Safety Committee to ensure that right-of-way encroachments and forest-edge encroachments are enforced. Those Committees will be informed of a leaseholder's building permit request if that impacts on the area of responsibility for one of those Committees.

Before you can receive a building permit approval from New Castle County, Department of Land Use, they will require a signed "non-objection" letter from the Arden Trustees. **Two sets of plans must be submitted to the Trustees. One set will be signed, dated and stamped by the Trustees to be submitted to New Castle County with the "non-objection" letter. New Castle County will not accept plans that have not been stamped by the Trustees.**

Our minimum requirements are:

(1) No variance is required with the exception stated below.

Exception: Current New Castle County NC-10 (residential) building code prohibits construction of a garage in front of a house. Prior to 1954 and New Castle County code, there were many Arden leaseholds where garages have been built in front of the houses. Because of these exceptions, the Trustees will support a variance for construction of a garage in front of the house; however, the Trustees reserve the right to not support a variance if the Trustees conclude that there are negative impacts to such new construction. Such negative impacts could be, but are not limited to, the impact from excessive water run-off, neighboring leaseholder objections, etc. Please note that the New Castle County Board of Adjustment grants the variances.

(2) Proper setbacks from the lot lines are observed.

(3) All New Castle County construction requirements are observed.

(4) When a valid Building Permit is issued, it is displayed on the leasehold during the construction as per New Castle County requirements.

(5) After the final plans are approved by the County, the Trustees receive a copy of the final plans and a copy of the Building Permit before construction begins.

It is the leaseholder's responsibility to supply the Trustees with the following materials for insertion in the Trustees permanent leasehold file:

Survey

One copy of an official flagged boundary survey and plot plan in accordance with the Delaware Board of Surveyors "minimum standards" which shows accurate dimensions of the lot and locations of improvements including sheds or outbuildings, fences, etc., prepared by a licensed surveyor indicating actual square footage of the lot. The survey and plot plan must be **no more than 10 years old**. Location or mortgage inspection plans are not a substitute for the survey or plot plan. The survey and plot plan will be retained by the Trustees. Note: A Mortgage Survey Plan (MSP) or Mortgage Inspection Plan cannot be substituted for a registered survey.

□ **Plot Plan**

An official plot plan, preferably from an architect, that delineates lines and set backs and the relationship of all current structures and improvements—showing all measurements, point of attachment, floor plan, vertical views of all sides and cross section of construction. Drawings are to be dated, signed, and include the license number of architect/engineer.

□ **Lines and Grades**

Copy of final Lines and Grades and internal layout of the building documents and Building Permit should be forwarded to the Trustees as soon as it is obtained. Construction may begin after the documents are received.

□ **Building permit posted**

The building permit is to be posted in obvious view from the road as soon as possible after it is obtained and should remain posted until construction is complete. You might consider putting the permit in a clear plastic envelope if it is going to be out in the weather.

NCC Code Section 4.110 specifies:

□ **25 feet set back in the front** of the building from the property/right of way line. Corner lots require 25 feet setback from each street.

□ **30 feet set back in rear** of building from property/right of way line. Rear set backs for corner lots need not be more than 20 feet. A maximum of 20% of rear set back can be used for additions or accessory structures.

□ **8 feet set back at sides**

□ Maximum building **height is 35 feet**

□ Accessory structures (not attached to house) must be located in rear of building with a minimum side and rear set back of 6 feet from property/right of way line. A permit is not required for an **accessory structure of 200 square feet or less** that is placed correctly on the lot. Maximum height of the accessory structure cannot exceed 20 feet.

□ **Useful information and phone numbers**

If you call Land Use Department, they will need your County Parcel Number to answer a specific question about your leasehold. If you don't know your Parcel number, see your land rent bill or call the Assistant to the Trustees.

New Castle County Land Use Department

87 Reads Way, New Castle, DE 19720 www.nccde.org.

General information..... (302) 395-5400

Variances.....(302) 395-5431

Permits..... (302) 395-5400

Sewer billing..... (302) 323-2600

Note that New Castle County will send you a Assessment bill as a result of your improvements.

Do **not** pay this Assessment change; however, please give this bill to the Trustees to pay before it is due. If the bill is late, New Castle County will add penalties to the bill which the Arden Trust will not pay.

If you have any questions, please contact the Trustees Office, Assistant to the Trustees, Julie McNeil, by calling (302) 475-7980, by writing the Trustees Office, 2119 The Highway, Arden, DE 19810, or by contacting our office via e-mail Trustees.of.Arden@gmail.com.

Sincerely,

Mike Curtis, S. Carl Falco and Elizabeth Varley, Trustees of Arden