PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201 7 - 11	
Acceptance Date:	9/6/16
Website Posting Date:	9/9/16
Determination Date:	9/16/16
Planning Commission Date:	9/27/16
Expiration Date:	9/27/17
Planner Assigned:	JCO

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information

Applicant: WALTER & ANN LOUIE
Address: 4511 Hauaala Road. Kapaa, HI 96746
Phone: (808) 839-6859
Email: wlouie@me.com

Applicant's Status: (Check one)

[X] Owner of the Property	(Holder of at least 75% of the equitable and legal title)
[ ] Lessee of the Property	Lessee must have an **unexpired and recorded** lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
[ ] Authorized Agent	Attach Letter of Authorization

Transmittal Date: 8/15/16

Project Information (attach additional sheets, if necessary)

County Zoning District: Residential (R-10)
Tax Map Key(s): (4) 4-5-13:020
Land Area: 5,570 sf.

Nature of Development: (Description of proposed Structure of subdivision): New 6' high rock wall along Kuhio Hwy. property line & 4-6' along side property lines. Total = Approx. 52 ft. long. ADD BEAR FENCE (WALL)

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE, EXCEPT AS PROVIDED IN §8-27.8(c)(8)

Part A

Shoreline Setback Determination of Applicability (§8-27.1)
Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

- [ ] Properties Abutting the Shoreline
  - [ ] Project's approximate distance from shoreline: _____
- [X] Properties Not Abutting the Shoreline
  - [X] Project's approximate distance from shoreline: ~220 ft. (see attached AERIAL MAP.)
- [ ] Additional Information:
  - [ ] Closest distance of improvement(s) from Shoreline is approximately ~220 ft.
  - [ ] Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

KUHIO HIGHWAY R.O.W, KAPAA BEACH PARK W/ MULTI-USE PATH ARE BETWEEN SUBJECT PARCEL & SHORELINE.

2/26/15

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

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Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

☒ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

TOPOGRAPHY IS RELATIVELY FLAT. 1-2 FT SLOPE FROM SUBJECT PROPERTY TO COUNTY BEACH PARK & APPROX 3-4 SLOPE FROM BEACH PARK TO MSL.

☒ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

BEACH / ROCKY SHORELINE / REEF

☐ Artificially armored Shoreline
- ☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
- ☐ Is the armoring permitted/authorized? _____
- ☐ Date of authorization (attach copy of authorization letter): _____

☐ Is property in coastal floodplain (if checked, what zone)? _____

☒ Has this property been subject to coastal hazards in the past? (If checked, please describe)

NO

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

Signature _____ Date 4 Aug 16

Applicability (to be completed by Planning Department)

☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 apply, submit full application.

Planning Director or designee _____ Date 9/6/16

2/26/15

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B
Exemption Determination

☐ A non-refundable processing fee of **one hundred dollars ($100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☒ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ **Exemption 3**

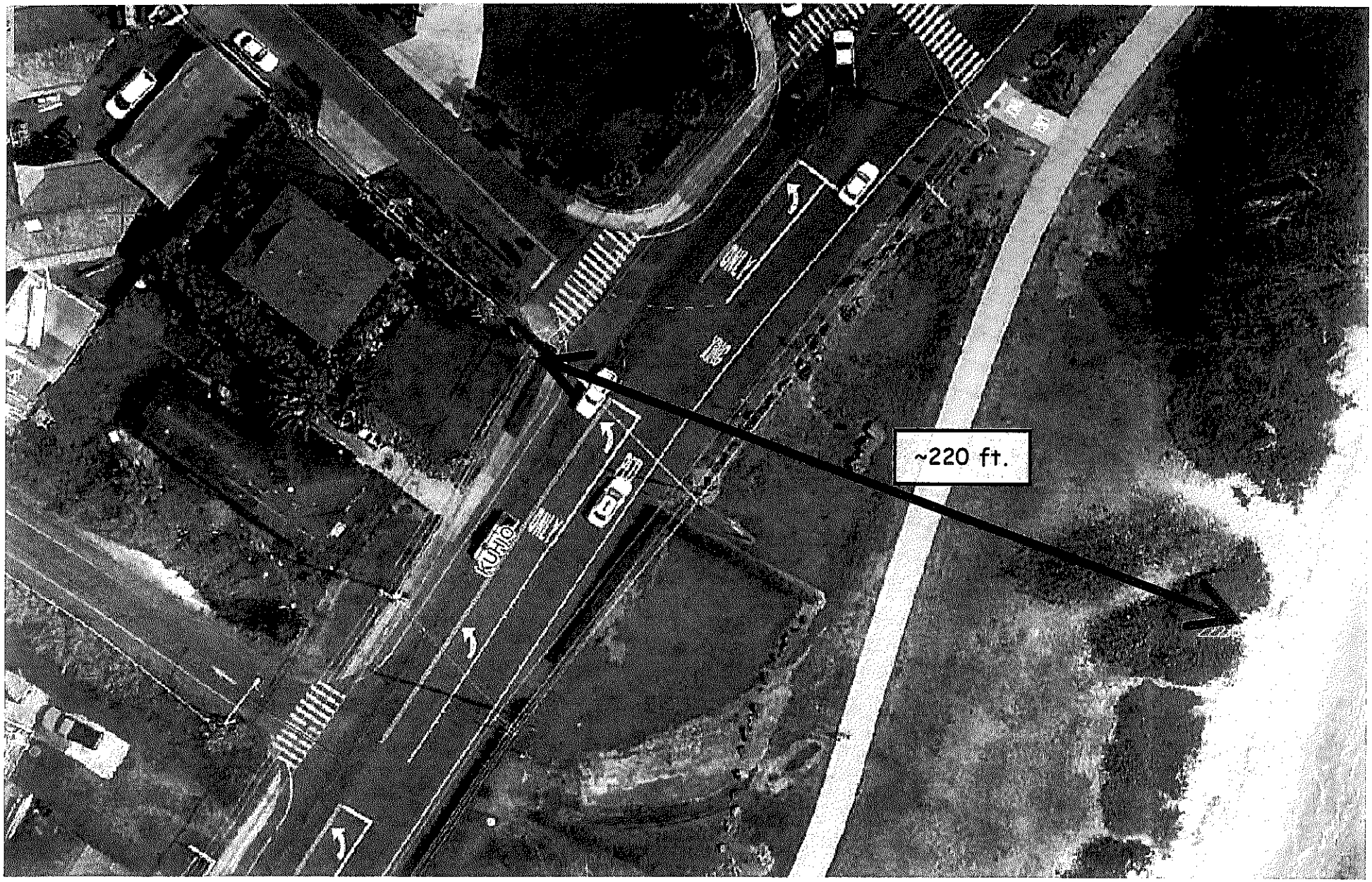
Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

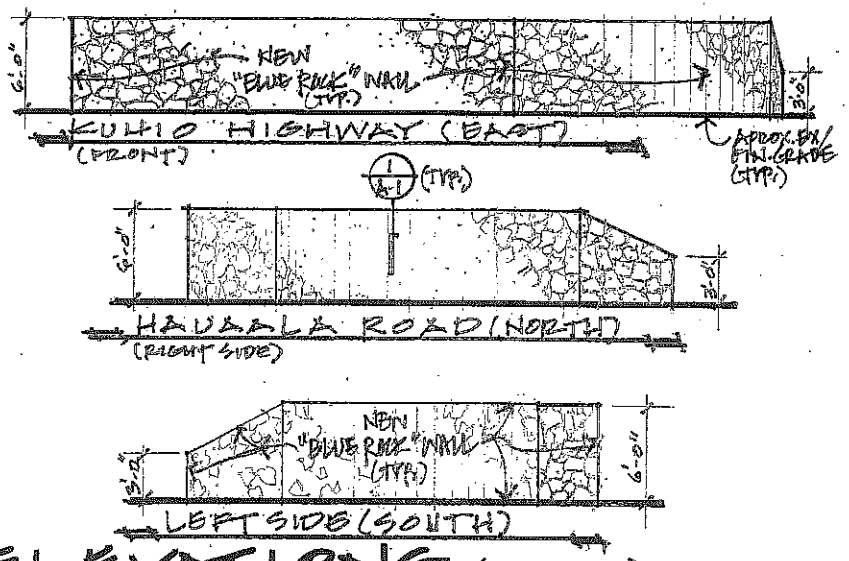
Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination required established under §8-27.8.

Planning Director or designee — Date: 9/6/16



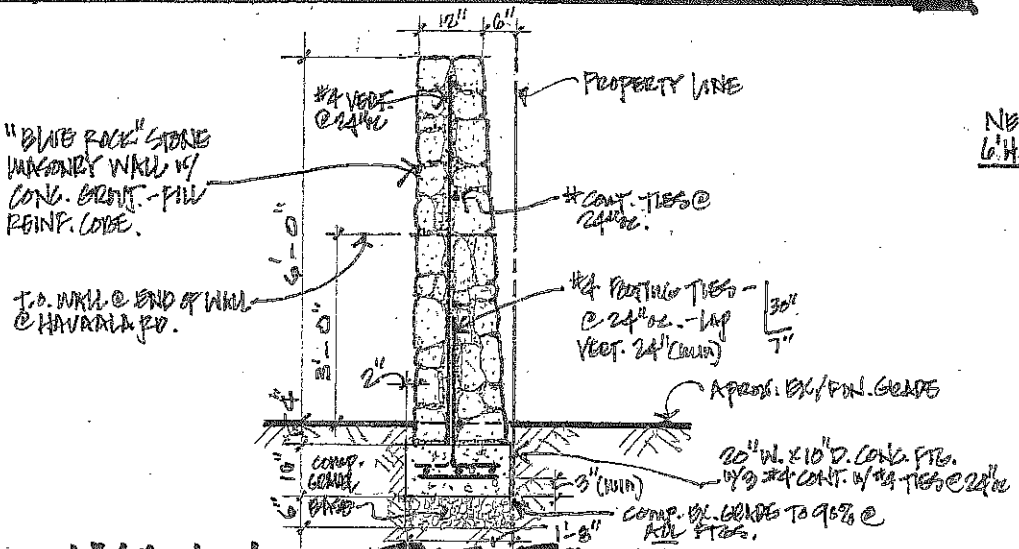
AERIAL MAP SHOWING DISTANCE TO SHORELINE

NTS



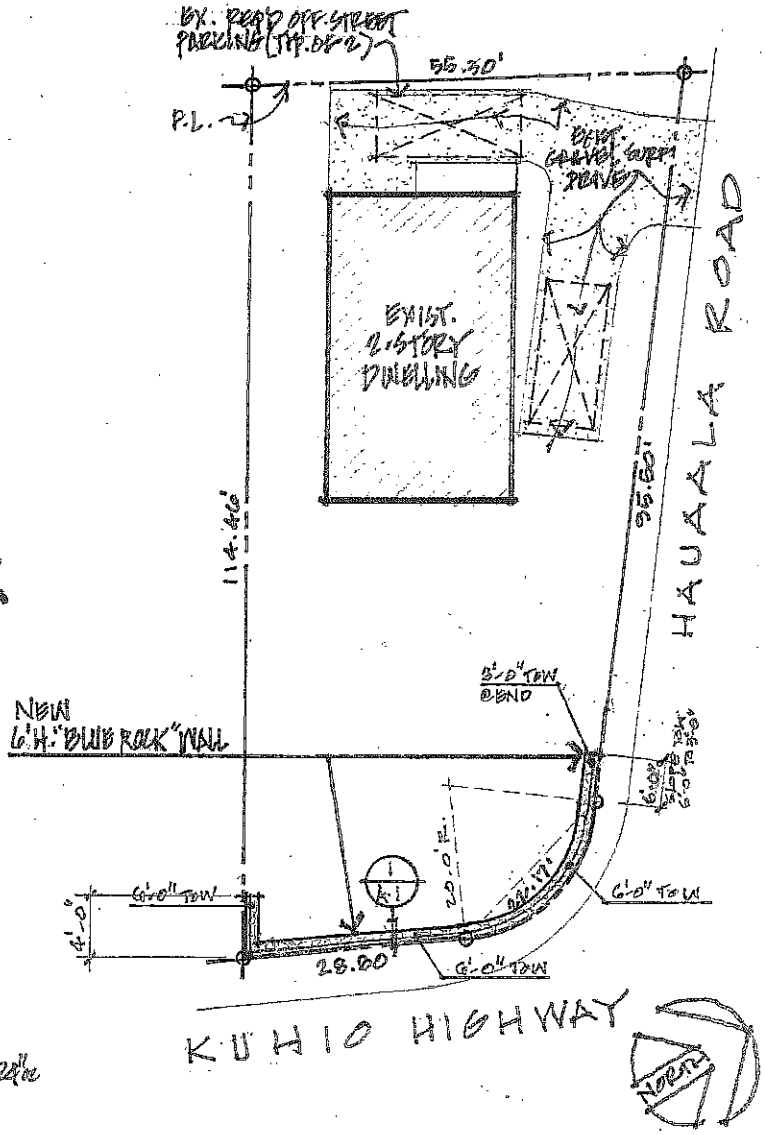
ELEVATIONS (@ PROP. LINE)

1/8"=1'-0"



WALL DETAIL

1 A-1



SITE/PLOT PLAN

1/16"=1'-0"

COSTA ARCHITECTURAL DESIGN, INC

1104 Kealoha Road
Kapa'a, Hawai'i 96746
Phone: (808) 652-0002

IAN K. COSTA
LICENSED PROFESSIONAL ARCHITECT
6/6/16
No. 6423
HAWAII, U.S.A.

This work was prepared by me or under my supervision. Supervision of construction is defined by Section 1.20(i) of the Rules and Regulations of the Board of Professional Engineers, Architects and Surveyors of the State of Hawaii.

Signature

Contractor to check and verify all dimensions at project site before proceeding with work.

New 6 Ft. High Rock Wall for:
MR/MRS WALTER LOUIE
4511 Hauaala Road
Kapa'a, Kaua'i, Hawai'i
TMK: (4) 4-5-13: 020

A-1

1 of 1

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 12	
Acceptance Date:	9/6/16
Website Posting Date:	9/8/16
Determination Date:	9/26/16
Planning Commission Date:	9/27/16
Expiration Date:	9/27/17
Planner Assigned:	

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information

Applicant: Robert J. Katz & Leola Lapides

Mailing Address: 4535 Amakihi Rd. Phone: 808-635-4472

Email:

Applicant's Status: (Check one)

☒ Owner of the Property	(Holder of at least 75% of the equitable and legal title)
☐ Lessee of the Property	Lessee must have an **unexpired and recorded** lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
☐ Authorized Agent	Attach Letter of Authorization

Transmittal Date: _____

Project Information (attach additional sheets, if necessary)

County Zoning District: R-6 Tax Map Key(s): 1-3-001:102

Land Area: 6,250

Nature of Development: (Description of proposed structure or subdivision): Storage / shop

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE, EXCEPT AS PROVIDED IN §8-27.8(c)(8)

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

☐ Properties Abutting the Shoreline

- ☐ Project's approximate distance from shoreline: _____

☑ Properties Not Abutting the Shoreline

- ☑ Project's approximate distance from shoreline: 416'-0"

☐ Additional Information:

- ☑ Closest distance of improvement(s) from Shoreline is approximately 416'-0" ft.
- ☑ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

1 parcel, State Hwy

3/05/15

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201___ - ____	
Acceptance Date:	
Website Posting Date:	
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

☑ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

Flat

☑ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

white carbonate sand with some terrestrial, darker sand & mud.

☐ Artificially armored Shoreline
- ☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
- ☐ Is the armoring permitted/authorized? _____
- ☐ Date of authorization (attach copy of authorization letter): _____

☑ Is property in coastal floodplain (if checked, what zone)? AE / AH

☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

Signature _____ Date 8/17/2016

Applicability (to be completed by Planning Department)
☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.
Planning Director or designee _____ Date 9/6/16

3/05/15

PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B
Exemption Determination

☐ A non-refundable processing fee of **one hundred dollars ($100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☑ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ **Exemption 3**

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

Planning Director or designee — Date: 9/6/14

TMK: 1-3-001:102
4535 Amakihi Rd.

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 13	
Acceptance Date:	9/6/16
Website Posting Date:	9/8/16
Determination Date:	9/16/16
Planning Commission Date:	9/27/16
Expiration Date:	9/27/18
Planner Assigned:	JK

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information			
Applicant:	ANTHONY SUTTON		
Mailing Address:	P.O. BOX 616 HANALEI 96714	Phone:	212-3681
		Email:	ANTHONYJSUTTON@gmail.com
Applicant's Status: (Check one)			
☑ Owner of the Property	(Holder of at least 75% of the equitable and legal title)		
☐ Lessee of the Property	Lessee must have an **unexpired and recorded** lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.		
☐ Authorized Agent	Attach Letter of Authorization		
Transmittal Date:			

Project Information (attach additional sheets, if necessary)			
County Zoning District: OPEN	~~5-5-109-23-1~~	Tax Map Key(s):	~~5-5-109-23-1~~ 5-5-1-42-1
		Land Area:	.371 AC
Nature of Development: (Description of proposed structure or subdivision)	RESIDENTIAL HOUSE & GAZEBO		16,161 SF

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE, EXCEPT AS PROVIDED IN §8-27.8(c)(8)

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

☐ Properties Abutting the Shoreline
- ☐ Project's approximate distance from shoreline: _____

☑ Properties Not Abutting the Shoreline
- ☑ Project's approximate distance from shoreline: 200 FT.

☑ Additional Information:
- ☐ Closest distance of improvement(s) from Shoreline is approximately _____ ft.
- ☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

3/05/15

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201___ - ____	
Acceptance Date:	
Website Posting Date:	
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

☑ Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

FLAT 6-8 ft MSL

☑ Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

SANDY

☐ Artificially armored Shoreline
- ☐ If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
- ☐ Is the armoring permitted/authorized? _____
- ☐ Date of authorization (attach copy of authorization letter): _____

☐ Is property in coastal floodplain (if checked, what zone)? _____

☐ Has this property been subject to coastal hazards in the past? (If checked, please describe)

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

Signature _____ Date 8/15/16

Applicability (to be completed by Planning Department)
☑ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.
Planning Director or designee _____ Date 9/6/16

3/05/15

PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B
Exemption Determination

☐ A non-refundable processing fee of **one hundred dollars ($100.00)** shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☐ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ **Exemption 3**

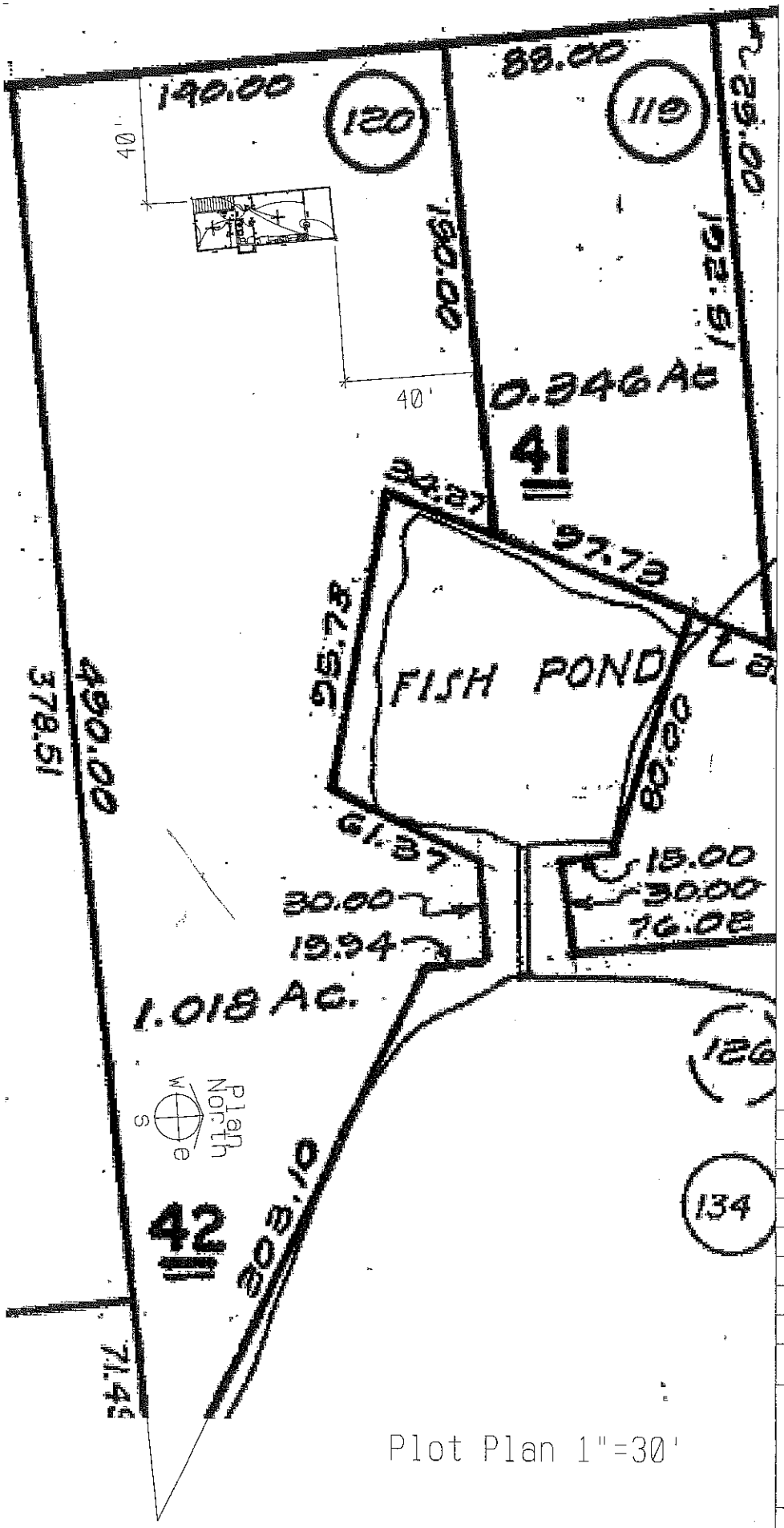
Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination requirements established under §8-27.8.

Planning Director or designee — Date: 9/6/16



Plot Plan 1"=30'

Proposed Residence for:

Anthony Sutton at Weke Rd. Hanalei Kauai

TMK: (4) 5-

SCHWEITZER-ARCHITECTS

Post Office Box 1011, Kalaheo, Kauai, Hawaii 96741

TELEPH

DATE	REV.	ISSUED FOR

JOB NO.

© Drawing Number

See Also Specifications

Sheet 1 of 3

Zoom County | Zoom to Box | Zoom In | Zoom Out | Pan by Hand | Get Info | Zoom To Parcel | Center On Parcel | Measure | Area Tool | Print Page | Search Sales | Additional O

Controls

200'

August 15, 2016

I, Anthony Sutton, authorize Matt Hamai and Paul Daly to sign any documents regarding obtaining building and zoning permits regarding my property on Weke Road, TMK 4-5-5-042-00001.

8/15/16

Anthony Sutton
5131 Papio Place
P.O. Box 104
Hanalei, HI 96714

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 14	
Acceptance Date:	9-6-16
Website Posting Date:	9-8-16
Determination Date:	9-6-16
Planning Commission Date:	9-27-16
Expiration Date:	9-27-18
Planner Assigned:	JK

Instructions: File all information requested under Part A for processing the Determination of Applicability (§8-27.1), including signature page. Fill out Parts A and B if you know, due to proximity of the shoreline, that your parcel will require a Certified Shoreline Survey. If you are proposing a permitted structure or subdivision within the shoreline setback area fill in Part C. For applications involving a variance, complete Part D.

Applicant Information

Applicant: Jon Kegle / Cogent Designs for Scott Sloan

Address: P.O. Box 617 Kapa'a, HI 96746 Phone: 808-652-0015

Email: jon@cogentd.com

Applicant's Status: (Check one)

☐ Owner of the Property	(Holder of at least 75% of the equitable and legal title)
☐ Lessee of the Property	Lessee must have an **unexpired and recorded** lease of five (5) years or more from the date of filing of this application. If not, Owner(s) must provide a Letter of Authorization.
☒ Authorized Agent	Attach Letter of Authorization

Transmittal Date: _____

Project Information (attach additional sheets, if necessary)

County Zoning District: Residential (R-4) Tax Map Key(s): (4) 5-5-002:003

Land Area: 33,083 sf

Nature of Development: (Description of proposed Structure of subdivision): Construction of new single-family residence

NO PERMITS WILL BE ISSUED WITHOUT PLANNING COMMISSION ACCEPTANCE, EXCEPT AS PROVIDED IN §8-27.8(c)(8)

Part A

Shoreline Setback Determination of Applicability (§8-27.1)

Check all that apply, fill in applicable information. Any box checked must be accompanied by additional information, photos and/or documentation.

☐ Properties Abutting the Shoreline
- ☐ Project's approximate distance from shoreline: _____

☒ Properties Not Abutting the Shoreline
- ☐ Project's approximate distance from shoreline: 500'

☐ Additional Information:
- ☒ Closest distance of improvement(s) from Shoreline is approximately 553' ft.
- ☒ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

1 parcel and Weke Road lie between the Shoreline and the subject parcel.

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201___ - _____	
Acceptance Date:	
Website Posting Date:	
Determination Date:	
Planning Commission Date:	
Expiration Date:	
Planner Assigned:	

[X] Topography (undulating, flat, slope, etc.) and ground elevation of subject parcel (Lowest and Highest elevations)

Relatively flat topography with elevations varying between 11.7' and 13.4' above mean sea level
The site for the proposed single-family residence varies in elevation from 12.0' to 12.5' above mean sea level.

[X] Shoreline type (e.g. beach, dune, rocky, sandy with rocky outcropping, etc.)

Shoreline is sandy beach

[ ] Artificially armored Shoreline
- [ ] If checked, what type of armoring (e.g. seawall, revetment, bulkhead): _____
- [ ] Is the armoring permitted/authorized? _____
- [ ] Date of authorization (attach copy of authorization letter): _____

[X] Is property in coastal floodplain (if checked, what zone)? Flood Zone X

[X] Has this property been subject to coastal hazards in the past? (If checked, please describe)

Not to the best of my knowledge

If the proposed structure or subdivision is within the shoreline setback area then, please be aware that if the determination of a structure is approved, the Applicant shall agree in writing that the Applicant, its successors, and permitted assigns shall defend, indemnify, and hold the County of Kaua'i harmless from and against any and all loss, liability, claim or demand arising out of damages to said structures from any coastal natural hazards and coastal erosion, pursuant to §8-27.7(b)(2).

The requirements of the Subsection (b) shall run with the land and shall be set forth in a unilateral agreement recorded by the applicant with the Bureau of Conveyances or the Land Court, whichever is applicable, no later than thirty (30) days after the date of final shoreline approval of the structure under §8-27.8. A copy of the recorded unilateral agreement shall be filed with the Director and the County Engineer no later than forty-five (45) days after the date of the final shoreline determination and approval of the structure and the filing of such with the Director shall be a prerequisite to the issuance of any related building permit. §8-27.7(b)(6).

Applicant's Signature

Signature: _____ Date: 1 Sept. 2016

Applicability (to be completed by Planning Department)

[X] **Setback Determination necessary.** Requirements of Ordinance No. 979 apply, submit full application.

Planning Director or designee _____ Date: 9/6/16

2/26/15

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

If **Part A** has been deemed that a Determination will be necessary, the additional information will be required for submission of this application.

Part B
Exemption Determination

☐ A non-refundable processing fee of **one hundred dollars** ($100.00) shall accompany a request for determination. (§8-27.8(e))

☐ **Exemption 1**

In cases where the proposed structure or subdivision satisfies the following four criteria:

(A) In cases where the proposed structure or subdivision is located outside of the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) 'V' or 'VE' flood zones;

(B) The proposed structure or subdivision is located at an elevation which is thirty (30) feet above sea level or greater;

(C) The applicant can demonstrate to the satisfaction of the Planning Director that the property is clearly adjacent to a rocky shoreline and that it will not affect or be affected by coastal erosion or hazards; and

(D) The shoreline setback shall be sixty (60) feet from the certified shoreline which has been established not more than twelve (12) months from the date of the application for the exception under this section.

☒ **Exemption 2**

In cases where the applicant can demonstrate to the satisfaction of the Planning Director that the applicant's proposed structure or subdivision will not affect beach processes, impact public beach access, or be affected by or contribute to coastal erosion or hazards, excluding natural disasters. Factors to be considered shall include, but not be limited to, proximity to the shoreline, topography, properties between shoreline and applicant's property, elevation, and the history of coastal hazards in the area.

☐ **Exemption 3**

Those structures and uses found exempt in Table 3 (§8-27.7) (see pg. 5-6)

☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

Exemption Determination (to be completed by Planning Department)

Pursuant to §8-27.3 the Kaua'i County Code, 1987 as amended, the Planning Department hereby certifies the proposed structure(s) or subdivision(s) as exempt from those shoreline setback determination required established under §8-27.8.

Planning Director or designee — Date 9/6/14

Google earth

feet 1000

meters 400

COGENT DESIGNS
P.O. BOX 617 KAPAA, HI 96746
808-652-0015 JON@COGENTD.COM

1 September 2016

Planning Dept.
County of Kauai

Re: Guest House Qualification
"The Bounty House" Condominium
TMK : 5-5-002:003

Les,

Pursuant to our conversation on August 25, 2016 regarding the Guest House qualifications of the structure referred to as "Cottage" on Unit B of the CPR map, I have done the following research.

The zoning for the property is R-4 Residential and the lot size is 33,083sf. Accordingly, the lot has a maximum allowed density of 3 residences and a Guest House.

The structures currently existing on Unit B of the property comprise one of the three allowed residences and the Guest House. Unit A has no current improvements, but would be allowed two additional dwellings, although the intended development is to build a single residence only. With the existing and proposed residential development, an Additional Dwelling Unit Clearance Form is not required for any of the existing structures on Unit B, nor the anticipated residential development on Unit A.

The "Cottage" on Unit B is currently in a state of disrepair and uninhabited. In accordance with the Guest House requirements, the facilities provided meet the Guest House limitations of having a single-basin sink, no overhead cabinets, no cooking appliances, and no more than 6' of countertop. The footprint of the structure is 484sf, and under the 500sf maximum allowed. As we discussed, there is a small loft area with railing and a wall mounted access ladder, which if included in the habitable square footage would put the structure over the 500sf limit. This issue is being addressed in the coming week and will be available for inspection to verify Guest House compliance on or after September 9, 2016.

Attached for your reference is the CPR map for the condominium development that has been filed with the Bureau of Conveyances.

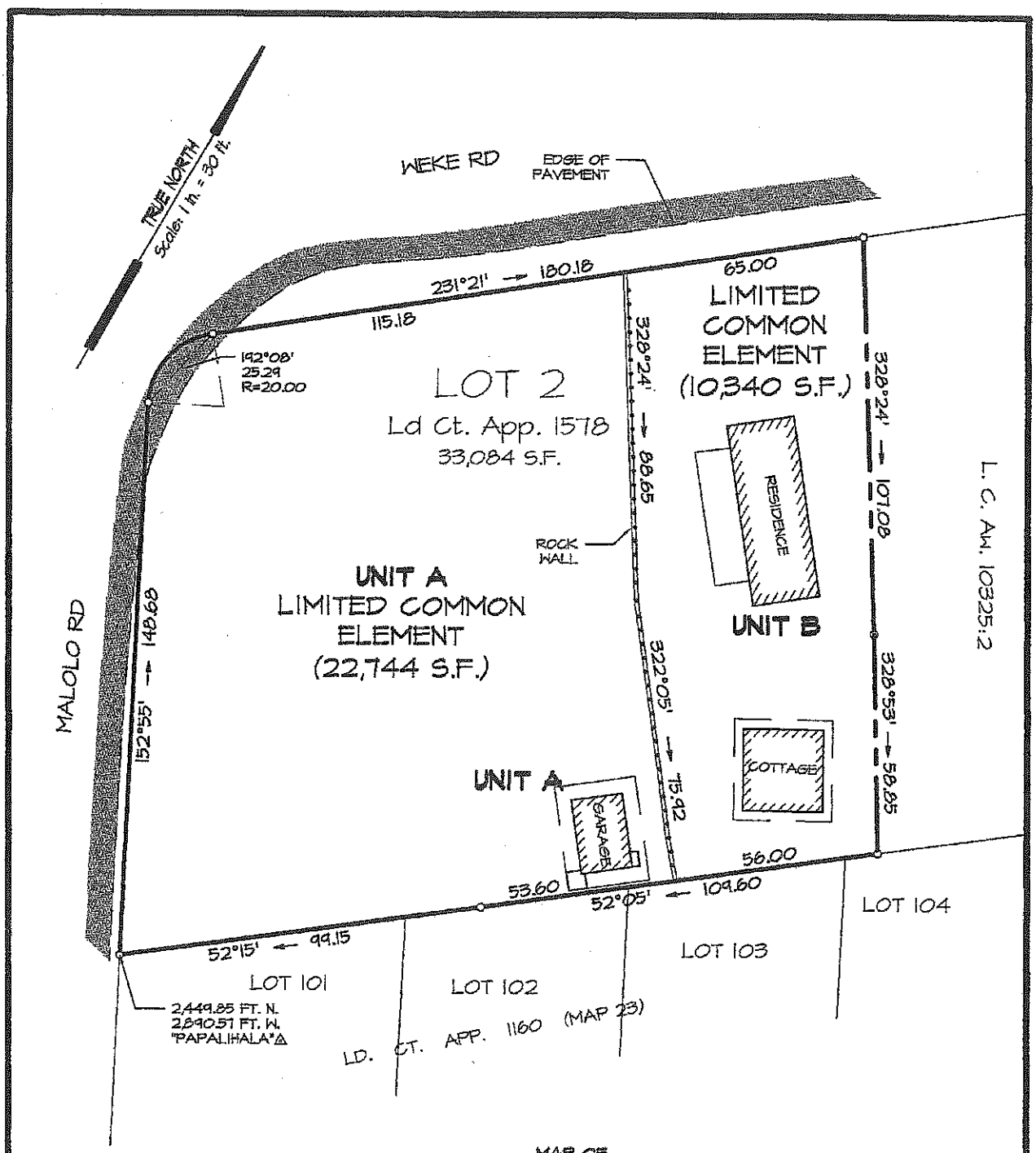
Please let me know if there are any additional questions you may have regarding the Guest House, and as previously mentioned, we can arrange for an inspection of the property on or after Sept. 9.

Thanks,

Jon M. Kegle

(cc Jody Galinato)

(enclosure)



MAP OF

"BOUNTY HOUSE"

Condominium

SHOWING

UNITS A AND B

BEING

LOT 2

Land Court App. 1578, Map 1

at

Hanalei, Halelea, Kaua'i, Hawai'i

PREPARED FOR:

Scott Sloan
2600 Sycamore Canyon Road
Santa Barbara, CA 93108

APRIL 28, 2015

NOTE:

1. FEATURES SHOWN HEREON REPRESENT CONDITIONS EXISTING ON APRIL 21, 2015.
2. THIS PROJECT DOES NOT INVOLVE THE SALE OF INDIVIDUAL LOTS. THE DOTTED LINES ON THE CONDOMINIUM MAP ARE FOR ILLUSTRATION PURPOSES ONLY. THEY REPRESENT EITHER A LIMITED COMMON ELEMENT OR COMMON ELEMENT.

0 30 60

Graphic Scale in Feet

BRIAN M. HENNESSY
LICENSED PROFESSIONAL LAND SURVEYOR
No. 14,484
HAWAII, U.S.A.

THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION

B. Hennessy

BRIAN M. HENNESSY
Licensed Professional Land Surveyor
Certificate No. 14,484 EXP. 4/30/16

Honua Engineering, Inc.
P.O. Box 851 Hanalei, HI 96714 (808) 826-7266

TMK (4) 5-5-02:08

PROJECT NO. 5177-2