PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 3	
Acceptance Date:	8-12-16
Website Posting Date:	8-15-16
Determination Date:	8-12-16
Planning Commission Date:	8-23-16 N/A
Expiration Date:	8-23-17
Planner Assigned:	JG

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:	Kimmy Lyon and Michael Blow		
Mailing Address:	4522 Kuawa Rd.	Phone:	8086347228
	Kilauea, HI 96754	Email:	ourplacekauai@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:	08/09/2016		

Project Information (attach additional sheets, if necessary)			
County Zoning District:	Commercial	Tax Map Key(s):	4-3-009-017
		Land Area:	6568 sq. ft.
Nature of Development: (Description of proposed structure or subdivision)	We're upgrading a building on a commercial property with a commercial kitchen to open as a small farm cafe.		

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: 535.50 ft

☑ Additional Information:
- ☑ Closest distance of improvement(s) from Shoreline is approximately 535.50 ft.
- ☑ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

1 highway, 1 road, 3 buildings

3/05/15

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

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Expiration Date:	
Planner Assigned:	

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

Slight slope. 18.373 ft closest to the shoreline and 18.39 ft furthest from the shoreline

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

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): _____

☑ Is property in coastal floodplain (if checked, what zone)? Zone X

☐ 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

Kimmy Lyon 8/8/16

Signature Date

Applicability (to be completed by Planning Department)

☑ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.

8/12/16

Planning Director or designee Date

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.

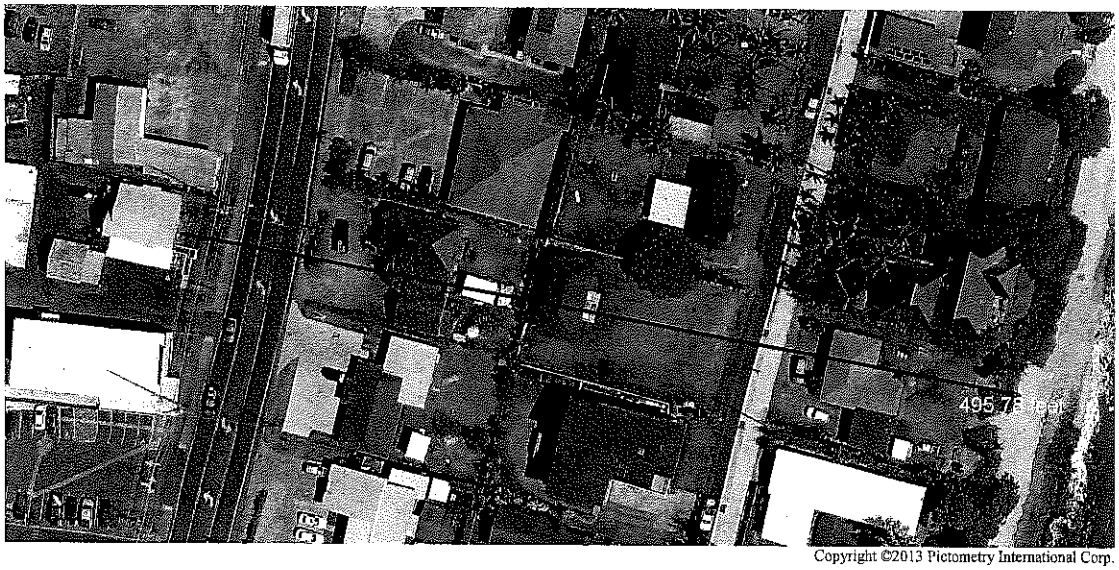
☐ **Exemption 3**

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	8-12-16 Date

3/05/13



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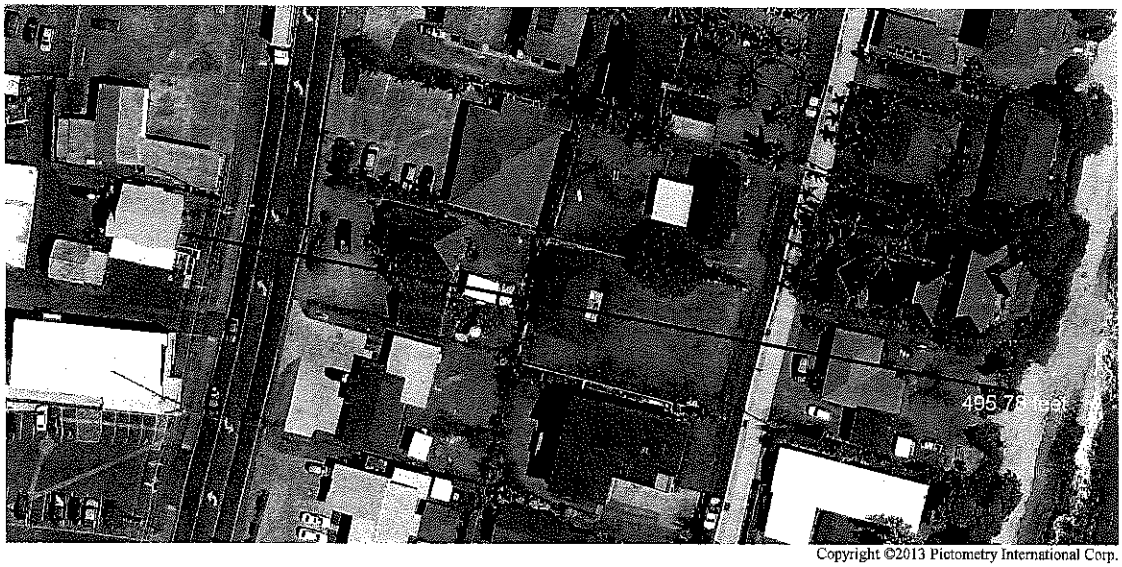

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PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 4	
Acceptance Date:	8-12-16
Website Posting Date:	8-16-16
Determination Date:	8-12-16
Planning Commission Date:	8-23-16
Expiration Date:	8-23-17
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:	Kukui`ula Development Company Hawaii LLC		
Mailing Address:	2700 Ke Alauia Street Ste. B	Phone:	808-742-3023
	Koloa, HI 96756	Email:	dhutchinson@kukulula.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:	July 27, 2016		

Project Information (attach additional sheets, if necessary)			
County Zoning District:	R-10	Tax Map Key(s):	4-2-6-019:029
		Land Area:	29,028 sf
Nature of Development: (Description of proposed structure or subdivision)	Pavilion Shade Structure (20'x31') in between 2 tennis courts		

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: 375

☐ Additional Information:
- ☐ Closest distance of improvement(s) from Shoreline is approximately 375 ft.
- ☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

Beach front homes, Lawai Road, a roadway fence, a wide drainage channel and a segment of undeveloped residential land currently stand between the proposed Pavilion Shade Structure and the shoreline (see attached exhibit)

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 at elevation at finished floor of proposed structure is +17' with lowest adjacent grade of 14.5'

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

Sandy with rocky outcroppings

☐ 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

☑ 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 8/5/16 Date

Applicability (to be completed by Planning Department)

☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.

Planning Director or designee 8/12/16 Date

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)

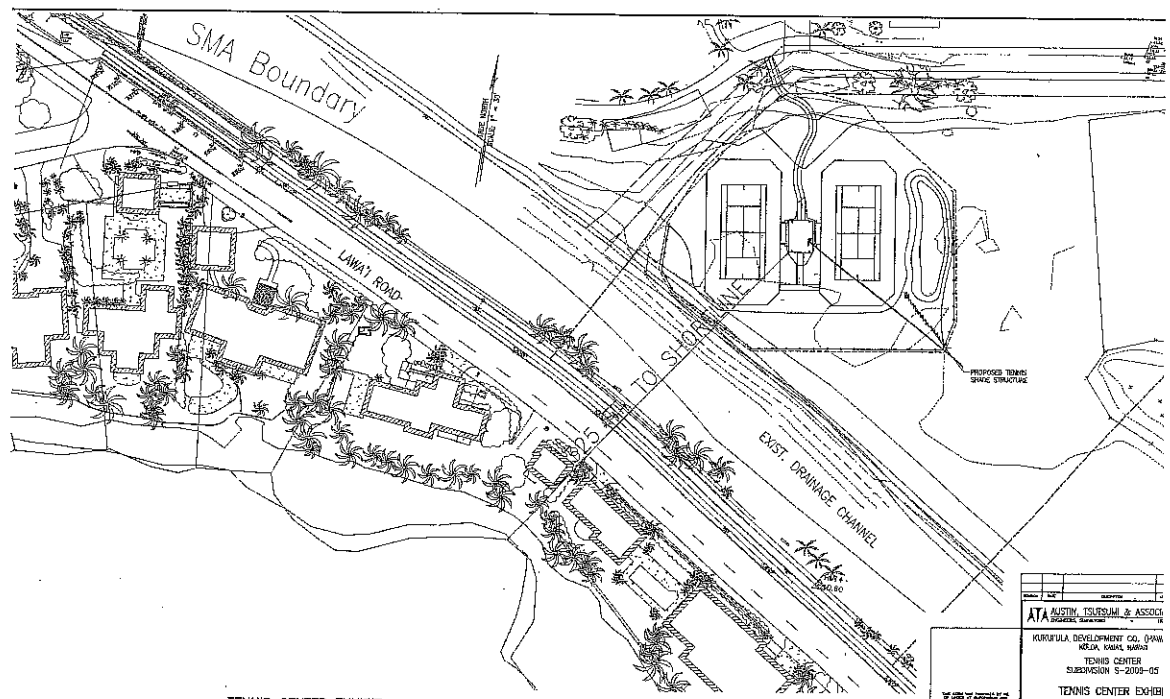
☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

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: 8/12/16

3/05/15



TENNIS CENTER EXHIBIT
SCALE 1"=30'

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201 7 - 5	
Acceptance Date:	8-12-16
Website Posting Date:	8-15-16
Determination Date:	8-12-16
Planning Commission Date:	8-23-16
Expiration Date:	8-23-17
Planner Assigned:	JG

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: Geoffrey S. Avery, Trust
Address: 45-167 Keana Rd. Kaneohe, HI. 96744
Phone: (808) 679-6542
Email: gavery@hawaii.rr.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: _____

Project Information (attach additional sheets, if necessary)

County Zoning District: 0
Tax Map Key(s): (4) 5-5-002:093
Land Area: 46,699 sq.ft.

Nature of Development: (Description of proposed Structure of subdivision): Install shed & fencing. After-the-Fact Permit for gate at Weke Road.

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.

[X] Properties Abutting the Shoreline
  [X] Project's approximate distance from shoreline: 450 ±

[ ] Properties Not Abutting the Shoreline
  [ ] Project's approximate distance from shoreline: _____

[ ] 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:

Project No: 5655

2/26/15

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.)

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): _____

☒ Is property in coastal floodplain (if checked, what zone)? V, AE, & X

☒ 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 5-2-2016

Applicability (to be completed by Planning Department)

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

Planning Director or designee _____ Date 8/12/16

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)

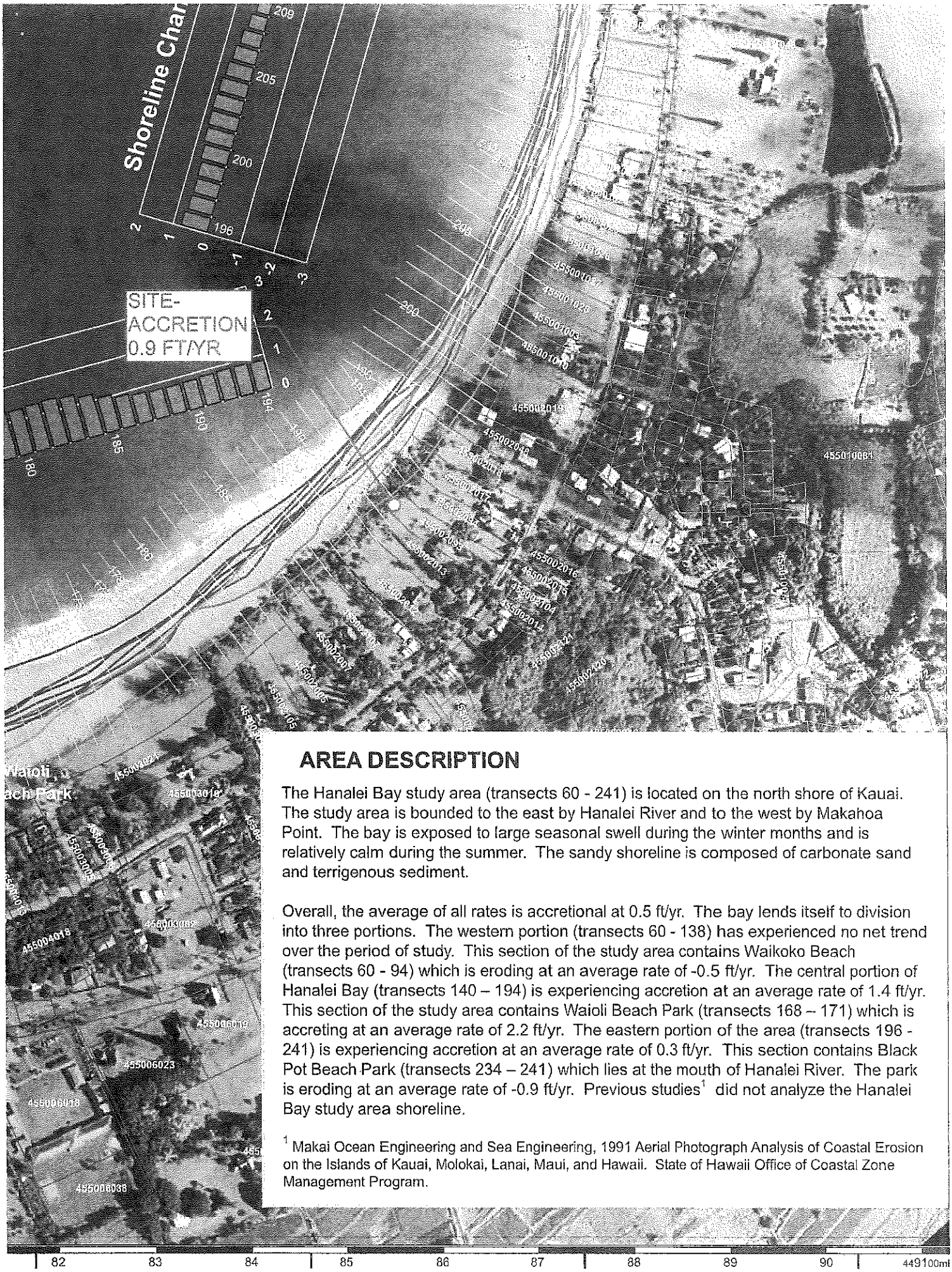
☐ Letter from the Department of Public Works stating that the proposed project does not constitute "Substantial Improvement," pursuant to §8-27.2

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.

8/12/16

Planning Director or designee — Date

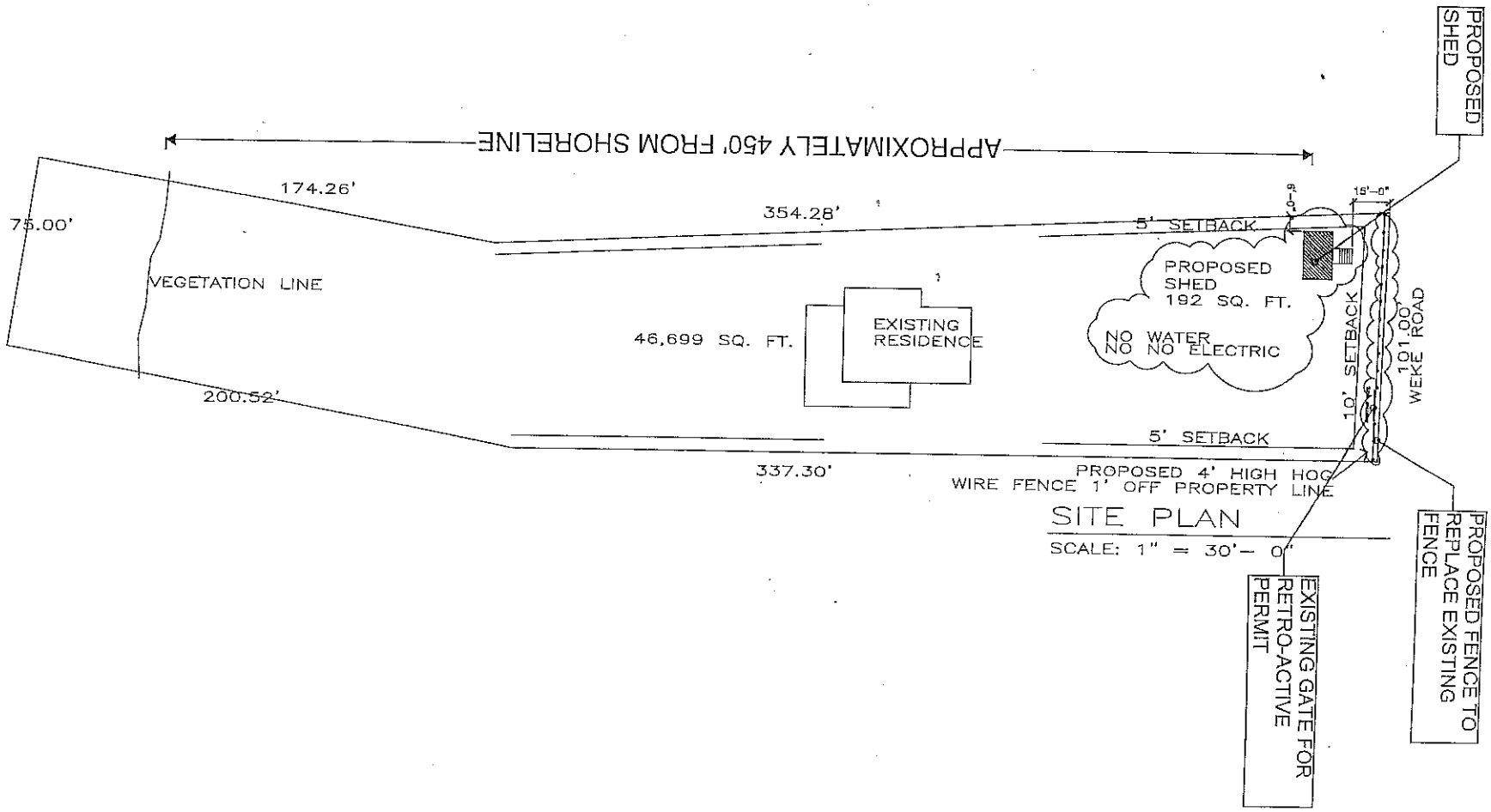


AREA DESCRIPTION

The Hanalei Bay study area (transects 60 - 241) is located on the north shore of Kauai. The study area is bounded to the east by Hanalei River and to the west by Makahoa Point. The bay is exposed to large seasonal swell during the winter months and is relatively calm during the summer. The sandy shoreline is composed of carbonate sand and terrigenous sediment.

Overall, the average of all rates is accretional at 0.5 ft/yr. The bay lends itself to division into three portions. The western portion (transects 60 - 138) has experienced no net trend over the period of study. This section of the study area contains Waikoko Beach (transects 60 - 94) which is eroding at an average rate of -0.5 ft/yr. The central portion of Hanalei Bay (transects 140 – 194) is experiencing accretion at an average rate of 1.4 ft/yr. This section of the study area contains Waioli Beach Park (transects 168 – 171) which is accreting at an average rate of 2.2 ft/yr. The eastern portion of the area (transects 196 - 241) is experiencing accretion at an average rate of 0.3 ft/yr. This section contains Black Pot Beach Park (transects 234 – 241) which lies at the mouth of Hanalei River. The park is eroding at an average rate of -0.9 ft/yr. Previous studies[1] did not analyze the Hanalei Bay study area shoreline.

[1] Makai Ocean Engineering and Sea Engineering, 1991 Aerial Photograph Analysis of Coastal Erosion on the Islands of Kauai, Molokai, Lanai, Maui, and Hawaii. State of Hawaii Office of Coastal Zone Management Program.



DATE: 5-25-16

SHEET NO: 1 OF 2

PROJECT: AVERY SHED KAUAI

4-5-5-02:93 Lot 1 B Weke Road, Hanalei, Kauai

LOCATION: COUNTY OF KAUAI

SHEET TITLE: GENERAL NOTES AND SITEPLAN

REVISIONS:

ARCHITECTS KAUAI
MARK EMLER, ARCHITECT
TEL: 808-699-6279
P.O. BOX 1574
PRINCEVILLE, HI 96714

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PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 6	
Acceptance Date:	8-12-16
Website Posting Date:	8-15-16
Determination Date:	8-12-16
Planning Commission Date:	8-23-16
Expiration Date:	8-23-17
Planner Assigned:	JL

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: John Underwood /Moti Jiandani

Mailing Address: Box 1260, Koloa, Hawaii 96756

Phone: 808-742-9955

Email: john@islandarchitect.net

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: July, 7, 2015

Project Information (attach additional sheets, if necessary)

County Zoning District: R-10

Tax Map Key(s): (4)-2-8-019-010-2 & (4)-2-8-019-010-3

Land Area: 15,871 SF

Nature of Development: (Description of proposed structure or subdivision)	See attached Scope of Work and Construction Cost Estimate, dated July 7, 2015

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: 150 feet

☐ Properties Not Abutting the Shoreline

☐ Project's approximate distance from shoreline: _____

☐ 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)

Gently sloping

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

Rocky

☐ 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)

Hurricanes

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

JOHN UNDERWOOD II 7·7·15

Signature Date

Applicability (to be completed by Planning Department)	
☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.	
Planning Director or designee	Date 8-12-16

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: 8-12-16

Island
Architecture & Interiors

July 6, 2015

County of Kauai
Planning Department
Lihue, Hawaii

Re: Shoreline Setback Application
1831 Pee Road
Koloa, Hawaii
CPR Apts B & C
TMK (4)-2-8-019-010-2 (Apt B)
TMK (4)-2-8-019-010-3 (Apt C)

I hereby give permission to John Underwood, our Architect to act as my agent with regard to the above referenced application.

Sincerely,

Moti Jiandani
Manager

Seacliff Properties CA, LLC
19188 Monte Vista Drive
Saratoga California 95070

File:c:\data\projects\jiandani\surf condos\corresp\authorization letter to planning.docx

Architecture
Box 1260
ph.808.742.9955

Construction Management
Koloa, Hawaii 96756
fx.808.742.9977

Island
Architecture & Interiors

July 7, 2015

Re: Building Renovation
Seacliff Properties CA, LLC
1831 Pee Road
CPR Apts B & C
TMK (4)-2-8-019-010-2-Apt B
TMK (4)-2-8-019-010-3-Apt C
Koloa, Hawaii

SCOPE OF WORK

- **Renovation to the existing multi-family building indicated as Apartments "B" and "C"**
  - The current configuration is (2) "townhouse" style condominium building
  - Each apartment has a garage and ground floor storage areas.
  - Apartment B is a (2) bedroom unit
  - Apartment C is a (4) Bedrooms unit.
  - The proposed renovation will modify Apartment C into a three bedroom unit.
  - Both Kitchens and all the bathrooms will receive a cosmetic renovation.
  - The exterior doors and windows will be replaced.
  - The exterior siding will be replaced.
  - The existing cedar shake roof will remain.

- **Sitework**
  - The existing total of 6 Bedrooms are currently being served by (2) existing cesspools with no septic tank.
  - The EPA has notified the owner that the existing septic system is classified as a Large Capacity Cesspool and is requiring its closure and removal.
  - Due to the physical constraints of the property, there is only enough space to utilize (1) new septic system. As a result, we are then constrained to only (5) bedrooms total as that is the maximum capacity allowed by the Department of Health for (1) septic system.
  - We propose to abandon the existing cesspools and install a new septic system with an aerobic tank to handle the proposed (5) bedrooms.
  - The new septic system will be placed in the common area driveway
  - Additionally, though not required, we will replace the existing cesspool for apartment A (TMK (4)-2-8-019-010-1) with a new septic tank system.
  - (3) new water meters and (3) new Backflow preventers shall be installed.

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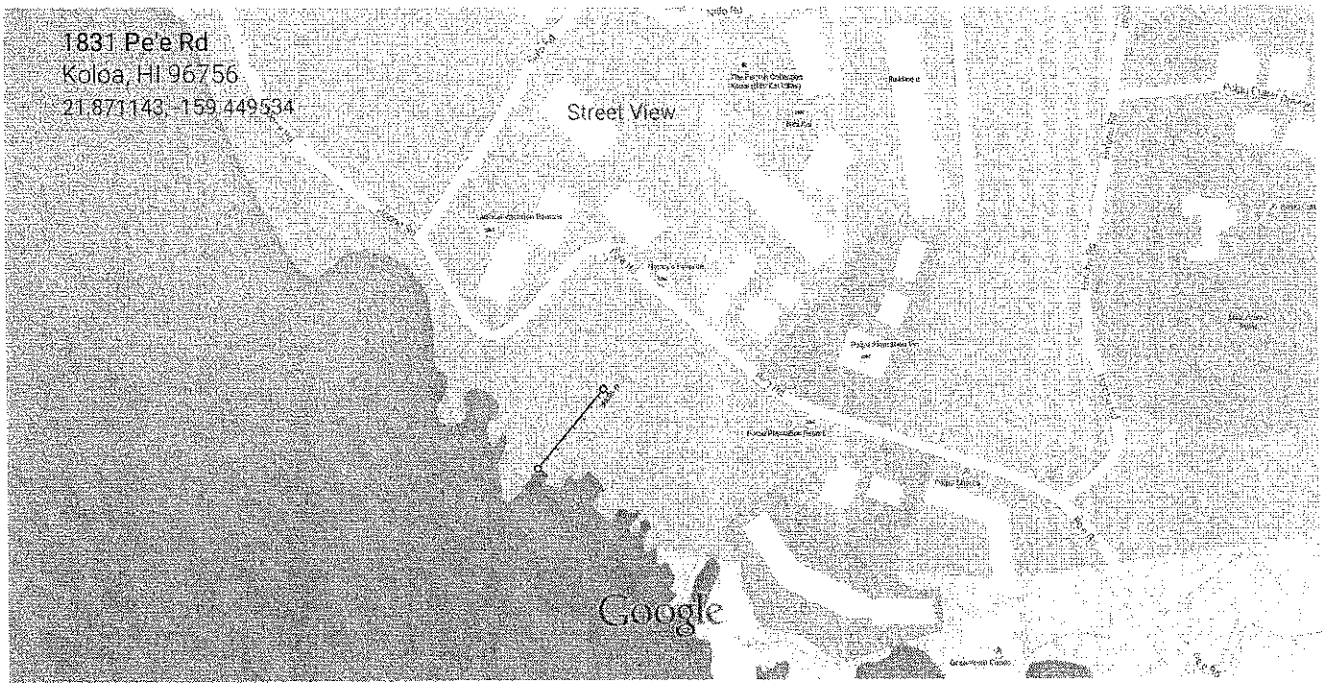
Architecture
Box 1260
ph.808.742.9955

Construction Management
Koloa, Hawaii 96756
fx.808.742.9977

Construction Cost Estimate	July 7, 2015
1831 Pee Road	
Koloa, Hawaii 96756	
ITEM OF WORK	**Cost**
Site Development	
Water Service-Meters/Backflow Preventers/Trenching - (2) each	
***(2) Meters	12,000.00
***(2) Backflow Preventers	4,000.00
***Trenching/Piping and meter boxes - (2) each	5,000.00
Electrical/Tele/CATV underground service/Trenching - (2) each	5,000.00
Abandon exisitng septic systems	5,000.00
Septic Systems - (2) each	40,000.00
Erosion and Sediment control	2,000.00
New Driveway	10,000.00
Building Renovation	
Exterior	
***Replace doors and windows	28,500.00
***Replace siding	32,000.00
***Painting	24,000.00
Interior	
***New Kitchen cabinets and fixtures	26,500.00
***New Bathroom cabinets and fixtures	24,500.00
***New Flooring	18,000.00
***Painting	22,000.00
Total Development Cost Estimate	$258,500.00



Showing all results for **X**

Measure distance

Total distance: 153.58 ft (46.81 m)

Map data ©2015 Google 100 ft

TMK 2-8-019: 010 -0002 (Apt B)	$249,300
TMK 2-8-019: 010 -0003 (Apt C)	$705,300
Total RCNLD	$954,600

Cost of Improvements

The total cost of improvements for the structure was provided in an estimate by John Underwood dated July 7, 2015 and is $175,000.

Summary

The cost of improvements compared to the market value is summarized as follows:

$$\frac{\text{Cost of Improvements (past 10 years): \$175,000}}{\text{*Market Value (Real Property): \$954,600}} = 0.183 \text{ or } 18.3\%$$

Since the total cost does not exceed 50% of the market value, the improvement is not considered to be substantial

Based on our records there were no other permits for the structure within the past ten years. However, if any unpermitted work has been done, or if there are modifications to this application, our determination shall be considered void and the structure must be re-evaluated for substantial improvements.

If you have any questions or need additional information, contact Stanford Iwamoto at (808) 241-4896 or siwamoto@kauai.gov.

Sincerely,

MICHAEL MOULE, P.E.
Chief, Engineering Division

SI
Copy: Design and Permitting

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 7	
Acceptance Date:	8-12-16
Website Posting Date:	8-15-16
Determination Date:	8-12-16
Planning Commission Date:	8-23-16 NA
Expiration Date:	8-23-17
Planner Assigned:	JLO

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: LARRY AND CONNIE CHATFIELD

Mailing Address: 28756 EVERGREEN MANOR DRIVE
EVERGREEN, CO. 80439-8388

Phone: 303-384-4090
Email: richatfield@renalventures.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: 5-10-2016

Project Information (attach additional sheets, if necessary)

County Zoning District: RR-10

Tax Map Key(s): 5-4-012:011-0050 UNIT # 408
Land Area: 8.061 ac

Nature of Development: (Description of proposed structure or subdivision): INTERIOR RESIDENTIAL CONDOMINIUM UNIT RENOVATIONS

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: 330 FT

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

☑ Additional Information:
- ☑ Closest distance of improvement(s) from Shoreline is approximately 150 ft.
- ☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

THE UNIT IS ON THE FOURTH FLOOR SET BACK FROM OTHER UNITS BELOW. THE GROUND FLOOR UNITS ARE CLOSEST TO THE CLIFF.

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 GRASS TO VERY STEEP ROCKY CLIFF TO BEACH BELOW

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

HIDAWAYS BEACH AND STEEP ROCKS

☐ 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 7/21/16 Date

Applicability (to be completed by Planning Department)

☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.

Planning Director or designee 8/12/16 Date

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 8/12/14

Bernard P. Carvalho, Jr.
Mayor

Nadine K. Nakamura
Managing Director

Lyle Tabata
Acting County Engineer

DEPARTMENT OF PUBLIC WORKS
County of Kaua'i, State of Hawai'i
4444 Rice Street, Suite 275, Līhu'e, Hawai'i 96766
TEL (808) 241-4992 FAX (808) 241-6604

May 31, 2016

Mr. Matthew F. Schaller
PO BOX 120
Hanalei Hi 96714

Subject: SHORELINE SETBACK APPLICATION
SUBSTANTIAL IMPROVEMENT DETERMINATION
PU'U PO'A CONDOMINIUMS – LARRY AND CONNIE CHATFIELD
TMK: (4) 5-4-012:011-0050 FOR UNIT 408 (BUILDING 2) **PW 05.15.058**

Dear Mr. Schaller;

The Kauai County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 979) Section 8-27.2 defines substantial improvement as "any cumulative series of repairs, reconstruction, improvements, or additions to a structure over a ten (10) year period, where the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the first improvement during that ten (10) year period. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure."

The Department of Public Works (DPW) Engineering Division has reviewed the project that proposes the interior improvements for Unit 408 at the Pu'u Po'a Condominium. The structure contains 24 units. DPW has determined that the proposed improvements do not constitute a substantial improvement. A summary of the calculations follows.

Market Value

There were 2 total building permits for the structure within the past 10 years. The first permit, BP No. 11-1559, was approved in 2011. Therefore, the market value used in the calculations is the Replacement Cost New Less Depreciation (RCNLD) value in 2011 for the structure. The 2011 RCNLD was determined to be $10,854,314 for Building No. 2.

The Engineering Division has used the RCNLD as determined by the County's Real Property Assessment Division in its calculations. If the owner chooses to dispute this value, then an appraisal of the structure must be provided at the owner's expense. The appraisal shall be prepared by a professional appraiser licensed in the State of Hawai'i and the market value shall be based on the "Cost Approach" (or Replacement Cost New Less Depreciation).

Larry and Connie Chatfeild
Pu'u Po'a Condominiums, Hānalei
May 31, 2016

Cost of Improvements

The cost of past building permits is taken to be the valuation shown in DPW Building Division records. The total cost of improvements for the proposed interior renovations is taken to be the cost estimate of $468,585 that was provided in the proposal by Brower Construction dated May 15, 2016. The total cost is summarized as follows for the past 10 years:

BP 11-2062	$	20,000
BP 11-1559	$	30,000
Current BP	**$**	**468,585**
Total Cost	$	518,585

Summary

The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$518,585}{\text{Market Value (Real Property): } \$10,854,314} = 0.478 \text{ or } 4.78\%$$

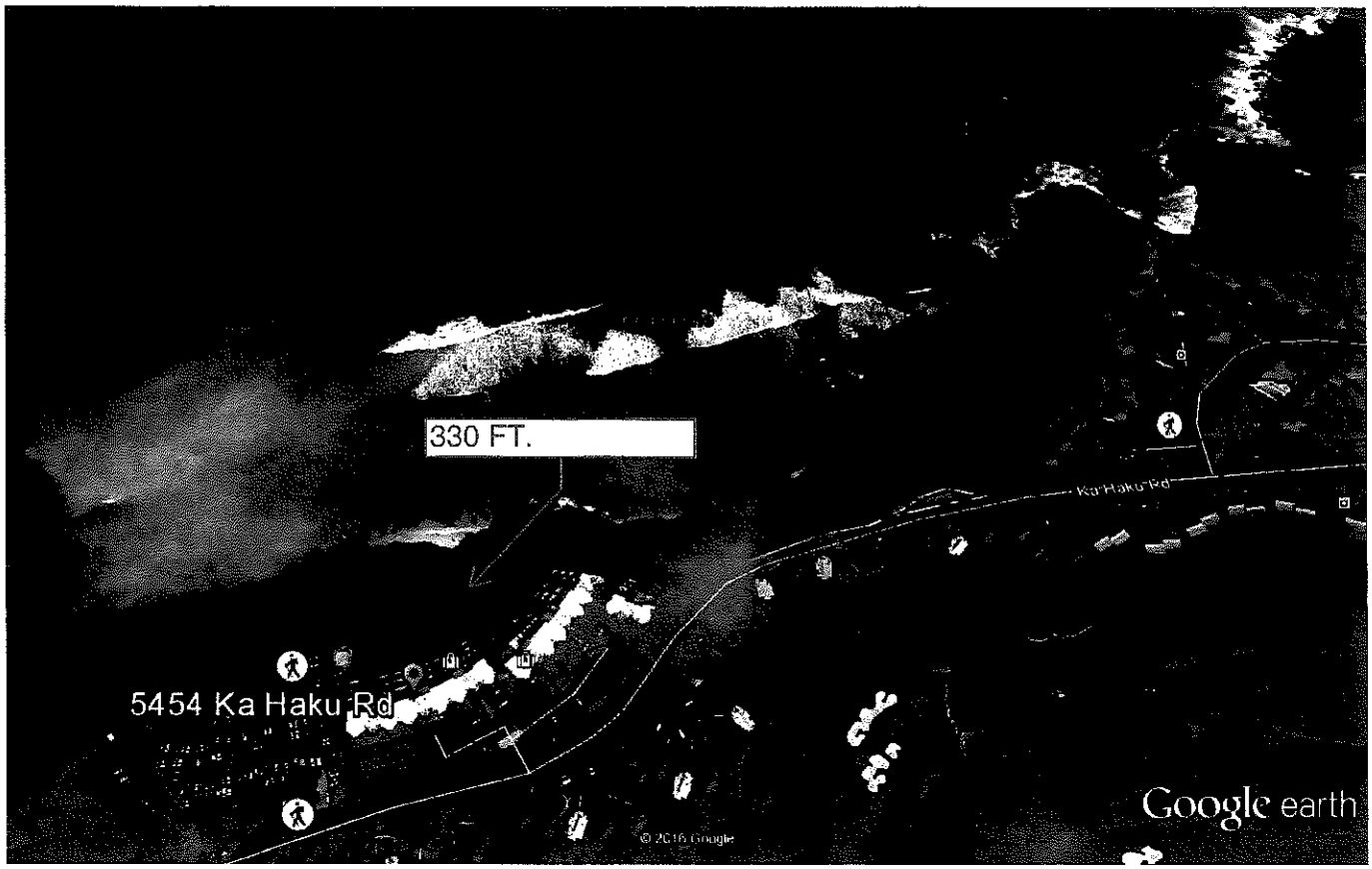
Since the total cost does not exceed 50% of the market value, the improvement is not considered to be substantial. Based on our records there were no other permits for the structure within the past ten years. However, if any unpermitted work has been done, or if there are modifications to this application, our determination shall be considered void and the structure must be re-evaluated.

If you have any questions or need additional information, contact Stanford Iwamoto at (808) 241-4896 or siwamoto@kauai.gov.

Sincerely,

MICHAEL MOULE, P.E.
Chief, Engineering Division

SI/BV
Copy: Design and Permitting
Planning



Google earth

feet 1000
meters 300

PUU POA UNIT 408
5454 KA HAKU ROAD

COUNTY OF KAUAI BUILDING DIVISION
COUNTY OF KAUAI PLANNING DEPARTMENT

RE: INTERIOR OWNER IMPROVEMENTS
TMK [4] 5-4-021:11; UNIT #408; 5454 KA HAKU ROAD, PRINCEVILLE, HAWAII

THIS LETTER AUTHORIZES MATTHEW SCHALLER TO ACT ON THE OWNERS BEHALF TO SECURE BUILDING PERMITS FOR INTERIOR OWNER IMPROVEMENTS AT
TMK [4] 5-04-021:011; UNIT #408; 5454 KA HAKU ROAD, HANALEI, HAWAII

Aloha Pumehana,

If you have any questions, please feel free to call me at 303-384-4090

Larry Chatfield 7 May 2016

LARRY CHATFIELD

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 8	
Acceptance Date:	8-15-16
Website Posting Date:	8-15-16
Determination Date:	8-15-16
Planning Commission Date:	NA
Expiration Date:	8-15-17
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: Palms Hawaii Architecture

Mailing Address: 2970 Kele St. Ste 115, Lihue, HI 96766

Phone: 808-246-4796

Email: andrea@palmshawaii.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: 5.27.16

Project Information (attach additional sheets, if necessary)

County Zoning District: R-1 STP

Tax Map Key(s): (4) 4-6-014:111

Land Area: 2.78 Acres

Nature of Development: (Description of proposed structure or subdivision): Repair and replace existing roofing and HVAC system.

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

COUNTY OF KAUAI
PLANNING DEPT.
2016 MAY 27 AM 8:08

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: 254 ft.

☒ Additional Information:
- ☒ Closest distance of improvement(s) from Shoreline is approximately 254 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

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

ROCKY & 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: 5/27/16

Applicability (to be completed by Planning Department)

☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.

Planning Director or designee — Date: 8-15-16

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

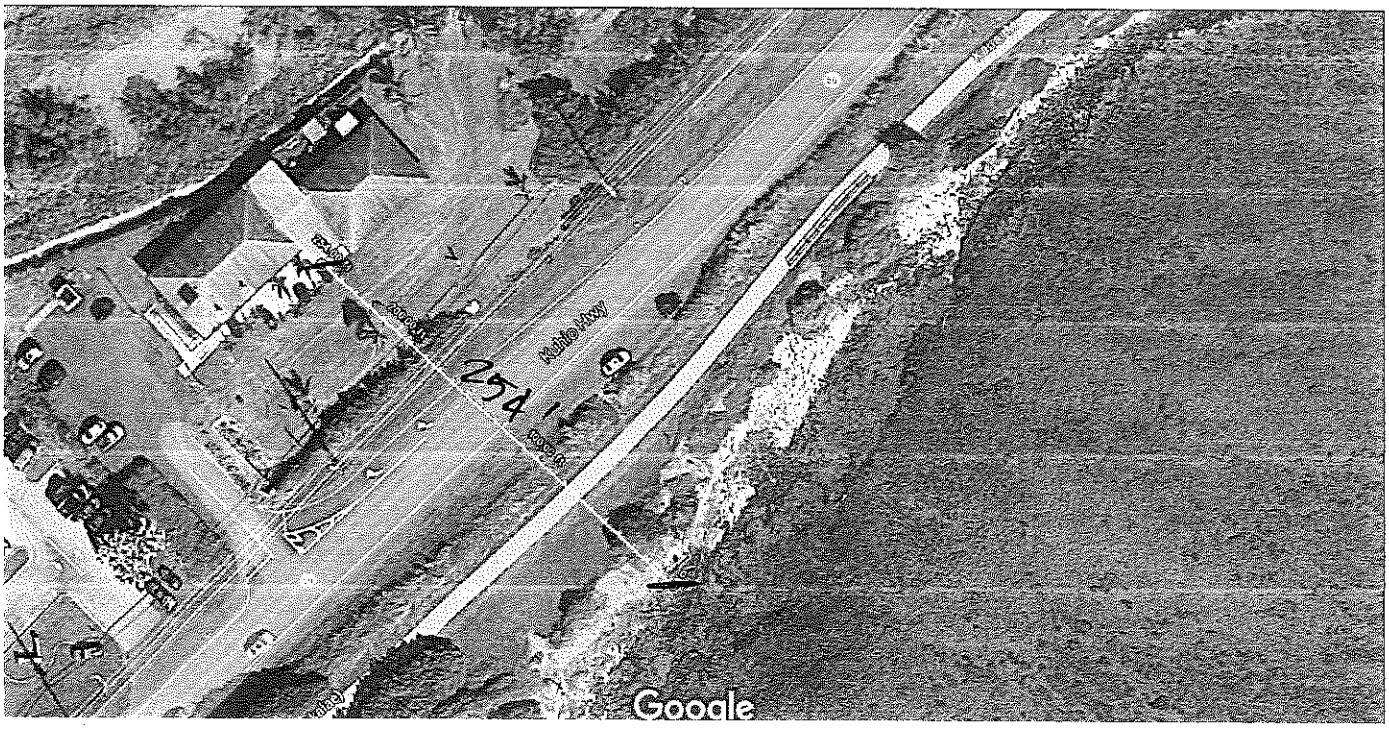
Exemption Determination (to be completed by Planning Department)

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.

8-15-16

Planning Director or designee — Date

Google maps Kauai Friendship House - SSD Application (254 feet distance)



PALMS HAWAII
ARCHITECTURE
2970 Kele Street #115, Lihue HI 96766
(808) 246-4796 www.palmshawaii.com

May 27, 2016

SSD Part B Exemption Determination

PROJECT: TMK (4) 4-6-14:111
Kauai Friendship House

PROJECT DESCRIPTION:

We are proposing only repair and replacement of existing roofing and HVAC system in existing Kauai Friendship house building.

Please don't hesitate to contact our office should you have any questions.

Andrea Lincoln
808-246-4796
andrea@palmshawaii.com

STATE OF HAWAII
DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES
P.O. BOX 119, HONOLULU, HAWAII 96810

DECLARATION OF EXEMPTION

from the preparation of an environmental assessment under the authority of Chapter 343, HRS and Chapter 11-200, HAR

Project Title:	Department of Health Kauai Friendship House – Roofing, Ventilation, & Air Conditioning Improvements
Project Number:	DAGS Job No. 14-20-2703
Project Location:	Kauai Friendship House 04-1751 Kuhio Highway, Kapaa, HI, 96746 TMK: (4)4-6-014:111
Project Description:	Design and construction for new roofing and gutters, replacement of mechanical ventilation and new air conditioning units.
Exemption Class No. 1	Operations, repairs or maintenance of existing structures, facilities, equipment or topographical features involving negligible or no expansion or change of use beyond that previously existing [HAR § 11-200-8(a)(1)].
Exempt Item Description From Agency Exemption List:	1. Building 2. Structure 4. Equipment 5. Electrical system 8. Heating, ventilation, and air conditioning system
Exemption Class No. 2	Replacement or reconstruction of existing structures and facilities where the new structure will be located generally on the same site and will have substantially the same purpose, capacity, density, height and dimensions as the structure replaced [HAR § 11-200-8(a)(2)].
Exempt Item Description From Agency Exemption List:	2. Equipment 3. Electrical system

6. Heating, ventilation, and air conditioning system
7. Wall and fence
14. Structure: Replacement or reconstruction of existing on-site school structures such as covered walkways, covered playcourts, flag poles, bus shelters, swimming pools, bleachers, ramps and elevators

Exemption Class No. 3

Construction and location of single, new, small facilities or structures and the alteration and modification of same and installation of new, small, equipment and facilities and the alteration and modification of same including but not limited to: (a) single family residences not in conjunction with the building of two or more such units; (b) multi-unit structures designed for not more than four dwelling units is not in conjunction with the building of two or more such structures; (c) stores, offices and restaurants designed for total occupant load of twenty persons or less, if not in conjunction with the building of two or more such structures; (d) water, sewage, electrical, gas, telephone, and other essential public utility services extensions to serve such structures or facilities; and (e) accessory or appurtenant structures including garages, carports, patios, swimming pools, and fences [HAR § 11-200-8(a)(3)]

Exempt Item Description From Agency Exemption List:

10. Window modification
11. Door modification
12. Exterior modification
14. Equipment
15. Electrical system
18. Heating, ventilation, and air conditioning system

Exemption Class No. 5

Basic data collection, research, experimental management, and resource evaluation activities which do not result in a serious or major disturbance to an environmental resource [HAR § 11-200-8(a)(5)]

Exempt Item Description From Agency Exemption List:

8. Site/building assessment

Exemption Class No.7	Interior alterations involving things such as partitions, plumbing, and electrical conveyances [HAR § 11-200-8(a)(7)].

Exempt Item Description From Agency Exemption List:

1. Roof system
2. Ceiling system
4. Column/beam/foundation system
5. Wall system
6. Electrical system
9. Heating, ventilation, and air conditioning system
13. Built-in equipment
14. Removal of hazardous materials such as asbestos, and lead paint done in compliance with applicable State, Federal, and County health and safety laws, regulations, codes and ordinances

Other notes: None.

Date Agency Exemption List Approved: April 18, 2011

I have considered the potential primary, secondary, and cumulative effects of the above listed project as provided by Chapter 343, HRS and Chapter 11-200 HAR. I declare that this project will probably have minimal or no significant effect on the environment and is therefore exempt from the preparation of an environmental assessment.

Joseph M. Earing
for Chief, Planning Branch
Public Works Division

Date: 3/9/15

Bernard P. Carvalho, Jr.
Mayor

Wallace G. Rezentes, Jr.
Managing Director

Lyle Tabata
Acting County Engineer

DEPARTMENT OF PUBLIC WORKS
County of Kaua'i, State of Hawai'i
4444 Rice Street, Suite 275, Līhu'e, Hawai'i 96766
TEL (808) 241-4992 FAX (808) 241-6604

August 8, 2016

Palms Hawai'i Architecture LLC
2970 Kele Street #115
Līhu'e, HI 96766
Attn: Andrea Lincoln

Subject: SHORELINE SETBACK APPLICATION
SUBSTANTIAL IMPROVEMENT DETERMINATION
KAUA'I FRIENDSHIP HOUSE (STATE) – BUILDING PERMIT NO. 16-0969
TMK: (4) 4-6-014:111

Dear Ms. Lincoln;

The Kauai County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 979) Section 8-27.2 defines substantial improvement as "any cumulative series of repairs, reconstruction, improvements, or additions to a structure over a ten (10) year period, where the cumulative cost equals or exceeds fifty percent (50%) of the market value of the structure before the start of construction of the first improvement during that ten (10) year period. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor, or other structural part of the building commences, whether or not that alteration affects the external dimensions of the structure."

The Department of Public Works (DPW) Engineering Division has reviewed the proposed repair and replacement of the existing roofing and HVAC system improvements for the existing Kaua'i Friendship House building. DPW has determined that the proposed improvements do constitute a substantial improvement. A summary of the calculations follows.

Market Value

An appraisal based on the "Cost Approach" was prepared by the State of Hawai'i. The market value of the building for Kaua'i Friendship House was determined to be $816,400.

Cost of Improvements

The total cost of improvements for the replacement of the existing roofing and HVAC systems is taken to be the cost estimate of $369,000 that was provided in the construction estimate by Palms Hawai'i Architecture dated April 4, 2016. The value of Building Permit 12-2713, approved in 2012, was $197,200

Kaua'i Friendship House
Building Permit Application No. 16-0969
August 8, 2016

The total value of improvements is summarized as follows for the past 10 years:

Value of Pervious Permits	$197,200
Value of Proposed Improvements	+ $369,000
Total Value of Improvements	$566,200

Summary

The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$566,200}{\text{Market Value (Real Property): } \$816,400} = 0.6935 \text{ or } 69.4\%$$

The cost of improvements is greater than 50% of the market value of the building. Therefore the improvement is considered to be substantial and the building does not qualify for Exemption 3 of the Shoreline Setback Determination Application.

If you have any questions or need additional information, contact Stanford Iwamoto at (808) 241-4896 or siwamoto@kauai.gov.

Sincerely,

MICHAEL MOULE, P.E.
Chief, Engineering Division

SI/BV
Copy: Design and Permitting
Planning

ROOFING, VENTILATION AND AC IMPROVEMENTS

GENERAL NOTES

- THE CONTRACTOR SHALL CAREFULLY EXAMINE THE DRAWINGS AND READ THE SPECIFICATIONS AND ALL OTHER PROPOSED CONTRACT DOCUMENTS AND SHALL VISIT THE SITE PRIOR TO SUBMITTAL OF HIS BID PROPOSAL. THE CONTRACTOR SHALL FULLY INFORM HIMSELF PRIOR TO THE SUBMISSION OF HIS BID PROPOSAL AS TO ALL EXISTING CONDITIONS AND LIMITATIONS UNDER WHICH THE WORK IS TO BE PERFORMED. HE SHALL INCLUDE IN HIS PROPOSAL SUCH SUMS AS HE MAY BELIEVE TO BE NECESSARY TO PERFORM THE WORK AS SET FORTH IN THE PROPOSED CONTRACT DOCUMENTS. SUBMISSION OF A BID SHALL BE ADDITIONAL TO LOSS OF SUCH SUBMISSION DUE TO LACK OF SUCH KNOWLEDGE. THE SUBMISSION OF A PROPOSAL SHALL BE CONSIDERED AS CONCLUSIVE EVIDENCE THAT THE CONTRACTOR HAS FULLY INFORMED HIMSELF.
- IN CASE OF ANY DOUBT AS TO THE TRUE MEANING OF ANY PART OF THE PROVISIONS CONTAINED IN THE DRAWINGS OR PROSPECTUS, OR ANY DISCREPANCIES FROM ANY PART OF THE CONTRACT DOCUMENTS, HE MAY SUBMIT TO THE OWNER A WRITTEN REQUEST FOR INTERPRETATION THEREOF. AN INQUIRY SHALL BE CONSIDERED IF IT REACHES THE OWNER NO LATER THAN TEN DAYS PRIOR TO THE DATE FIXED FOR THE OPENING OF BIDS.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR COORDINATING ALL WORK AMONG THE VARIOUS TRADES AS NECESSARY TO AVOID CONFLICTS AND TO ENSURE THAT THE INSTALLATION OF ALL EQUIPMENT AND MATERIALS PROCEEDS SMOOTHLY.
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR PROVIDING ALL ENGINEERING, SHORING, MACHINERY, ETC. AS REQUIRED FOR THE PROPER AND SUCCESSFUL INSTALLATION OF ALL MATERIALS AND EQUIPMENT.
- THE CONTRACTOR SHALL NOTIFY THE CONTRACTING OFFICER AND THE ARCHITECT UPON RECEIPT OF BIDS OR CONTRACT AWARD, WHICHEVER OCCURS FIRST, DURING THE CONTRACT PERIOD, THE CONTRACTOR IS NOT AUTHORIZED TO INSTALL, TEST OR REPAIR EQUIPMENT OR MATERIALS WITHOUT PRIOR AUTHORIZATION FROM THE OWNER.
- THE CONTRACTOR SHALL INSPECT THE PREMISES FOR ANY LOOSE LEAD OTHER HAZARDOUS MATERIALS PRIOR TO PLACING EQUIPMENT ON SITE. THE COMPLETION OF THE PROJECT.
- THE CONTRACTOR SHALL REPORT ANY UNANTICIPATED CONDITIONS AND/OR DEFICIENCIES TO THE ARCHITECT. FAILURE TO REPORT SUCH CONDITIONS WILL RESULT IN PLACING ALL REPORTED ITEMS UNDER THE CONTRACTOR'S RESPONSIBILITY.
- THE CONTRACTOR SHALL OBTAIN ALL PERMITS AND ALL NECESSARY FEES, AND SUBMIT ALL PERMITS AND FEES ACCURATE BY THE VARIOUS TRADES, AS REQUIRED BY THE VARIOUS GOVERNMENTAL AND PUBLIC UTILITIES AUTHORITIES.
- THE CONTRACTOR SHALL CONSTRUCT WORK TO MAINTAIN SAFETY, ACCESSIBILITY, AND CONTINUITY OF FACILITIES OPERATIONS. RELOCATE HAZARD TO STORAGE OR WASTE YARD DAILY.

PROJECT SCOPE

REPAIR AND REPLACE EXISTING ROOFING, AND RING, SOFFITS, CAULKING, ANTICIPATED ELECTRICAL, GUTTER, DOWNSPOUT AND FASCIAS AS DESCRIBED BY THESE CONTRACT DOCUMENTS INCLUDING SPECIFICATIONS.

TASKS INCLUDE:
CONTRACTOR SHALL REVISE SCOPE OF WORK PER BUILDING AS FOLLOWS:
1. BUILDINGS "A" AND CANOPY WILL BE TO BE REPAIRED PRIOR TO 4:00 AM TUESDAY BY SPECIAL CONSTRUCTION CLEARANCE DAYS WORK.
2. REMAIN CLEANSUN DAYS ARE ALLOWED FOR TRADESMEN
3. BUILDING "B" WILL TO BE REPAIRED AFTER BUILDING "B" REPAIRS AND THE A REPAIRS OF THE PARKING AND CANOPY WORK CLEANSUN DAYS WORK

2006 IBC STATE OF HAWAII
TITLE 3 CHAPTER 18
2009 IEEC

County of Kauai
TITLE V
Ordinance 929
Chapter 12

TMK (4)-4-6-14:026
Z IV 97-10, OPEN
SLD- URBAN

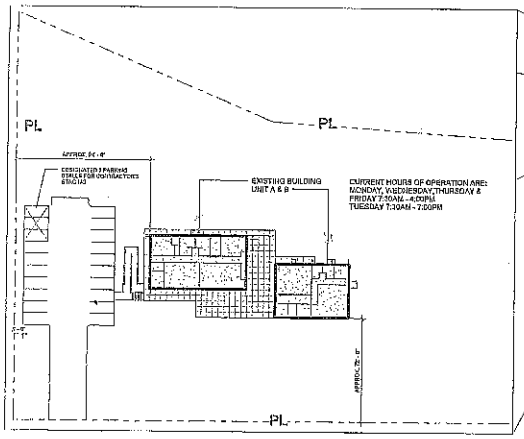
CODE INFORMATION

OCCUPANCY "B"
CONSTRUCTION TYPE V-B

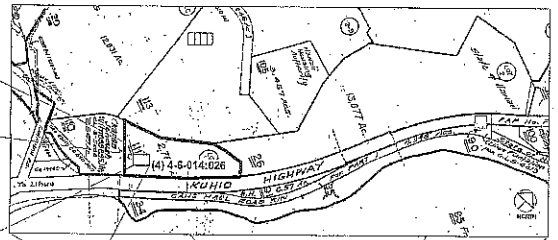
APPENDIX W
W_basic =105
W_eff. =105
Amendment (101)1609.2 Windblown Debris
Exemption for structures < 110 mph.
Category II Building multiplier 1.00
Design Pressure per Chapter 6 ASCE 7 basic
Wall Zone (4 and 5) =18, -22psf. Enclosed.
Exposure factor C (1.2) x18 = 21.6, (1.2) x -22 = -25 psf.

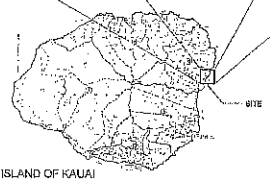
SHEET INDEX

SHEET NO.	SHEET NAME
T1	TITLE, CONSULTANTS, APPROVALS, LOCATION
OCS 1	SITE PLAN
A01	EXISTING/DEMO FLOOR PLAN and EXISTING/DEMO ROOF PLAN
A01	EXISTING/DEMO OVERALL REFLECTED CEILING PLAN
A02	EXISTING/DEMO ELEVATIONS "A"
A03	EXISTING/DEMO ELEVATIONS "B"
A04	NEW FLOOR PLAN and ROOF PLAN
A05	NEW REFLECTED CEILING PLAN A
A06	NEW REFLECTED CEILING PLAN B
A07	NEW ELEVATIONS "A"
A08	NEW ELEVATIONS "B"
A09	BUILDING SECTIONS
A10	DETAILS
A11	DETAILS
M1	CONSTRUCTION NOTES, EQUIPMENT, SCHEDULES, ABBREVIATIONS and LEGEND
M2	MECHANICAL DEMOLITION PLAN
M3	BUILDING A HVAC PLAN
M4	BUILDING B HVAC PLAN
E1	ELECTRICAL DEMO PLAN
E3	SCHEDULES AND ONELINE
E2	ELECTRICAL FLOOR PLAN



SITE PLAN
1" = 30'-0"





PALMS
HAWAII
ARCHITECTURE

Lihue Plantation Building
2979 Kalle Street Suite 115
Lihue, Hawaii, 96766
Tel (808) 246-4786
Email palms@alohanet.net

REVISION NO.	SYMBOL	DESCRIPTION	SHT. OF	DATE	APPROVED HUGO VIGILA ADMINISTRATOR

DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES, PUBLIC WORKS DIVISION, STATE OF HAWAII

KAUAI FRIENDSHIP HOUSE
ROOFING, VENTILATION AND AC IMPROVEMENTS
KAPAA, KAUAI, HAWAII

SITE PLAN

PALMS HAWAII ARCHITECTURE		JOB NO.	SHEET NO.
DRAWN BY: AL	CHECKED BY: AL	14-20-2706	OCS 1
DESIGN BY: AL	APPROVED BY: AL	DATE	SHEET 3
SCALE: As Indicated		04/01/2016	OF 21 SHTS.

DISTRIBUTION OF THIS PROJECT HAS BEEN LIMITED TO THE PARTIES LISTED ABOVE.

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 9	
Acceptance Date:	8-15-16
Website Posting Date:	8-15-16
Determination Date:	8-15-16
Planning Commission Date:	8-23-16
Expiration Date:	8-15-17
Planner Assigned:	JL

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:	WAIOLI SURF SHACK HOLDINGS, LLC c/o HONUA ENGINEERING, INC.		
Address:	PO BOX 851	Phone:	(808) 826-7256, EXT. 112
	HANALEI, HI. 96714	Email:	brian@honuaengineering.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: 7-15-16			

Project Information (attach additional sheets, if necessary)			
County Zoning District:	OPEN	Tax Map Key(s):	(4) 5-5-05:08
		Land Area:	36,168 sq. ft.
Nature of Development: (Description of proposed Structure of subdivision)	ESTABLISH SETBACK FOR ACCESSORY IMPROVEMENTS. SPA		

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: > 80'

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

☒ Additional Information:
- ☒ Closest distance of improvement(s) from Shoreline is approximately > 80' ft.
- ☐ Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

2/26/15

PROJECT NO: 5246.4

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)

FLAT - 11' AT MAKAI SIDE TO 9' AT MAUKA SIDE OF LOT.

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

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): _____

[ ] 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

B Okuno 7/15/16

Signature Date

Applicability (to be completed by Planning Department)

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

8-15-16

Planning Director or designee Date

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(c))

☐ **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: 8-15-16

PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION

Part C

Shoreline Setback Determination (§8-27.8)

(This document is the request for a shoreline setback structure or subdivision determination form.)

Please complete this section if you are proposing a structure or subdivision within the Shoreline Setback Area that requires a certified shoreline, a determination of applicability (**Part A & B**) from the Planning Director shall first be obtained.

Certified Shoreline

☒ Certified Shoreline

☒ Survey

☒ Average Lot Depth: 179'

☒ Setback (Table 1 or Table 2): 79.5'

Planning Director or its designee — Date: 8-15-16

Public Projects less than $125,000

☐ Public Projects less than $125,000 Declaration ((§8-27.8(c)(2))

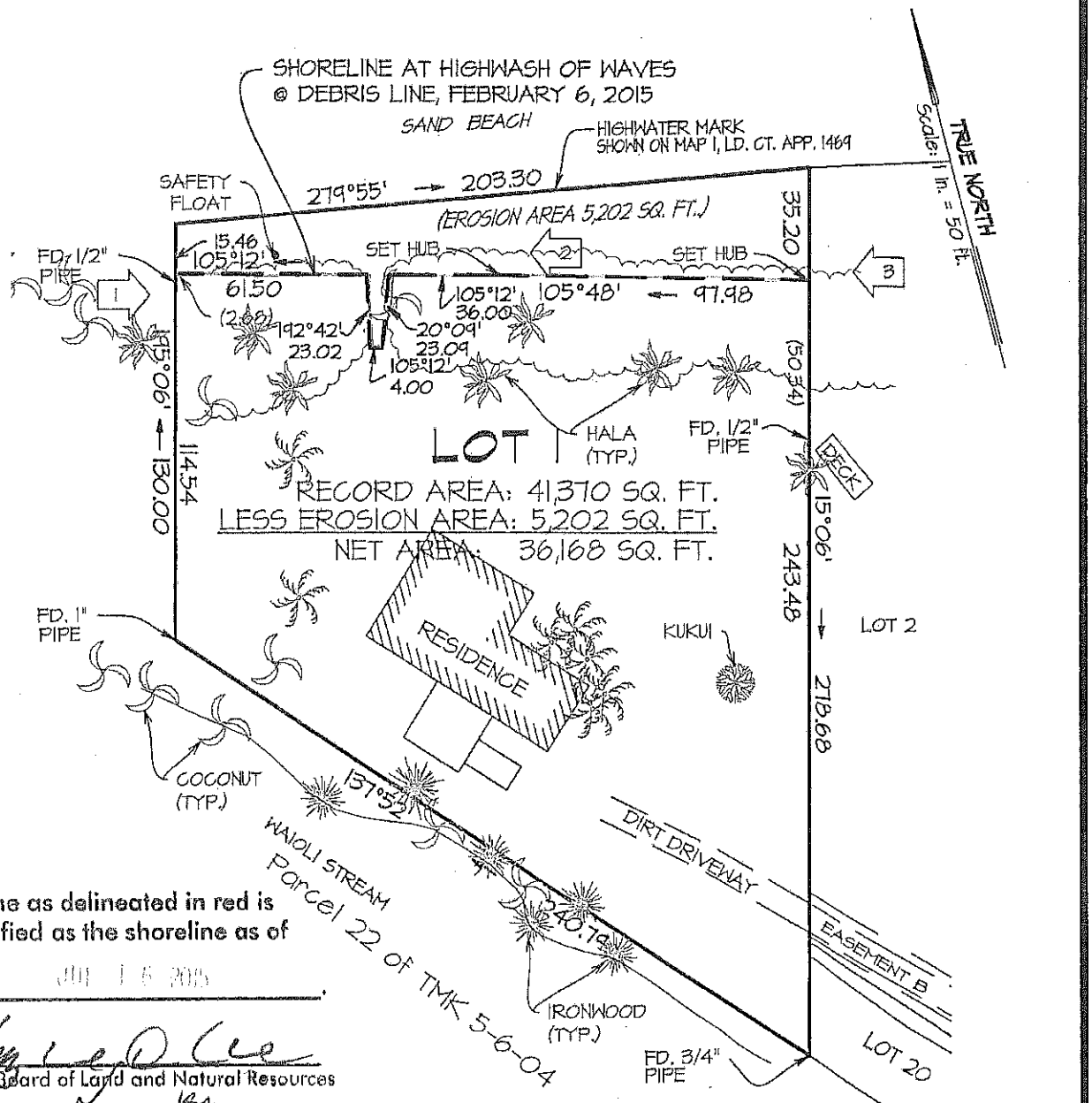
Planning Director or designee — Date

☐ Certified Shoreline Required

☐ Certified Shoreline Not Required

Describe proposed structure(s), including but not limited to landscaping plan:

Written text addressing the above proposed structure addressing the compliance with §8-27.8(c)(2):



The shoreline as delineated in red is hereby certified as the shoreline as of

JUN 1 6 2015

Chairperson, Board of Land and Natural Resources

Prepared For:
Waioli Surf Shack LLC
2 Witherspoon
Irvine CA, 92604

February 12, 2015
Rev. May 26, 2015

SHORELINE CERTIFICATION MAP OF LOT 1

LAND COURT APPLICATION 1469
(MAP 1)
AT WAIPA, HALELEA, KAUA'I, HAWAI'I

50 0 50
Graphic Scale in Feet

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

NOTE:
1. 1 DENOTES NUMBER AND DIRECTION OF PHOTOS.

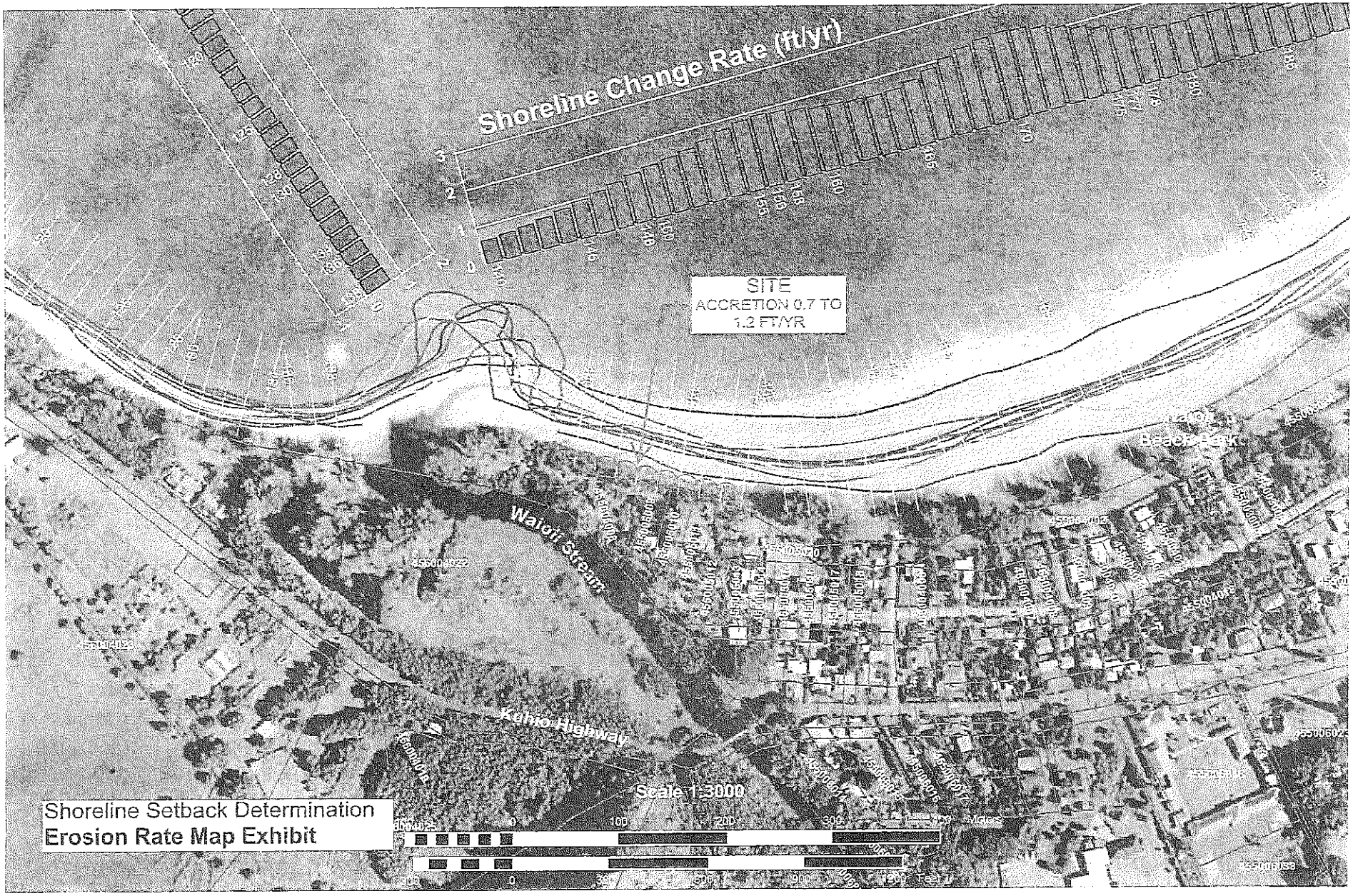
THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION

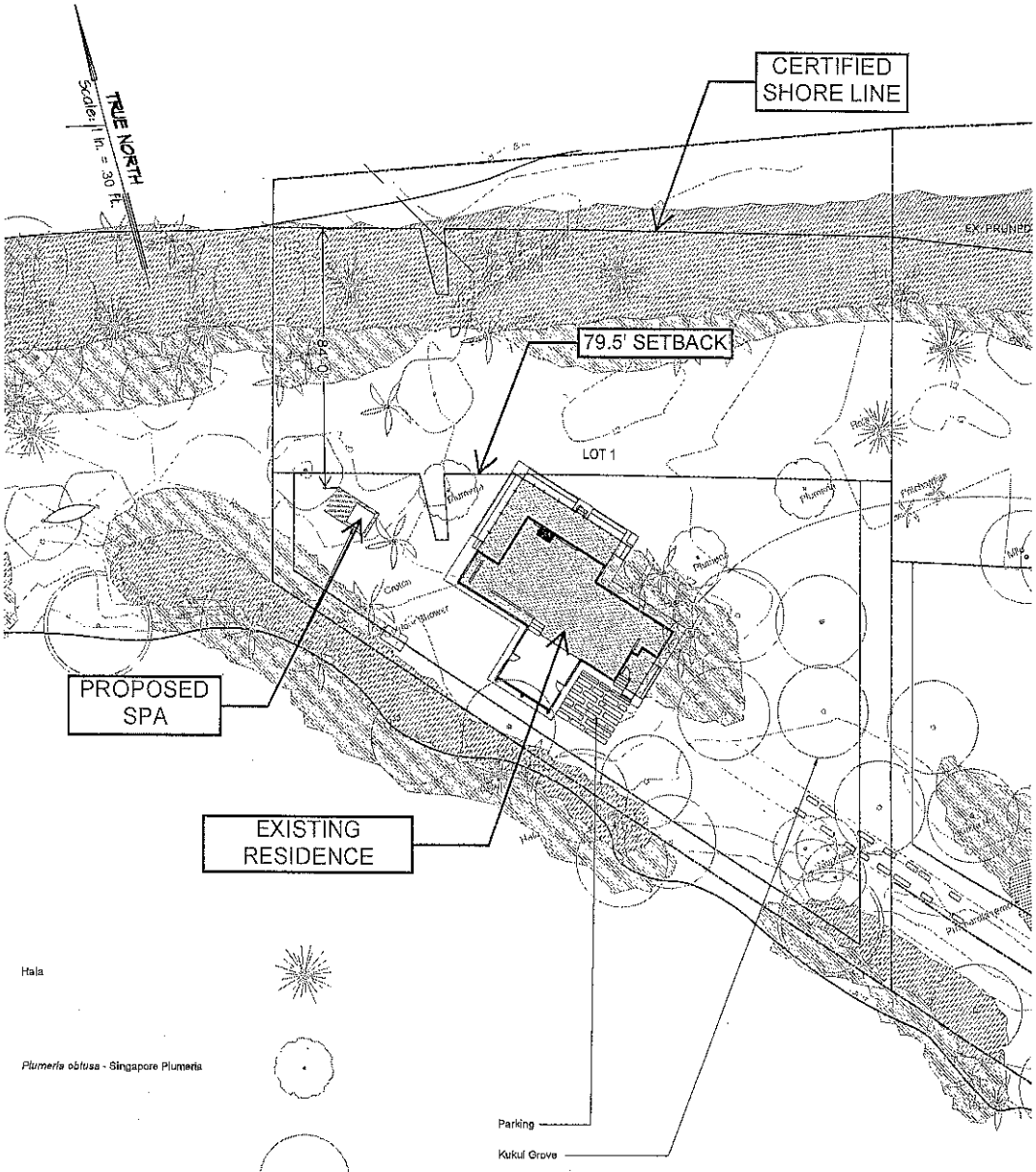
BRIAN M. HENNESSY
Licensed Professional Land Surveyor
Certificate No. 14,484 EXP. 4/30/16

Honua Engineering, Inc.
P.O. Box 851 Hanalei, HI 96714 (808) 826-7256

Tax Map Key: (4) 5-5-05:08

Project No. 5246.5


Shoreline Change Rate (ft/yr)
SITE
ACCRETION 0.7 TO
1.2 FT/YR
Waioli Stream
Kuhio Highway
Beach Park
Scale 1:3000
Shoreline Setback Determination
Erosion Rate Map Exhibit



Hala

Plumeria obtusa - Singapore Plumeria

Aleurites moluccanus - kukui (and other existing species)

Tournefortia argentea - Beach Heliotrope

Terminalia catappa - False Kamani

Cocos nucifera - Coconut Palm

Delonix regia - Flame Tree

Note: There shall be no irrigated landscaping within 40' of the certified shoreline.

Shoreline Setback Determination
Site and Landscape Plan
TMK 5-5-05:08

PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 2017 - 10	
Acceptance Date:	8/15/16
Website Posting Date:	8/15/16
Determination Date:	8/15/16
Planning Commission Date:	8/23/16
Expiration Date:	8/15/17
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: Stafan Mandel Cell: 435-640-8398

Mailing Address: 4-820 Kuhio Highway, Kapaa, Hawaii 96746

Phone: 808 822-9332

Email: stafanmandel@hotmail.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: 6/27/16

Project Information (attach additional sheets, if necessary)

County Zoning District: Kawaihau

Tax Map Key(s): 4-3-08-01 units 0202/0203

Land Area: Commercial/Resort

Nature of Development (Description of proposed structure or subdivision): Proposed Roof over outside dining and glass windbreaker

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: ~~145 FT.~~

[x] Properties Not Abutting the Shoreline

[ ] Project's approximate distance from shoreline: 145 A

[ ] 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:

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 AND SANDY SOIL

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

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): _____

☒ Is property in coastal floodplain (if checked, what zone)? AE ELEV 9

☐ 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: 6/21/16

Applicability (to be completed by Planning Department)

☒ **Setback Determination necessary.** Requirements of Ordinance No. 979 are applicable.

Planning Director or designee — Date: 8/15/16

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

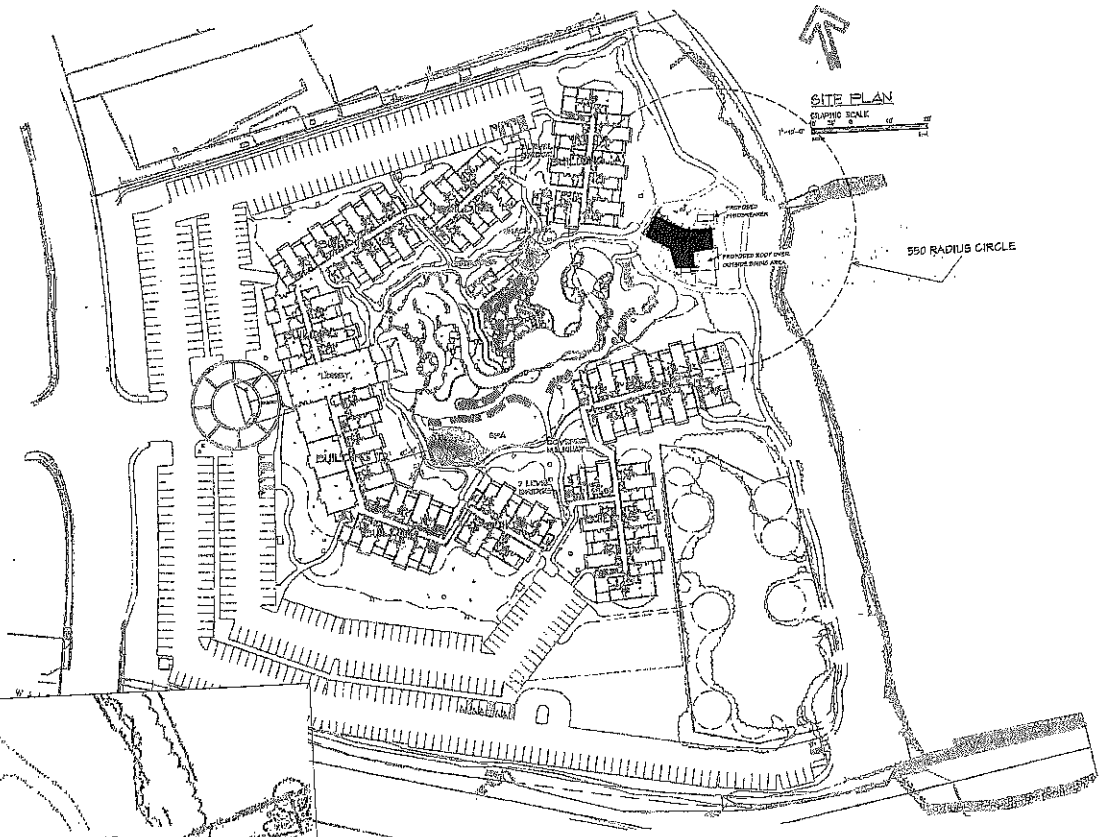
Exemption Determination (to be completed by Planning Department)

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.

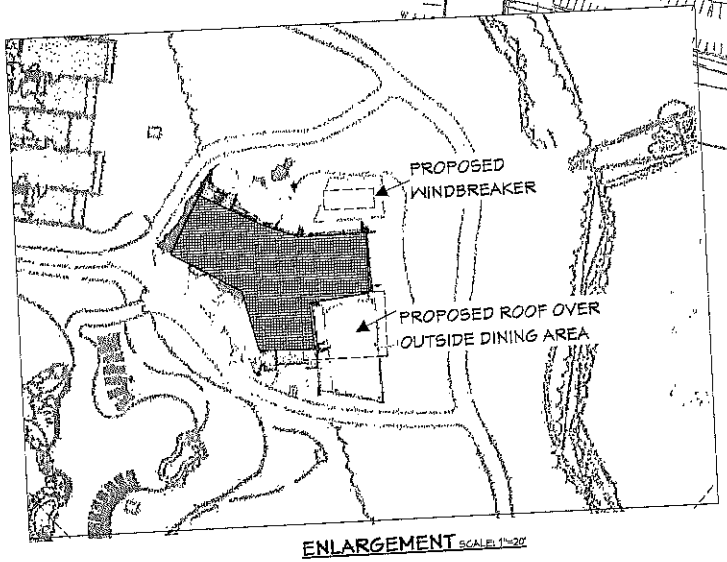
Planning Director or designee

8/15/16
Date

PERMIT NUMBER



SITE PLAN SCALE: 1"=60'



ENLARGEMENT SCALE: 1"=20'

DESIGN ASSOCIATES KAUAI
P.O. BOX 540
LAWAI, HI 96765
TELEPHONE: 822-4455 CELL: (808) 482-0480
EMAIL: mdesign@kauai.com
WEBSITE: WWW.DAKAUAI.COM

PROPOSED ROOF OVER OUTSIDE DINING AND GLASS WINDBREAKER

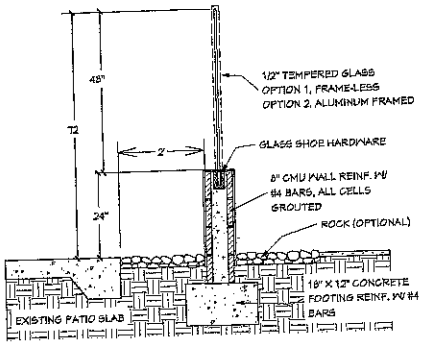
OASIS ON THE BEACH

4-820 KUHIO HIGHWAY KAPAA, KAUAI, HAWAII
TMK: 4-3-8:01 UNITS: 0202 / 0203

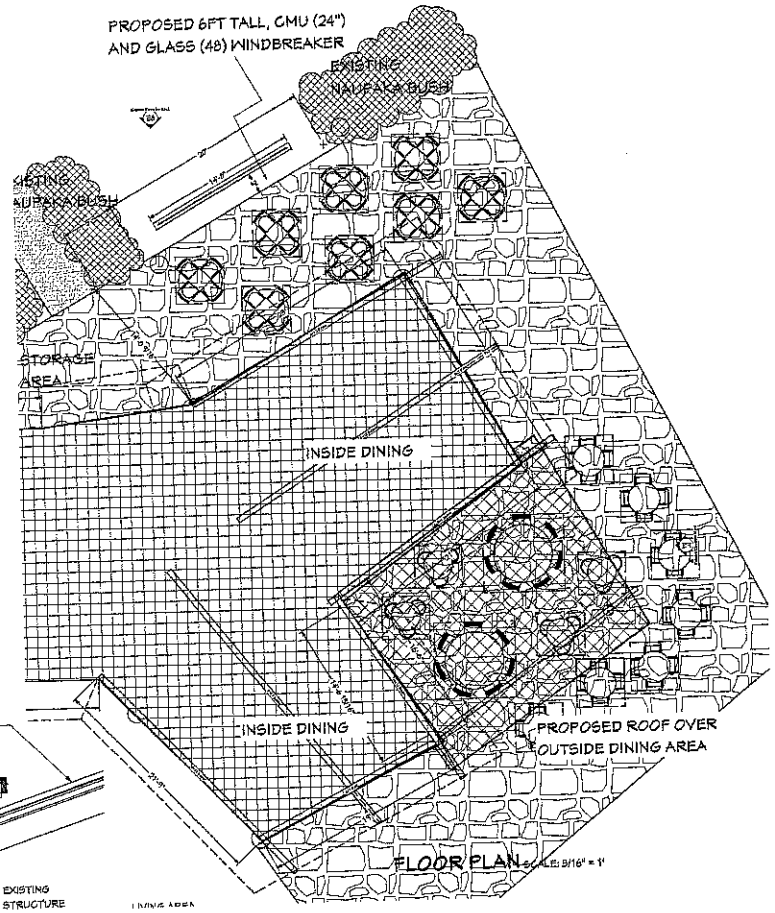
SHEET NUMBER

1

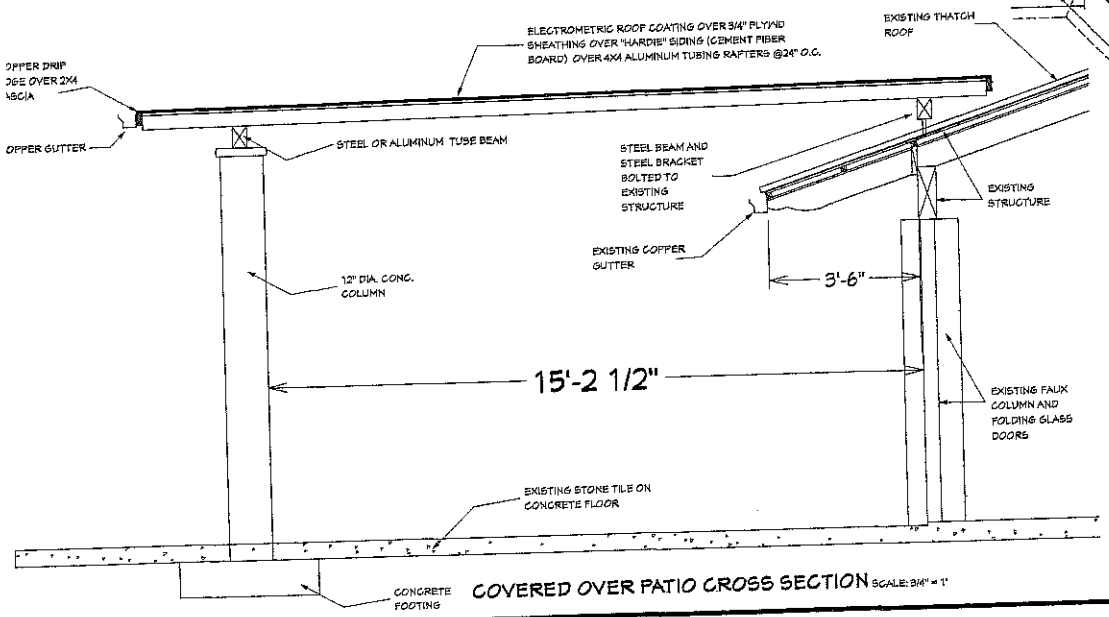
1 OF 2 SHTS.



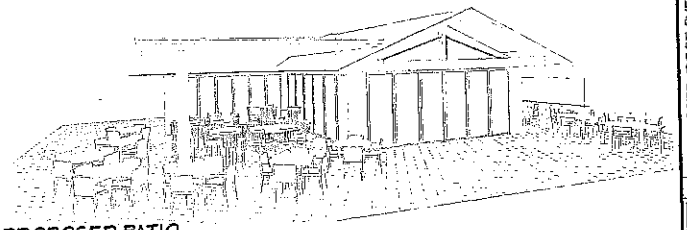
WINDBREAKER DETAIL SCALE: 3/4" = 1'



FLOOR PLAN SCALE: 3/16" = 1'



COVERED OVER PATIO CROSS SECTION SCALE: 3/4" = 1'



PROPOSED PATIO

PERMIT NUMBER

DESIGN ASSOCIATES KAUAI
P.O. BOX 640
LAWAI, HI 96765
TEL: (808) 822-4455 CELL: (808) 652-0400
EMAIL: mdesign@dasiaai.com
WEBSITE: WWW.DASIAAI.COM

PROPOSED ROOF OVER OUTSIDE DINING AND GLASS WINDBREAKER

OASIS ON THE BEACH

4-820 KUHIO HIGHWAY KAPAA, KAUAI, HAWAII
TMK: 4-3-8:01 UNITS: 0202 / 0203

SHEET NUMBER

2

1 OF 2 SHTS.

Google earth

feet 200
meters 70

Wailua Bay, Kauai, Hawaii

HISTORICAL SHORELINES

- Feb 1927 T-sheet
- Nov 1950
- Mar 1972
- Apr 1975
- Jul 1987
- May 1988
- Sept 1992
- May 1992
- Sept 2000
- Feb 2002
- Oct 2007
- Jan 2008
- Erosion rate measurement locations (shore-normal transects)

Historical beach positions, color coded by year, are determined using orthorectified and georeferenced aerial photographs and National Ocean Survey (NOS) topographic survey charts. The low water mark is used as the historical shoreline, or shoreline change reference feature (SCRF).

Movement of the SCRF along shore-normal transects (spaced every 66 ft) is used to calculate erosion rates.

SHORELINE CHANGE RATES

- Accretion Rate
- Erosion Rate

Historical shoreline positions are measured every 66 ft along the shoreline. These sites are denoted by yellow shore-perpendicular transects. Changes in the position of the shorelines through time are used to calculate shoreline change rates (ft/yr) at each transect location.

Annual shoreline change rates are shown on the shore-parallel graph. Red bars on the graph indicate a trend of beach erosion, while blue bars indicate a trend of accretion. Approximately every fifth transect and bar of the graph is numbered. Where necessary, transects have been purposely deleted to maintain consistent alongshore spacing. As a result transect numbering is not consecutive everywhere. The rates are smoothed alongshore using a 1-3-5-3-1 technique to normalize rate differences on adjacent transects.

AREA DESCRIPTION

The Wailua study area (transects 146 – 337) is located on the east coast of Kauai. The shoreline is composed of carbonate sand beach interrupted by basalt headlands, hardened shoreline and boulder groins. A fringing reef extends offshore the length of Waipouli Beach. The area is exposed to persistent tradewinds and rough seas throughout the year.

Overall, the area is experiencing insignificant erosion at an average rate of -0.3 ft/yr. The area lends itself to division into four portions. The most northern portion (transects 146 – 212) extends south from Waikaea Canal to a small discharge canal near transect 212. This section is part of Waipouli Beach and has experienced erosion over time with an average rate of -0.5 ft/yr. The rest of Waipouli Beach to the south (transect 214 – 287) has experienced erosion at an average rate of -0.4 ft/yr. Between Alakukui Point and a boulder revetment to the south is a 600 ft length of beach (transects 289 – 300). This portion has experienced erosion with an average rate of -1.1 ft/yr. Wailua Beach (transects 302 – 337) has experienced accretion with an average rate of 0.8 ft/yr. Previous studies[1] found similar trends in shoreline change for the Wailua study area.

[1] Makai Ocean Engineering and Sea Engineering, 1991 Aerial Photograph Analysis of Coastal Erosion on the Islands of Kauai, Molokai, Lanai, Maui, and Hawaii. State of Hawaii Office of Coastal Zone Management Program.

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