

**PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION**

FOR OFFICIAL USE ONLY:	
SSD 2020 -	35
Acceptance Date:	2.18.20
Website Posting Date:	2.19.20
Determination Date:	2.18.20
Planning Commission Date:	NA
Expiration Date:	2.18.23
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 that your parcel will require a Certified Shoreline Survey, due to the proximity to the shoreline. 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:	GLORIA HILLARD
Mailing Address:	8506 ELEPAIO RD. KEKAHA, HI
Phone:	818 762 2455
Email:	hillard.gloria@gmail.com
Applicant's Status: (Check one)	
<input checked="" type="checkbox"/> Owner of the Property	(Holder of at least 75% of the equitable and legal title)
<input type="checkbox"/> 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.
<input type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date:	1-13-20

Project Information (attach additional sheets, if necessary)	
County Zoning District:	R-6
Tax Map Key(s):	1-3-04:81
Land Area:	6,654 SF
Nature of Development: (Description of proposed structure or subdivision)	CONVERSION OF EXIST'G. GARAGE TO ARU

**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.

- Property is Abutting the Shoreline **NA**
 Proposed project's approximate distance from shoreline (based on aerial map): _____ ft.
- Property is Not Abutting the Shoreline
 Proposed project's approximate distance from shoreline (based on aerial map): **±496** ft.
- Additional Information:
 Shoreline Change (Erosion/Accretion) Rate: **(0) ROCK** **REINFORCEMENT** year **(SEE ATTACHED SHORELINE MAP)**
 (Information available here: www.soest.hawaii.edu/coasts/kauaicontry/KCCounty.html)
 Number and description of parcels (including roads, buildings, structures) between Shoreline and this parcel:

KAUMUALI HWY. TO THE SOUTH ALONG OCEAN. THERE ARE 5 LOTS/RESIDENCES BETWEEN SUBJECT LOT AND OCEAN. LOTS 15, 16, 17, 18, 19 (2 PLOTS)



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

**FLAT : GROUND ELEV. = ± 10.5' MSL
FLOOD ELEV. 9' 10" MSL (SEE ATTACHED MAP)**

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

ROCKY REVETMENT ALONG KAUMUALI'I HWY.

Artificially armored Shoreline

If checked, what type of armoring (e.g. seawall, revetment, bulkhead): **ROCK**

Is the armoring permitted/authorized? **YES**

Date of authorization (attach copy of authorization letter): **AFTER IWIKI**

Is property in coastal floodplain (if checked, what zone)? **AB**

Has this property been subject to coastal hazards (i.e. flooding, erosion, tsunami, etc.) in the past?

NO

PLEASE NOTE:

Any misrepresentation of information in this shoreline setback application will result in revocation of this determination and may result in fines and criminal prosecution.

Applicant's Signature

Gloria Hill 1-10-20
Signature Date

Applicability (to be completed by Planning Department)	
<input checked="" type="checkbox"/>	Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.
<input type="checkbox"/>	Setback Determination is NOT necessary. Requirements of Ordinance No. 979 are not applicable.
<u><i>[Signature]</i></u> <u>2-18-2020</u> Planning Director or designee Date	

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

- A non-refundable processing fee of one hundred dollars (\$100.00) shall accompany a request for determination. (§8-27.8(e))
- An aerial map/image (ex. Google Maps or Google Earth) with a line drawn from the shoreline/vegetation line (approximate shoreline) to the proposed project and the calculated distance in feet.
- A detailed Plot Plan to scale with all existing and proposed structures including driveways, visible lot coverage, setbacks and measurement details, fences, gates, and walls, etc.
- Building Permit Number (If building plans submitted)



**PLANNING DEPARTMENT
SHORELINE SETBACK DETERMINATION**

Exemption Determination

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

Pursuant to §8-27.7, those structures and uses found exempt in Table 3 (see pg. 7) including repairs and renovations to a lawfully existing structure, including nonconforming structures, provided that:

- (A) The repairs DO NOT enlarge, add to or expand the structure; increase the size or degree of non-conformity; or intensify the use of the structure or its impact on coastal processes;
- (B) The repairs DO NOT constitute a substantial improvement of the structure; and
- (C) The repairs are permitted by the Comprehensive Zoning Ordinance, Development Plans, building code, floodplain management regulations, special management area requirements under HRS Chapter 205A and any other applicable rule or law.

Letter from the Department of Public Works stating that the proposed project does NOT constitute "Substantial Improvement," pursuant to §8-27.2 (If applicable, will require valuation of project).

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.
- Pursuant to §8-27.7 the Kaua'i County Code, 1987 as amended, the proposed structure(s) is permitted within the shoreline setback area. While exempt from those shoreline setback determination requirements established under §8-27.8, the proposed structure(s) is subject to the conditions of §8-27.7(b). (See pg. 8)

Planning Director or designee

2.18.2020
Date

Additional comments/conditions:

1-28-2020

County of Kauai
Engineering Department
4444 Rice Street
Lihue, HI 96766

To Whom it May Concern:

I, Gloria Hillard authorize Debbie Freeman to receive any correspondence and sign on the behalf of my SSD Application. Please mail any correspondence to Debbie Freeman at 305 Kihapai Street, Kapaa, HI 96746.

Please feel free to call me with any questions (818) 762-2455.

Mahalo,

A handwritten signature in cursive script that reads "Gloria Hillard".

Gloria Hillard



ENGINEERING DIVISION
DEPARTMENT OF PUBLIC WORKS
THE COUNTY OF KAUA'I

DEREK S. K. KAWAKAMI, MAYOR
MICHAEL A. DAHLIG, MANAGING DIRECTOR

LYLE M. TABATA
DEPUTY COUNTY ENGINEER

February 11, 2020

Permit Service
305 Kihapai Street
Kapa'a, HI 96746
Attention: Debbie Freeman

Subject: SHORELINE SETBACK APPLICATION,
SUBSTANTIAL IMPROVEMENT DETERMINATION
8506 'Elepaio Road, Kekaha, Hillard
TMK: (4) 1-3-004:081

PW: 01.20.088

Dear Ms. Freeman,

The Kauai County Shoreline Setback and Coastal Protection Ordinance (Ordinance No. 579) Section 8-27.2 states:

"Substantial improvement' means 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...."

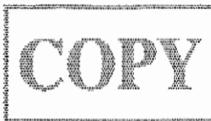
Improvements are being proposed to existing garage at TMK: (4) 1-3-004:081. To determine if the improvements are considered "substantial," we compare the total cost of all improvements within the past 10 years to the market value of the structure before the start of construction of the first improvement. If the resulting ratio is less than 50%, then the improvements are determined to be "unsubstantial."

Unless a professional appraisal is provided, the market value shall be determined by the County's Real Property Assessment Division.

Market Value

The market value is the Replacement Cost New Less Depreciation (RCNLD) value for 2011 as determined by the County's Real Property Assessment Division. The market value of the building was determined to be \$272,800. Fifty percent (50%) of this is \$136,400 (or \$272,800 divided by 2).





Cost of Improvements

There was one (1) permit within the past ten years, BP# 11-879 for \$34, 800. The estimated cost of the proposed improvements is \$10,304 based on a cost estimate prepared by general contractor Joel Koetje, on October 3, 2019. Therefore, the total cost of improvements was estimated to be \$45,104.

Summary

The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$45,104}{\text{Market Value (Real Property): } \$272,800} = 0.16533 \text{ or } 16.53\%$$

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 Anthony Chandler at (808) 241-4884 or email at achandler@kauai.gov.

Sincerely,

Michael Moule, P.E.
Chief, Engineering Division

Concur,

Lyle Tabata
Deputy County Engineer

MM/SI/AC

Copy: Design and Permitting
Planning Department (Romio Idica)

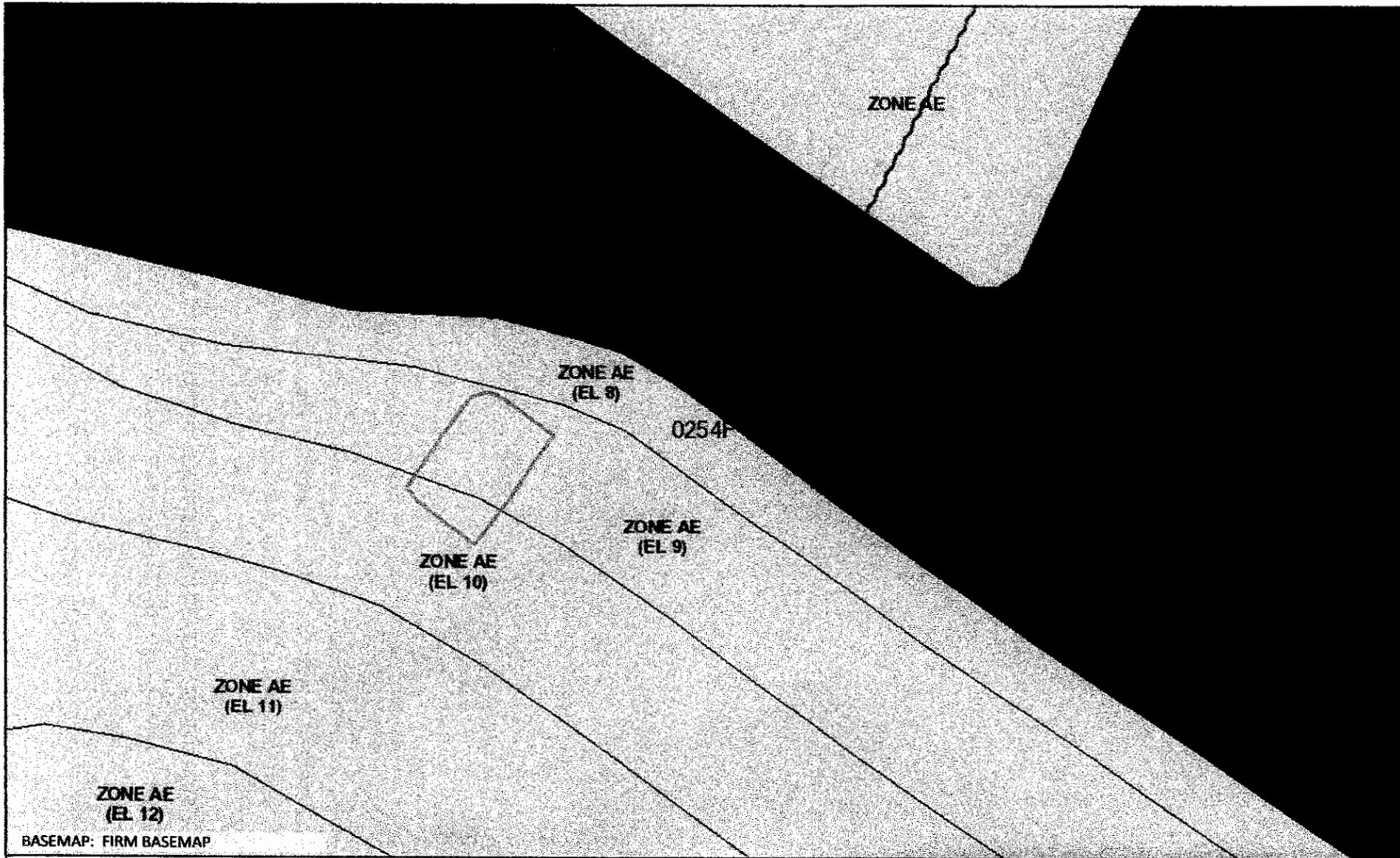


EXHIBITS

- EXHIBIT A DISTANCE MAP**
- EXHIBIT B FLOOD MAP**
- EXHIBIT C SHORELINE EROSION MAP**
- EXHIBIT D PLANS**



EXHIBIT A



Flood Hazard Assessment Report

www.hawaiiinfip.org

GLORIA HILLARD

Property Information

COUNTY: KAUAI
 TMK NO: (4) 1-3-004:081
 WATERSHED: KAPILIMAO
 PARCEL ADDRESS: 8506 ELEPAIO ROAD
 KEKAHA, HI 96752

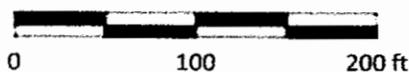
Notes:

Flood Hazard Information

FIRM INDEX DATE: NOVEMBER 26, 2010
 LETTER OF MAP CHANGE(S): NONE
 FEMA FIRM PANEL: 1500020254F
 PANEL EFFECTIVE DATE: NOVEMBER 26, 2010

THIS PROPERTY IS WITHIN A TSUNAMI EVACUATION ZONE: YES
 FOR MORE INFO, VISIT: <http://www.scd.hawaii.gov/>

THIS PROPERTY IS WITHIN A DAM EVACUATION ZONE: NO
 FOR MORE INFO, VISIT: <http://dlnreng.hawaii.gov/dam/>



Disclaimer: The Hawaii Department of Land and Natural Resources (DLNR) assumes no responsibility arising from the use, accuracy, completeness, and timeliness of any information contained in this report. Viewers/Users are responsible for verifying the accuracy of the information and agree to indemnify the DLNR, its officers, and employees from any liability which may arise from its use of its data or information.

If this map has been identified as 'PRELIMINARY', please note that it is being provided for informational purposes and is not to be used for flood insurance rating. Contact your county floodplain manager for flood zone determinations to be used for compliance with local floodplain management regulations.

FLOOD HAZARD ASSESSMENT TOOL LAYER LEGEND

(Note: legend does not correspond with NFRL)

SPECIAL FLOOD HAZARD AREAS (SFHAs) SUBJECT TO INUNDATION BY THE 1% ANNUAL CHANCE FLOOD - The 1% annual chance flood (100-year), also known as the base flood, is the flood that has a 1% chance of being equaled or exceeded in any given year. SFHAs include Zone A, AE, AH, AO, V, and VE. The Base Flood Elevation (BFE) is the water surface elevation of the 1% annual chance flood. Mandatory flood insurance purchase applies in these zones:

	Zone A: No BFE determined.
	Zone AE: BFE determined.
	Zone AH: Flood depths of 1 to 3 feet (usually areas of ponding); BFE determined.
	Zone AO: Flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths determined.
	Zone V: Coastal flood zone with velocity hazard (wave action); no BFE determined.
	Zone VE: Coastal flood zone with velocity hazard (wave action); BFE determined.
	Zone AEF: Floodway areas in Zone AE. The floodway is the channel of stream plus any adjacent floodplain areas that must be kept free of encroachment so that the 1% annual chance flood can be carried without increasing the BFE.

NON-SPECIAL FLOOD HAZARD AREA - An area in a low-to-moderate risk flood zone. No mandatory flood insurance purchase requirements apply, but coverage is available in participating communities.

	Zone XS (X shaded): Areas of 0.2% annual chance flood; areas of 1% annual chance flood with average depths of less than 1 foot or with drainage areas less than 1 square mile; and areas protected by levees from 1% annual chance flood.
	Zone X: Areas determined to be outside the 0.2% annual chance floodplain.

OTHER FLOOD AREAS

	Zone D: Unstudied areas where flood hazards are undetermined, but flooding is possible. No mandatory flood insurance purchase apply, but coverage is available in participating communities.
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EXHIBIT B

Oomano Point, Kauai, Hawaii

AREA DESCRIPTION

Oomano Point study area is characterized by a narrow sand beach and hardened shoreline. The area is bounded by Kekaha Beach to the west and Kikiaoloa Small Boat Harbor to the east. The beach is composed of black volcanic sand, mud, and calcareous sand. Terrestrial material is primarily delivered by the Waimea River which is located to the east.

The shoreline is exposed to south wave swell during the summer and occasional wrapping of northwest waves during the winter as well as persistent tradewinds. Oomano Point (aka Davidson's Point, transects 59 - 61) lies central to the area and effectively divides the area into two sections for description purposes. Previous studies discuss the impact of Kikiaoloa Small Boat Harbor, built in 1959, which interrupts alongshore sediment transport from the east. The resulting erosion at and near Oomano Point has threatened Kaunualii Hwy. and led to the construction of an extensive revetment by the U.S. Army Corps of Engineers to mitigate further erosion.

Overall, the Oomano study area (transects 0 - 106) is experiencing erosion at an average rate of -2.1 ft/yr. The eastern section of the area (transects 0 - 58) is experiencing erosion at an average rate of -2.7 ft/yr while the western section (transects 61 - 106) is eroding at an average rate of -1.3 ft/yr.

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

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.

HISTORICAL SHORELINES

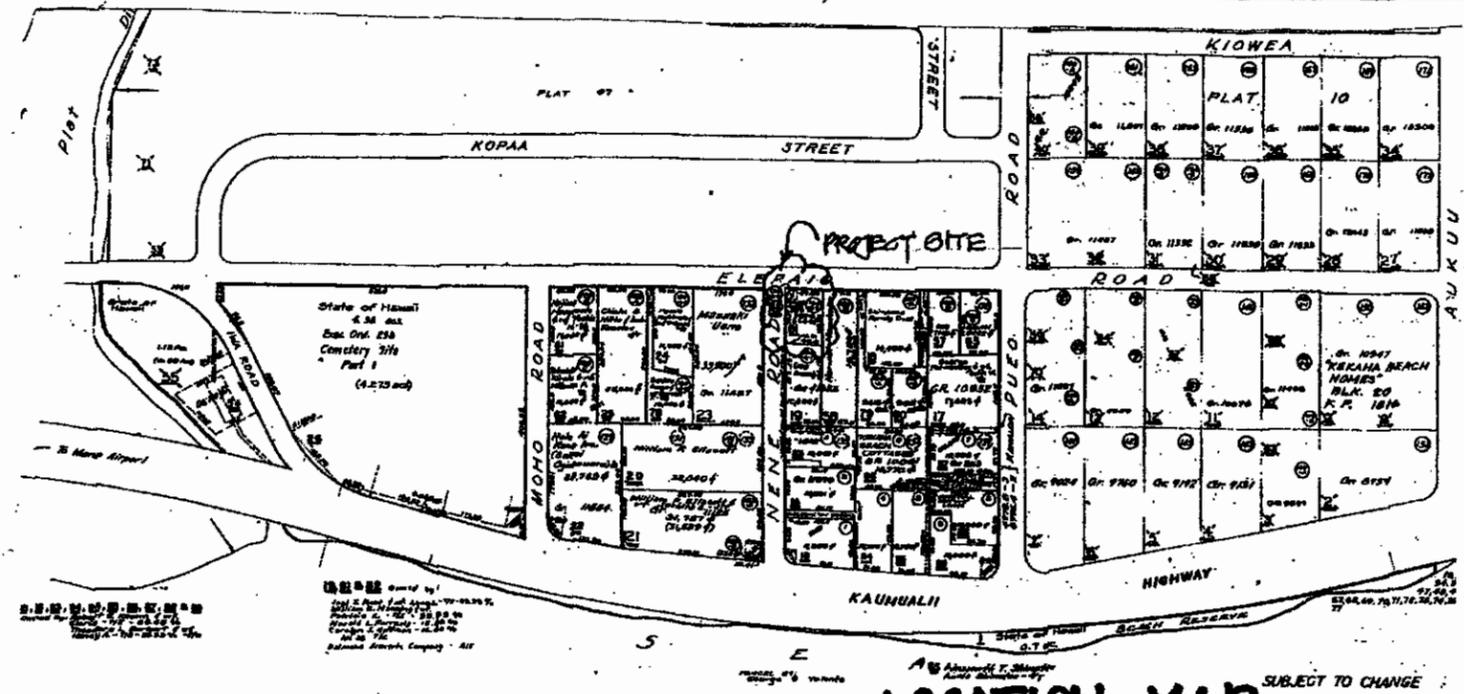
-  Jan 1926
-  Nov 1950
-  May 1966
-  Apr 1975
-  Sept 1981
-  Jun 1982
-  Jul 1987
-  Mar 1988
-  Sept 1992
-  May 1992
-  Nov 2006

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 (SCRFF).

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



EXHIBIT C

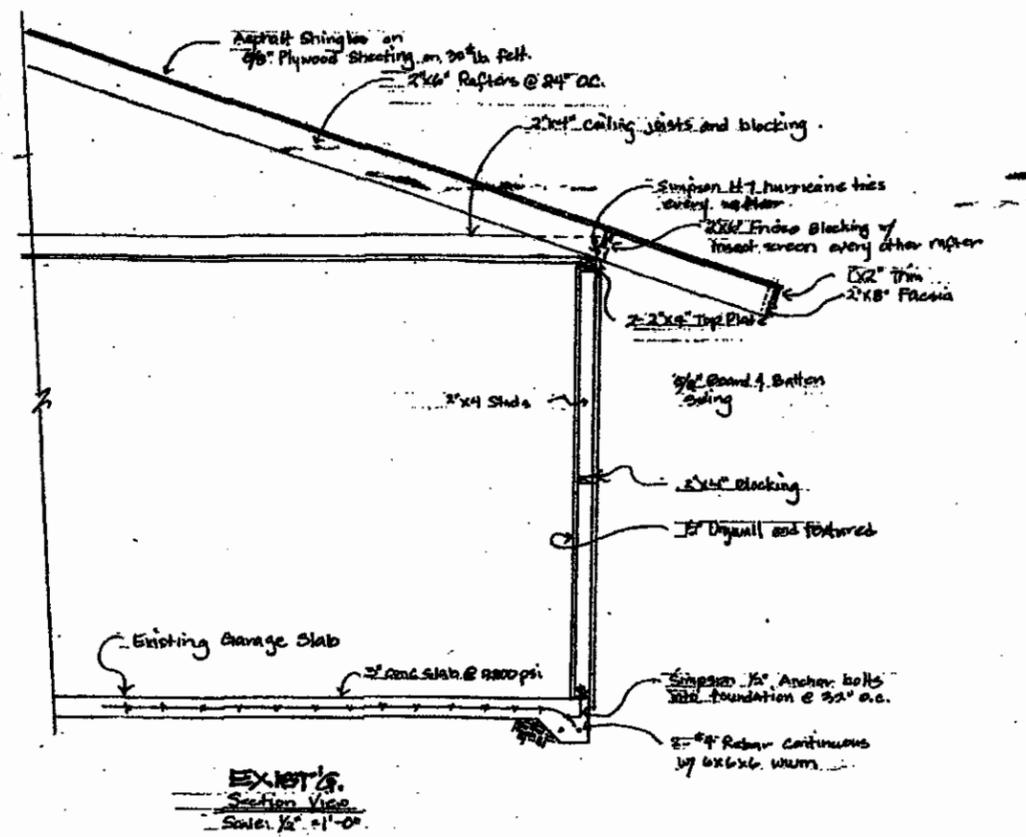


1.D. CT. APR. 929 & POR. OF KEKAHA HOUSE LOTS, KEKAHA, WAIMEA, KAUAI
LOCATION MAP SUBJECT TO CHANGE

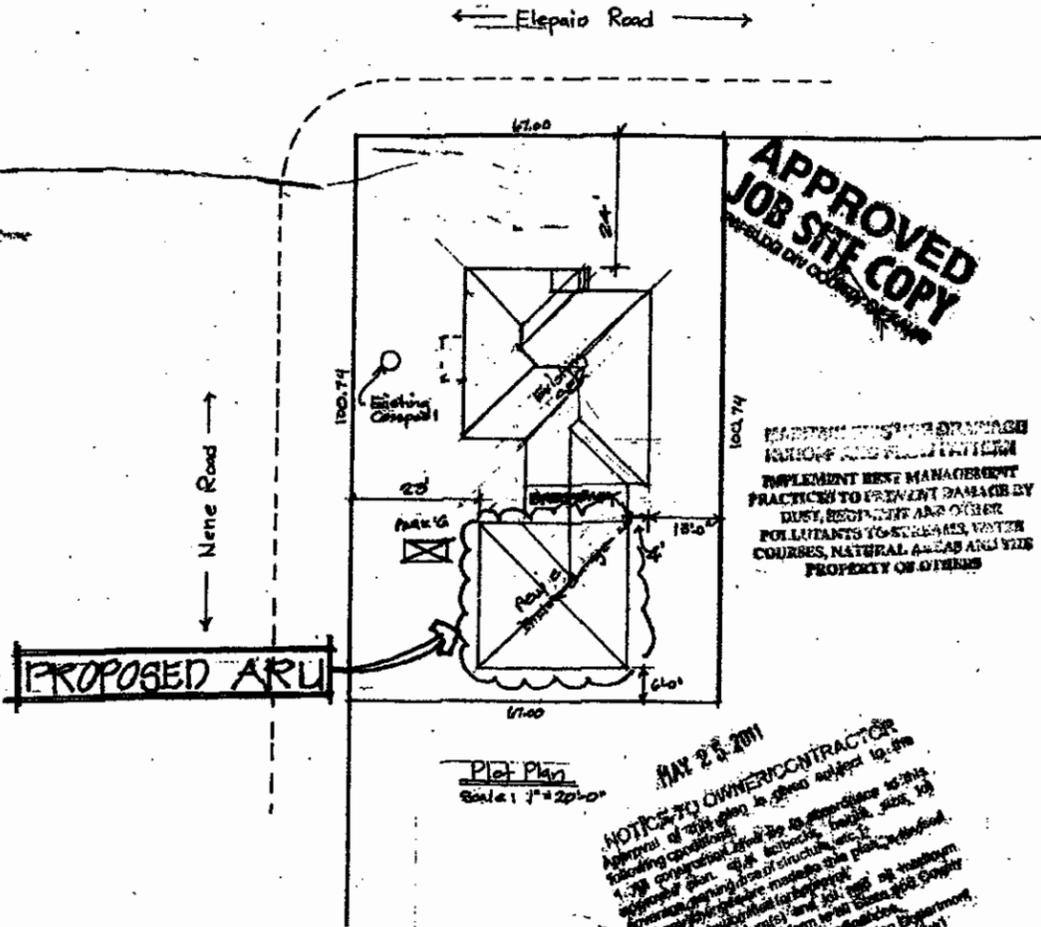
- INDEX**
- A1 SITE PLAN, EXISTING TYP. SECTION**
 - A2 FLOOR PLAN (ARU)/KITCHEN ELEVATIONS
EXISTING EXT. ELEVATIONS**
 - A3 EXISTING ROOF FRAMING, FOUNDATION,
& BATH ELEVATIONS**

FLOOD ZONE
 NOTICE TO OWNER / CONTRACTOR
 APPROVE WORK IS CONSIDERED AN
 IMPROVEMENT TO THE
 EXISTING STRUCTURE. ANY CHANGES TO
 THESE DRAWINGS MUST BE APPROVED BY
 FLOOD SECTION PRIOR TO CONSTRUCTION

COUNTY OF KAUAI
 DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION
BUILDING PERMIT REVIEW
Mark Allen
 DATE: 6/28/11



**EXIST'G.
 SECTION VICE**
 Scale: 1/2" = 1'-0"



**APPROVED
 JOB SITE COPY**
 ISSUED BY COUNTY ENGINEER

IMPLEMENT BEST MANAGEMENT
 PRACTICES TO PREVENT DAMAGE BY
 DUST, SEDIMENT AND OTHER
 POLLUTANTS TO STREAMS, WATER
 COURSES, NATURAL AREAS AND THE
 PROPERTY OF OTHERS

NOTICE TO OWNER/CONTRACTOR
 Approval of this plan is given subject to the
 following conditions:
 1. The contractor shall be responsible for the
 proper care of all existing trees on the
 property and shall replace any trees
 removed or damaged by the project.
 2. The contractor shall be responsible for the
 proper care of all existing structures on the
 property and shall be responsible for the
 repair or replacement of any structures
 damaged by the project.
 3. The contractor shall be responsible for the
 proper care of all existing utilities on the
 property and shall be responsible for the
 repair or replacement of any utilities
 damaged by the project.
 Planning Department
 County of Kauai

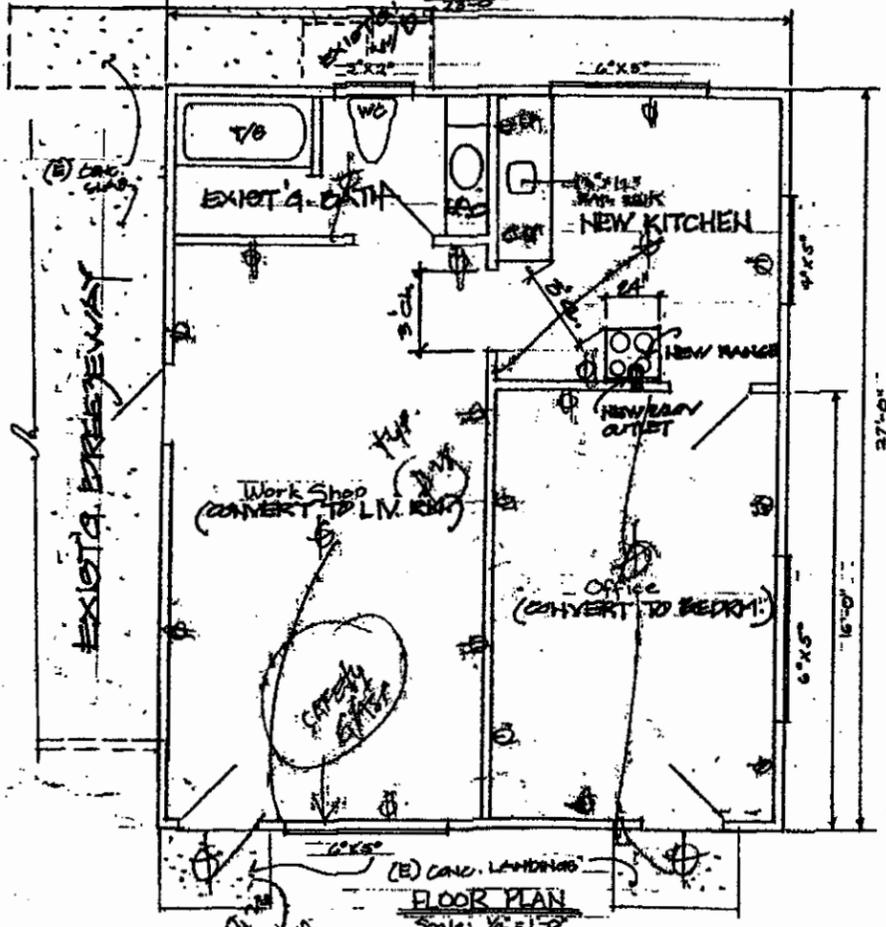
EXHIBIT D



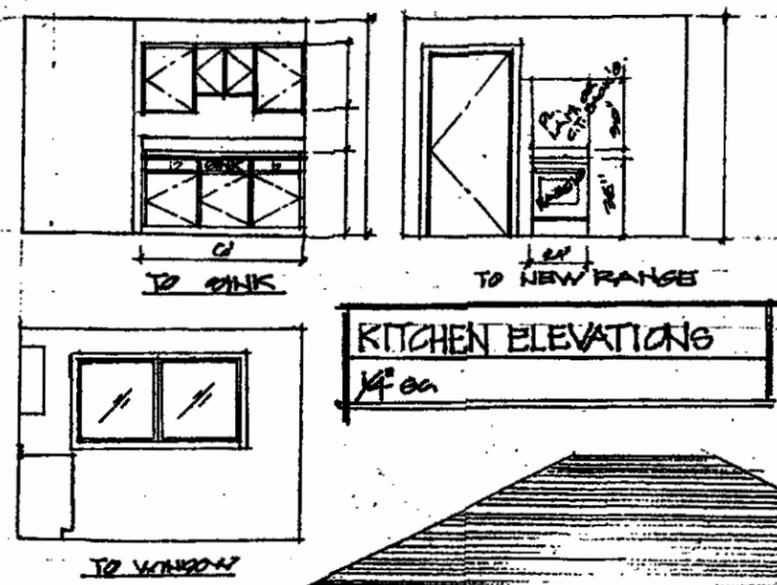
This work was prepared by me
 or under my supervision and
 construction of this project
 will be under my observation.
Nery Hydin
 4/19/11

CONVERSION OF WORKSHOP/STO. TO ARU
ADDITIONAL RESIDENTIAL UNIT FOR GLORIA HILLARD
 TMK: 1-3-004-081
 KEKAHA, KAUAI, HAWAII

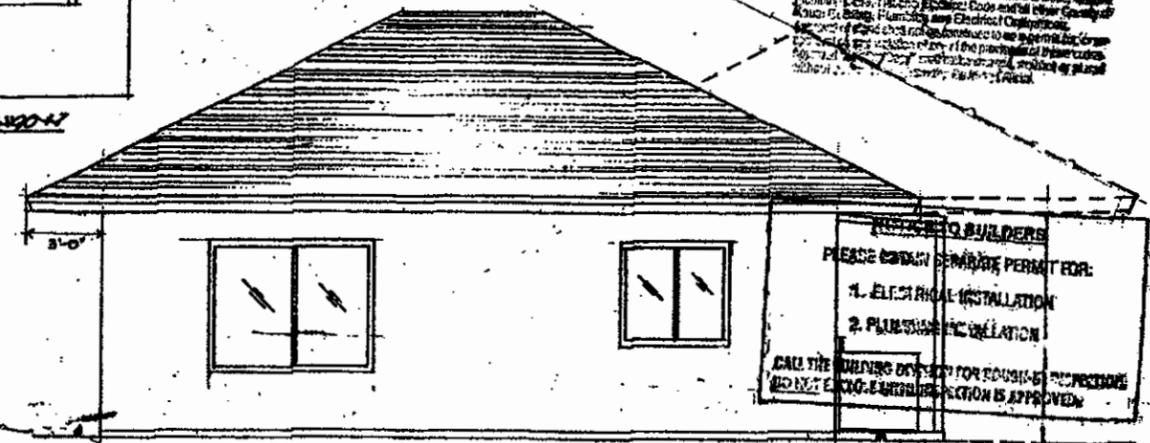
A1



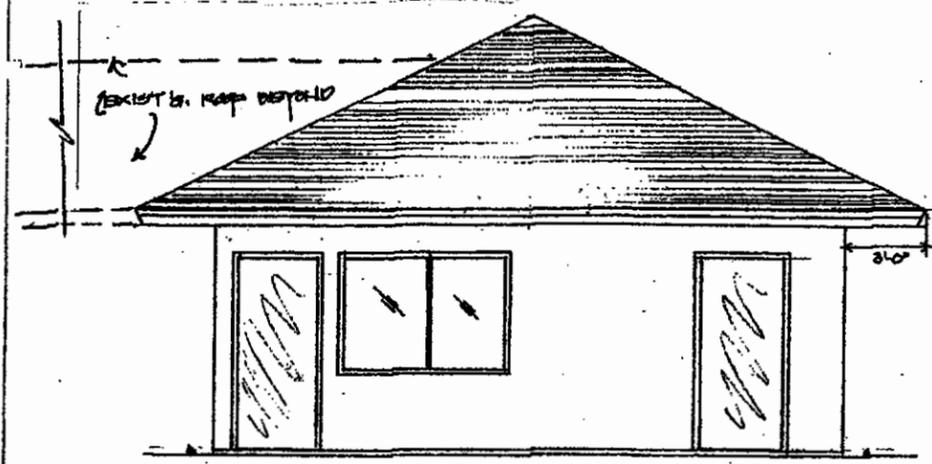
FLOOR PLAN
Scale: 1/4" = 1'-0"



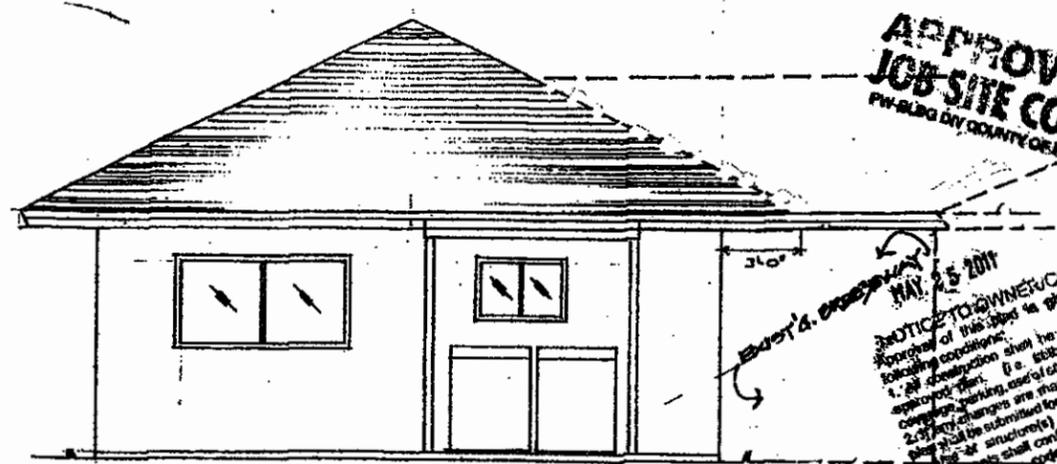
KITCHEN ELEVATIONS
1/4" = 1'-0"



EXISTING RIGHT SIDE VIEW
Scale: 1/4" = 1'-0"



EXISTING FRONT ELEV.
Scale: 1/4" = 1'-0"



EXISTING REAR ELEV.
Scale: 1/4" = 1'-0"

COUNTY OF KAUAI
DEPARTMENT OF PUBLIC WORKS
BUILDING PERMIT NO. 11-879
1/19/11

DEPARTMENT OF PUBLIC WORKS
DIVISION OF BUILDINGS
NOTICE TO OWNER AND CONTRACTOR
BIDDING CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE HAWAIIAN BUILDING CODE AND THE HAWAIIAN ELECTRICAL CODE AND THE HAWAIIAN PLUMBING CODE. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE HAWAIIAN BUILDING CODE AND THE HAWAIIAN ELECTRICAL CODE AND THE HAWAIIAN PLUMBING CODE. ALL WORK SHALL BE DONE IN ACCORDANCE WITH THE HAWAIIAN BUILDING CODE AND THE HAWAIIAN ELECTRICAL CODE AND THE HAWAIIAN PLUMBING CODE.

NOTICE TO BUILDERS
PLEASE OBTAIN PERMIT FOR:
1. ELECTRICAL INSTALLATION
2. PLUMBING INSTALLATION
CALL THE BUILDING DIVISION FOR FURTHER INFORMATION BEFORE ANY CONSTRUCTION IS APPROVED

Certification of Occupancy Required From
Building Division Prior to Occupancy

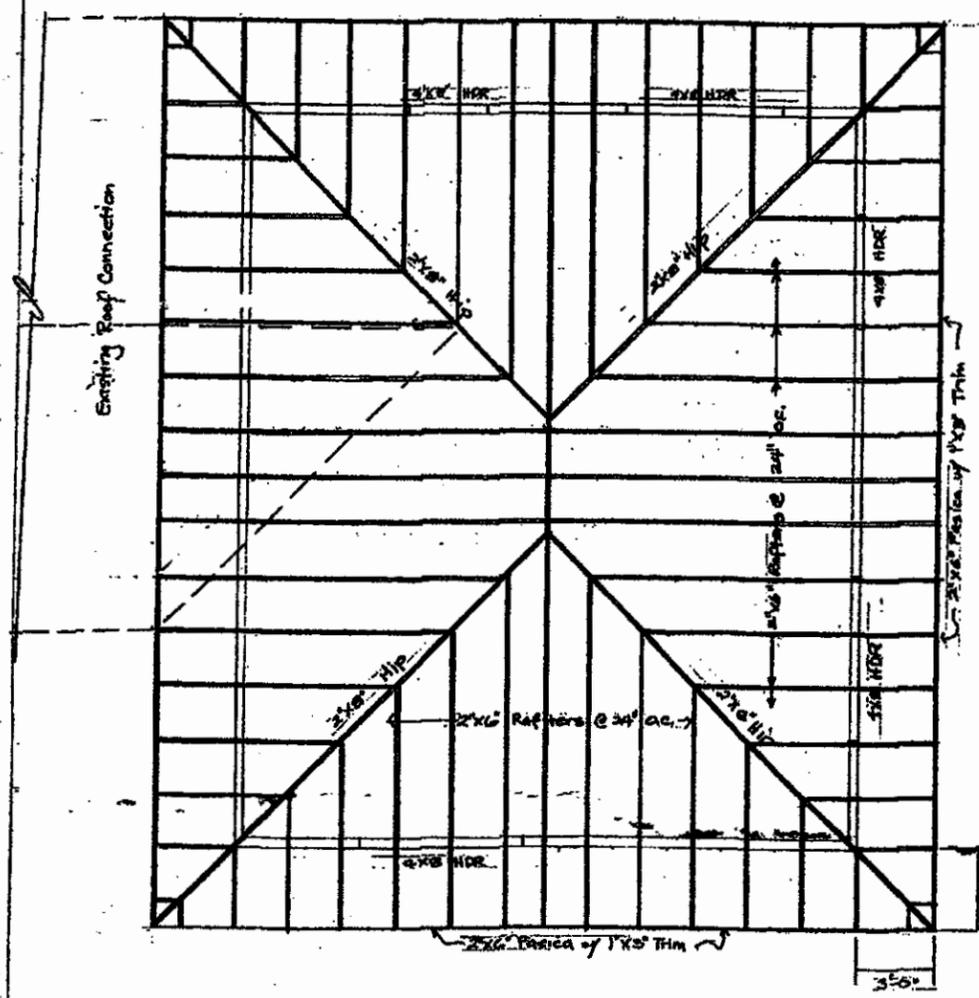
APPROVED
JOB SITE COPY
PW-BLDG DIV COUNTY OF KAUAI

NOTICE TO OWNER/CONTRACTOR
Approval of this job is given subject to the following conditions:
1. All construction shall be in accordance with the applicable codes, rules and regulations of the State of Hawaii, the County of Kauai, and the City of Kekeha.
2. All work shall be done in accordance with the approved plans and specifications.
3. All work shall be done in accordance with the approved plans and specifications.
4. All work shall be done in accordance with the approved plans and specifications.
5. All work shall be done in accordance with the approved plans and specifications.

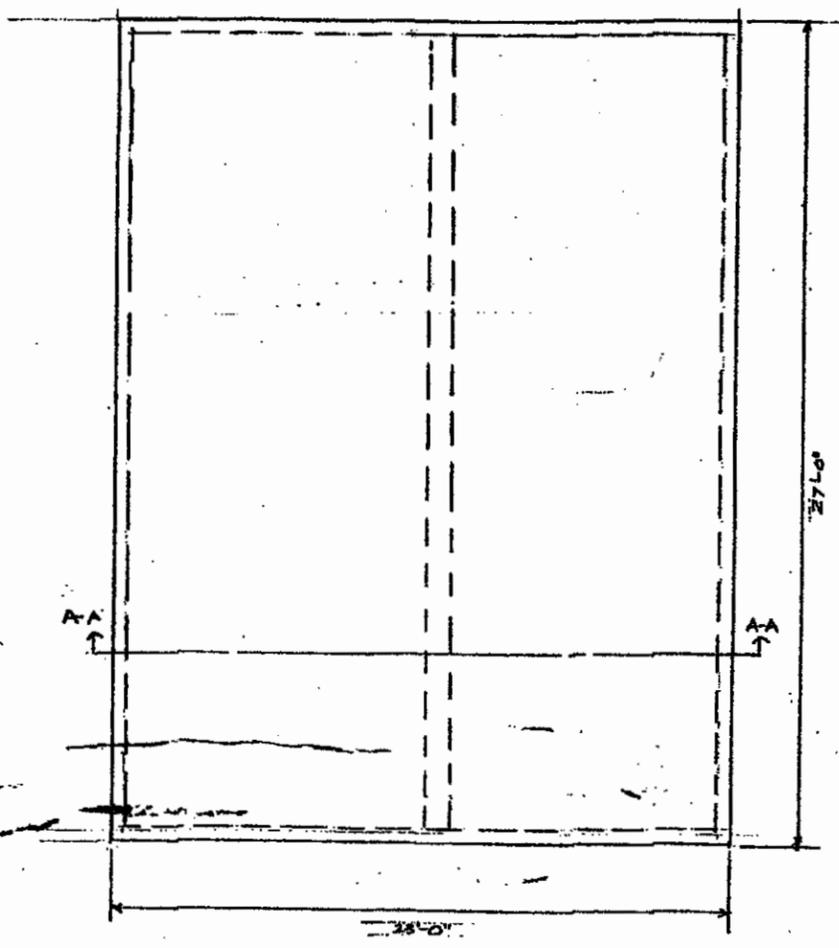


This work was prepared by me or under my supervision and construction of this project was under my observation.
Mervyn H. Young
1/19/11

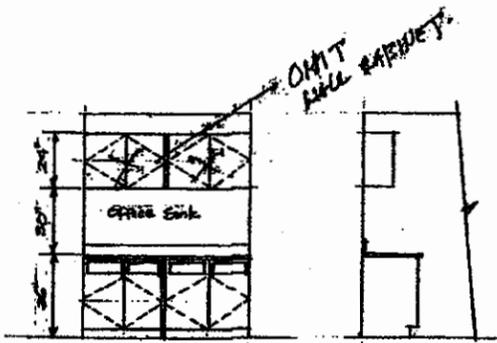
CONVERSION OF WORKSHOP/STO. TO ARI
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TMK: 1-3-004-081
KEKAHA, KAUAI, HAWAII



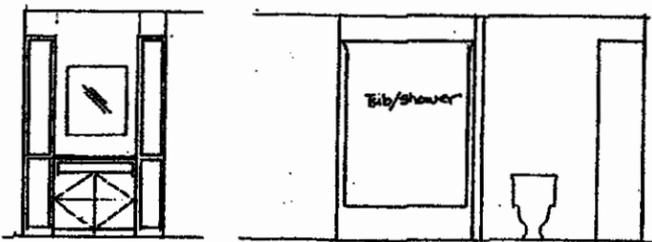
Roof Framing Plan
Scale: 1/4" = 1'-0"



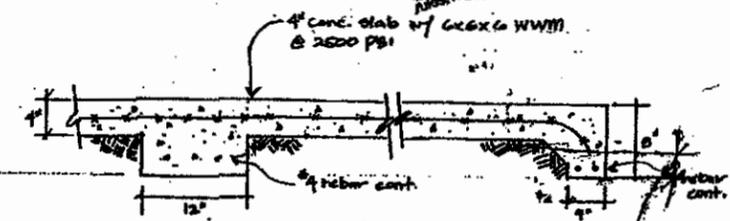
Foundation Plan
Scale: 1/4" = 1'-0"



Counter Elevations
Scale: 1/4" = 1'-0"



BATH BATHROOM ELEVATIONS
1/4" = 1'-0"



A-A Foundation Detail
Scale: 1" = 1'-0"

**APPROVED
JOB SITE COPY**
MADE BY ARCHITECT OR SEAL

MAY 25 2011
NOTICE TO OWNER/CONTRACTOR
Approval of this plan is given subject to the following conditions:
1. All construction shall be in accordance with the approved plan.
2. Any changes to the plan must be approved in writing by the architect.
3. The contractor shall be responsible for obtaining all necessary permits.
4. The contractor shall be responsible for obtaining all necessary insurance.
5. The contractor shall be responsible for obtaining all necessary bonding.
6. The contractor shall be responsible for obtaining all necessary permits.
7. The contractor shall be responsible for obtaining all necessary insurance.
8. The contractor shall be responsible for obtaining all necessary bonding.



This work was prepared by me or under my supervision and construction of this project will be under my observation.
Nery Young
Signature 4/30/10

**CONVERSION OF WORKSHOP/STO. TO ARI
ADDITIONAL RESIDENTIAL UNIT FOR GLORIA HILLARD**
TMK: 1-3-004:081
KEKAHA, KAUAI, HAWAII

12
A 3