



PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201 <u>9-32</u>	
Acceptance Date:	<u>2.1.19</u>
Website Posting Date:	<u>2.5.19</u>
Determination Date:	<u>2.1.19</u>
Planning Commission Date:	<u>NA</u>
Expiration Date:	<u>2.1.20</u>
Planner Assigned:	<u>JL</u>

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:	<u>Ronald F. Burke</u>
Mailing Address:	<u>1051 Eastwood Dr</u> <u>Los Altos, CA 94024</u>
Phone:	<u>650-823-4683</u>
Email:	<u>ron.glo@sbcglobal.net</u>
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: _____	

Project Information (attach additional sheets, if necessary)	
County Zoning District: <u>RR-20</u>	Tax Map Key(s): <u>(4)-5-4-12-11-25</u>
	Land Area: <u>8.06 acres</u>
Nature of Development: (Description of proposed structure or subdivision)	<u>interior renovations of existing Pu'u Poa Condominium</u>

**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.

1. Property is Abutting the Shoreline
 - Proposed project's approximate distance from shoreline (based on aerial map): 179 ft.
2. Property is Not Abutting the Shoreline
 - Proposed project's approximate distance from shoreline (based on aerial map): _____ ft.
3. Additional Information:
 - Shoreline Change (Erosion/Accretion) Rate: _____ ft./year
(Information available here: www.soest.hawaii.edu/coasts/kauaicontry/KCounty.html)
 - Number and description of parcels (including roads, buildings, structures) between Shoreline and this parcel:



PLANNING DEPARTMENT
SHORELINE SETBACK APPLICATION

- Topography (including, flat slopes, etc.) and ground elevation of subject parcel (lowest and highest elevations)

slopes 0 to 2%

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

beach, dune, decomposed lava

- Are totally armored Shoreline

If checked, what type of armoring (e.g. sea wall, revetment, bulkhead) _____

Is the armoring permitted/authorized? _____

Date of authorization (attach copy of authorization letter): _____

- Is property in coastal floodplain (if checked, what zone)? AE1000 VE IV flood zone

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

coastal erosion, sea level fluctuations

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

Paul W. [Signature] 2-1-19

Signature

Date

Applicability (to be completed by Planning Department)

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

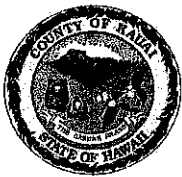
Setback Determination NOT necessary. Requirements of Ordinance No. 979 are not applicable.

[Signature]

2/1/19

Signature of applicant or designee

Date



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

- 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) BP18-00002209

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

Those structures and uses found exempt in Table 3 (§8-27.7) including repairs and renovations that **DO NOT** enlarge or expand a nonconforming structure. (see pg. 7)

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

Date

Additional comments/conditions:

← 179.89' →

WELCOME, BOB MIDDLETON
October 25, 2018 - 2:15 PM

SEARCH RECENTS Search History

Bob DASHBOARD SEARCH

- Search for Listings
- Create a CMA
- Get Listing Update
- Get Parcel Update
- Search Open House
- Search Roster
- Search My Contacts
- Search Business
- Search Licensees
- Search Condo Guide
- Search Prospect Matches

CONTACTS LISTINGS MARKET

Measure Draw Action Go To

179.89 feet
 English Metric Clear

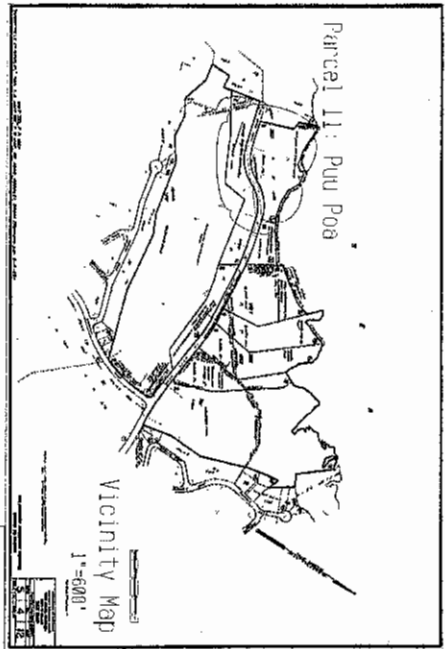
4-5-4-11 4-5-4-12

Request: TMK Taxkey 4-5-4-12-11

More Count Modify Hide Map Copy Print E-mail Basket PDF New Search

Layers and Legends
 Save as default
Base Layers - choose one
 Standard
 Legend for Standard
Optional - choose any
 Aerial Imagery
 Annual Rainfall
 Contour Lines
 Elementary School Districts
 Fire Stations
 High School Districts
 Highway Mile Markers
 Highways and Streets
 Historic Lava Flows
 Hospitals
 House Numbers
 Kilauea
 Lifeguard Towers
 Parcel Numbers
 Public School Locations

esri



BUILDING PERMIT APPLICATION COMPLIANCE WITH REQUIREMENTS

For individual and commercial building permit applications, the applicant must submit the following information to the Department of Planning and Economic Development, Building Department, 1000 Kalia Road, Suite 1000, Honolulu, HI 96813, Phone: (808) 551-4100. The information must be submitted in accordance with the Building Code and the Department's Building Code Enforcement Rules and Regulations.

CONTRACTOR INFORMATION

NAME: SCHWEITZER ARCHITECTS
ADDRESS: 1011 KALAEHO, KAUAI, HAWAII 96741
PHONE: (808) 639-4457

DESIGNER INFORMATION

NAME: Ronald F. Burke
ADDRESS: 5454 KA HAKU RD #211, PRINCEVILLE, HAWAII 96701
PHONE: (808) 835-1111

PROJECT INFORMATION

PROJECT NAME: TRIVULONI SOLID ROOF AT PUA PUA 211
PROJECT ADDRESS: 5454 KA HAKU RD #211, PRINCEVILLE, HAWAII 96701

REGULATORY AGENCIES

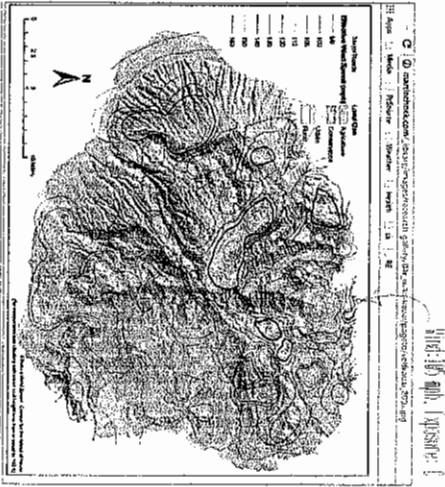
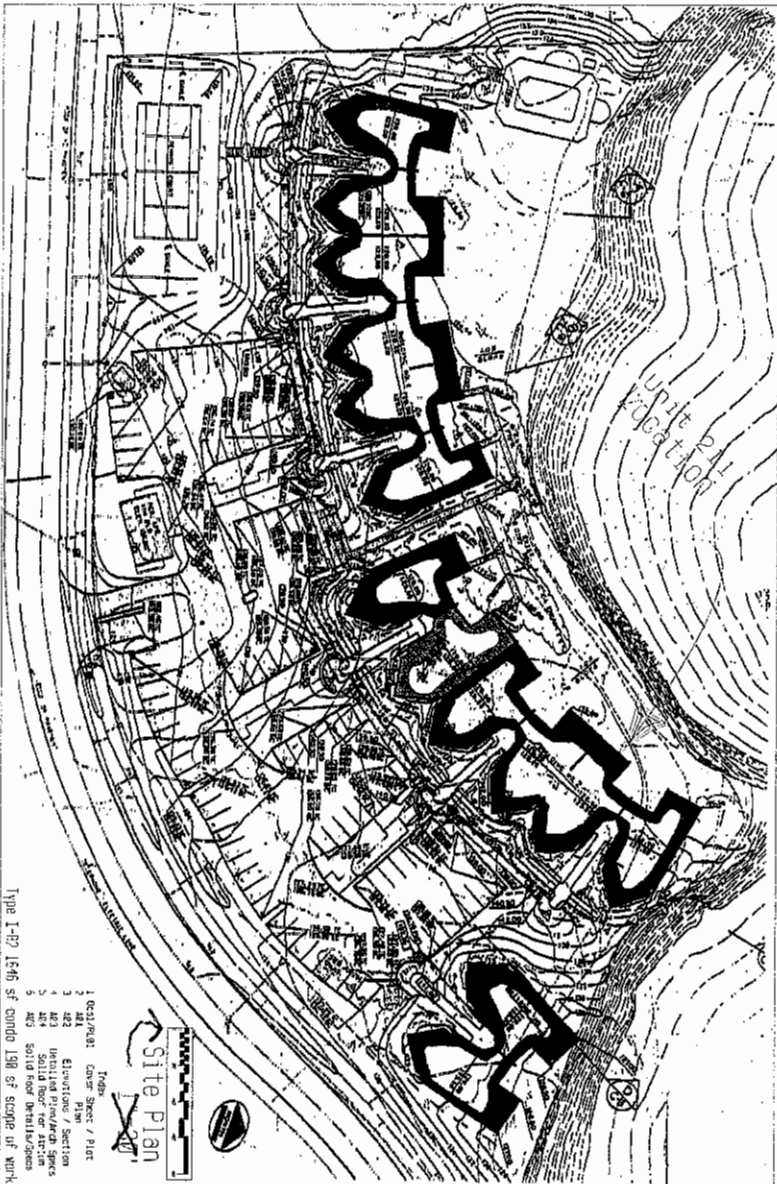
AGENCY: STATE OF HAWAII
OFFICE: DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

APPLICANT INFORMATION

NAME: Ronald F. Burke
ADDRESS: 5454 KA HAKU RD #211, PRINCEVILLE, HAWAII 96701
PHONE: (808) 835-1111

REMARKS

SEE SHEET 1 OF 6



TRIVULONI solid roof at Puu Poa 211 for:
 Ronald F. Burke at 5454 Ka Haku Rd #211, Princeville, Manalei, Kauai, Hawaii
SCHWEITZER-ARCHITECTS
 Post Office Box 1011 Kalaeo, Kauai Hawaii 96741

TRK: 415-4-12 11-25
 TELEPHONE: (808) 639-4457

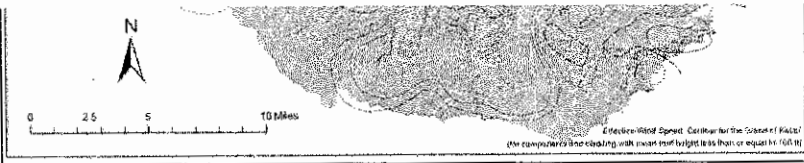
DATE: 11/11/00
 TIME: 10:00 AM

100% COMPLETE

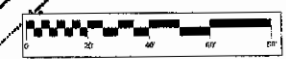
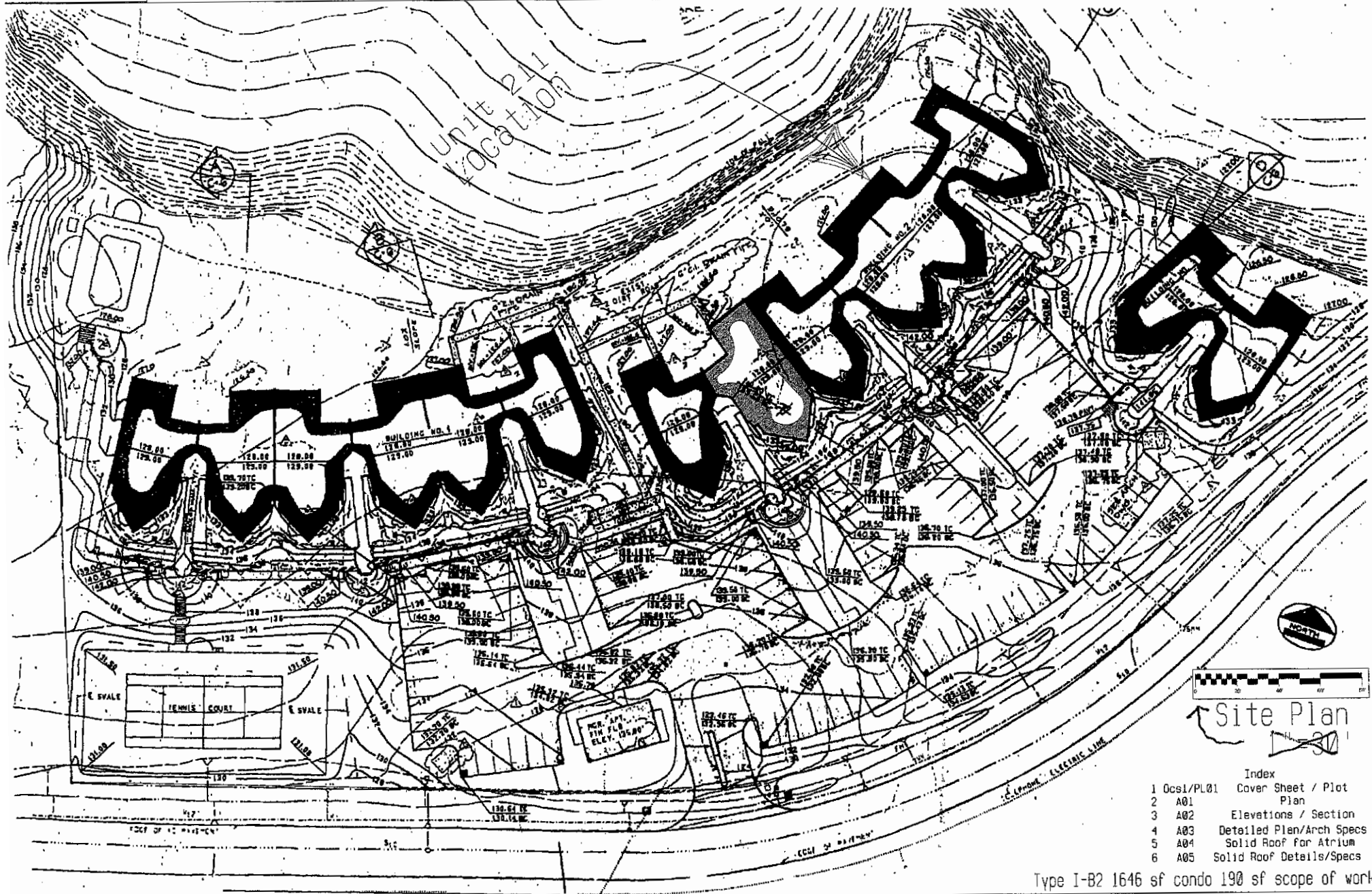
1 of 6

1"=600'

5	4	2
---	---	---



Locatir



Site Plan

Index

1	0csl/PL01	Cover Sheet / Plot
2	A01	Plan
3	A02	Elevations / Section
4	A03	Detailed Plan/Arch Specs
5	A04	Solid Roof For Atrium
6	A05	Solid Roof Details/Specs

Type I-B2 1646 sf condo 190 sf scope of work

Bernard P. Carvalho Jr.
Mayor



Lyle Tabata
Acting County Engineer

Wallace G. Rezentes Jr.
Managing Director

DEPARTMENT OF PUBLIC WORKS

County of Kaua'i, State of Hawai'i

4444 Rice Street, Suite 275, Lihu'e, Hawai'i 96766
TEL (808) 241-4992 FAX (808) 241-6604

November 15, 2018

Ronald Burke
1051 Eastwood Drive
Los Altos CA 94024

Subject: SHORELINE SETBACK APPLICATION
SUBSTANTIAL IMPROVEMENT DETERMINATION
INTERIOR RENOVATIONS TO UNIT 211 – PU'U PO'A CONDOS BLDG 2
TMK (4) 5-4-012: 011-0025 PW 11.18.016

Dear Mr. Burke,

The Kaua'i 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 metal roof installation to Unit 211 in Building 2 of the Pu'u Po'a Condominiums. 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 eight (8) other building permits approved for the structure within the past ten years. Because the first permit was approved in 2011, the market value used in the calculations is the 2011 Replacement Cost New Less Depreciation (RCNLD) value for the structure as determined by County's Real Property Assessment Division. The 2011 RCNLD was determined to be \$10,854,314. 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).

Cost of Improvements

The cost of improvements for previous building permits are taken from the valuations shown in DPW Building Division records. We reviewed the cost estimate prepared by Michael Ladner, Inc. that is dated October 14, 2018. The total cost of installing a standing seam metal roof over the existing aluminum skylight frame was estimated to be \$18,000. The total cost of improvements is summarized as follows for the past 10 years:

BP 11-1559	\$30,000.00
BP 11-2062	\$20,000.00
BP 12-1298	\$120,000.00
BP 15-0611	\$90,000.00
BP 15-1690	\$5,400.00
BP 16-1049	\$500,000.00
BP 16-1496	\$35,000.00
BP 17-2139	\$49,940.80
CURRENT BP 18-2209	\$18,000.00
TOTAL COST	\$868,340.80

Summary

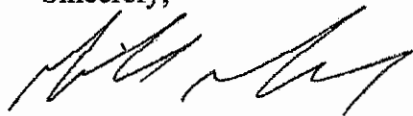
The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$868,340.80}{\text{Market Value (Real Property): } \$10,854,314} = 0.07999 \text{ or } 8.0\%$$

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

Concur,



LYLE TABATA
Acting County Engineer

MM/SI

Copy: Design and Permitting
Planning