

**PLANNING DEPARTMENT  
SHORELINE SETBACK APPLICATION**

FOR OFFICIAL USE ONLY:	
SSD 201 <u>8</u> - <u>40</u>	
Acceptance Date:	<u>3-13-18</u>
Website Posting Date:	<u>3-14-18</u>
Determination Date:	<u>3-13-18</u>
Planning Commission Date:	<u>3-27-18</u>
Expiration Date:	<u>3-27-19</u>
Planner Assigned:	<u>JZ</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:	<b>SCOTT MORISON C/O PERMIT SERVICES</b>
Mailing Address:	305 KIHAPAI STREET KAPAA, 96746
Phone:	808 346-7833
Email:	permitservice@gmail.com
Applicant's Status: (Check one)	
<input 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 <b>unexpired and recorded</b> 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 checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date:	March 5, 2018

Project Information (attach additional sheets, if necessary)	
County Zoning District:	R-4
Tax Map Key(s):	455005003
Land Area:	9,656 SQ. FT.
Nature of Development: (Description of proposed structure or subdivision)	ONE SINGLE FAMILY RESIDENCE W/ DETACHED STORAGE, DETACHED GARAGE, POOL, AND FENCE

**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  
 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): 386 ft.
- Additional Information:  
 Shoreline Change (Erosion/Accretion) Rate: Accretion 1.8 ft./year  
 (Information available here: [www.soest.hawaii.edu/coasts/kauaicony/KCounty.html](http://www.soest.hawaii.edu/coasts/kauaicony/KCounty.html))  
 Number and description of parcels (including roads, buildings, structures) between Shoreline and this parcel:

**3 PARCELS: WEKE ROAD, Lot 11, WAIOLI PARK**



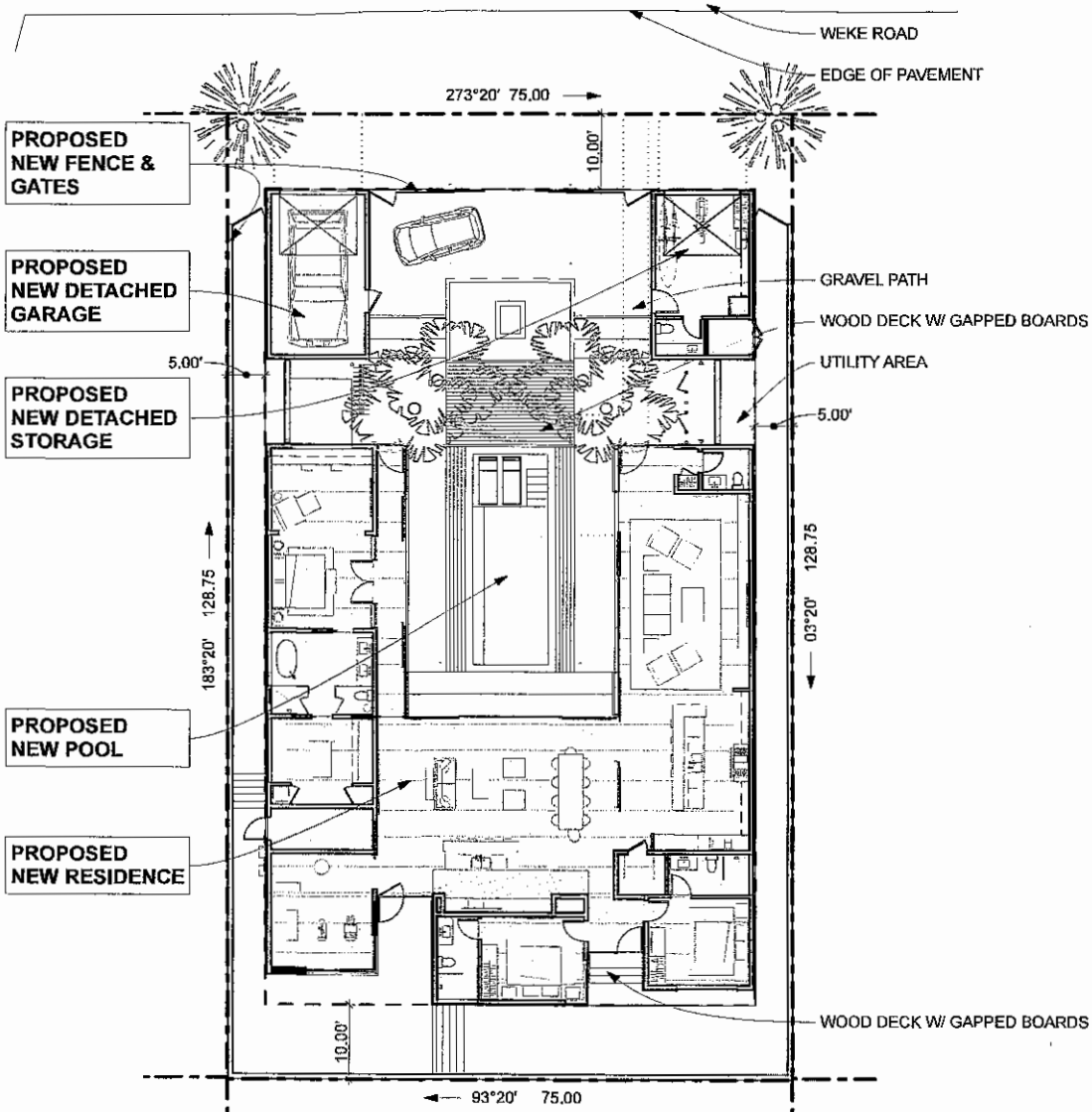


# PLANNING DEPARTMENT SHORELINE SETBACK DETERMINATION

## 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).

<b>Exemption Determination (to be completed by Planning Department)</b>	
<input checked="" type="checkbox"/>	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.
<input type="checkbox"/>	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)
<input type="checkbox"/>	Additional comments/conditions:
<div style="text-align: center;">            _____            Planning Director or designee         </div>	<div style="text-align: center;">            _____            Date         </div>



**LEGEND - SITE PLAN:**

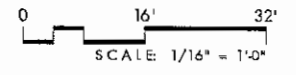
- PROPERTY LINE
- SETBACK LINE
- ▨ WOOD DECK W/ GAPPED BOARDS
- ▭ (N) STRUCTURES
- ▭ (N) HARDSCAPE, S.L.D.
- ☉ PALM TREE, SINGLE TRUNK, +50' TALL, COCONUT PALM (COCOS NUCIFERA)
- ☉ DWARF PALM TREE, MULTI-TRUNK, +8' TALL (PHOENIX ROEBELENI)

**WALKER  
WARNER**

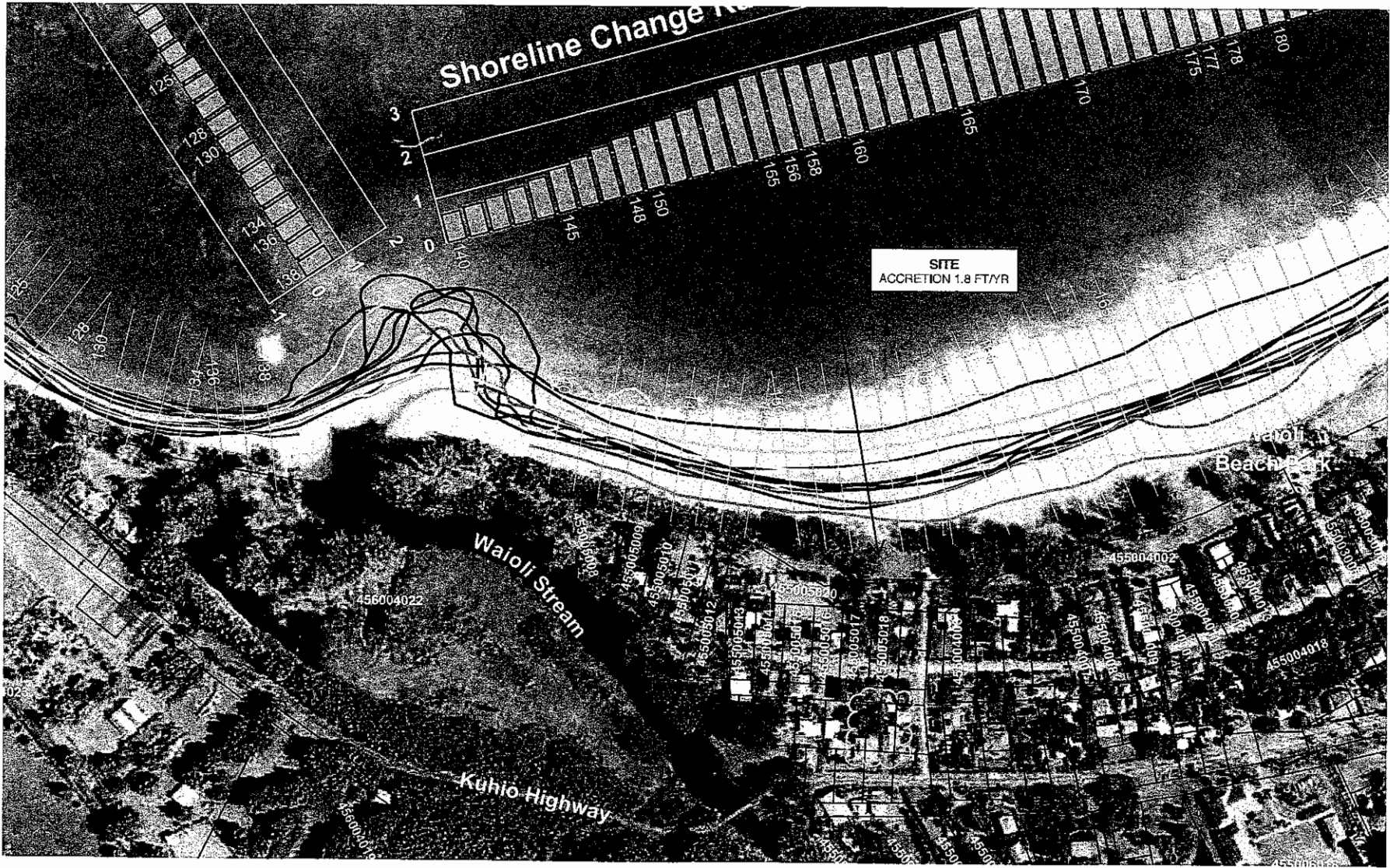
**WAHI LANI**  
HANAIEI, HAWAII



Site Plan  
MARCH 5, 2018







**WALKER  
WARNER**

**WAHILANI**  
HANALEI, HAWAII

Erosion Rate Map  
MARCH 5, 2018

December 26, 2017

County of Kauai  
Planning Department  
444 Rice Street, Suite 473  
Lihue, HI 96766

**Subject: Shoreline Setback Application and Building Permit Application Lot 15 at Waipa,  
Hanalei, Kauai, Hawaii (5515 Weke Road)  
TMK # 5-5-05:3**

To Whom It May Concern:

This is to inform you that the undersigned is the fee owner of the subject parcel of land and hereby authorizes Debbie Freeman to act as the authorized agent for matters concerning the above referenced action.

Sincerely,

  
property owner

Dec. 22/17  
date

Scott Morison  
3877 West 34th Avenue  
Vancouver, British Columbia V6N 2L2  
Canada