

PLANNING DEPARTMENT SHORELINE SETBACK APPLICATION

FOR OFFICIAL USE ONLY:	
SSD 201 <u>9</u> - <u>19</u>	
Acceptance Date:	10.11.19
Website Posting Date:	10.12.18
Determination Date:	10.11.18
Planning Commission Date:	NA
Expiration Date:	10.11.19
Planner Assigned:	J6

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. **prev. SSD-2018-27**

Applicant Information	
Applicant:	ANINI BEACH HALE LLC
Mailing Address:	1100 ALAKEA ST. SUITE 2500 HONOLULU, HI. 96813
Phone:	212-4006 826-4699
Email:	scombs@princeville.com schaller@aloha.net
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 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 checked="" type="checkbox"/> Authorized Agent	Attach Letter of Authorization
Transmittal Date:	<u>10-08-18</u>

Project Information (attach additional sheets, if necessary)	
County Zoning District:	<u>open</u>
Tax Map Key(s):	<u>(4) 5-3-007:006</u>
Land Area:	<u>32,813 SF</u>
Nature of Development: (Description of proposed structure or subdivision)	REPLACE EXISTING ROOF, ADD ENTRY PORCH, REPLACE DOORS and WINDOWS, REPLACE PLUMBING FIXTURES, REPLACE ELECTRICAL

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

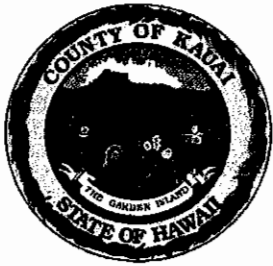
Part A

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 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 ft.
 - Number of parcels and type of improvements (roads, buildings, structures) between Shoreline and this parcel:

ANINI ROAD IS BETWEEN PROJECT, AND SHORELINE. PRCEL INCLUDES ANINI ROAD



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Planner Assigned:	

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

3FT AMSL TO 6FT AMSL

- 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)? VE 11

- 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).

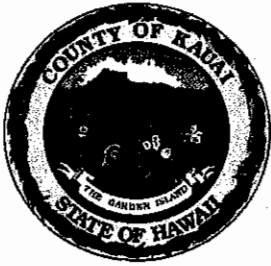
Applicant's Signature

10-08-18

Signature

Date

Applicability (to be completed by Planning Department)	
<input checked="" type="checkbox"/>	Setback Determination necessary. Requirements of Ordinance No. 979 are applicable.
	10-11-18
Planning Director 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.

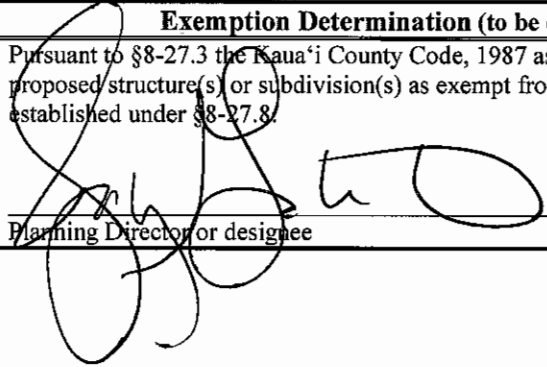
Part B

Exemption Determination

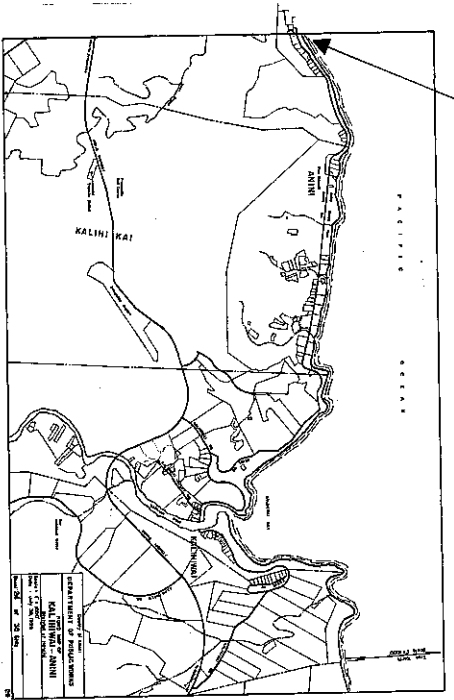
- A non-refundable processing fee of **one hundred dollars (\$100.00)** shall accompany a request for determination. (§8-27.8(e))
- Exemption 1**
In cases where the proposed structure or subdivision satisfies the following four criteria:
(A) In cases where the proposed structure or subdivision is located 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.

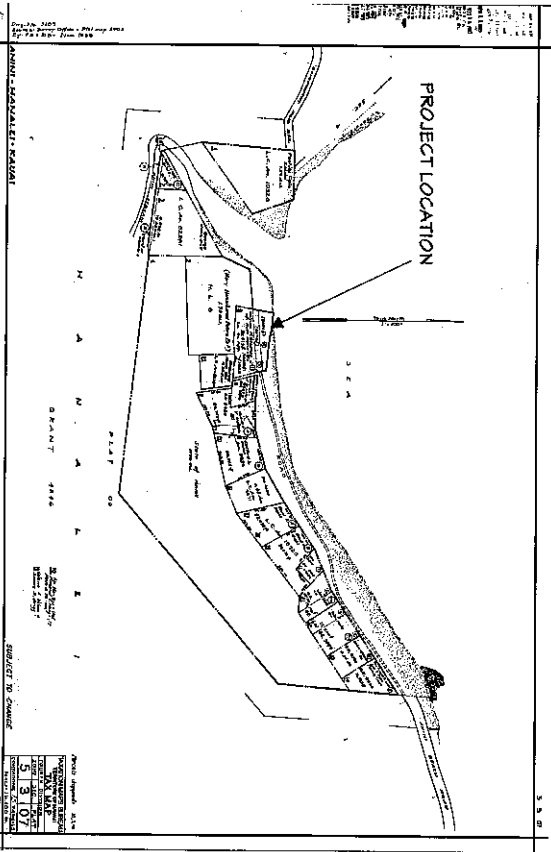

Planning Director or designee

10.11.18
Date



PROJECT LOCATION

LOCATION MAP

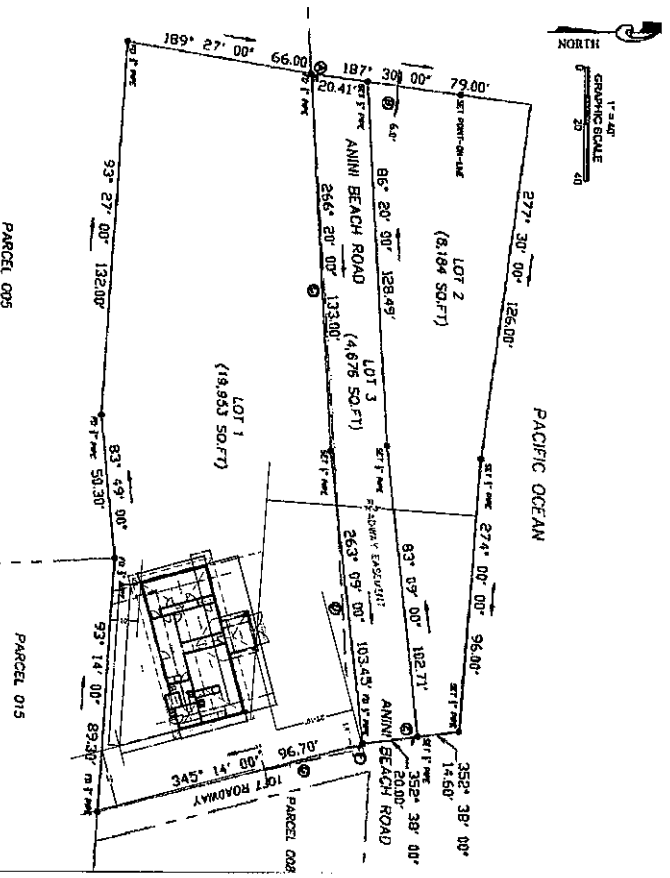


VICINITY MAP

- SCOPE OF WORK:**
- REMOVE EXISTING ROOF
 - REPLACE WITH NEW TRUSSES AND RAFTERS
 - ADD ENTRY PORCH
 - REPLACE PLUMBING
 - REPLACE ELECTRICAL
 - REPLACE DOORS

COUNTY OF KAUAI
 CHAPTER 12, LAND USE ORDINANCE
 KAUAI COUNTY CODE, TITLE 45, ADMINISITRATIVE
 ARTICLE 6 - ZONING CODES
 Section 12.0.3 Modification of International Energy Conservation Code (IECC)
 Section 12.0.7 Local Amendments to the IECC
 Signature: _____ Date: 03/11/17
 Name: MATTHEW SCHALLER
 Title: ARCHITECT
 License No.: AR-24193

- PROJECT DATA:**
- LOT AREA 32,813 SF
 - FLOOR AREA 1,357 SF
 - ENTRY PORCH 780 SF
 - SLAB 636 SF
 - TOTAL COVERAGE 2,773 SF 8.5%



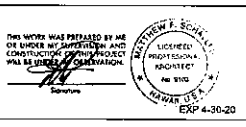
SITE PLAN

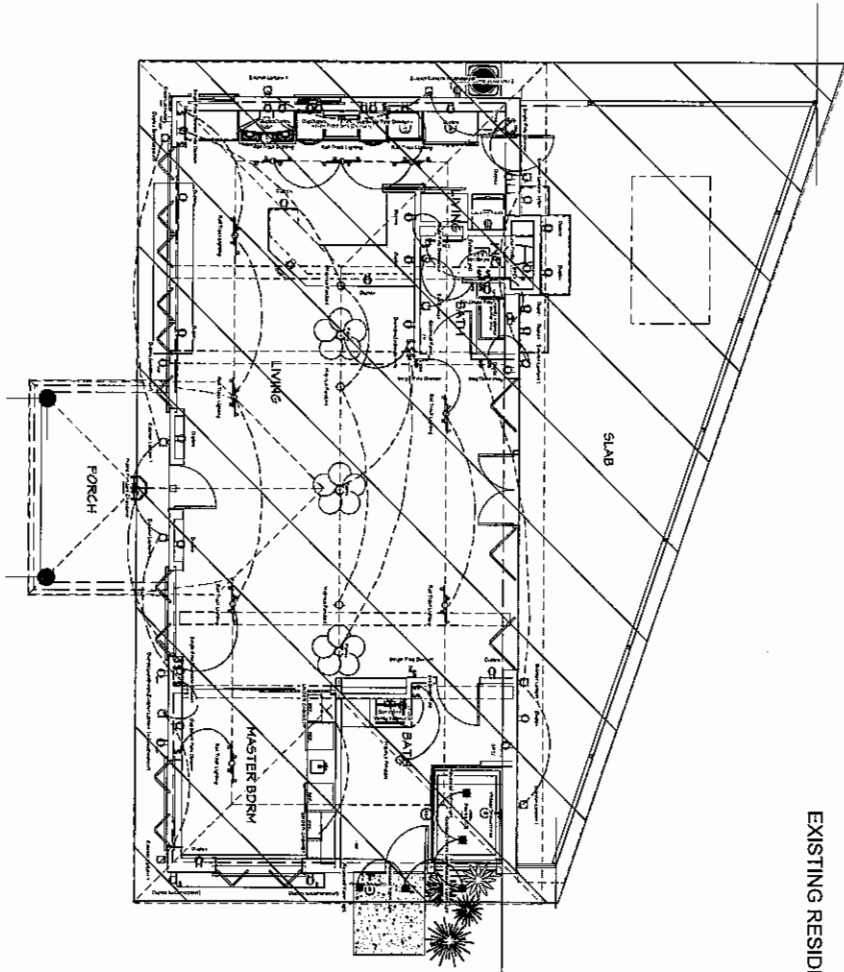
SCALE 1"=200'

SP-1

SITE PLAN
 LOCATION MAP
 VICINITY MAP

MATTHEW SCHALLER, ARCHITECT INC.
 P.O. BOX 120 HANAIEI, KAUAI, HAWAII 96714 (808) 826-4699; FAX 826-9697
 ANINI BEACH HALE MODIFICATIONS
 TMK 5-3-007:006; 4371 ANINI ROAD

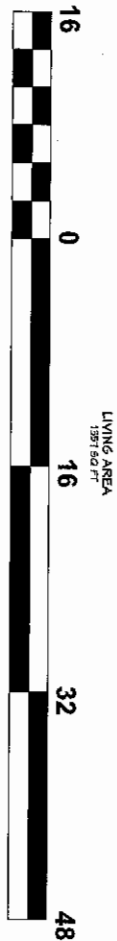




EXISTING RESIDENCE (HATCHED)

NEW FLOOR PLAN

SCALE 1/8"=1'-0"



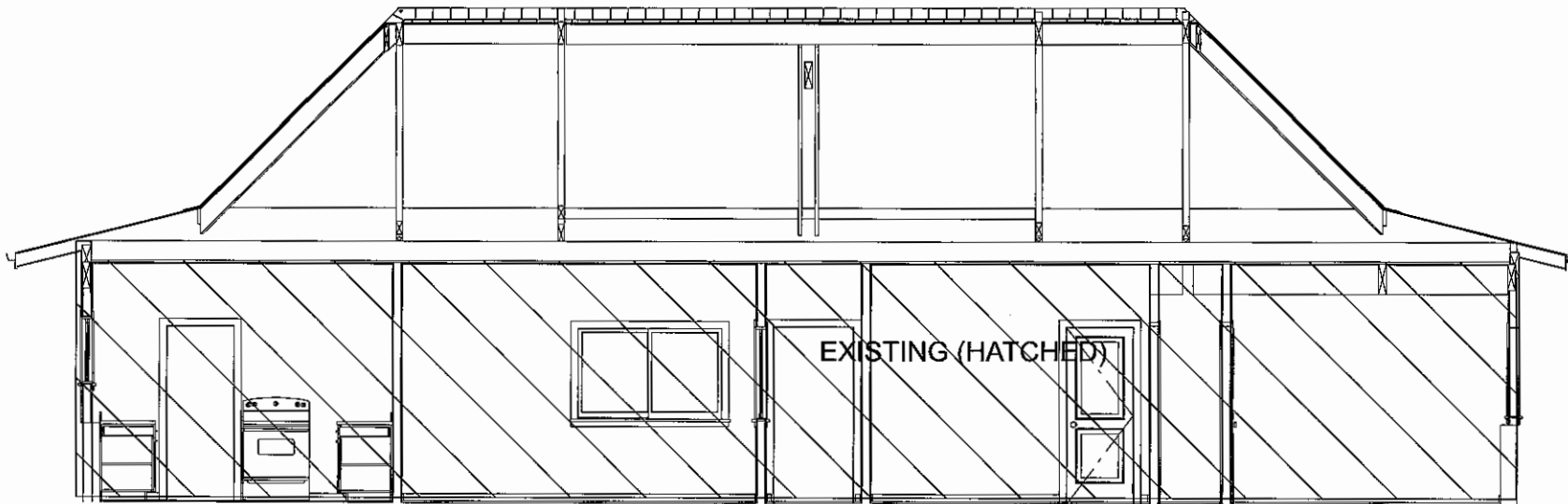
A1.1

FLOOR PLAN

MATTHEW SCHALLER, ARCHITECT INC.
 P.O. BOX 120 HANALEI, KAUAI, HAWAII 96714 (808) 826-4699; FAX 826-9697
 ANINI BEACH HALE MODIFICATIONS
 TMK 5-3-007:006; 4371 ANINI ROAD

THIS SET WAS PREPARED BY ME OR UNDER MY SUPERVISION AND CONSTRUCTION OF THIS PROJECT HAS TO MY KNOWLEDGE AND BELIEF BEEN ACCORDING TO THE REQUIREMENTS OF THE HAWAIIAN ARCHITECTURE ACT.

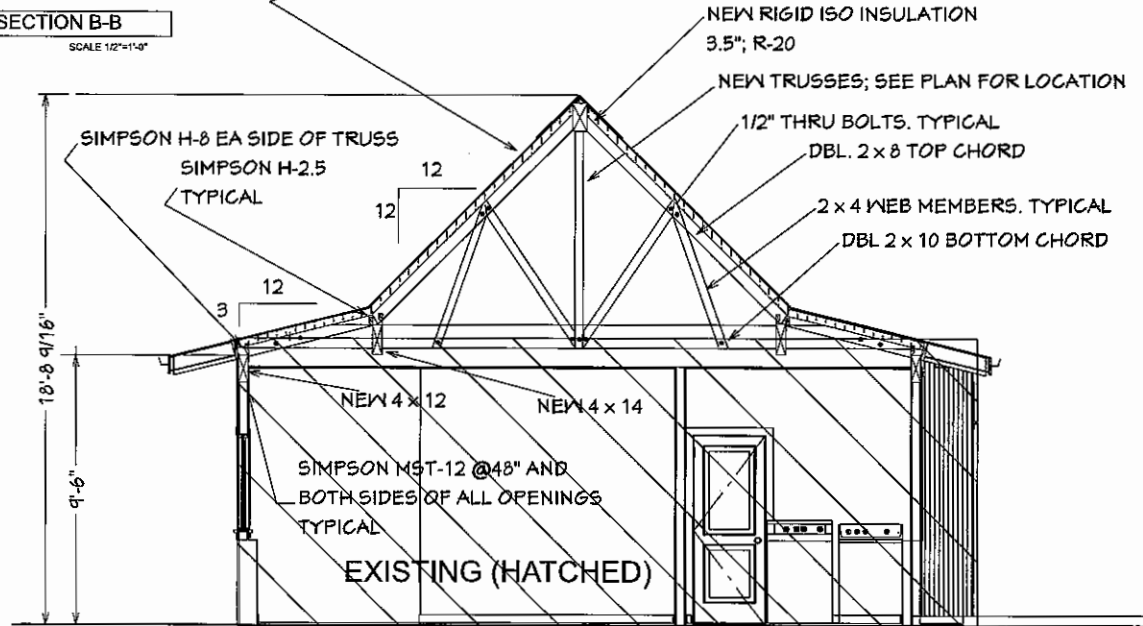




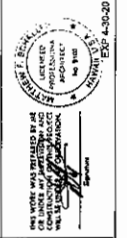
EXISTING (HATCHED)

COMPOSITION ROOFING ON 5/8" PLY

SECTION B-B
SCALE 1/2"=1'-0"



SECTION A-A
SCALE 1/2"=1'-0"



ATTHEW SCHALLER, ARCHITECT INC.
K 120 HANAIELE, KAUAI, HAWAII 96714 (808) 826-4699; FAX 826-8697
UNINI BEACH HAILE MODIFICATIONS
TMK 5-3-007-006; 4371 ANINI ROAD

SECTIONS
08-26-18

A-2

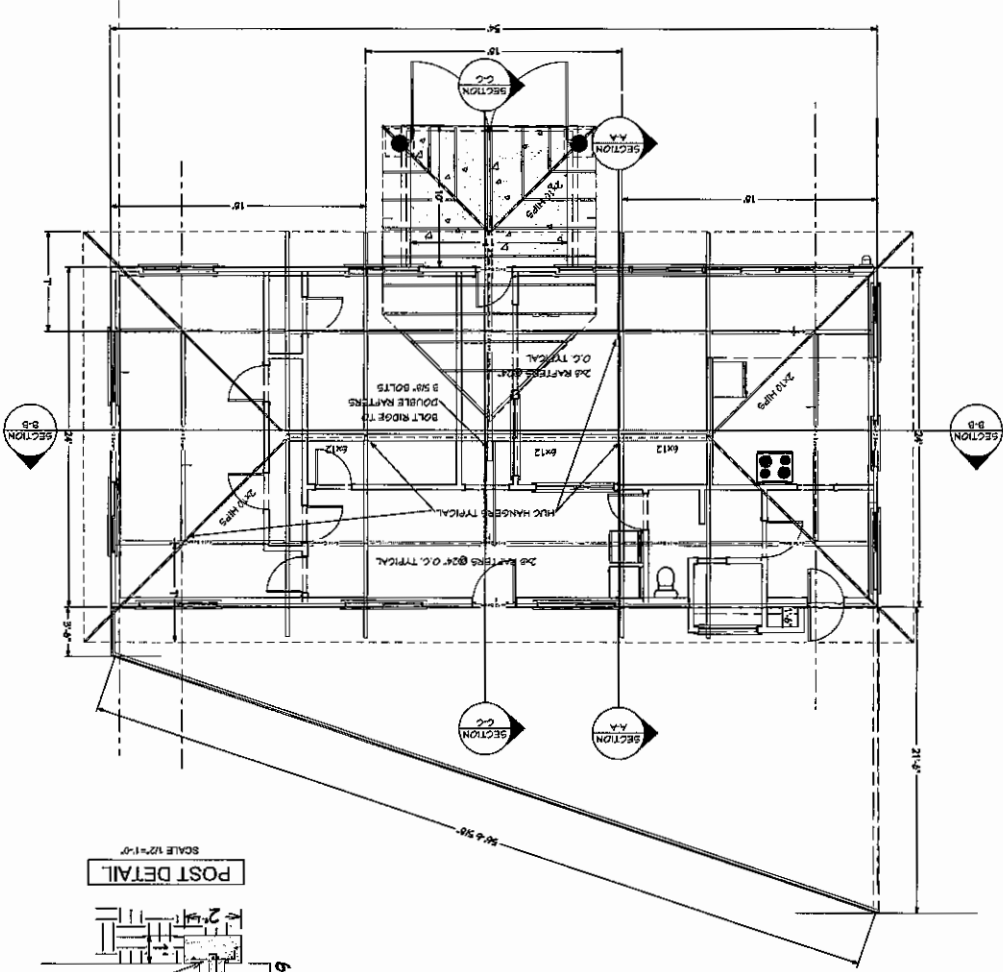
A-3

08-29-18

ROOF FRAMING PLAN
SECTION
DETAILS
MATTHEW SCHALLER, ARCHITECT INC.
120 HANAHEI KAUAU, HAWAII 96714 (808) 828-6599; FAX 828-9897
NINI BEACH HALE MODIFICATIONS
TMK 5-3-007:006; 4371 ANINI ROAD

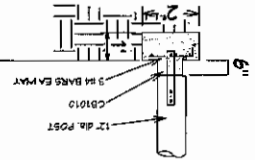
ROOF FRAMING PLAN

SCALE 1/4"=1'-0"



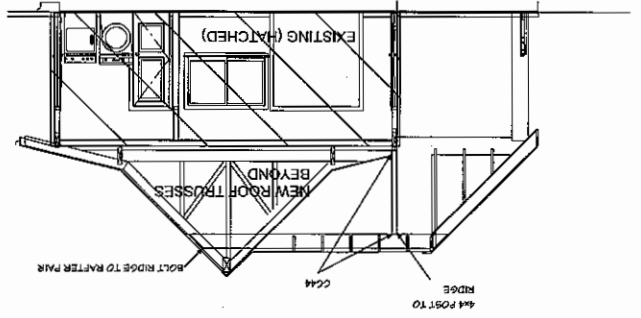
POST DETAIL

SCALE 1/2"=1'-0"



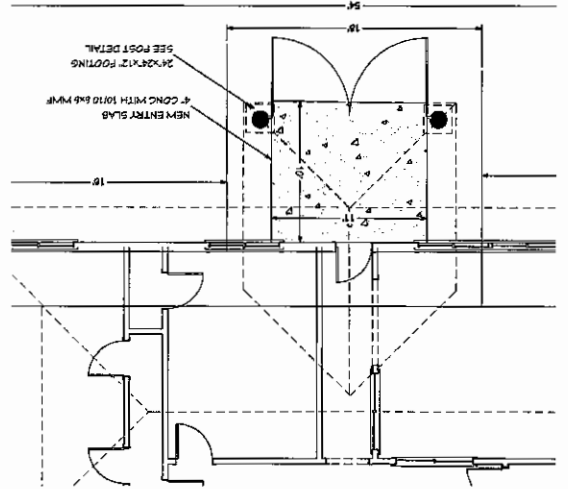
SECTION C-C

SCALE 1/4"=1'-0"



ENTRY PLAN

SCALE 1/4"=1'-0"



THIS WORK WAS PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED ARCHITECT IN THE STATE OF HAWAII.

MATTHEW SCHALLER, ARCHITECT INC.
LICENSED ARCHITECT
NO. 1000
HAWAII
EXP. 4-30-20

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

September 28, 2018

Matthew Schaller, AIA
P.O. Box 120
Hanalei HI, 96714

Subject: SHORELINE SETBACK APPLICATION
SUBSTANTIAL IMPROVEMENT DETERMINATION (REVISED)
'ANINI BEACH HALE LLC, REPLACE EXISTING ROOF, ADD ENTRY PORCH
TMK: (4) 5-3-007:006

PW 08.18.125

Dear Mr. Schaller;

This letter is in response to your letter dated August 29, 2018 in which you reported that due to the existing condition of the structure the owner needed to do additional repairs. You submitted with the letter a revised cost estimate and an appraisal for the subject property.

The Department of Public Works (DPW) in a letter to you dated November 30, 2017 stated that it had performed a Substantial Improvement Determination (SID) for the proposed improvements under Building Permit Application No. 17-2332 and determined that the proposed improvements did not constitute a substantial improvement. The SID was based on a cost estimate of \$49,424 prepared by general contractor Michael Lander dated November 4, 2017. The SID used a market value for the structure of \$107,900 that was provided by the County's Real Property Office.

Because there has been a change in the scope of work, DPW has performed a new SID and has determined that the proposed improvements do not constitute a substantial improvement. A summary of the calculations follows.

Market Value

There were no building permits approved for the structure within the past 10 years. Therefore, the market value used in the calculations is the current Replacement Cost New Less Depreciation (RCNLD) value for the structure as determined by the licensed appraiser Andrew Vea. Mr. Vea set the RCNLD value for the structure at \$253,193

Anini Beach Hale LLC
Shoreline Setback Application – Substantial Improvement Determination
September 28, 2018

Cost of Improvements

The total cost of improvements was estimated to be \$103,645. A cost estimate was prepared by general contractor Michael Lander and was submitted with a contractor's affidavit to the Engineering Division.

Summary

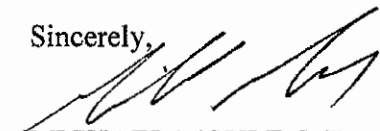
The cost of improvements compared to the market value is:

$$\frac{\text{Cost of Improvements (past 10 years): } \$103,645}{\text{Market Value (Real Property): } \$253,193} = 0.4093 \text{ or } 40.9\%$$

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
Matthew Schaller, PO Box 120, Hanalei, HI 96714

MATTHEW SCHALLER, ARCHITECT, INC.



MATTHEW SCHALLER, ARCHITECT ♦ P.O. BOX 120, HANAIEI, HAWAII, 96714
Phone (808) 826-4699 ♦ Fax (808) 826-9697

August 29, 2018

County of Kauai Department of Public Works
Engineering Division
4444 Rice Street, suite 175
Lihu'e, Kauai, HI. 96766

RE: permit # 17-2332; 4371 Anini Road.

Aloha

The contractor working on the residence at 4371 Anini Road under permit # 17-2332 has uncovered some old plumbing and electrical wiring that needs to be replaced during the renovation. The doors also showed signs of past termite damage, and need to be replaced.

Attached, please find an appraisers estimate of the existing residence, and the Contractor's statement and avadavat for the revised scope of work.

Also attached is the revised floor plan indicating the plumbing and electrical work.

The original application was for roof replacement and addition of a front porch and roof. At that time we used the tax assessed value of the home from 2016.

The new scope of work is indicated in the Contractor's statement and has a cost of \$103,645.00.

The appraised value of from the appraiser is \$ 253,193.00

The new scope of work is considerably lower than 50% of the appraised value.

Thank you for your review in this matter.





REGARDS,

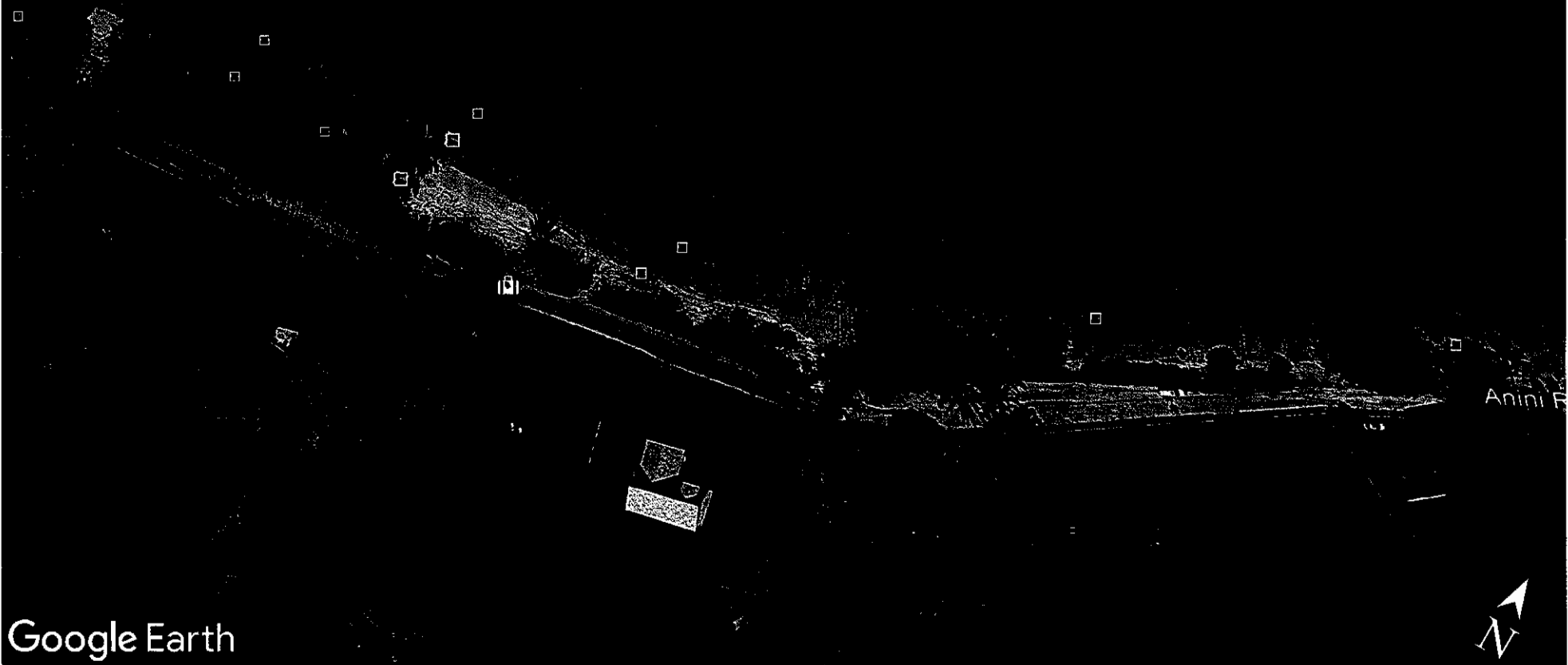
MATTHEW SCHALLER AIA

Untitled Map

ANINI BEACH HOUSE

Legend

-  Anini
-  Anini Kama'aina Hale
-  Feature 1
-  Line Measure



Google Earth

© 2017 Google

300 ft

