



**COUNTY OF KAUA'I
DEPARTMENT OF PLANNING**

**SHORELINE SETBACK VARIANCE (SSV)
APPLICATION**

APPLICANT INFORMATION	
Applicant: _____	
Mailing Address: _____	Phone: _____
_____	Email: _____
Applicant's Status: (Check one)	
<input type="checkbox"/> Owner of the Property	If applicant is not the landowner, attach written landowner Letter of Authorization
<input type="checkbox"/> Authorized Agent	

PROJECT INFORMATION	
County Zoning District: _____	Tax Map Key(s): _____
Building Permit Number: _____ (If building plans submitted)	Land Area: _____
Nature of Development: _____ (Description of proposed structure or subdivision)	_____
_____	_____
_____	_____

Shoreline Setback Variance (§8-27.9)

The Applicant applying for a variance is required to submit all required information, per §8-27.9. The application shall include plans, site plans, photographs, and any other plans, drawings, maps, or data determined by the Director to be necessary to evaluate the application listed in the checklist below.

Please see the [General Submittal Requirements](#) for additional guidance on written requirements.

- A non-refundable administrative fee of **\$300**.
- Certification from the owner or lessee of the lot which authorizes the application for variance;
- An environmental assessment and or EIS, if required, prepared in accordance with HRS Chapter 343, and the environmental impact statement rules and applicable guidelines of the State of Hawai'i;
- The names, addresses, and the tax map key identification of owners of real property situated adjacent to and abutting the boundaries of the land on which the proposed structure or subdivision and/or landscaping is to be located; or operation is to occur (attach information);
- A site plan of the shoreline setback area, drawn to scale, showing:
 - Existing natural and man-made features and conditions within;
 - Existing natural and man-made features and conditions along properties immediately adjacent to the shoreline setback area and proposed improvements;
 - The certified shoreline and the shoreline setback line;
 - Contours at a minimum interval of two (2) feet unless waived by the Director; and
 - Proposed development and improvements showing new conditions with a typical section (if a structure).



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- A copy of the certified shoreline survey map of the property;
- Detailed justification of the proposed project, which addresses the purpose and intent of these rules and the criteria for approval of a variance (attach written statement);
- Analysis and report of coastal erosion rates and coastal processes; and
- Any other information required by the Director (listed below).

Any structure approved within the shoreline setback area by variance shall not be eligible for protection by shoreline hardening during the life of the structure, and this limitation and the fact that the structure does not meet setback requirements under §8-27.3 and could be subject to coastal erosion and high wave action shall be written into a unilateral agreement that is recorded by the Bureau of Conveyances of Land Court, as the case may be. A copy of the unilateral agreement shall be submitted to the Planning Department prior to the issuance of the required zoning and/or shoreline setback variance. Failure of the grantor to record these deed restrictions shall constitute a violation and the grantor shall be subject to the penalties set forth in this Article 3.

For any structure approved within the shoreline setback area by variance, 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 structure and this indemnification shall be included in the unilateral agreement required above.

Applicant Certification

I certify that the information provided in this assessment application is true and correct to the best of my knowledge.

I understand:

- Additional fees and/or the submittal of other application forms may be necessary to complete this application for acceptance and processing.
- Tender of fees by the County does not imply acceptance of this application.
- Errors in self-declaration or missing or incomplete information will delay acceptance and processing of your application.
- Any purposeful misrepresentations in this application may result in delay, denial, permit revocation, violations, fines and even criminal prosecution.
- Pursuant to §8-27.8(c)(12) the Kaua'i County Code, 1987 as amended, no construction or repair of a structure subject to the Shoreline Setback Determination shall commence until a sign has been erected and maintained.

Applicant Name: _____

Applicant Signature: _____

Date of Signature: _____

WARNING: if you are a property owner of a Unit within a Condominium Property Regime (CPR), you are obligated to acknowledge and understand your rights and duties under the documents governing your CPR. The Kaua'i County Planning Department (Department) has no duty or obligation to enforce CPR Documents. By submitting this application [or, authorization for], you hereby indemnify and hold harmless the Department from any and all liability arising from disputes or actions resulting from the interpretation or enforcement of your CPR documents.