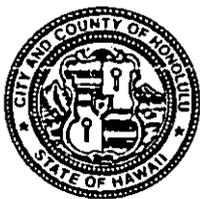


DEPARTMENT OF PLANNING AND PERMITTING
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET • HONOLULU, HAWAII 96813
TELEPHONE: (808) 523-4414 • FAX: (808) 527-6743 • INTERNET: www.co.honolulu.hi.us

JEREMY HARRIS
MAYOR



RECEIVED

RANDALL K. FUJIKI, AIA
DIRECTOR

LORETTA K.C. CHEE
DEPUTY DIRECTOR

'02 OCT 22 AM 11:33

OFFICE OF ENVIRONMENTAL QUALITY CONTROL 2002/SV-7 (DT)

October 18, 2002

Ms. Genevieve Salmonson, Director
Office of Environmental Quality Control
State of Hawaii
State Office Tower, Room 702
235 South Beretania Street
Honolulu, Hawaii 96813

Dear Ms. Salmonson:

CHAPTER 343, HAWAII REVISED STATUTES
FINAL ENVIRONMENTAL ASSESSMENT (EA)

Landowner/
Applicant : Henrik and Stephanie S. Falktoft
Agent : Don Shaw
Location : 206 Kulamanu Place - Black Point
Tax Map Keys : 3-1-40: 3
Request : Shoreline Setback Variance
Proposal : To allow a new swimming pool and a
portion of a new dwelling within the
shoreline setback area.
Determination : A Finding of No Significant Impact is Issued ✓

Attached and incorporated by reference is the Final EA prepared by the applicant for the project. Based on the significance criteria outlined in Title 11, Chapter 200, Hawaii Administrative Rules, we have determined that preparation of an Environmental Impact Statement is not required.

103

Ms. Genevieve Salmonson, Director
Page 2
October 18, 2002

We have enclosed a completed OEQC Bulletin Publication Form and four copies of the Final EA. If you have any questions, please contact Dana Teramoto of our staff at 523-4648.

Sincerely yours,


For RANDALL K. FUJIKI, AIA
Director of Planning
and Permitting

RKF:fm
Attachments

cc: Don Shaw

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2002-11-08-DA-FEA-Falktoft

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ENVIRONMENTAL
ASSESSMENT

Application for (Shoreline Setback Variance)

PROJECT LOCATION
206 Kulamanu Place
Honolulu, Hawaii 96816

TMK: 3-1-040:003 (various)

APPLICANT
Henrik and Stephanie Falktoft
225 West 86th Street, No. 901
New York, New York 10024

AGENT
Don Shaw AIA
41-949 Laumilo Street
Waimanalo, Hawaii 96795

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I. TECHNICAL DATA:

Application for Shoreline Setback Variance

Owners: Henrik and Stephanie Falktoft
Address: 206 Kulamanu Place, Honolulu, Hawaii 96816
TMK: 3-1-040-003
Lot Size: 9,160sf
Useable area: 4,384sf outside req'd. setbacks
Zoning: R-7.5
Proposed Use: Single family residential (5 bedrooms)
Flood Zone: Firm Zones X and AE (Elev. 8ft MSL)
Ground Elevation: 8.1 to 9.6 feet MSL
Height Limit: 25 feet
SMA: Special Management Area

Building Area: 2,654sf (first floor)
2,541sf (second floor)
5,195sf (total)

Type of Construction: Type V, non-rated
No. of stories: Two
No. of bedrooms: Five

Sewage Disposal: Septic tank: 1000 gal. (for 5bdrms @ 200gpd)
6' x 8' (approx.) plus setbacks
Drainfield: 350sf (for 5 bdrms. @ 70sf/ea)
2' wide x 150' long plus setbacks
Setbacks: 5' from buildings and property lines
Area req'd. for septic (including setbacks):
Drainfield(12' x 150')+ Tank(16'x18') = 2,088sf

Footprint(s): 2,088sf (septic)
2,654sf (building)
323sf (driveway)
300sf (pool)
5,335st (total)

Footprint vs. Usable area: 5,335sf vs. 4,384st available (with 40ft shoreline setback)

Shoreline Setback : 40 feet (current); 20 feet (previous)

Proposed Encroachment: House: 195sf Pool: 85sf 12.5 lin. ft. (max. intrusion)

Proposed Shoreline Setback : 40 feet (average)

II. DESCRIPTION OF THE PROPOSED PROJECT

EXISTING CONDITIONS:

The project site is located on the southern shore of Oahu on the beach near Diamond Head, between Diamond Head Beach Park and Black Point. The shoreline in the project vicinity is divided into house lots, which are developed with homes, some dating back to the earlier part of the twentieth century. Around that time, the government built Old Beach Road, (which has subsequently been abandoned), as well as a 3 foot high stone retaining wall along the shoreline. This existing stone wall been certified as the shoreline for this lot. To the Koko Head side of this lot is Kulamanu Place, which serves as the public beach access and vehicular drop-off point for the adjacent beach. To the Ewa side, there is an existing wood frame house which is set back approximately 10-15 feet from the shoreline at the existing stonewall.

A previously existing dwelling on the subject property, which was set back 10 feet from the stone wall, was demolished in the early 1990's. A 20 foot shoreline setback for the property was approved the City and County of Honolulu on March 21, 1991. The property remained vacant and was sold to someone who in turn sold it to the Falktofts.

A shoreline survey for 206 Kulamanu Place, (showing the existing stone wall to be the shoreline), was certified by the Chairman, Board of Land and Natural Resources, on March 7, 2001. Subsequent to this survey, on August 3, 2001, the portion of Old Beach Road containing the existing stone wall was consolidated with the rest of the property to form a single lot.

A ("retroactive") permit for the existing rock retaining wall, which determines the certified shoreline, was granted on December 19, 2000. Other permits were also issued by the Department of Planning and Permitting around this period of time for various walls, fences, landscaping, etc. All of the necessary permits and approvals have been granted to make the current conditions at the property in conformance with existing rules and regulations.

NEW HOUSE: PROBLEMS & PROPOSED SOLUTION

The Falktofts now wish to build their own home on this lot. In order to do so, they began by retaining Septech Engineering to prepare the necessary sewage permits and hook-ups for a 5 bedroom house. Upon being informed that the nearest sewer was on Kahala Avenue and that a prohibitively expensive pumping station would be required for a city sewer hook-up, they asked Septech to design a septic system. Septech performed soils test and laid out a septic drainfield in conformance with State regulations. As a result, the effective building setbacks on the Ewa and Mauka property lines were moved, reducing the available building area by approximately 8 feet in each direction.

Because of the (irregular) geometry of the lot, the house was even more displaced in the Makai direction. Consequently, one corner would now protrude into the current 40 foot shoreline setback area by approximately 12.5 feet.

Therefore, they are requesting a shoreline setback adjustment, based on the following considerations:

1. The irregular shape of the lot and its shoreline setbacks
2. The absence of sewer service, necessitating a septic drainfield and its associated setback requirements
3. The presence of a beach access / loading zone, which limits parking and site access
4. The proximity and setbacks of adjacent houses.

The combination of these factors greatly reduces the percentage of the lot that is buildable. It also limits the allowable building footprint to a highly irregular shape. The City and County of Honolulu has told the owners that there are no plans to extend the sewer service or reconfigure the loading zone for the beach access. Connecting the property to the sewer line several blocks away would be multi-million dollar undertaking and would represent an unreasonable hardship for any private individual.

The owners wish to construct a kama'aina style house, with a normal, rectangular floor plan, which fits into the existing neighborhood, both in scale and character. They are not seeking to build a structure which exceeds either the lot coverage or height restrictions for the area. However, because of the limitations listed above they are seeking some flexibility in the interpretation of the current shoreline setback regulations, which require a 40ft. setback from the certified shoreline.

(Note: The previous dwelling on the site had a 10 ft. setback. Under the previous Shoreline Setback Ordinance, this lot was granted a 20ft. setback requirement.)

The owners are proposing a house and pool with corners which encroach 12.5 ft into the 40ft. shoreline setback, but which is set back more than 40 ft. elsewhere. This will allow a conventional house to be built on an irregular lot with the required septic drainfield. The house would still have an average shoreline setback of 40 feet.

PLEASE NOTE:

1. The following site plans are intended to show the sequence of the planning process, in which the house had to be relocated to accommodate the septic drainfield. Therefore, the location of the house and pool is shown in different locations on the earlier and later plans.

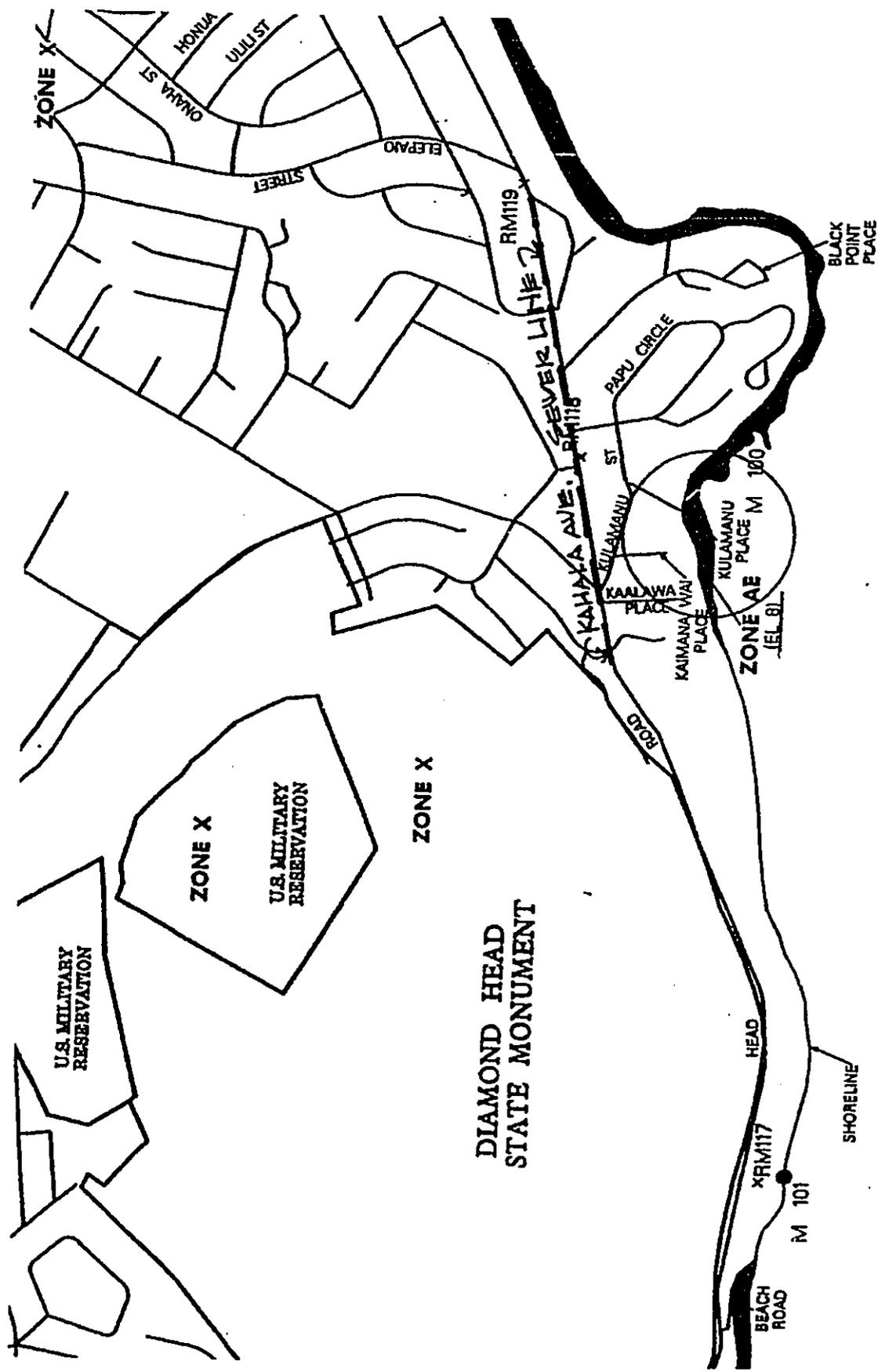
2. The owners consider the swimming pool to be an integral part of the proposed home. Therefore, this shoreline setback variance should include the pool, as well as the house.



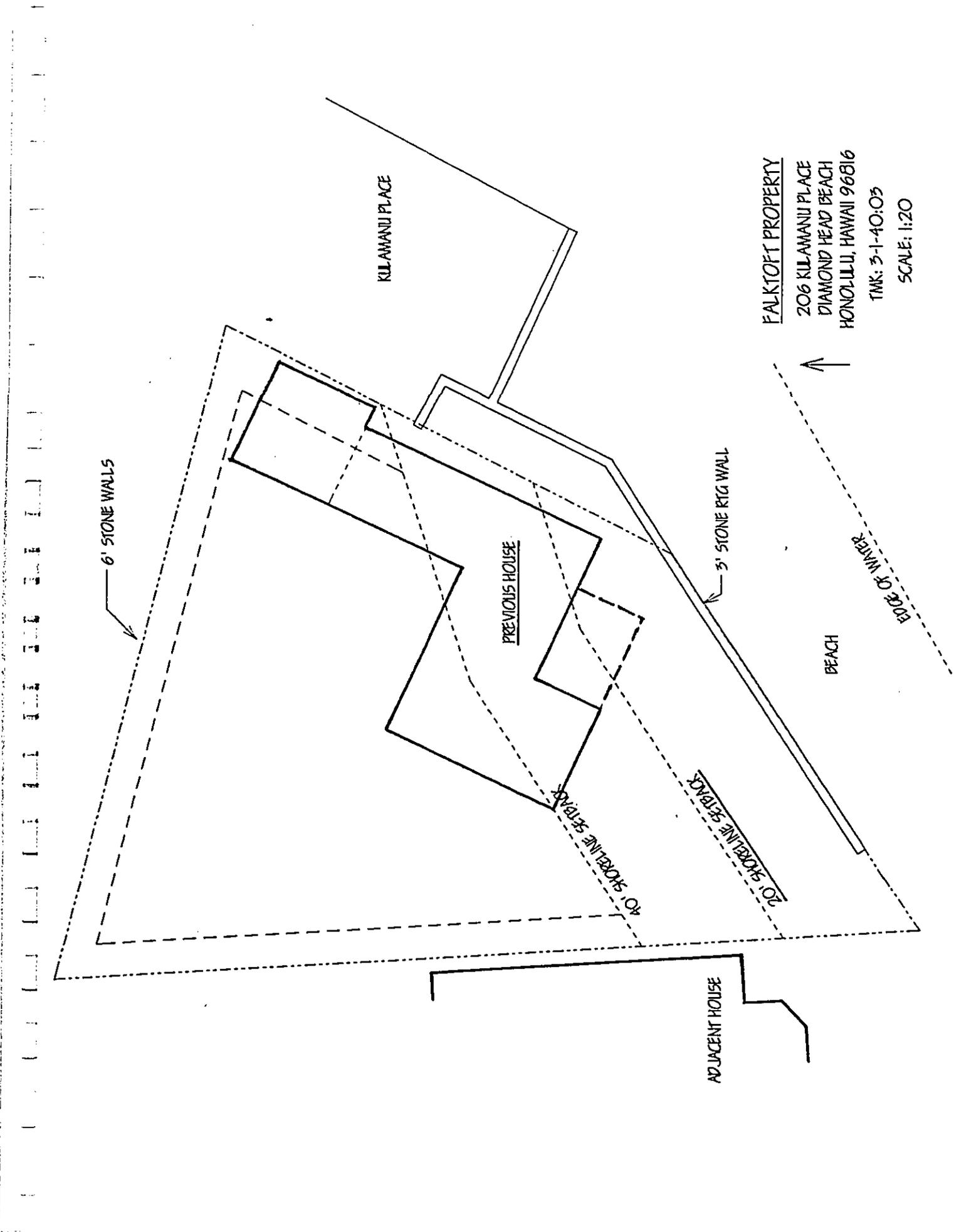
FALKTOFT PROPERTY

206 KULAMANI PLACE
DIAMOND HEAD BEACH
HONOLULU, HAWAII 96821

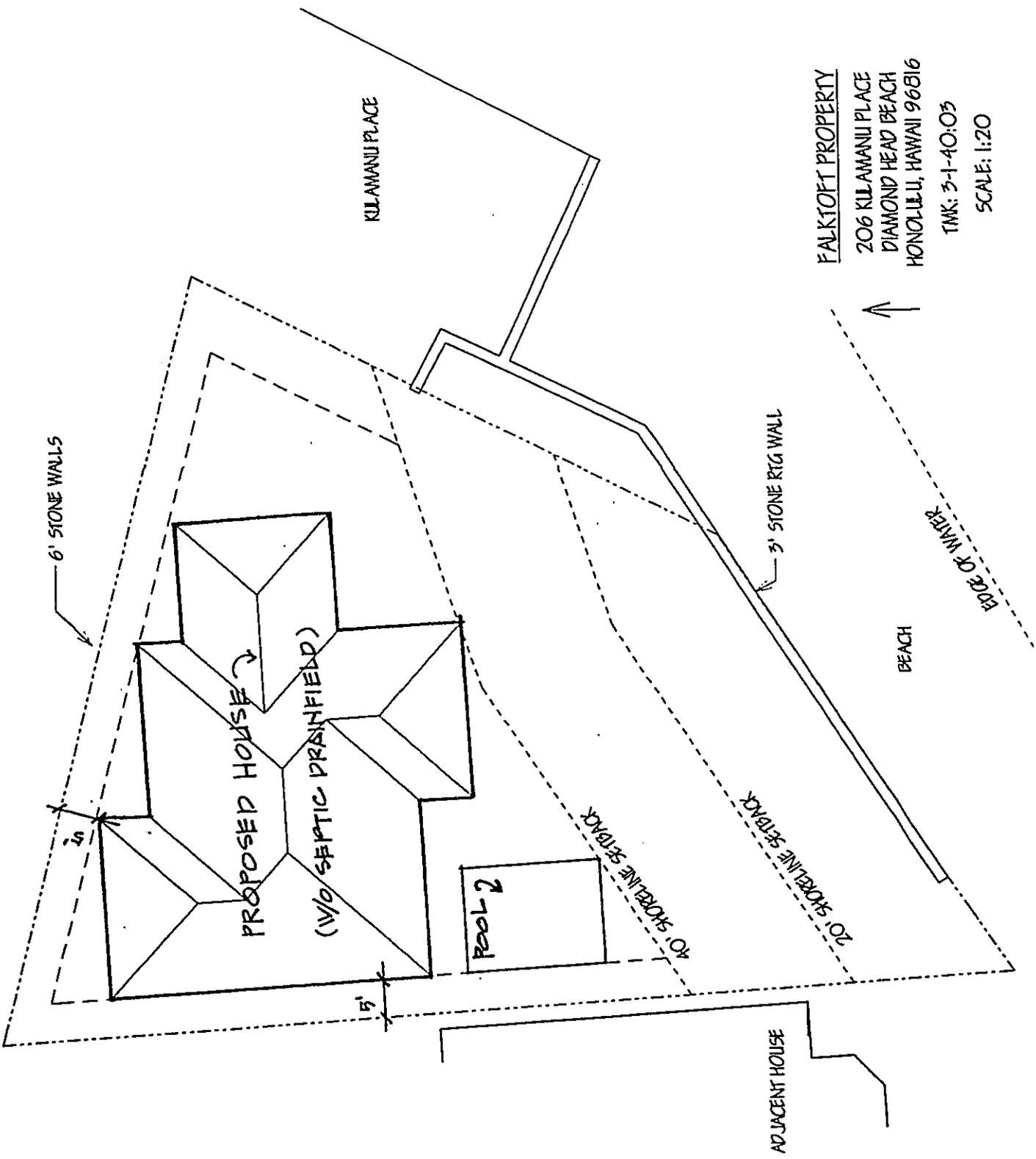
TMK: 5-1-40-05



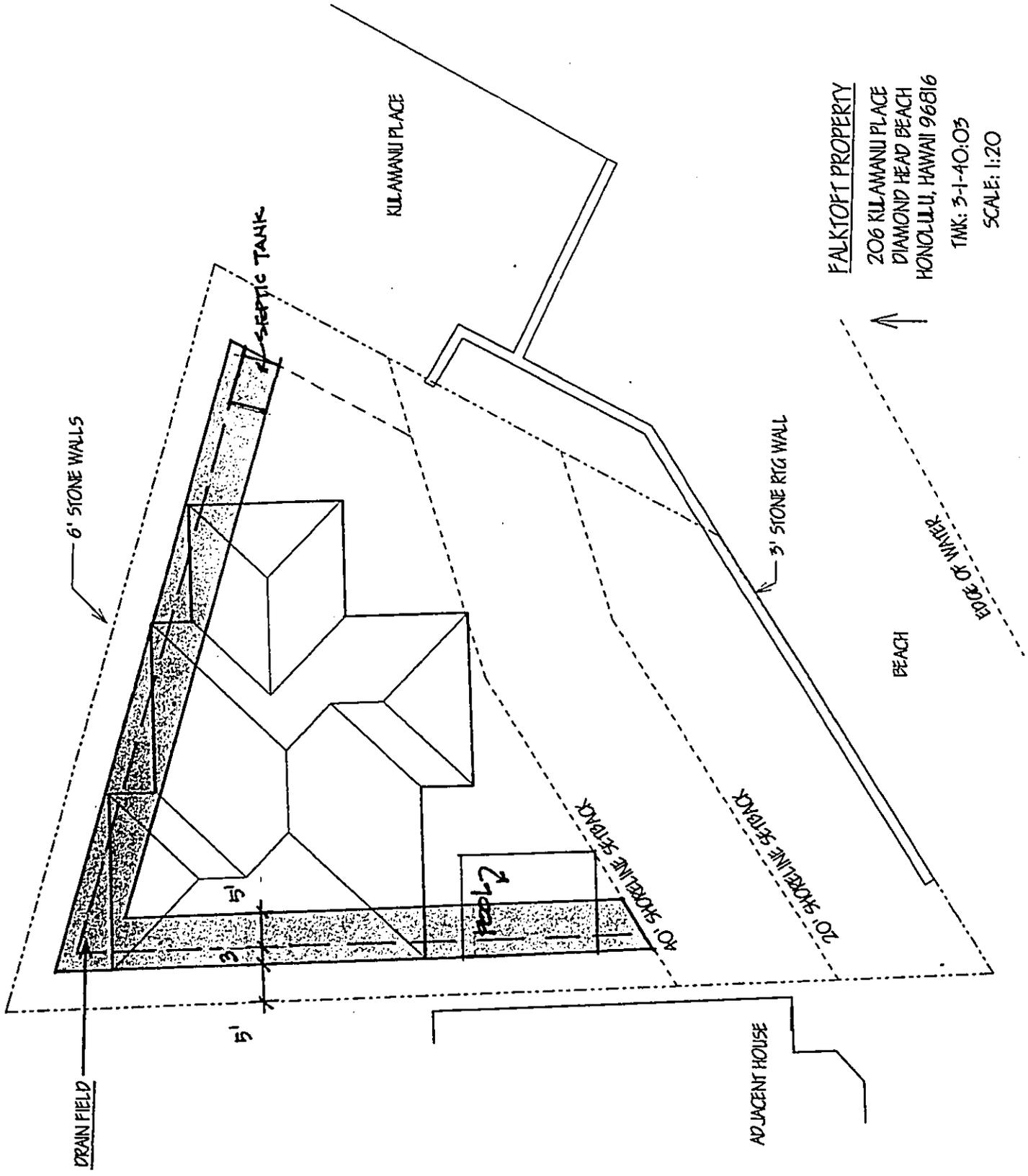
NOTE: COASTAL BASE FLOOD ELEVATIONS
 APPLY ONLY LANDWARD OF THE
 SHORELINE SHOWN ON THIS MAP.



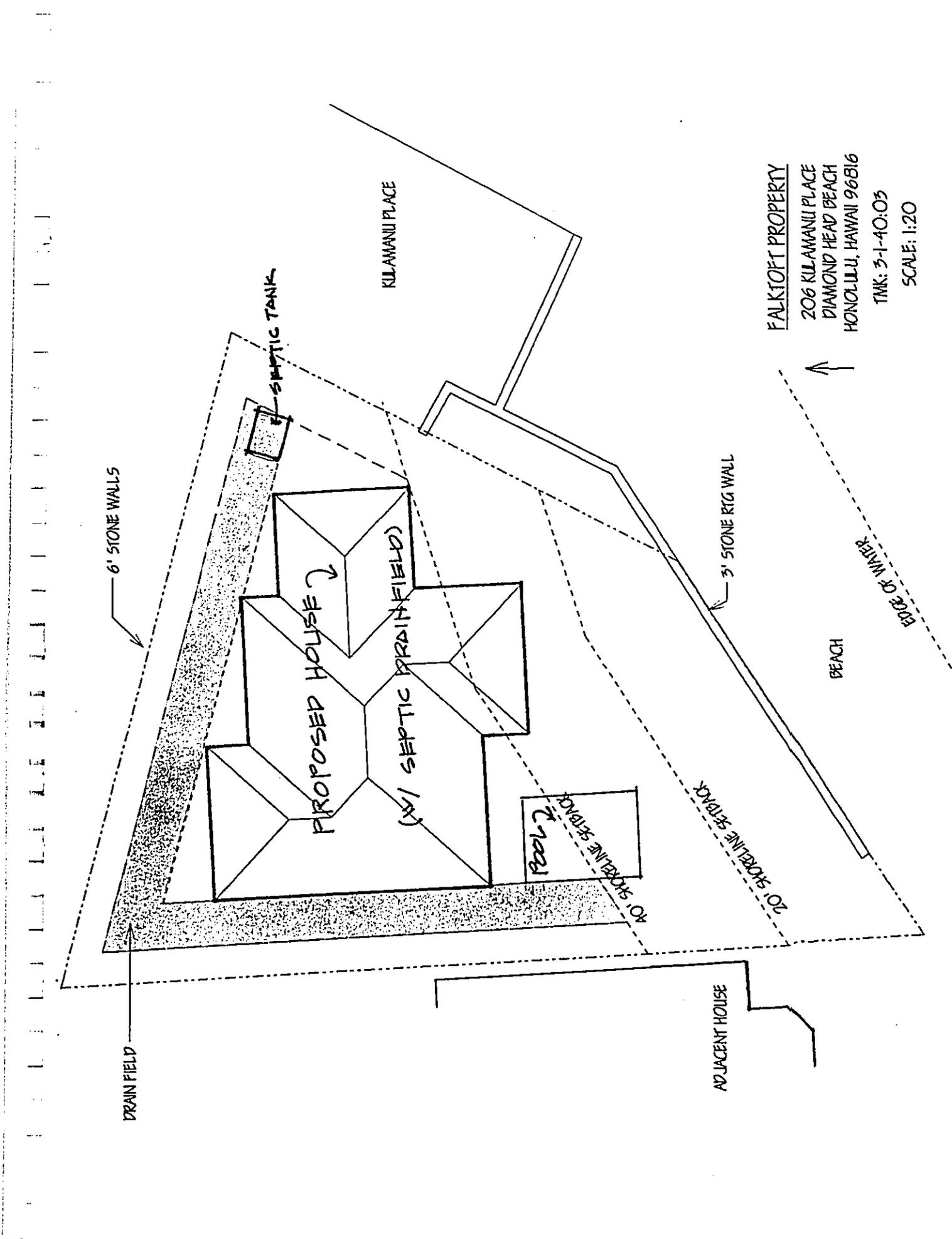
FALKTOFT PROPERTY
206 KULAMANI PLACE
DIAMOND HEAD BEACH
HONOLULU, HAWAII 96816
TMK: 3-1-40-03
SCALE: 1:20



FALKTOFT PROPERTY
 206 KULAWANI PLACE
 DIAMOND HEAD BEACH
 HONOLULU, HAWAII 96816
 TMK: 3-1-40:05
 SCALE: 1:20



FALKTOFT PROPERTY
 206 KULAWANU PLACE
 DIAMOND HEAD BEACH
 HONOLULU, HAWAII 96816
 TMK: 3-1-40:03
 SCALE: 1:20



FALKTOFT PROPERTY
 206 KILAMANI PLACE
 DIAMOND HEAD BEACH
 HONOLULU, HAWAII 96816
 TMK: 3-1-40-03
 SCALE: 1:20

DRAIN FIELD

6' STONE WALLS

SEPTIC TANK

KILAMANI PLACE

12.5'

Pool

40' SHORELINE STRIP

PROPOSED SHORELINE STRIP

20' SHORELINE STRIP

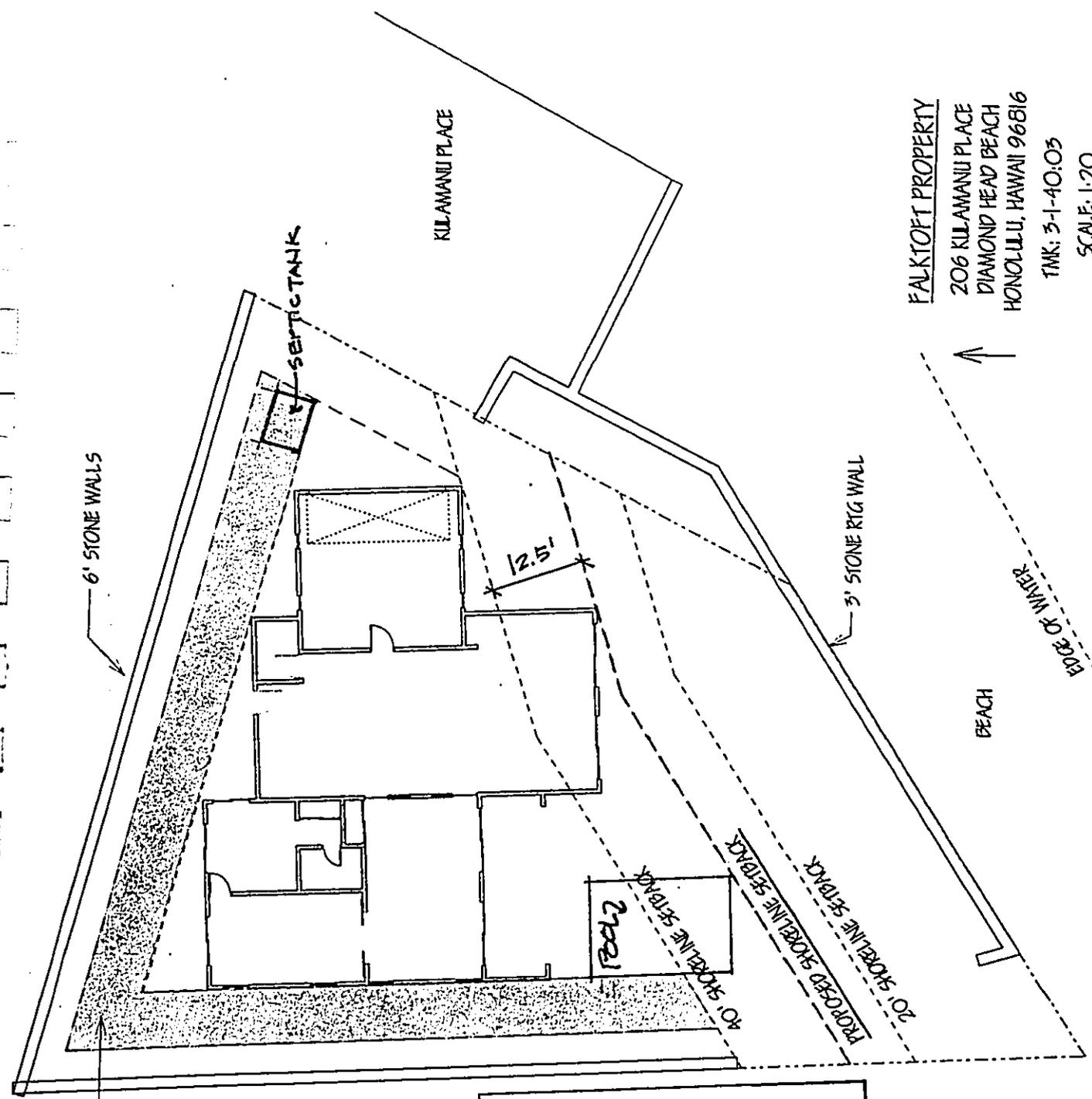
ADJACENT HOUSE

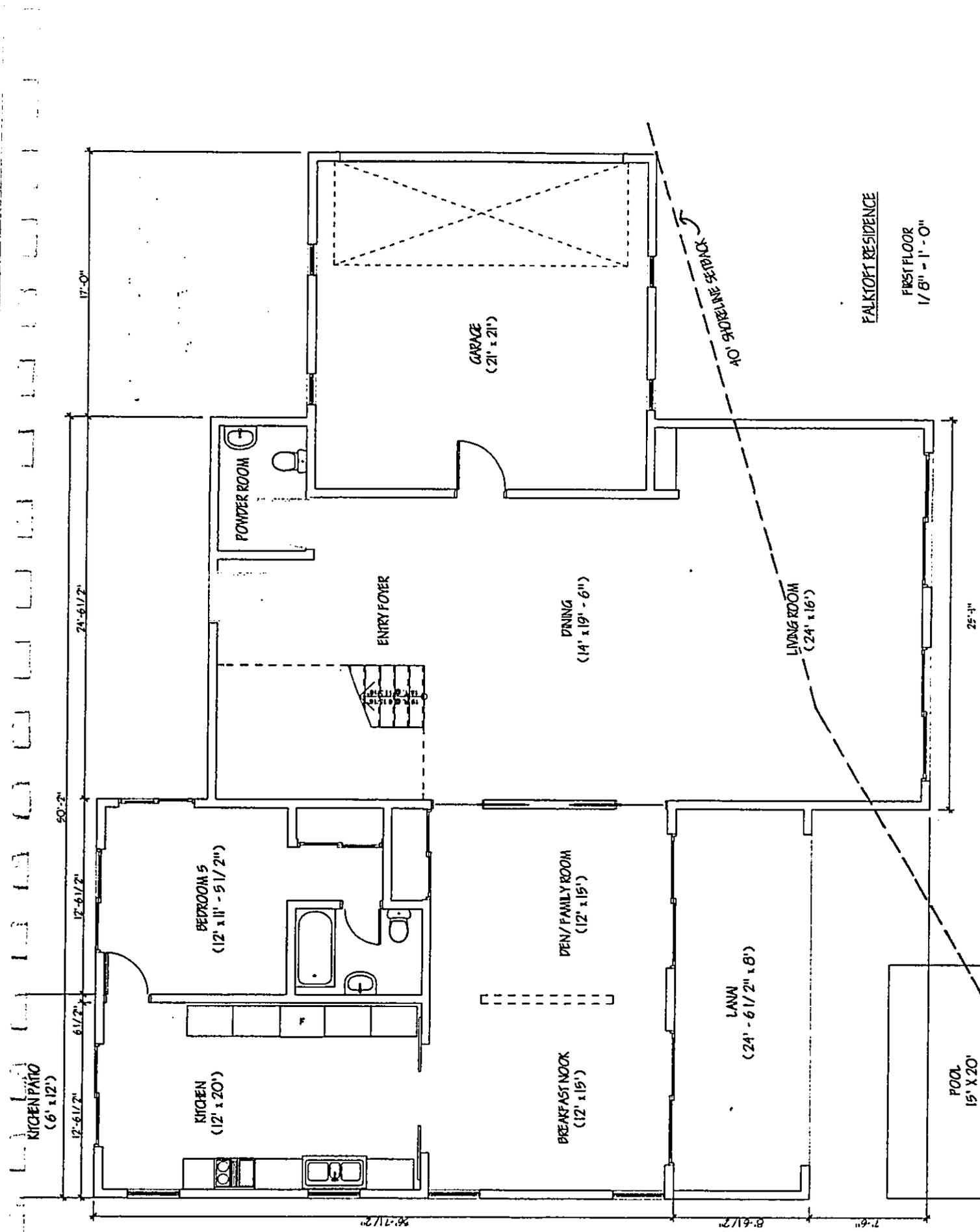
3' STONE RTG WALL

BEACH

EDGE OF WATER

FALKTOFT PROPERTY
 206 KILAMANI PLACE
 DIAMOND HEAD BEACH
 HONOLULU, HAWAII 96816
 TMK: 3-1-40:05
 SCALE: 1:20





FALKOFT RESIDENCE
FIRST FLOOR
1/8" = 1'-0"

III. COASTAL CHARACTERISTICS

A. SHORELINE TYPE AND CHARACTERISTICS

The coastal sector in the project is characterized by lava rock outcroppings, patches of sandy beach and coral reefs. The water directly offshore is shallow and protected by outer reefs. Further along the coast in the Koko Head direction, there is a deeper "pool", where the coastal rock was excavated, near the Doris Duke Estate.

The Falktoft's lot is essentially flat with an elevation of +8.5 feet mean sea level. An existing rock wall separates the lot from the sandy areas below.

B. EXISTING SHORELINE STRUCTURES

The properties along the former right-of-way for Old Beach Road have stone retaining walls, which define the shoreline. This wall was constructed of lava rock in the early twentieth century by the government. It is about 3 to 4 feet high, and divides the lower sandy beach from the higher vegetated areas.

C. COASTAL HAZARD ANALYSIS

The Flood Insurance Map (FIRM) indicates that the lot is located in the X and AE zones. The AE zone for this area has a base elevation of 8 feet above mean sea level. The proposed area for the house has an elevation of approximately 8.5 feet above mean sea level. The final design and permit documents for the house will show the floor level above this elevation.



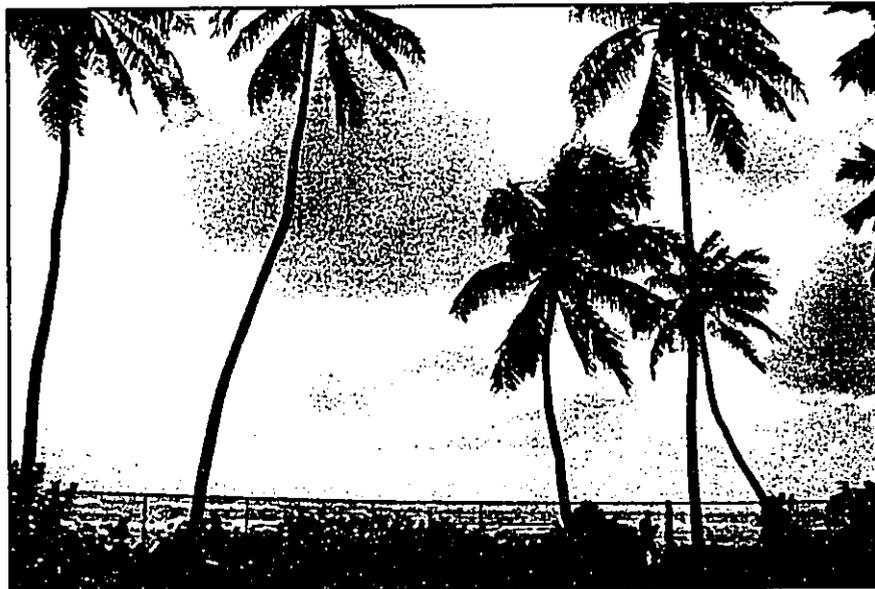
FALKTOFT PROPERTY

206 KULAMANI PLACE
DIAMOND HEAD BEACH
HONOLULU, HAWAII 96822

TMK: 3-1-40.03



VIEW ALONG BEACH TOWARD KOKOHEAD



VIEW MAKAI FROM PARCEL

HENRIK FALKTOFT PROPERTY

206 KULAMANU PLACE
DIAMOND HEAD BEACH
HONOLULU, HAWAII 96821

TMK: 3-1-04:03



ADJACENT HOME IMMEDIATELY EWA OF PROPERTY
SETBACK OF ABOUT 10 FEET

HENRIK FALKTOFT PROPERTY

206 KULAMANI PLACE
DIAMOND HEAD BEACH
HONOLULU, HAWAII 96821

TMK: 3-1-40:03

IV. ENVIRONMENTAL SETTING

A. GENERAL DESCRIPTION

The project area is a long-developed residential neighborhood, with single family homes along the shoreline. Land Use designation by the State is Urban, and the City and County of Honolulu zoning is R-7.5. The majority of the land in the area is owned in fee by the residents. All of the lots adjacent to the project have stone retaining walls which define the shoreline.

Public rights-of-way to the shore are located adjacent to the site at Kulamano Place, and at Diamond Head Beach Park, approximately one half mile Ewa of the site. The narrow sandy beach extends Ewa towards Diamond Head Beach Park, but terminates abruptly in the Koko Head direction in the rocky outcropping by the Doris Duke estate.

B. WIND AND WAVES

The prevailing winds are the northeast tradewinds. The tradewinds are typically present 80 per cent of the time during the summer season from April to November. During the winter months there is a general weakening of the tradewind system and the occurrence of southerly and westerly winds due to frontal systems passing through the islands and local low pressure systems.

The project area is well protected from north swell and tradewind waves by the island of Oahu. The project site is exposed to south swell, produced by southern hemisphere storms and most prevalent during the months of April through October.

In addition to the primary types of waves, tropical storms and, infrequently, hurricanes, may generate large waves which affect the project area. It is anticipated that the proposed residential construction would be affected by such events, involving a combination of high winds and storm surges. Appropriate construction techniques will be used and insurance obtained for these conditions.

C. FLORA AND FAUNA

Observations on the site indicate the presence of the usual bird and insect visitors common throughout Oahu, as well as the occasional gecko. No mongoose have been spotted during our observations on site, although it is entirely possible that there may be some in the vicinity. To the best of our knowledge no endangered species inhabit the site.

The vegetation consists of various grasses, palms, sea grape and naupaka. Last year, the owners augmented the existing vegetation by planting additional naupaka and sea grape, as well as a row of variegated hau trees along the Mauka and Ewa property lines to enhance view from the neighboring homes. These trees should be well established by the

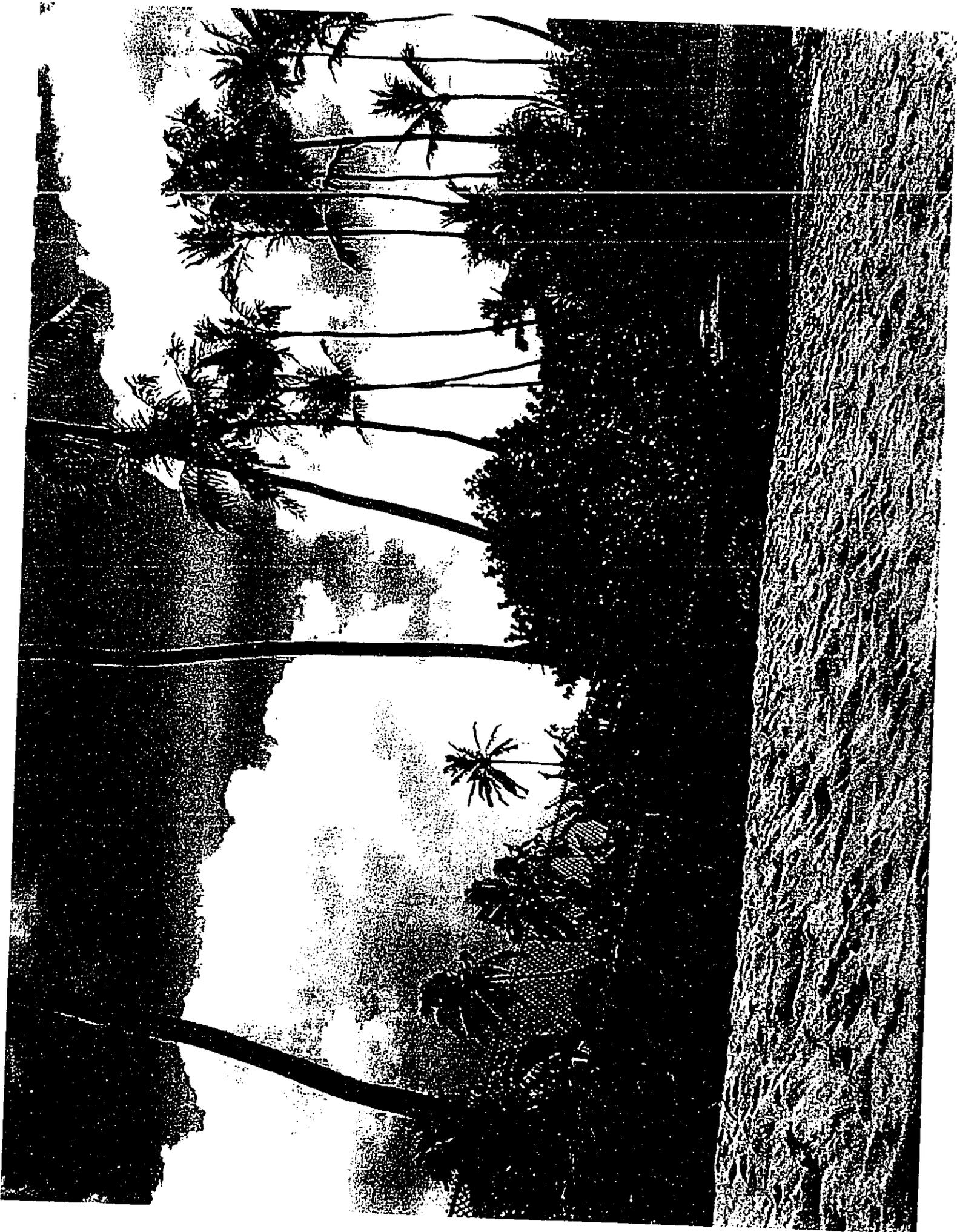
time the house is built, so new house will scarcely be seen by the neighbors. Similarly, the naupaka planted along the stone wall at the Makai property line will screen the house from people walking at the water's edge. Large existing sea grapes and similar vegetation separate the property from the beach access at Kulamanu Place on the Koko Head property line.

D. COASTAL USE

Because of the shallow, rocky water immediately offshore, swimming, surfing and boating activities are not frequently seen from the site. Further down the beach, at Diamond Head Beach Park, windsurfing is popular. Further up the beach in the Koko Head direction, there is swimming in the "pool" by the Doris Duke Estate.

Coastal use in the immediate vicinity of the project site is limited to sunbathing, walking and wading, with some snorkeling.







V. ALTERNATIVES CONSIDERED BY OWNERS

Alternatives considered by the owners include:

- (1) no action,
- (2) connecting to city sewer,
- (3) using exotic or alternative sewage treatment methods,
- (4) shrinking the overall house plan proportionally,
- (5) reversing the plans and deleting the lanais,
- (6) a nontraditional triangular or trapezoidal plan,
(filling the available envelope),
- (7) deleting the living and the master bedroom lanai.

These alternatives were reviewed by the owners and their advisors. The pro and cons of each alternative were considered, then evaluated. A summary of these alternatives and their evaluation follows.

NO ACTION

Simply leaving the property vacant and paying the mortgage, while paying to live elsewhere was deemed financially infeasible for any significant length of time.

Alternatively, they could abandon their plans to build a home and sell the property because of these difficulties, as the previous owner had done. This would make some sense for a speculative investor. However, the owners have formed an emotional attachment to the property and would like to build their "dream home" there. (They also see this as an ideal place for their young daughter, who will be entering the first grade before long.)

CONNECT TO CITY SEWER

Hypothetically, a sewage pumping station could be built that pumps the sewage up to the City line along Kahala Avenue. In practice, this requires major governmental action and funding, which is not currently on the horizon. This is not viable option.

EXOTIC / ALTERNATIVE TREATMENT OPTIONS

There are composting toilets and gas-fired "destroy-lets", which in theory could be used for disposing of human wastes. Practically speaking, neither the State Department of Health nor the adjacent neighbors would find these acceptable in an urban environment.

SHRINK OVERALL HOUSE PLAN PROPORTIONALLY

The proposed house plan could be scaled down proportionally to fit the area left over between the septic drainfield setbacks and the 40' shoreline setback. However, certain critical dimensions in the garage, kitchen and bathrooms are reduced below code minimums which would not be permitted by the building department.

REVERSE PLAN, DELETE LANAIS

Since a proportional reduction wouldn't work, a more radical revision was tried by reversing the plan and deleting the lanais, in order to fit within the required septic and shoreline setbacks. This scheme presented various circulation and other functional problems with layout which were unacceptable to the owners. In addition, the lanais represent an important component of traditional homes in Hawaii, which the owners wished to preserve.

A NONTRADITIONAL TRIANGULAR OR TRAPEZOIDAL PLAN

By taking the septic and shoreline setbacks and extending them up to the height envelope, one could create an unusual trapezoidal or triangular shaped house. For some owners and for some locales, a strange shape such as this might be desirable. However, it would be out of context for an older neighborhood such as Diamond Head. The owners strongly feel that the site calls for a kama'aina style house, not something bizarre.

DELETE LIVING ROOM (AND MASTER BEDROOM)

Another possibility that was considered was "radical surgery", i.e. removing those portions of the house that protrude into the shoreline setback. However, giving up these key elements of the home would be financially risky, since a house with no living room or master bedroom would have little resale value.

VI. PROJECT IMPACTS

The following list of possible project impacts, taken from "A Guidebook for the Hawaii State Environmental Review Process" (October, 1997, Office of Environmental Quality Control), were considered for the proposed project:

1. "Involves an irrevocable commitment to loss or destruction of any natural or cultural resource"
No known cultural resources are located on this property. The site has no significant flora or fauna which would be lost due to construction.
2. "Curtails the range of beneficial uses of environment"
There will be no impact on public access to the shoreline or lateral access along the shore.
3. "Conflicts with the state's long-term environmental policies or goals..."
The project will be constructed landward of the certified shoreline, entirely outside the State Conservation District along the shore. There will be no environmental impact to State waters.
4. "Substantially affects the economic or social welfare of the community or state"
The project would have no adverse social or economic impact to the state.
5. "Substantially affects public health"
The project has no public health impacts.
6. "Involves substantial secondary impacts, such as population changes or effects on public facilities"
The project will have no impact on public services or facilities. (Other than sending their daughter to a local school.)
7. "Involves substantial degradation of environmental quality"
This is a replacement of previously existing home and will in no way degrade the environmental quality of the area.
8. "Is individually limited but cumulatively has considerable effect upon the environment or involves a commitment for larger actions"
The house would be a "stand alone" project with no cumulative impacts.
9. "Substantially affects a rare, threatened, or endangered species, or its habitat"
No plant or animal species listed as endangered, threatened, proposed or candidate species by the U.S. Fish and Wildlife Service under the Endangered Species Act of 1973, as amended, or by the State of Hawaii under its endangered species program were detected during the site survey and none is anticipated to utilize the property.

10. "Detrimentially affects air or water quality or ambient noise levels"

The house will be located entirely out of the water, at an existing ground elevation of 8.5 feet above mean sea level (or more), well inward of the certified shoreline, thus there will be no impact to coastal water quality as a result of the house construction. Runoff from roof and paved areas will be connected to storm sewers and/or area drains. Other than normal (and temporary) construction sounds, there will no long-term effect on ambient noise levels.

11. "Affects or is likely to suffer damage by being located in an environmentally sensitive area such as a flood plain, tsunami zone, beach, erosion-prone area, geologically hazardous land, estuary, fresh water, or coastal waters"

Appropriate construction techniques will be used and insurance obtained for tropical storms and storm surges.

12. "Substantially affects scenic vistas and viewplanes identified in county or state plans or studies"

The project will not affect any such view planes or vistas, as evidenced the site photos.

13. "Requires substantial energy consumption"

Only normal residential energy use for a single family home is required. However, the house will be designed in accordance with traditional energy saving techniques for tropical climates. The house will analyzed with computer modeling to minimize the life-cycle energy costs.

VII. MITIGATION MEASURES

The only impact this project has on the surrounding environment is a visual one. The best way to mitigate the presence of a new home on the surrounding area is with visual screening by means of native vegetation.

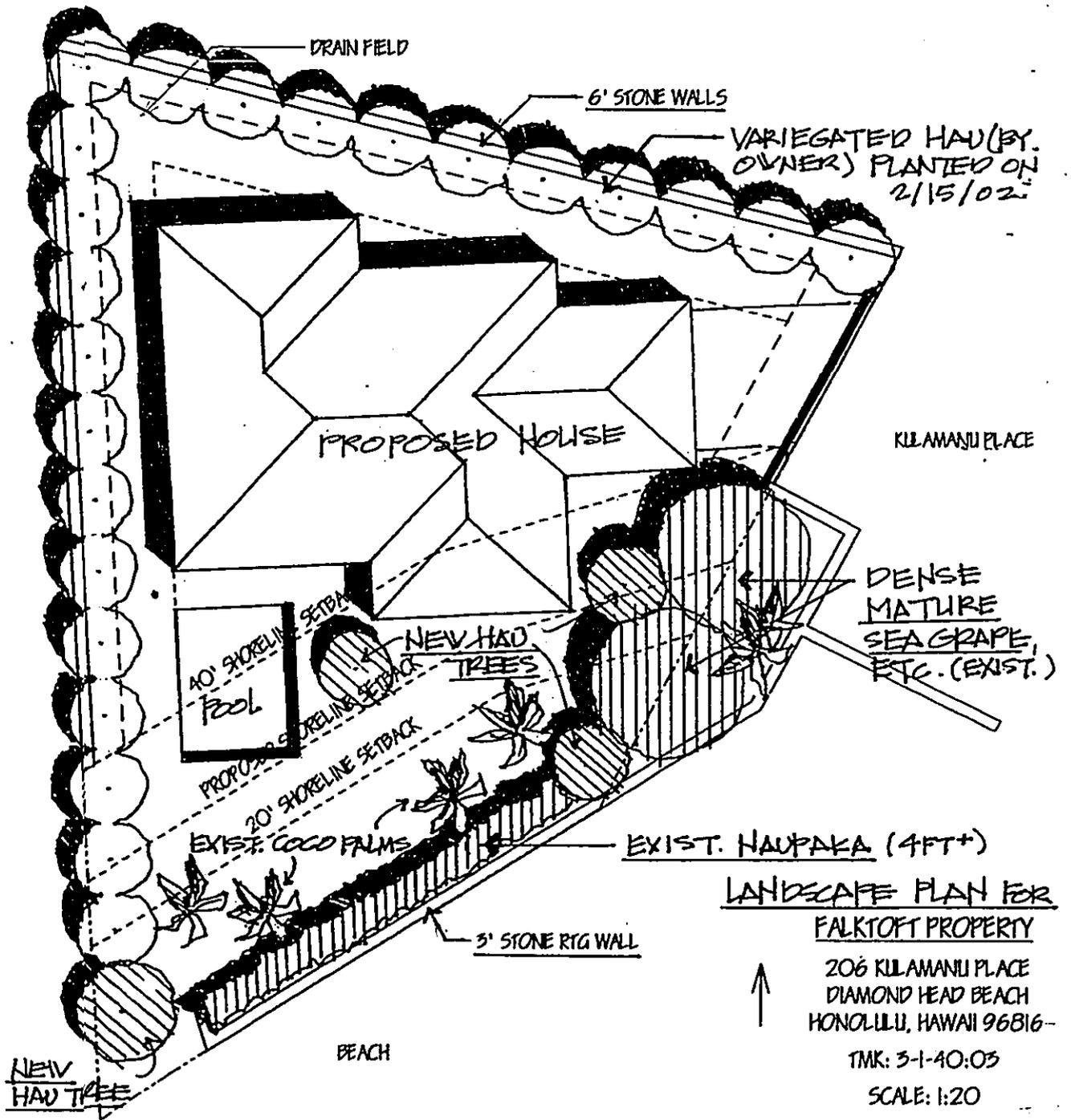
The vegetation in this area consists of various grasses, palms, sea grape and naupaka. The owners have already augmented the existing vegetation by planting additional naupaka and sea grape, as well as a row of variegated hau trees along the Mauka and Ewa property lines to enhance view from the neighboring homes. These trees should be well established by the time the house is built, so new house will scarcely be seen by the neighbors. Similarly, the naupaka planted along the stone wall at the Makai property line will screen the house from people walking at the water's edge. Large existing sea grapes and similar vegetation separate the property from the beach access at Kulamanu Place on the Koko Head property line.

Because of the shallow, rocky water immediately offshore, swimming, surfing and boating activities are not frequently seen from the site. Coastal use in the immediate vicinity of the project site is limited to sunbathing, walking and wading, with some snorkeling. The views of the site by these users is limited by two factors:

1. The beach is about 4 feet below the level of the top of the retaining wall
2. The naupaka grows 5 feet above the top of the retaining wall

Consequently, the person walking, (average eye level about 5'6" above mean sea level), at the water's edge sees the lava rock wall and the naupaka (4' + 5' = 9' above mean sea level), while the proposed house would be largely shielded from view by the top of the naupaka. Persons sunbathing on the beach or swimming nearby would have an even lower viewpoint (0' to 3' above mean sea level).

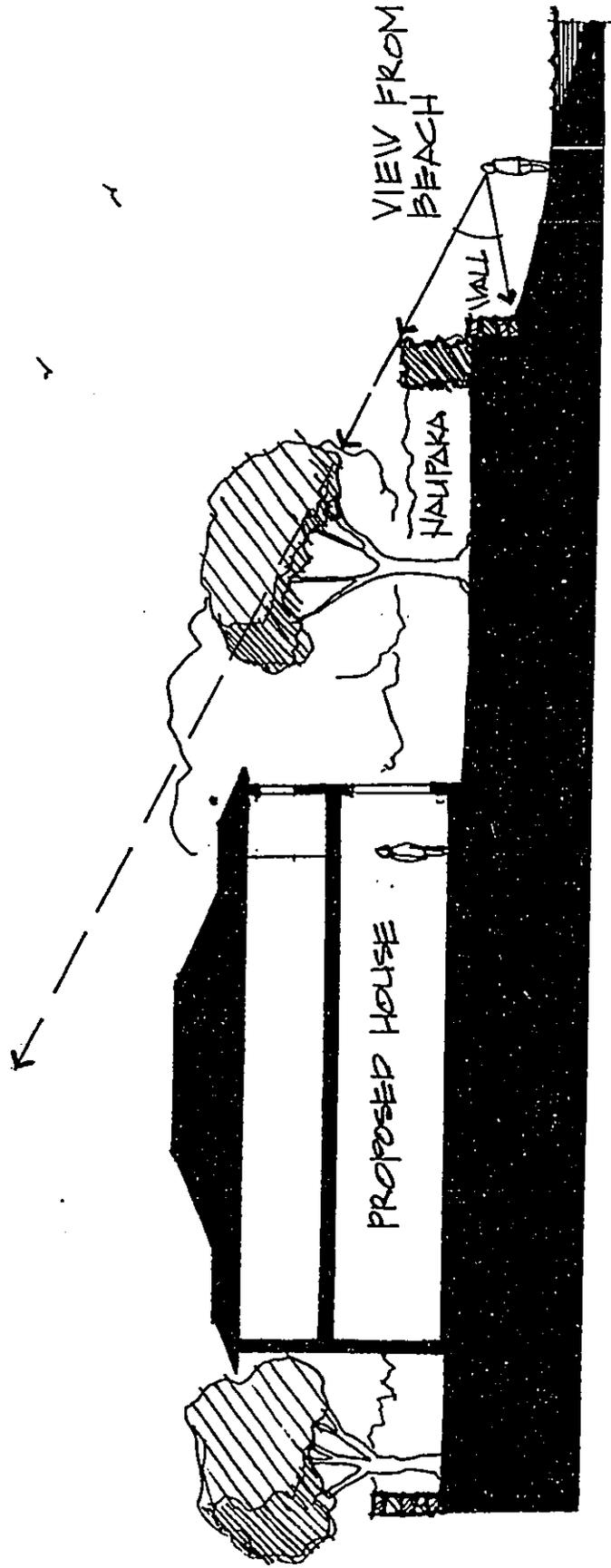
The proposed residence would be barely visible above the level of the naupaka, from most vantage points along the beach. Therefore, the visual impact of project would be greatly mitigated by the landscaping.



LANDSCAPE PLAN FOR FALKTOFT PROPERTY

↑
 206 KULAMANU PLACE
 DIAMOND HEAD BEACH
 HONOLULU, HAWAII 96816-

TMR: 3-1-40:03
 SCALE: 1:20

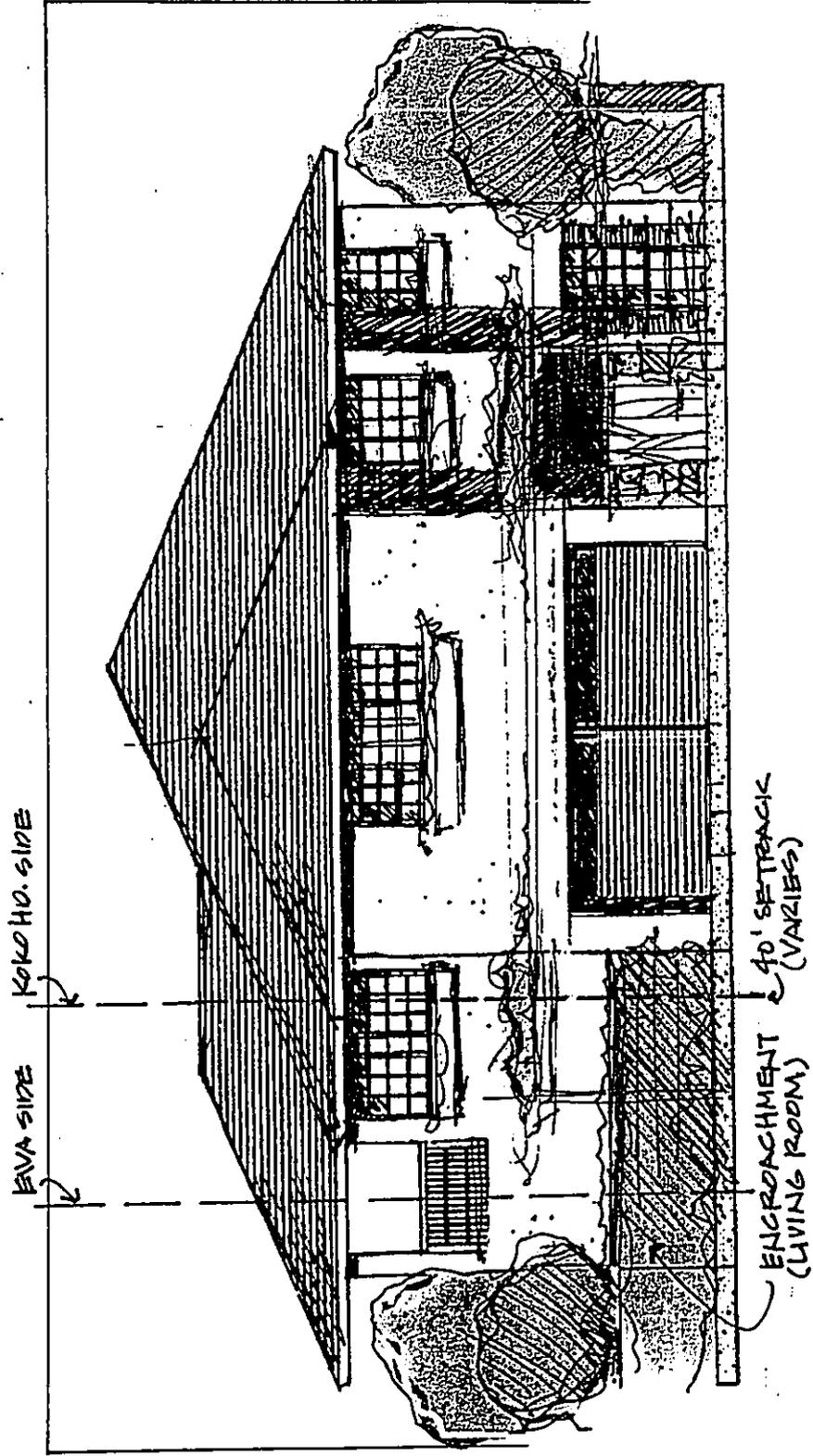


SITE SECTION

HENRIK FALKTOFT PROPERTY

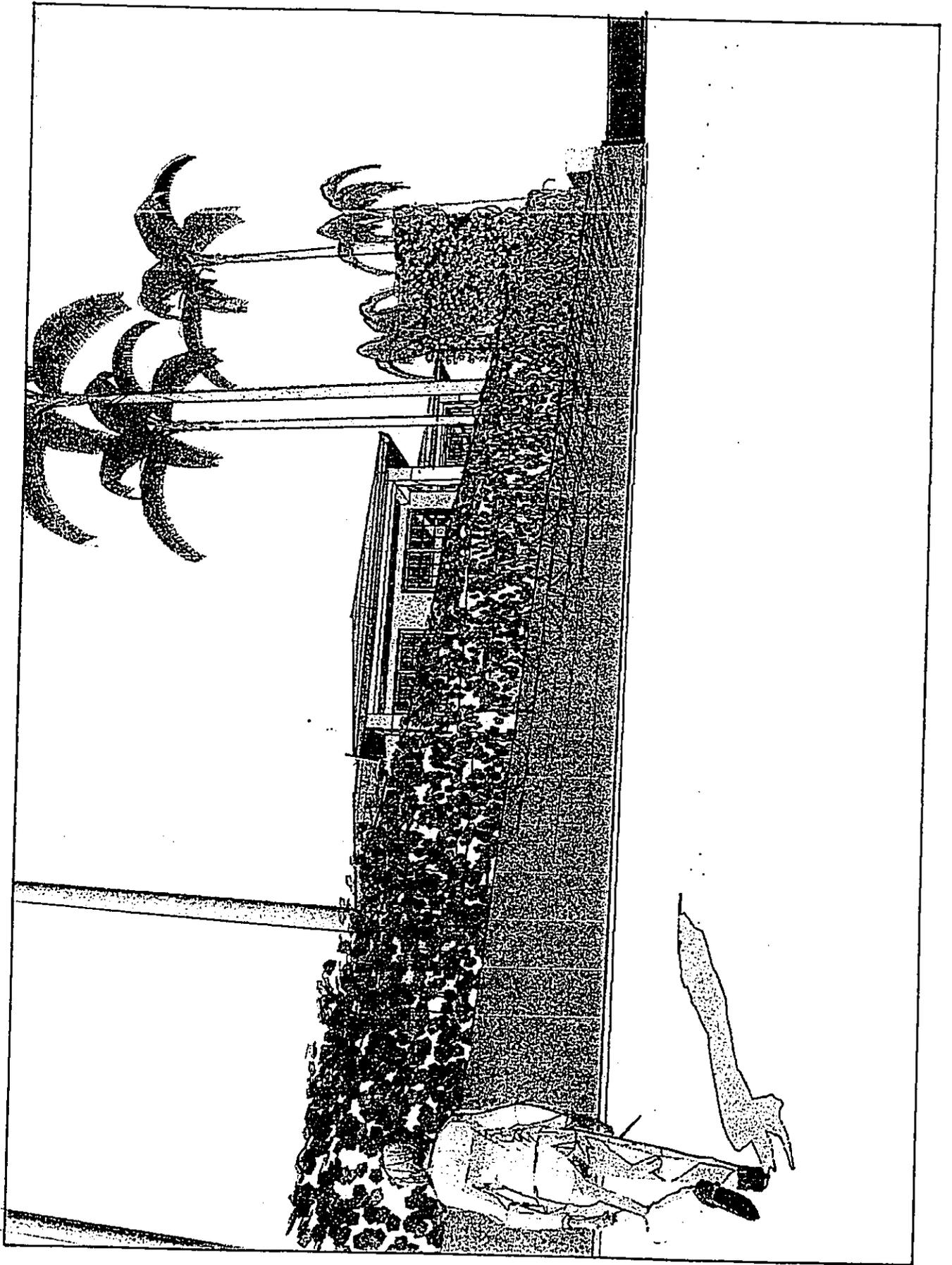
206 KILAWANI PLACE
DIAMOND HEAD BEACH
HONOLULU, HAWAII 96822

TMK 3-1-04:03



KOKO HEAD ELEVATION
HENRIK FALKTOFT RESIDENCE

1/8" = 1'-0"



VIII. SHORELINE SETBACK VARIANCE JUSTIFICATION

The City Charter allows the granting of a variance based on a determination of the following three items:

A. "The applicants are deprived of reasonable use of the land without the variance."

The Falktofts are seeking to build a personal residence for themselves similar in character, quality and size to others in the adjacent neighborhood. This constitutes a reasonable use. Due to the unique circumstances listed below, they are unable to do so without a variance which would allow some flexibility in locating the house on the property.

B. "The request is due to unique circumstances pertaining to the specific site..."

The Shoreline Setback Regulations for the City and County of Honolulu appear to be based on a typical oceanfront lot. Such lots in Honolulu usually have the following characteristics: (1) a rectangular shape, with 90 degree corners; (2) street frontage opposite the ocean; (3) a sewer connection

The Falktofts' lot does not share these characteristics. It has an irregular shape, street frontage perpendicular to the ocean, and no sewer connection. The combination of these factors greatly reduces the percentage of the lot that is buildable and limits the allowable building footprint to a highly irregular shape.

Therefore, they are requesting an adjustment to the shoreline setback line, based on the following considerations:

1. The irregular shape of the lot vs. its shoreline and other setbacks

Under the previous Land Use Ordinance, this lot was granted a 20ft. shoreline setback requirement, because its irregular shape limited the useable area. The distance from the 40 foot shoreline setback to the septic drainfield setback is less than 25 feet, on the Koko Head side.

2. The absence of sewer service, necessitating a septic drainfield and its associated setback and area requirements

The City and County of Honolulu has told the owners that there are no plans to extend the sewer service. Connecting the property to the sewer line several blocks away would be multi-million dollar undertaking and would represent an unreasonable hardship for any private individual.

The only practical location for a septic drainfield on the property forces the house to be located 12.5 feet closer to the ocean, compared to a house connected to a city sewer line.

3. Vehicular access limited to one corner of the property.

The street frontage is not on the Mauka side of the lot, as is often the case. Kulamanu Place is on the side (Koko Head) property line, which is the shortest side. The beach access loading zone limits site access and parking. These factors limit the flexibility in positioning the house, since there is only one viable garage location and orientation, which forces the house to be set back in the Ewa direction. The Mauka / Koko Head corner of the house is setback 40 ft. from the corner of the lot, instead of a 5 ft. setback.

C. "The request would not alter the character of the neighborhood and/or challenge the reasonableness of the zoning code...."

The owners wish to construct a kama'aina style single family home, with a normal, rectangular floor plan, which fits into the existing neighborhood, both in scale and character. They are not seeking to build a unusual structure which exceeds the lot coverage or other restrictions for the area.

The previous dwelling on the site had a 10 ft. setback. The adjacent dwelling has a 15-20 ft. setback, as do most oceanfront houses in the nearby area. The proposed location will be consistent with the surrounding houses and will not adversely impact the view of the adjacent oceanfront homes.

The proposed structure will be built entirely on private land and will not interfere with publicly accessible lands. Because of the old stone wall which defines the shoreline, it is not in an area subject to erosion nor will it affect any natural shoreline processes or normal beach activities.

The visual impact is limited both by the change in ground elevation and by the vegetation, which limit the sightlines from the public access and beach areas. The character of the neighborhood will not be affected.

The overall reasonableness of the zoning code is not at issue. It is rare that a rule can be written that foresees all possible situations. The combined circumstances of odd geometry, limited accessibility and wastewater treatment problems make this a unique situation which merely calls for a reasonable interpretation of the existing regulations.

IX. APPENDIX

SHORELINE CERTIFICATION

04/15/2001 12:58 FAX 808 735 1844

EOYINO & ASSOC.

1/001

FROM : DJNS SURVEYING & MAPPING, INC. FAX NO. : 808-395-5476

Mar. 19 2001 07:47AM P2



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96864
March 9, 2001

AGRICULTURE DEVELOPMENT
PROGRAM
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
RECREATION (SUCCESSION)
FORESTRY AND WILDLIFE
RECREATION PRESERVATION
LAND DIVISION
STATE PARKS
WATER RESOURCE MANAGEMENT

File:QA-802RSSMAPS

REF: LD-NAV

DJNS Surveying & Mapping, Inc.
Dennis K. Hashimoto
P. O. Box 25636
Honolulu, Hawaii 96825

Dear Mr. Hashimoto:

Subject: Shoreline Certification Request: File Number QA-802
Owner: Henrick Falktoft Location - Island: Oahu - District:
Honolulu: Tax Map Key: 3-1-40: 03 - Property Description: Lot
12, Portion of Grant 4674 to John D. Holt Jr.

This letter informs you that the above shoreline survey maps have been certified. Please be aware that in the past these maps were withheld until the end of the 20-day appeal period. The Department of the Attorney General recently advised us that, while perhaps well intentioned, withholding the maps had the effect of imposing an automatic stay on the release of the maps and was not consistent with the intent of the public records law or with the shoreline certification rules.

Therefore, please find enclosed for your records four (4) certified shoreline survey maps. However, please be advised that pursuant to Section 13-222-26, Hawaii Administrative Rules, this certification is subject to appeal which may possibly include a contested case hearing. Public notice of this shoreline certification is scheduled for publication in the March 23, 2001 Environmental Notice.

You will be notified whether an appeal or request for a contested case hearing to the shoreline certification has been filed during the appeal period, which ends on April 12, 2001. If no appeal has been filed during the 20-day period, then the certification is final. If, however, an appeal is filed, then the certification would be subject to the resolution of the contested case hearing process. Should you have any questions on this matter, please feel free to contact Nicholas A. Vaccaro at (808) 587-0438.

Very truly yours,

DEAN Y. UCHIDA
Administrator

c: District Land Branch (w/attach)
Survey Division (w/attach)
C&CoH Department of Design and Construction
C&CoH Department of Planning and Permitting

APPROVED
DEPARTMENT OF PLANNING AND PERMITTING
City and County of Honolulu

Date **AUG - 3 2001**

2001/SUB-74 10

Loetta K.C. Chee

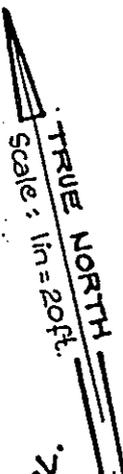
Director of Planning and Permitting

For

284° 15'

112.51

Jr.



FLOOD ZONE X

D.

Holt

John

to

4674

LOT A
9,160 Sq. Ft.

Setback

40-Ft. Shoreline
FLOOD ZONE AE-8'

AE-8'

KULAMANU PL.

Grant

116° 40'

61° 24'

ROAD

901.21 S
5,108.49 E
"LEAHI" Δ



THIS WORK WAS PREPARED BY
ME OR UNDER MY SUPERVISION

Dennis K. Hashimoto
DENNIS K. HASHIMOTO

56° 08' 10.55"
57° 19' 57.47"
64° 47' 53.44"
Boundary Follows Along Highwater
Mark as of March 7, 2001
(Shoreline as certified by DLNR
on March 7, 2001)
Ocean

CONSOLIDATION
LOT 12 POR. GR. 4674 TO JOHN
D. HOLT JR. AND POR. OLD BEACH ROAD
INTO LOT A

At Kalaheo, Kapahulu, Honolulu, Oahu, Hawaii

Tax Map Key: 3-1-40:03 p. 67
Date: March 17, 2001

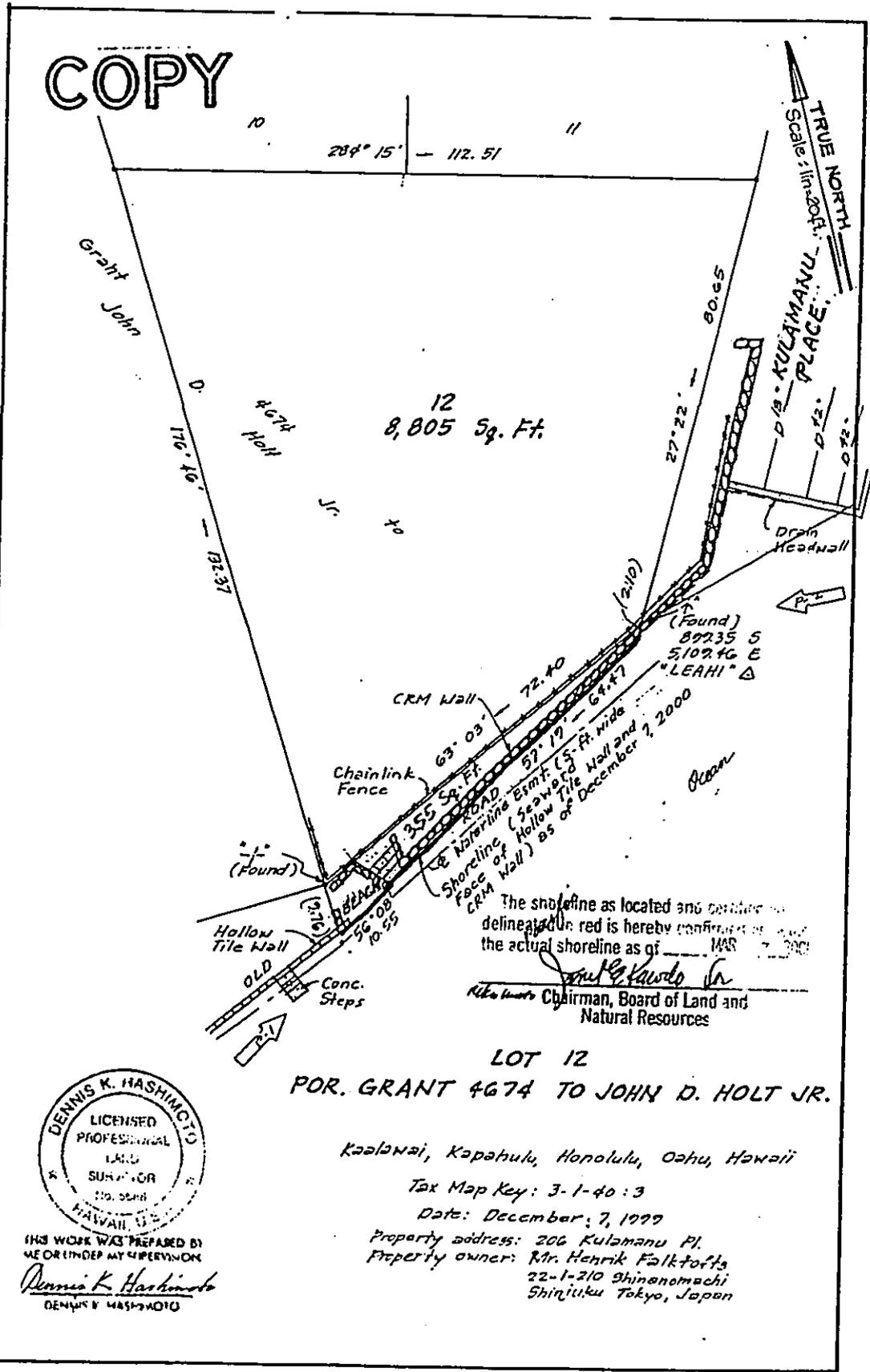
Owners:
Henrik Falkloff
Stephanie Sue Falkloff

Field Book 292:65

DUNS Surveying & Mapping, Inc.
P.O. Box 25636
Honolulu, Hawaii 96825

Job Number 99055

COPY



LOT 12
POR. GRANT 4674 TO JOHN D. HOLT JR.

Kaalanai, Kapahulu, Honolulu, Oahu, Hawaii

Tax Map Key: 3-1-40:3
Date: December 7, 1999

Property address: 206 Kulamau Pl.
Property owner: Mr. Henrik Falktoft
22-1-210 Shinanomachi
Shinjuku Tokyo, Japan



THIS WORK WAS PREPARED BY ME OR UNDER MY SUPERVISION
Dennis K. Hashimoto
DENNIS K. HASHIMOTO

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



GILBERT S. COLOMA-AGARAN, CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCES MANAGEMENT

DEPUTIES
ERIC T. HIRANO
LNNEL NISHIOKA

02 SEP 2008 PM 1 49

STATE OF HAWAII

DEPARTMENT OF LAND AND NATURAL RESOURCES

CITY & COUNTY OF HONOLULU

HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING, ROOM 555
801 KAMOKILA BOULEVARD
KAPOLEI, HAWAII 96707

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
COMMISSION ON WATER RESOURCE
MANAGEMENT
CONSERVATION AND RESOURCES
ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND
STATE PARKS

HAWAII HISTORIC PRESERVATION
DIVISION REVIEW

Log #: 30614
Doc #: 0208EJ03

Applicant/Agency: Randall K. Fujiki, Director
Department of Planning and Permitting
Address: City & County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

SUBJECT: Chapter 6E-8 Historic Preservation Review – Draft Environmental Assessment
for a Shoreline Setback Variance Falktoft Property 206 Kulamanu Place,
Diamond Head, Oahu (File No. 2002/SV-7)

Ahupua'a: Honolulu
District, Island: Kona, O'ahu
TMK: (1) 3-1-040:003

1. We believe there are no historic properties present, because:
- a) intensive cultivation has altered the land
 - b) residential development/urbanization has altered the land
 - c) previous grubbing/grading has altered the land
 - d) an acceptable archaeological assessment or inventory survey found no historic properties
 - e) other: The area is underlain by soils of the Mamala Series which are stony, alluvial deposits overlying coral reef. It is unlikely that significant historic sites are present in these soils. We recommend that the following cautionary note be added to all construction plans prepared for this project.

Should historic remains such as artifacts, burials, concentrations of shell or charcoal be encountered during construction activities, work shall cease immediately in the immediate vicinity of the find, and the find shall be protected from further damage. The contractor shall immediately contact the State Historic Preservation Division (692-8015), which will assess the significance of the find and recommend an appropriate mitigation measure, if necessary.

2. This project has already gone through the historic preservation review process, and mitigation has been completed .

Thus, we believe that "no historic properties will be affected" by this undertaking

Staff: Elaine Jourdan Date: 8/27/02

Title: Elaine Jourdan, Assistant Archaeologist O'ahu Phone (808) 692-8027

September 25, 2002

To:
Elaine Jourdane
Assistant Archaeologist
Historic Preservation Division
DLNR
Room 555
601 Kamokila Boulevard
Kapolei, Hawaii 96707
Fax: 692-0820

From: Don Shaw AIA
Fax: 259-0028

Re:
Draft Environmental Assessment
Shoreline Setback Variance
Falktoft Residence
206 Kulamanu Place, Honolulu, HI

Dear Ms. Jourdane:

Thank you for your response to this Draft Environmental Assessment. Your letter will be included in the final report. Please be assured that we will include the required cautionary note on all construction plans.

Please don't hesitate to contact me if you have any further questions regarding this project.

Regards,



Don Shaw AIA
808-295-7429

BENJAMIN J. CAYETANO
GOVERNOR OF HAWAII



BRUCE S. ANDERSON, Ph.D., M.P.H.
~~XXXXXXXXXXXX~~
DIRECTOR OF HEALTH

STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 3378
HONOLULU, HAWAII 96801

In reply, please refer to:
EMD / WB

O3014003.wpd WP6
020786

September 3, 2002

~~Mr. Robert Moore, Planner~~
Department of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Moore:

Subject: Department of Planning & Permitting Transmittal
Environmental Assessment - Shoreline Setback Variance
206 Kulamanu Place
Honolulu, Oahu, Hawaii 96816
TMK: (1) 3-1-40: 03 9,160 square feet

We have reviewed the subject document which proposes to construct a kama'aina style house, with a normal, rectangular floor plan, which fits into the existing neighborhood. However, due to the irregular geometric shape of their lot, the homeowners are seeking flexibility in the interpretation of the current shoreline setback regulations which require a 40-foot setback from the certified shoreline.

At this writing, wastewater plans were submitted in October 11, 1999 for an aerobic system and two (2) seepage pits. The stated owner at that time was Meijide Nora. However, plans were not approved nor was there any further correspondence received. Due to the lapse of more than a year, our office no longer considers the wastewater file to be active.

Although the subject project is within the City's sewer service area, the property is not currently served by the sewer system, and the City has no plans to sewer this particular area. Therefore, we have no objections to the construction of a new dwelling and the shoreline setback variance request. However, the use of a septic tank system may be limited or restricted due to the high groundwater table in this area and the following setback distances from the individual wastewater system must be met:

1. five (5) feet from wall line of any structure or building;
2. five (5) feet from property line, fifty (50) feet from stream, the ocean at established vegetation line, pond or lake;

Mr. Robert Moore
September 3, 2002
Page 2

3. five (5) feet from large trees; and
4. five (5) feet from seepage pit.

All wastewater plans must conform to applicable provisions of the Department of Health's Administrative Rules, Chapter 11-62, "Wastewater Systems." We do reserve the right to review the detailed wastewater plans for conformance to applicable rules.

Should you have any questions, please contact the Mr. Harold Yee, Supervisor of the Planning & Design Section, Wastewater Branch at 586-4294.

Sincerely,


DENNIS TULANG, P.E. CHIEF
Wastewater Branch

LNK:erm

September 25, 2002

To: Dennis Tulang, P.E.
Chief
Wastewater Branch
Dept. of Health
State of Hawaii
P.O.Box 3378
Honolulu, HI 96801
Fax: 586-4300

From: Don Shaw AIA
Fax: 259-0028

Re:
Draft Environmental Assessment
Shoreline Setback Variance
Falktoft Residence
206 Kulamanu Place, Honolulu, HI

Dear Mr. Tulang:

Thank you for your response to this Draft Environmental Assessment. Your letter will be included in the final report. Please be assured that the final project will comply with all applicable regulations concerning septic tanks and drainfields, (as outlined in your letter).

Please don't hesitate to contact me if you have any further questions regarding this project.

Regards,



Don Shaw AIA

SEP 10 10 53



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND DIVISION
STATE PARKS
WATER RESOURCE MANAGEMENT

September 13, 2002

LD-NAV
L-1254/1084/1179/1178/1296/1625

Ref.: 2002-SV7.RCM

Honorable Randall K. Fujiki, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

Dear Mr. Fujiki:

Subject: Review: Draft Environmental Assessment
Request: Shoreline Setback Variance
File No.: 2002/SV 7 (ASK)
Applicant: Henrik & Stephanie Falktoft
Address: 206 Kulamanu Place, Honolulu, Oahu, Hawaii
Authority: C&CoH Department of Planning and Permitting
TMK: 1st/ 3-1-040-003

Thank you for the opportunity to review and comment on the subject matter. A copy of the document covering the subject matter was distributed to the following Department of Land and Natural Resources' Divisions for their review and comment:

- Division of Aquatic Resources
- Division of State Parks
- Commission on Water Resource Management
- Land Division Engineering Branch
- Land Division Planning and Technical Services
- Oahu District Land Office

Attached herewith is a copy of the Land Division Engineering Branch comment.

Based on the attached responses, the Department has no other comment to offer.

If the Land Division receives additional comments, they will be forwarded to your office at that time.

Should you have any questions, please feel free to contact Nicholas A. Vaccaro of the Land Division Support Services Branch at 587-0438.

Very truly yours,

DIERDRE S. MAMIYA
Administrator

C: Oahu District Land Office

September 25, 2002

To: Dierdre S. Mamiya
Administrator
Department of Land and Natural Resources, Land Division
P.O. Box 621, Honolulu, HI 96809
Fax: 587-0455

From: Don Shaw AIA
Fax: 259-0028

Re:
DLNR Comments
Review of Draft Environmental Assessment for
Shoreline Setback Variance
Falktoft Residence
206 Kulamanu Place, Honolulu, HI

Dear Ms. Mamiya:

Thank you for your response(s) to this Draft Environmental Assessment. A copy of all letters will be included in the final report.

Please don't hesitate to contact me if you have any further questions regarding this project.

Regards,



Don Shaw AIA
808-295-7429

202 SEP 24 10:17 AM



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809

August 14, 2002

DEPARTMENT OF AQUATIC RESOURCES	
SHORELINE SETBACKS	
BOATING AND OCEAN RECREATION	
CONSERVATION AND RESOURCES ENFORCEMENT	
COMMISSIONS	
FORESTRY AND WILDLIFE	
HISTORIC PRESERVATION	
LAND DIVISION	
STATE PARKS	
WATER RESOURCE MANAGEMENT	
	02-677
RS	X
	L-1084
Suspense Date: 9/5/02	

LD-NAV
File: 2002-SV-7 (DT)

MEMORANDUM:

TO: XXX Division of Aquatic Resources
 Division of Forestry & Wildlife
 XXX Division of State Parks
 Division of Boating and Ocean Recreation
 Historic Preservation Division
 Commission on Water Resource Management
 Land Division Branches:
 XXX Planning and Technical Services
 XXX Engineering Branch
 XXX Oahu District Land Office

FROM: *Jor* Dierdre S. Mamiya, Administrator
Land Division

Charlene

SUBJECT: Review: Draft Environmental Assessment
 Request: Shoreline Setback Variance
 Applicant: Henrik & Stephanie Falktoft
 File No: 2002/SV-7 (ASK)
 Authority: C&CoH Department of Planning and Permitting
 Address: 206 Kulamanu Place, Oahu, Hawaii
 TMK: 1st/ 3-1-040-003

Please review the attached Draft Environmental Assessment covering the subject matter and submit your comment (if any) to us on Division letterhead signed and dated on or before the suspense date. If we do not receive a response by the suspense date, we will assume there are no comments.

Should you need more time to review this matter, please contact Nicholas A. Vaccaro at 587-0438

(X) We have no comment. *FONS!*

() Comment attached.

Signed: *Frederick A. ...*
Title: *Acting Admin., 9/5/02*

Date: *9/4/02*

AUG 15 2002

September 25, 2002

To: Dierdre S. Mamiya
Administrator
Department of Land and Natural Resources, Land Division
P.O. Box 621, Honolulu, HI 96809
Fax: 587-0455

From: Don Shaw AIA
Fax: 259-0028

Re:
DLNR Division of Aquatic Resources
Review of Draft Environmental Assessment for
Shoreline Setback Variance
Falktoft Residence
206 Kulamanu Place, Honolulu, HI

Dear Ms. Mamiya:

Thank you for your response to this Draft Environmental Assessment. Your letter will be included in the final report.

Please don't hesitate to contact me if you have any further questions regarding this project.

Regards,



Don Shaw AIA
808-295-7429

02 SEP 24 PM 10 54

OFFICE OF THE ATTORNEY GENERAL



2002 AUG 22 P 2:18

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND DIVISION
STATE PARKS
WATER RESOURCE MANAGEMENT

August 14, 2002

LD-NAV
File: 2002-SV-7 (DT)

L-1084
Suspense Date: 9/5/02

MEMORANDUM:

TO: XXX Division of Aquatic Resources
Division of Forestry & Wildlife
XXX Division of State Parks
Division of Boating and Ocean Recreation
Historic Preservation Division
Commission on Water Resource Management
Land Division Branches:
XXX Planning and Technical Services
XXX Engineering Branch
XXX Oahu District Land Office

FROM: *for* Dierdre S. Mamiya, Administrator
Land Division *Charles*

SUBJECT: Review: Draft Environmental Assessment
Request: Shoreline Setback Variance
Applicant: Henrik & Stephanie Falktoft
File No: 2002/SV-7 (ASK)
Authority: C&CoH Department of Planning and Permitting
Address: 206 Kulamanu Place, Oahu, Hawaii
TMK: 1st/ 3-1-040-003

Please review the attached Draft Environmental Assessment covering the subject matter and submit your comment (if any) to us on Division letterhead signed and dated on or before the suspense date. If we do not receive a response by the suspense date, we will assume there are no comments.

Should you need more time to review this matter, please contact Nicholas A. Vaccaro at 587-0438

() We have no comment.

(X) Comment attached.

Signed: *Eino T. Juon*

Date: 8/22/02

Title: _____

2002 AUG 14 PM 12:57 WATER & LAND

DEPARTMENT OF LAND AND NATURAL RESOURCES
Land Division
Engineering Branch

COMMENTS

We confirm that the shoreline portion of the proposed project site, according to FEMA Community-Panel No. 15003C0370, is located in Zone AE. This is an area of 100-year flood plain with base flood elevations determined to eight (8) feet.

We also confirm that the remainder of the proposed project site is located in Zone X. This is an area outside the 500-year flood plain.

Please note that this project must comply with rules and regulations of the National Flood Insurance Program (NFIP), whenever work is required within a flood zone. If there are any questions regarding the NFIP, please contact the State NFIP Coordinator, Sterling Yong, of the Department of Land and Natural Resources at 587-0248. If there are questions regarding flood ordinances, the applicable County representative should be contacted.

Signed: Lin T. Yoon
for ANDREW M. MONDEN, CHIEF ENGINEER

Date: 8/22/07

September 25, 2002

To: Dierdre S. Mamiya
Administrator
Department of Land and Natural Resources, Land Division
P.O. Box 621, Honolulu, HI 96809
Fax: 587-0455

From: Don Shaw AIA
Fax: 259-0028

Re:
DLNR Engineering Division
Review of Draft Environmental Assessment for
Shoreline Setback Variance
Falktoft Residence
206 Kulamanu Place, Honolulu, HI

Dear Ms. Mamiya:

Thank you for your response to this Draft Environmental Assessment. Please be assured that the project will be constructed in accordance with the appropriate regulations concerning the AE flood zone and the house will be above the 8 ft MSL base flood elevation. A copy of your letter will be included in the final report.

Please don't hesitate to contact me if you have any further questions regarding this project.

Regards,



Don Shaw AIA
808-295-7429

02 SEP 2002 10 55

07/11

HONOLULU



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND DIVISION
STATE PARKS
WATER RESOURCE MANAGEMENT

August 14, 2002

LD-NAV
File: 2002-SV-7 (DT)

Suspense Date: L-1084
9/5/02

MEMORANDUM:

~~TO:~~

- XXX Division of Aquatic Resources
- Division of Forestry & Wildlife
- XXX Division of State Parks
- Division of Boating and Ocean Recreation
- Historic Preservation Division
- Commission on Water Resource Management
- Land Division Branches:
 - XXX Planning and Technical Services
 - XXX Engineering Branch
 - XXX Oahu District Land Office

TO: FROM: *J* Dierdre S. Mamiya, Administrator
Land Division *Challen*

SUBJECT: Review: Draft Environmental Assessment
 Request: Shoreline Setback Variance
 Applicant: Henrik & Stephanie Falktoft
 File No: 2002/SV-7 (ASK)
 Authority: C&CoH Department of Planning and Permitting
 Address: 206 Kulamau Place, Oahu, Hawaii
 TMK: 1st/ 3-1-040-003

Please review the attached Draft Environmental Assessment covering the subject matter and submit your comment (if any) to us on Division letterhead signed and dated on or before the suspense date. If we do not receive a response by the suspense date, we will assume there are no comments.

Should you need more time to review this matter, please contact Nicholas A. Vaccaro at 587-0438

We have no comment.

Comment attached.

Signed: *Jaw*

Date: 8/15/02

Title: Land Agent

September 25, 2002

To: Dierdre S. Mamiya
Administrator
Department of Land and Natural Resources, Land Division
P.O. Box 621, Honolulu, HI 96809
Fax: 587-0455

From: Don Shaw AIA
Fax: 259-0028

Re:
DLNR Oahu District Land Office
Review of Draft Environmental Assessment for
Shoreline Setback Variance
Falktoft Residence
206 Kulamanu Place, Honolulu, HI

Dear Ms. Mamiya:

Thank you for your response to this Draft Environmental Assessment. A copy of your letter will be included in the final report.

Please don't hesitate to contact me if you have any further questions regarding this project.

Regards,



Don Shaw AIA
808-295-7429

NOV 10 10 55

11-5



STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809

AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND DIVISION
STATE PARKS
WATER RESOURCE MANAGEMENT

August 14, 2002

LD-NAV
File: 2002-SV-7 (DT)

Suspense Date: 9/5/02

MEMORANDUM:

TO: XXX Division of Aquatic Resources
Division of Forestry & Wildlife
✓ XXX Division of State Parks
Division of Boating and Ocean Recreation
Historic Preservation Division
Commission on Water Resource Management
Land Division Branches:
XXX Planning and Technical Services
XXX Engineering Branch
XXX Oahu District Land Office

FROM: *Jor* Dierdre S. Mamiya, Administrator
Land Division *Charlene*

SUBJECT: Review: Draft Environmental Assessment
Request: Shoreline Setback Variance
Applicant: Henrik & Stephanie Falktoft
File No: 2002/SV-7 (ASK)
Authority: C&CoH Department of Planning and Permitting
Address: 206 Kulamanu Place, Oahu, Hawaii
TMK: 1st/ 3-1-040-003

- ADMINISTRATOR
- ASST ADMIN
- DEV BR
- PLAN BR
- REG MGT BR
- CLERICAL
- ADMIN ASST
- INTERP BR
- CIRC/POST/STAFF RM
- COMMENTS & REC
- DRAFT REPLY
- FILE
- FOLLOW UP
- INFO
- RUN COPIES
- RUSH DUE
- SEE ME
- FAX/SEND COPY TO

Please review the attached Draft Environmental Assessment covering the subject matter and submit your comment (if any) to us on Division letterhead signed and dated on or before the suspense date. If we do not receive a response by the suspense date, we will assume there are no comments.

Should you need more time to review this matter, please contact Nicholas A. Vaccaro at 587-0438

() We have no comment.

() Comment attached.

Signed: *Dierdre Mamiya*

Date: 8/15/02

Title: State Parks Admin

September 25, 2002

To: Dierdre S. Mamiya
Administrator
Department of Land and Natural Resources, Land Division
P.O. Box 621, Honolulu, HI 96809
Fax: 587-0455

From: Don Shaw AIA
Fax: 259-0028

Re:
DLNR Division of State Parks
Review of Draft Environmental Assessment for
Shoreline Setback Variance
Falktoft Residence
206 Kulamanu Place, Honolulu, HI

Dear Ms. Mamiya:

Thank you for your response to this Draft Environmental Assessment. A copy of your letter will be included in the final report.

Please don't hesitate to contact me if you have any further questions regarding this project.

Regards,



Don Shaw AIA
808-295-7429

02 SEP 2002 10 10 AM



AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
CONSERVATION AND
RESOURCES ENFORCEMENT
CONVEYANCES
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
LAND DIVISION
STATE PARKS
WATER RESOURCE MANAGEMENT

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
LAND DIVISION
P.O. BOX 621
HONOLULU, HAWAII 96809

August 14, 2002

LD-NAV
File: 2002-SV-7 (DT)

L-1084
Suspense Date: 9/5/02

MEMORANDUM:

TO: XXX Division of Aquatic Resources
Division of Forestry & Wildlife
XXX Division of State Parks
Division of Boating and Ocean Recreation
Historic Preservation Division
~~XXX~~ Commission on Water Resource Management
Land Division Branches:
XXX Planning and Technical Services
XXX Engineering Branch
XXX Oahu District Land Office

FROM: Dierdre S. Mamiya, Administrator
Land Division

SUBJECT: Review: Draft Environmental Assessment
Request: Shoreline Setback Variance
Applicant: Henrik & Stephanie Falktoft
File No: 2002/SV-7 (ASK)
Authority: C&CoH Department of Planning and Permitting
Address: 206 Kulamano Place, Oahu, Hawaii
TMK: 1st/ 3-1-040-003

Please review the attached Draft Environmental Assessment covering the subject matter and submit your comment (if any) to us on Division letterhead signed and dated on or before the suspense date. If we do not receive a response by the suspense date, we will assume there are no comments.

Should you need more time to review this matter, please contact Nicholas A. Vaccaro at 587-0438

We have no comment.

Comment attached.

Signed: [Signature]

Date: _____

Title: Hydrologist

7/27/02 10:39

September 25, 2002

To: Dierdre S. Mamiya
Administrator
Department of Land and Natural Resources, Land Division
P.O. Box 621, Honolulu, HI 96809
Fax: 587-0455

From: Don Shaw AIA
Fax: 259-0028

Re:
DLNR Commission on Water Resource Management
Review of Draft Environmental Assessment for
Shoreline Setback Variance
Falktoft Residence
206 Kulamanu Place, Honolulu, HI

Dear Ms. Mamiya:

Thank you for your response to this Draft Environmental Assessment. A copy of your letter will be included in the final report.

Please don't hesitate to contact me if you have any further questions regarding this project.

Regards,



Don Shaw AIA
808-295-7429

BENJAMIN J. CAYETANO
GOVERNOR



GENEVIEVE SALMONSON
DIRECTOR

STATE OF HAWAII
OFFICE OF ENVIRONMENT QUALITY CONTROL
235 SOUTH BERETANIA STREET
SUITE 702
HONOLULU, HAWAII 96813
TELEPHONE (808) 586-4185
FACSIMILE (808) 586-4188

02 SEP 27 AM 8 38

CITY OF HONOLULU

September 20, 2002

Mr. Randall K. Fujiki, Director
Department of Planning and Permitting
City and County of Honolulu
650 South King Street
Honolulu, Hawai'i 96813

Dear Mr. Fujiki:

Subject: Draft Environmental Assessment for the Falktoft Shoreline Setback Variance, O'ahu

Thank you for the opportunity to review and comment on the subject project. We have the following comments.

1. Please consult with adjacent homeowners, the Department of Health-Wastewater Branch, and the Department of Land and Natural Resources-Land Division. Also, list all the individuals, groups and agencies that you consulted.
2. Please list all the permits and approvals that are required for this project.
3. Please provide a rough cost estimate to connect to the County wastewater system.
4. Please explain the impact of the septic tank system on the adjacent coastal waters. Take into consideration the effect of the proposed swimming pool.
5. Please list the types of wastewater systems that are used in the neighborhood.

Should you have any questions, please call Jeyan Thirugnanam at 586-4185.

Sincerely,


Genevieve Salmonson
Director

c: Don Shaw

September 23, 2002

To:
Mr. Jeyan Thirugnanam
Office of Environmental Quality Control
State of Hawaii
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813
Fax: 586-4186

From:
Don Shaw AIA
41-949 Laumilo Street
Waimanalo, Hawaii 96795
Fax: 259-0028

cc.: D. Teramoto (DPP); H.Falktoft (owner)

Re:
Draft EA for Falktoft Shoreline Setback Variance

Dear Jeyan:

Thanks for taking time to talk to me today regarding your department's comments on the Falktofts' request for a shoreline setback variance. Here's a first pass at answering your questions:

1. We have received feedback from all of the following:
 - a. Adjacent homeowners (Larsen, et.al.-5/02)
 - b. Dept. of Health Wastewater Division (Dennis Tulang-9/3/02)
 - c. DLNR- Land Division (Diedre Mamiya, et.al.-9/13/02)

2. The permits and approvals for this project will be the standard ones required by the Department of Planning and Permitting for a single-family residence on an existing shoreline lot, with a septic tank, located partly in an AE flood zone (min. elev. 8ft MSL). These include the following:
 - a. a building permit (with electrical and plumbing);
 - b. a swimming pool permit;
 - c. a septic tank permit;
 - d. approvals for SMA and Shoreline;
 - e. Shoreline Certification;
 - f. Flood Fringe District Certification; and
 - g. others as may be required by the DPP.

3. According to the people I have spoken to the minimum costs associated with connecting this property to the existing sewer line on Kahala Avenue must include the following items:

- a. acquisition of the necessary easements and right-of-way (approx. 1/4 mile long by 10 ft wide)
- b. acquisition of land for a sewage pumping station (est. 50'X50')
- c. construction of a sewage pumping station
- d. excavation for sewer line (approx. 1/4 mile)
- e. laying and sewer line; connection to existing Kahala Avenue line
- f. costs associated with rerouting traffic, etc. on Kahala Ave. and other impacted streets
- g. mitigation efforts reduce impact of construction on neighbors (or legal costs for associated litigation)
- h. engineering and legal costs associated with designing, permitting and land acquisition for easements and pumping stations

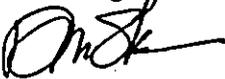
The least of these items, engineering and legal costs, would be in excess of \$100,000. The most expensive item, acquiring easements for over 14,000sf of land from numerous property owners, can only be guessed at, but would certainly exceed the value of the Falktofts 9160sf lot (approximately \$2 million). Suffice it to say that this would be a multi-million dollar project prior to the start of actual construction.

4. According to a noted local ecologist, the impact of a single-family residence's septic tank, assuming normal soil conditions (such as the Falktoft's lot), upon coastal water conditions, is of no consequence. Only larger, concentrated flows result in measurable impacts. The effluent from a septic drainfield is absorbed by the surrounding vegetation. Similarly, swimming pools which have proper chlorine levels, (or are maintained with an ozone system), and are professionally cleaned and maintained have no effect on adjacent coastal waters.

5. All of the properties in the immediate vicinity have septic tanks (or cesspools). None of the adjacent properties are connected to the city sewer system.

Please don't hesitate to call me if you have any further questions.

Best Regards,



Don Shaw
Tel. 295-7429
Fax: 259-0028

September 25, 2002

To:
Mr. Jeyan Thirugnanam
Office of Environmental Quality Control
State of Hawaii
235 South Beretania Street, Suite 702
Honolulu, Hawaii 96813

Fax: 586-4186

From:
Don Shaw AIA
41-949 Laumilo Street
Waimanalo, Hawaii 96795
Fax: 259-0028

Cc: D. Teramoto (DPP); H. Falktoft (owner)

Re:
Conversation
Draft EA-Falktoft Shoreline Setback Variance

Dear Jeyan:

Thanks for calling today to tell that you had received and approved my response to your earlier comments.

Thank you for your prompt response.

Regards,



Don Shaw AIA
295-7429

P.S. As you correctly pointed out, the City and County of Honolulu, (if it so chose), could acquire easements rights for a sewer line through the condemnation process. As we discussed, the government would still have to compensate the owners, presumably at fair market prices. Thus, even if the government were to decide to run the sewer line for the Falktofts, the acquisition of easements would be very expensive. Without the power of condemnation, these costs are prohibitive, especially for a single-family house. I have been advised by the Wastewater Branch, that there are no plans on their books to extend city sewer lines into this neighbor, because of the high costs involved.

RECEIVED

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DEPT. OF PLANNING & PERMITTING
CITY & COUNTY OF HONOLULU



HON
PM
18 SEP
2002



Dept. of Planning and Permitting
City & County of Honolulu
650 South King Street
Honolulu, HI 96813

4174502

Sept. 18, 2002
Dept. of Planning & Permitting:

I am writing in opposition to the shoreline setback variance applied for by Henrik and Stephanie Kulamana Place (IM K 3-1-040-003). I would like the City & County of Honolulu to uphold current Shoreline Setback regulations, a 40 ft. setback from the certified shoreline. Sylvia Almeida

September 25, 2002

Ms. Sylvia Himeda
4308 Papu Circle
Honolulu, Hawaii 96816-4841

Re:
Shoreline Setback Variance: 206 Kulamanu Place

Dear Ms. Himeda:

Thank you for your interest in the Shoreline Setback Variance Application for Henrik and Stephanie Falktoft at 206 Kulamanu Place. Attached is a copy of the Draft Environmental Assessment. With your permission, we will include your comments in the final report.

Please don't hesitate to call me if you have any questions.

Best regards,



Don Shaw AIA
41-949 Laumilo Street
Waimanalo, Hawaii 96795
Tel: 295-7429