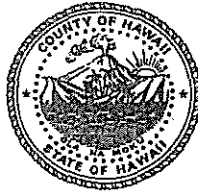


Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

November 19, 2004

Robin R. Alvarez
RR 3 Box 1043
Pahoa, Hawaii 96778

Dear Robin R. Alvarez:

SUBJECT: **Additional Farm Dwelling Agreement** (04-0013)

Applicant: **Robin R. Alvarez**

Land Owner : **Robin R. Alvarez**

State Land Use: **Agricultural**

County Zoning: **A-1a**

Land Area: **12,000 sq.ft.**

Tax Map Key: **(3) 1-6-083:055**

This letter is in response to your application for an Additional Farm Dwelling Agreement (AFDA) for the subject property that was received on October 5, 2004.

The subject 12,000 sq.ft. parcel is zoned Agricultural (A-1a) by the County and is situated within the State Land Use (SLU) Agricultural district. This lot was created by subdivision (SUB 1416) approved on November 2, 1959, which, pursuant to HRS §205-4.5(b), allows the first dwelling on the lot to be a single-family dwelling

Upon review of your application and submittals, we regret to inform you that your request for and AFDA is **denied** based on the following:

The scope and nature of the agricultural activity on this 12,000 sq.ft. parcel is deemed to be insufficient to justify the need for additional farm labor and that the agricultural products are for personal purposes and not intended for economic gain.

Hawai'i County is an equal opportunity provider and employer.

064792
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In Chapter 205, Hawaii Revised Statutes (HRS), the State Land Use Law does not authorize residential dwellings as a permitted use in the State Land Use Agricultural district unless the dwelling is related to an agricultural activity or is a farm dwelling. A **farm dwelling**, as defined in Section 205-4.5, Chapter 205, HRS, **means a single family dwelling located on and used in connection with a farm**, including clusters of single family farm dwellings permitted within agricultural parks developed by the State, **or where agricultural activity provides income to the family occupying the dwelling.** (emphasis added)

Once again, we regret to inform you that this application must be denied for lack of sufficient agricultural activity to warrant the additional farm worker housing.

Section 25-2-20 (a) (c) of the Zoning Code states:

- (a) Any person aggrieved by the decision of the director or the commission in the administration or application of this chapter, except for decisions regarding variance applications and decisions which are directly appealable to the circuit courts under state law, may, within thirty days of the director or commission's written decision, appeal the decision to the board of appeals.

- (c) An appeal shall be in writing, in the form prescribed by the board of appeals, and shall specify the person's interest in the subject matter of the appeal and the grounds of the appeal. Any such appeal shall be accompanied by a filing fee of \$250. The person appealing a decision of the director or commission shall provide a copy of the appeal to the director or commission, as appropriate, and to the owners of the affected property and shall provide the board of appeals with the proof of service.

A General Petition for Appeal of Decisions by Planning Director has been enclosed for your convenience.

Robin R. Alvarez
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November 19, 2004

If you should have any questions, please feel free to contact Jonathan Holmes of this office at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

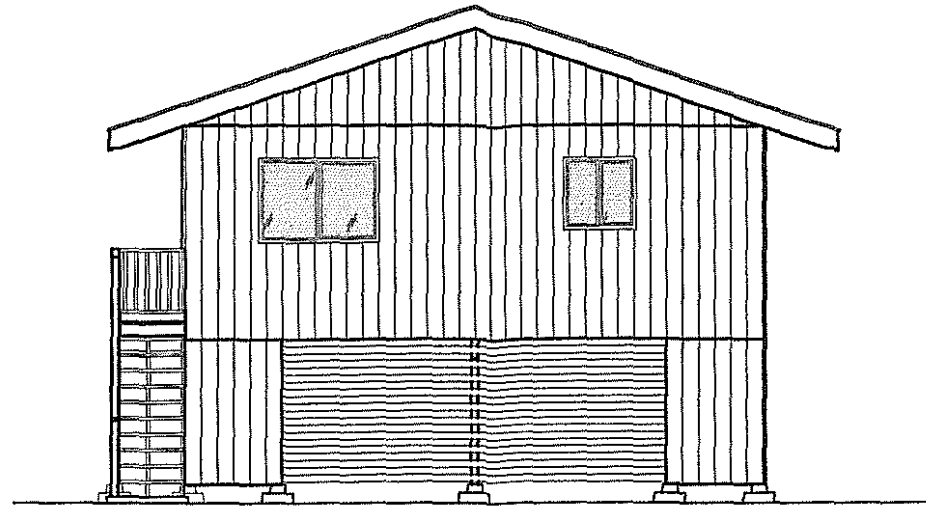
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Enclosure

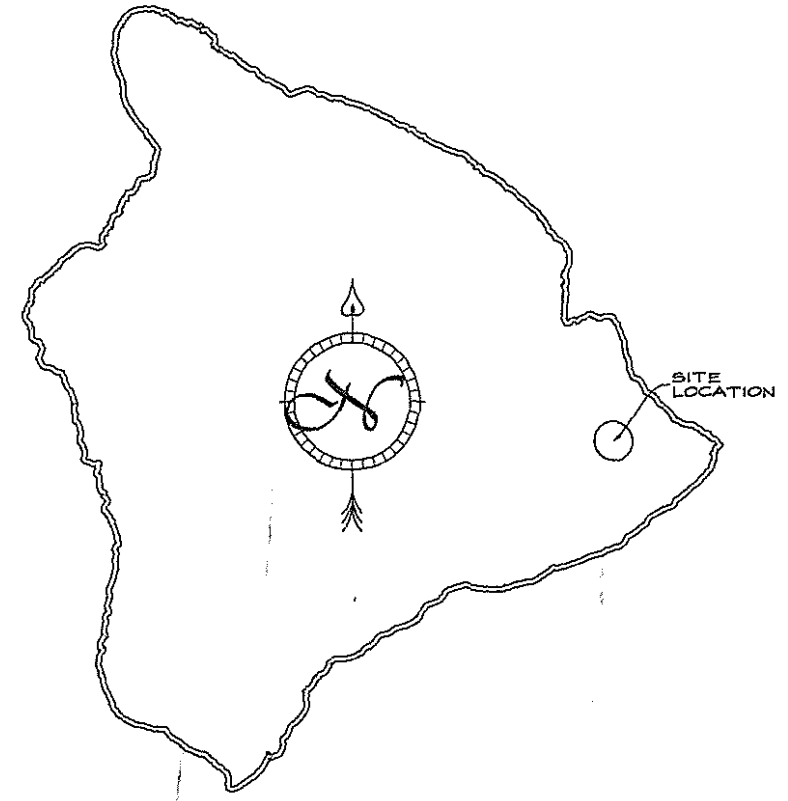
xc: Mr. Milton Pavao, DWS
Mr. Mike McCall, RPT



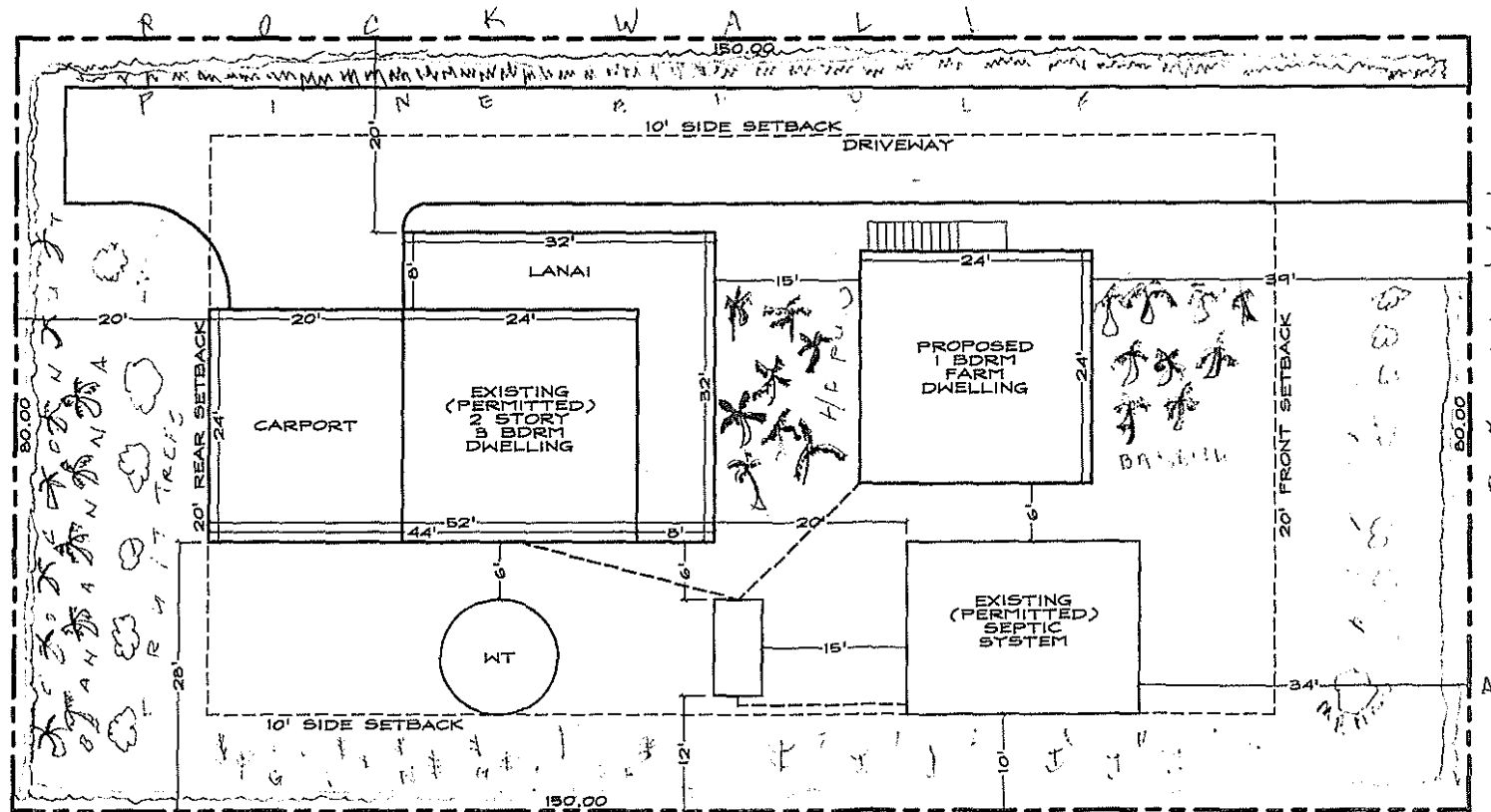
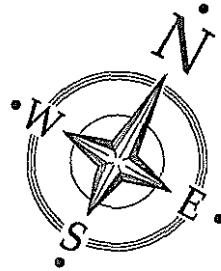
FRONT ELEVATION
SCALE: 1/4" = 1'



RIGHT ELEVATION
SCALE: 1/4" = 1'



SITE LOCATION



SITE PLAN
SCALE: 1" = 10'

TROJAN LUMBER CO.
199 MAKAALA STREET
HILO, HAWAII 96720
935-9711



DRANN MARK WOOLDRIDGE

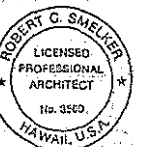
ROBIN ALVAREZ

SCALE: (AS STATE)

576 SQ FT
TOTAL AREA

JULY 30, 20

REVISION DA



THIS WORK WAS PREPARED BY ME UNDER MY SUPERVISE AND CONSTRUCTION OF THIS PROJECT WILL BE UNDER MY OBSERVATION.

SHEET NO.