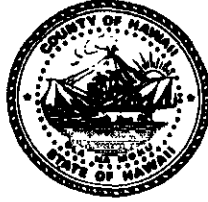


William P. Kenoi
Mayor



Duane Kanuha
Director

Bobby Command
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

May 18, 2015

Govinda C. Gay and Emma B. Gay
P. O. Box 403
Captain Cook, HI 96704

Dear Mr. and Mrs. Gay:

**SUBJECT: Application: ADDITIONAL FARM DWELLING AGREEMENT
(FDA-15-000379)**
Applicant: Govinda C. Gay and Emma B. Gay
Land Owner: Govinda C. Gay and Emma B. Gay
State Land Use: Agricultural
County Zoning: Agricultural (A-1a)
Land Area: 1.0 acre
Tax Map Key: (3) 8-3-010:012, Keeki, South Kona

Pursuant to authority conferred to the Planning Director by Chapter 25 (Zoning), Article 5, Division 7, Section 25-5-77 of the Hawai'i County Code and Planning Department Rule 13, Farm Dwellings, we have reviewed and **approved** your request for **one (1) additional farm dwelling** on the subject property, based on the written information you provided and subject to the conditions set forth below.

APPLICATION SUMMARY

1. **Subject Property:** Lot 1 of Subdivision no. 4379, approved October 30, 1979.
2. **Lot Size:** 1.0 Acre.
3. **State Land Use:** Agricultural.
4. **County Zoning:** A-1a (Agricultural, minimum building site of Twenty Acres).
5. **Proposed Request:** One Additional Farm Dwelling (AFD).

6. Farm Plan – includes the following income-producing agricultural activities, land area, gross income and labor estimates:

a. Existing agricultural activities include:

i. Maintenance and harvest of assorted fruit and nut trees and ground fruit as follows:

8 avocado trees	8 papaya trees	24 macadamia nut trees
20 pineapple plants	7 banana mats	

b. Proposed agricultural activities include:

i. Removal of four macadamia nut trees to provide room for proposed additional dwelling, leaving 20 total macadamia nut trees;

ii. Addition of four avocado trees for a total of 12 avocado trees.

iii. Addition of ten banana mats for a total of 17 banana mats.

iv. Addition of ninety pineapple plants for a total of 110 pineapple plants.

v. Addition of approximately 900 square feet of raised vegetable beds

c. Estimated Man-hours per week for farm:

i. Macadamia nuts: Pick, husk, roast and package nuts for sale – 5 hours/week;

ii. Maintain and harvest papaya, avocado trees, pineapple plants – 5 hours/week;

iii. General maintenance of all plants and trees – 1 hour/week;

iv. Raised vegetable beds: weed, water and harvest – 8 hours/week;

v. Pack fruit and vegetable produce for retail sales – 1 hour/week

TOTAL ESTIMATED MAN-HOURS: 20 hours/week.

c. Projected Income:

i. Pineapples	50 – 75 fruits/year	\$250
ii. Macadamia Nuts	400 one-pound bags/year	\$3,200
iii. Bananas	500 lbs./year	\$500
iv. Avocados	1,200 lbs/year	\$1,200
v. Papayas	200 lbs./year	\$200
vi. Fresh leafy vegetables	300 bags/year	\$1,800
TOTAL ESTIMATED GROSS INCOME/year:		\$6,650

d. Land area of farm operation:

i. Approximately 2/3acre are to be used for existing and proposed agricultural activity.

7. In addition, you have provided evidence of applying for a General Excise Tax License.
8. **Rationale for Establishing an AFD:** To accommodate a farm worker to assist with this operation.

FINDINGS

1. Chapter 205, Hawai'i 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 HRS Chapter 205-4.5(a) **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)
2. The subject lot was created by Subdivision no. 4379 on October 30, 1979. Because this date is after June 4, 1976, pursuant to HRS 205-4.5(b), the first dwelling on the lot is also required to be a farm dwelling as defined in HRS Chapter 205-4.5(a).
3. The Farm Plan and the agreement to use the dwelling for agricultural or farm-related activity on the building site demonstrate and ensure that there is, or will be, income-producing agricultural activity.
4. In addition, the following agencies have submitted their comments as identified below:
 - a. Department of Water Supply (DWS) letter dated April 22, 2015, a copy of which is attached hereto as "Attachment 1."
 - b. No comments were received from other noticed agencies prior to the date of this letter.

DECISION AND CONDITIONS

In view of the above, your request to construct **one (1) Additional Farm Dwelling** on the property is **approved** subject to the following conditions:

1. Your application for an Additional Farm Dwelling has been approved based on both existing and proposed agricultural activity as summarized above in this letter.
2. The AFD shall be used for farm-related purposes and provide shelter for persons involved in the agricultural or farm-related activity on the building site. Family members who are not engaged in agricultural or farm-related activities are also allowed to reside in the additional farm dwelling.

Govinda C. Gay and Emma B. Gay
May 18, 2015
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Should you have any questions on this matter, please contact Keola Childs, Planner, of the West Hawai'i office at (808) 323-4770.

Sincerely,



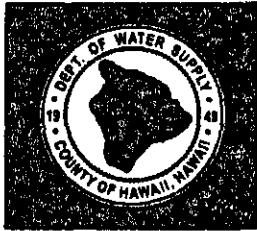
DUANE KANUHA
Planning Director

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Attachments: Attachment 1 (DWS letter dated April 22, 2015)

Enclosures: AFDA document
AFDA document instruction sheet

Copies to: Manager-Chief Engineer, DWS
Administrator, RPT
GIS Section (via email)



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII
345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

April 22, 2015

TO: Mr. Duane Kanuha, Director
Planning Department

FROM: Quirino Antonio, Jr., Manager-Chief Engineer

SUBJECT: **ADDITIONAL FARM DWELLING AGREEMENT APPLICATION (COR 15-097697)**
APPLICANT: GOVINDA C. GAY AND EMMA B. GAY
TAX MAP KEY 8-3-010:012

We have reviewed the subject application and have the following comments and conditions.

Please be informed that the subject parcel is currently served by a 5/8-inch meter, which is adequate for only one dwelling at an average daily usage of 400 gallons. Inasmuch as this application is proposing an additional dwelling, the installation of a separate 5/8-inch meter will be required. Water can be made available from the Department's existing 8-inch waterline within Middle Keei Road, fronting the subject parcel.

Therefore, the Department has no objections to the proposed application, subject to the applicant understanding and accepting the following conditions:

1. Construct necessary water system improvements, which shall include, but not be limited to:
 - a. service laterals that will accommodate a 5/8-inch meter, and
 - b. subject to other agencies' requirements to construct improvements within the road right-of-way fronting the property affected by the proposed development, the applicant shall be responsible for the relocation and adjustment of the Department's affected water system facilities, should they be necessary.
2. Remittance of the following charges, which are subject to change, to our Customer Service Section:

FACILITIES CHARGE (FC):	
2 nd service to the parcel	\$5,500.00
SERVICE LATERAL INSTALLATION CHARGE:	
<u>Install one meter on Middle Keei Road, a County Road</u>	<u>\$3,000.00</u>
Total (Subject to Change)	\$8,500.00

This is due and payable upon completion of the installation of the required water system improvements.

ATTACHMENT 1

... Water, Our Most Precious Resource ... Ka Wai A Kane ...

The Department of Water Supply is an Equal Opportunity provider and employer.

Mr. Duane Kanuha, Planning Director

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April 22, 2015

3. Further, as the applicant indicates that there is an existing and proposed agricultural activity within the subject parcel, a reduced pressure type backflow prevention assembly must be installed within five (5) feet of the existing (if one does not already exist) and new meter on private property. The installation of the backflow prevention assembly must be inspected and approved by the Department before commencement of water service. A copy of the Department's backflow prevention handout will be sent to the applicant to help them understand this requirement.

Please note that separate dwellings shall not share a 5/8-inch meter and for parcels receiving water service, the plumbing for separate dwellings shall not be interconnected in any way.

Should there be any questions, please contact Mr. Troy Samura of our Water Resources and Planning Branch at 961-8070, extension 255.

Sincerely yours,



Quirino Antonio, Jr., P.E.
Manager-Chief Engineer

TS:dfg

copy – Govinda C. Gay and Emma B. Gay (w/copy of the backflow prevention handout)
DWS Customer Service Section (Hilo)
DWS Cross Connection Section