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September 18, 2020

Mary Freitas
70 Ala Muku Street
Hilo, Hawai'i 96720

Dear Ms. Freitas:

**DETERMINATION OF PRE-EXISTING LOT OF RECORD
Being Portions of Grant 8199 and Grant 11,998, Pi'ihonua House Lots, 3rd Series,
Pi'ihonua, South Hilo, Island of Hawai'i, Hawai'i
Tax Map Key: (3) 2-3-023:003 (Lot A)**

This responds to your correspondence of August 13, 2020, requesting a determination of a pre-existing lot of record for the subject property.

We have reviewed our department records and those of the Department of Finance-Real Property Tax Division (RPT) in accordance with Article 11 (Pre-existing Lots) of the Subdivision Code (Sections 23-117 through 23-120).

Our review of the records has found the following:

1. This parcel contains portions of Land Patent Grant 8199 to Julia Santos dated January 25, 1923;
2. Subdivision approval SUB-205 dated October 24, 1949 created Lot A;
3. Lot A consists of two (2) portions of Grant 8199 (land area of 11,528 square feet, more or less) and a flume right-of-way (1,520 square feet, more or less);
4. Land Patent Grant 11,998 (flume right-of-way) containing 1,534 square feet conveyed to Julia Santos on November 8, 1950; and
5. We have no record of the various portions having been legally consolidated with any other adjacent lands.

Given the above, we determine that TMK: 2-3-023:003 consists of three (3) lots of record; Grant 11,998 (flume right-of-way) and two (2) portions of Lot A (portions of Grant 8199). The flume right-of-way would not be considered a buildable lot of record. The two (2) separate portions of Lot A would be considered separate buildable lots of record.

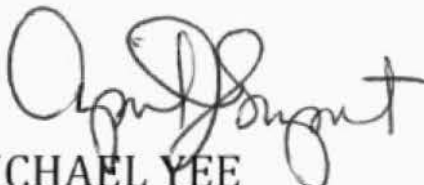
To answer your inquiry, the three separate lots could be consolidated and resubdivided to create two (2) buildable lots of record utilizing Section 23-7 of the Subdivision Code which states:

"The requirements and standards of this chapter shall not apply to consolidation and resubdivision action resulting in the creation of the same or fewer number of lots than that which existed prior to the consolidation/resubdivision action; provided that the director, upon conferring with the director of public works and manager-chief engineer of the department of water, may require necessary improvements to further the public welfare and safety."

Please note, considering the total land area involved and probable resulting size of lots below 10,000 square feet, the State of Hawai'i, Department of Health (DOH) may require the existing and any new dwellings to connect to the public sewer system. Any further questions relating to wastewater requirements should be directed to the DOH.

Should you have any questions, please feel free to contact Hans Santiago at hans.santiago@hawaiicounty.gov or Jonathan Holmes at jonayhan.holmes@hawaiicounty.gov.

Sincerely,


MICHAEL YEE
Planning Director

HS:tb

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xc: Tax Maps and Records Supervisor
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