

May 17, 2004

Mr. Casey Robinson
P.O. 129-2 Pualei Drive
Lahaina, Hawaii 96761

Dear Mr. Robinson:

**SUBJECT: Inquiry Regarding Existing Lot(s) Of Record
TMK's (3) 2-8-007:024 (Lots 11 and G)**

This is in response to your Letter of April 22, 2004. You requested to know if this Department would consider the referenced parcel as two lots of record.

The subject 15,096 sq. ft. parcel is zoned Single-Family Residential-seven thousand five hundred square feet (RS-7.5) by the County and is designated Urban by the State Land Use Commission.

As your submitted research indicates, there were two Subdivision actions that created the two lots. Lot 11 was created by Subdivision 769 granted final approval on June 9, 1954 and Lot G by Subdivision 1093 with final approval on February 20, 1957.

Our records for Subdivision 1093 contain reference from the subdivider, Pepeekeo Sugar Company, that "... Please be advised that Lots A and K will be sold separately and that Lots B to J inclusive and Lot L will be sold to abutting property owners..."

Final Subdivision approval was conditioned, in part, as follows: "... Approval is contingent upon the consolidation of Lots B to J, and Lot L with adjoining parcels..." We interpret "contingent" to mean that Subdivision 1093 became effective only upon the consolidations. This is an old Subdivision that was processed through the Traffic and Planning Commission. If the Subdivision were processed today, the Planning Department would require a consolidation action in concert with the subdivision action in order to achieve the desired result (i.e. larger single lots).

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Therefore, Lots 1, 3(-C), 5, 7, 9, 11, 13, 15, 17 and 23 were consolidated with Lots B through J and L respectively. The net outcome is that the 20 lots are now 10 lots of record.

Further, the subject parcel number 24 that exists now is conforming to the minimum building site area, however, at 50' wide the lot is nonconforming to the minimum building site average width (60' in this case). Because this parcel cannot meet the minimum requirements of the Zoning Code regarding lot width, in order to subdivide the lot, a variance from that requirement would need to be obtained. Bear in mind that the mere submittal of an application for a variance does not imply tacit approval.

If you should have further questions, please feel free to contact Jonathan Holmes of this office at (808) 961-8288.

Sincerely,

CHRISTOPHER J. YUEN

Planning Director

JRH/RYT:pak

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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 24, 2004

Casey Robinson
129-2 Pualei Dr.
Lahaina, Maui, HI 96761

Dear Mr. Robinson:

DETERMINATION OF LOTS
Andrade Camp
TMK: 2-8-007:024 (SUB 769 & 1093)

This is to acknowledge receipt of your letter of April 6, 2004, regarding the subject matter.

We have reviewed our department records and have the following comments:

1. Andrade Camp was formally created when Subdivision No. 769 was approved by the Planning and Traffic Commission on June 7, 1954. A total of 23 lots were approved. Your lot of interest, Lot 11 was one of these lots.
2. The Planning and Traffic Commission approved on February 18, 1957, Subdivision No. 1093, Addition to Andrade Camp. Twelve lots, Lot A through Lot L plus a Road Lot were created "contingent upon consolidation of Lots B to J, and L with adjoining parcels, and the granting of a perpetual easement to all lots over your roadways."
3. To date Lot G has not been consolidated with Lot 11 as required by the Planning and Traffic Commission. While no timetable was given by the Planning and Traffic Commission, this Consolidation is required.

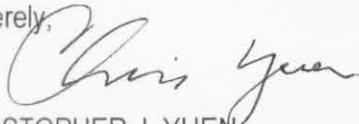
Andrade Camp is zoned Single Family Residential (RS-7.5) by the County. On any lot in the Single Family Residential District, more than one dwelling is allowed provided there is not less than the minimum building site area for each dwelling. In this case, 7,500 square feet for each dwelling. Parcel 24 is greater than 15,000 square feet in area, thus, 2 dwellings would be permitted on the Consolidated Lot.

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Casey Robinson
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Should you have any questions, please feel free to contact this department.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

RKN:lnm

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xc: ✓Tax Maps and Records Supervisor I ✓
Real Property Tax Division-Hilo
Manager-DWS