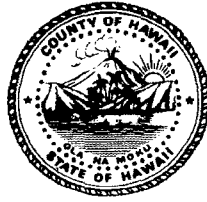


Harry Kim
Mayor

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County of Hawai'i
PLANNING DEPARTMENT

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June 27, 2019

Zendo Kern
Planning Consultant, LLC
194 Wiwo'ole Street
Hilo, HI 96720

Dear Mr. Kern:

Pre-Existing Lots of Record Determination
Kioloiku, Hi'ona'ā & Honu'apo, Ka'u, Island of Hawai'i, Hawai'i
TMK: (3) 9-5-012:026 and (3) 9-5-014:017

This is to acknowledge receipt of your letter of February 6, 2019 and resubmittal received on March 28, 2019, regarding the subject matter. We apologize for the length of time it has taken to respond.

We have reviewed our department records, Registered Maps from the State of Hawai'i Survey Division, and records located at 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).

We find no evidence to support your claim for additional pre-existing lots based on the existence of the Main Cane Haul Road. Our determination dated January 20, 2005 for the subject TMK parcels remains in effect.

Hawai'i County Code Section 23-118 sets the criteria for which a pre-existing lot is determined. Beyond the three ways to determine a pre-existing lot listed in Section 23-118, the Highways Act of 1892 can also qualify roadways for pre-existing status, with exceptions. Although the Planning Department does some investigation of existing resources when doing its review of a pre-existing request, we may not have access to all information available to support a requestor's claim.

Ultimately, it is the requestors responsibility to provide the Planning Department with the required evidence to support a claim for pre-existing lots. Some examples of additional

Zendo Kern
Planning Consultant, LLC
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information that could be provided with another request are original land titles (Land Commission Awards, Grants, Mahele Awards, etc.), deeds, historical maps (Registered Maps, HTS & HSS maps, etc.), governmental records, or subdivision maps. These documents must support the claim consistent with the criteria in Section 23-118 or Highways Act of 1892.

Should you have any questions, please feel free to contact Hans Santiago of this department.

Sincerely,



MICHAEL YEE
Planning Director

JRH/HS:tb

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xc: Manager-DWS
Real Property Tax Division-Hilo
Tax Maps and Records Supervisor
G. Bailado, GIS Manager (via e-mail)