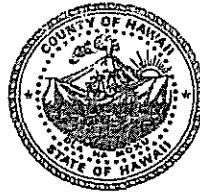


Harry Kim
Mayor



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

December 30, 2003

Mr. Sidney Fuke, Planning Consultant
100 Pauahi Street, Suite 212
Hilo, HI 96720

Dear Mr. Fuke:

Non-Significant Zoning Change Application (NZC 03-005)
Applicant: Pua'a Development, LLC
Keauhou Ist, North Kona
TMK: 7-8-10: portion of 29 and 7-8-22:37

This is to acknowledge receipt on December 16, 2003 of your request, on behalf of Pua'a Development, LLC, for a determination of a non-significant zoning change in accordance with Section 25-2-45 of Chapter 25, Hawaii County Code.

Your request is to adjust the zoning boundaries by decreasing TMK: 7-8-10: portion of 29 by 834 square feet and increasing TMK: 7-8-22:37 by a strip of land totaling approximately 834 square feet or .0191 acres along the east (rear) property boundary. You have noted that due to the sloping topography in the area, many properties have major cuts and fills, which required work outside the boundaries of the subdivision. Further, the 834 square foot area looks to be physically a part of the existing 15,645 square foot lot. Immediately beyond this area is an embankment that ranges between 6-12 feet all. The change would specifically affect the site of a new dwelling, which is under construction within the Bayview Estates, Phase I, in Keauhou, North Kona. Specifically, the following are the zoning districts and land areas involved:

TMK	Zoning	Existing area	Change in Area	Resulting area	Net change
7-8-10: por. 29	A-5a	37.01 acres	-834 SF	36.992 acres	-.0005%
7-8-22:37	RS-15	15,645 SF	+834 SF	16,478 SF	+.0533%

Mr. Sidney Fuke, Planning Consultant

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According to Section 25-2-45 of the Zoning Code regarding Non-Significant Zoning Changes, the Planning Director may administratively grant non-significant zoning changes that must comply with the designations for the property set forth in the general plan and any development plan adopted by ordinance, and must either:

- (1) Not result in a net increase in the density allowed in the zoning district(s) containing the affected area; *or*
- (2) Be the lesser of a five percent or one acre increase or decrease in the area of any zoning district(s).

Upon review of the request, we have determined that it complies with the criteria set forth in Section 25-2-45(a)(2) of Chapter 25, Hawaii County Code, for determining non-significant zoning changes.

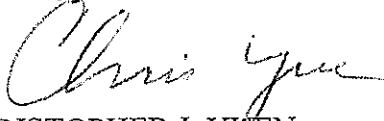
- 1) The adjustment of zoning boundaries will not result in any increase in the zoning densities.
- 2) The area under review is in compliance with the General Plan. The project site is situated within an area designated as an "Urban Expansion" by the General Plan Land Use Pattern Allocation Guide (LUPAG) map.
- 3) The changes will not result in a net increase in the density allowed in the zoning districts containing the affected area. The lot to be increased in size is TMK: 7-8-22:37, which is presently a 15,645 square foot lot that will increase in size by approximately 834 square feet of land area, which is less than 1 acre. The larger lot, TMK: 7-8-10:29, is presently zoned A-5a and 37.01 acres, will decrease in size to approximately 36.992 acres, which is less than 5% and less than one acre.

Based on the above, we hereby administratively grant the requested non-significant zoning changes.

Mr. Sidney Fuke, Planning Consultant
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Should you have any questions, please feel free to contact Susan Gagorik or Alice Kawaha of this office at 961-8288.

Sincerely,

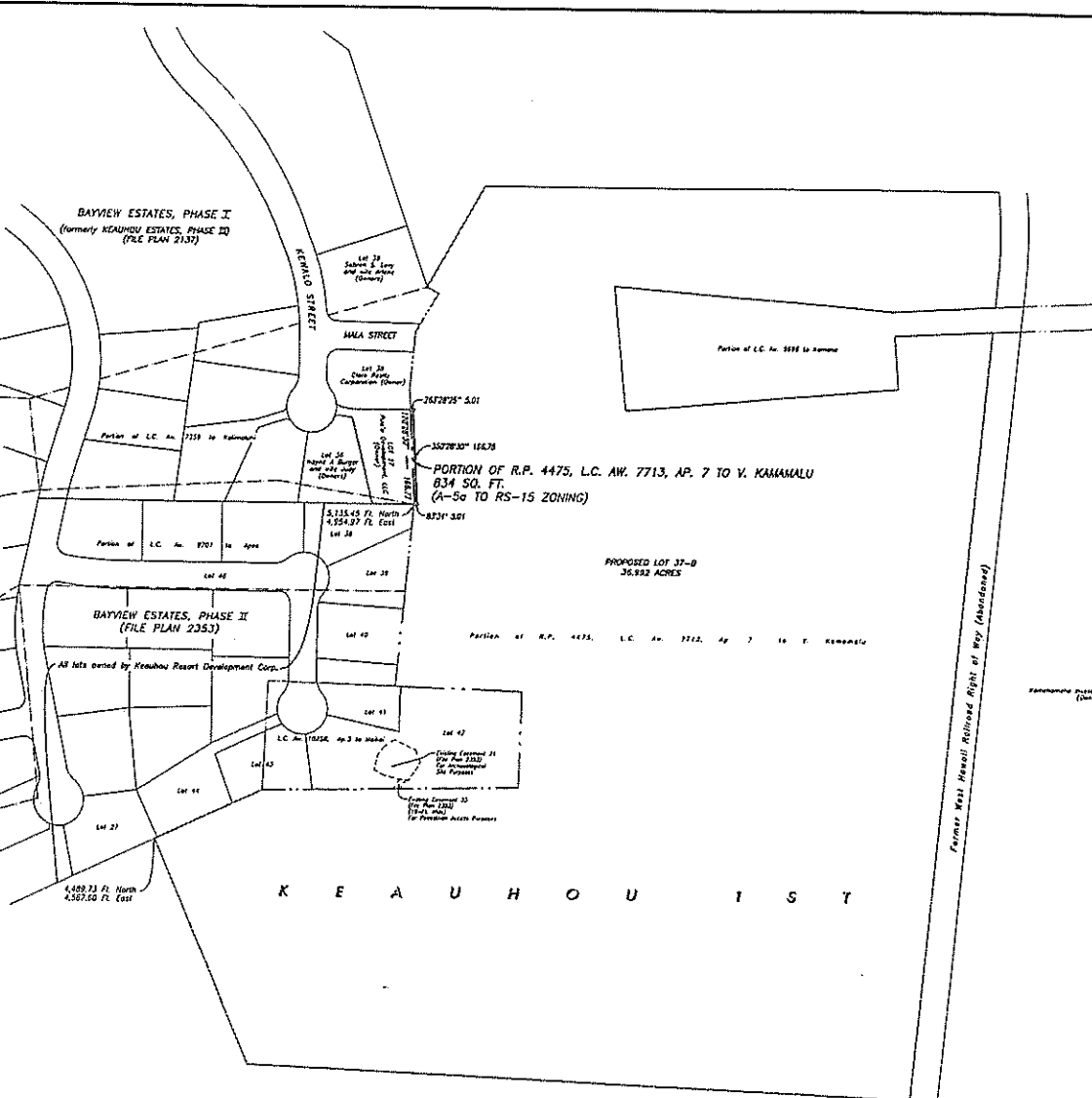


CHRISTOPHER J. YUEN
Planning Director

SG:pak
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cc: w/app Hawaii County Council
 Real Property Tax Division
 Planning-West Hawaii Office
 Planning-TMK Mapping Section (Hans Santiago)
 Planning-Long Range Section


← cc: w/map, m&b description: Planning-GIS Section (Gilbert Bailado)



NON-SIGNIFICANT CHANGE OF ZONE EXHIBIT
 MAP SHOWING
 A PORTION OF
 R.P. 4475, L.C. AW. 7713, AP. 7 TO V. KAMAMALU
 At Keauhou 1st, North Kona
 Island and County of Hawaii, State of Hawaii

- NOTES:**
1. All points and coordinates are referred to Government Survey Triangulation Station "KEAUHOU COAST".
 2. Names of owners of adjoining parcels are from available Tax Map records.
 3. Subject Parcels are located in Zone R (areas determined to be outside the 500-year flood plain) of the Flood Insurance Rate Map (FIRM), Community-Plan Number 135160-0229 C, September 16, 1993.

Prepared For:
PIVA DEVELOPMENT, LLC (OWNER LOT 37)
 c/o Brian Cook
 75-5628 KONAHELE ROAD, BOX 21
 KONA-KONA, HAWAII 96740
 KONAHELE INVESTMENT MANAGEMENT COMPANY, INC.

This map was prepared by me or
 under my direct supervision

Gerald L. Tamm
 GERALD L. TAMM
 LICENSED PROFESSIONAL
 LAND SURVEYOR
 No. 4331
 State of Hawaii Certificate Number LS-4231

