

CERTIFIED MAIL

August 3, 1983

Mr. Victor Tavares  
156 Wainaku Avenue  
Hilo, HI 96720

Dear Mr. Tavares:

Ohana Dwelling Application (OD83-59)  
Victor Tavares  
Tax Map Key: 7-6-19:44

We regret to inform you that after reviewing your application and comments received from the affected agencies, the Planning Director is hereby denying your ohana application. The reason(s) for the denial are as follows:

Chapter 25, Article 25, Section 25-271 of the County of Hawaii Zoning Code, pertaining to Regulations for Ohana Dwelling, requires that "The County determines that public facilities as specified in section 25-272 of this article are adequate to serve the ohana dwelling unit."

Said Section 25-272(a)(2) more specifically requires of the ohana dwelling that "It meets with State Department of Health wastewater treatment and disposal system requirements." The determination of the Sanitation Division, Department of Health, with respect to your application is as follows:

"Minimum lot size required for duplex conversion is 10,000 square feet. 5,000 sq. ft. per dwelling unit."

Your application does not meet this area requirement, as it proposes to convert an existing dwelling into a duplex on a property whose total land area is 7,800 square feet.

The Director's decision is final, except that within thirty (30) days after receipt of this letter, you may appeal the decision in writing to the Board of Appeals in accordance with the following procedures:

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1. A non-refundable filing fee of one hundred dollars (\$100).
2. Ten (10) copies of the petition for the appeal incorporating the following:
  - a. The name, address, and telephone number of the appellant and the name, title, and address of the appellant's representative.
  - b. A description of the property involved in the appeal, including the tax map key number of the property, and the appellant's interest in the property.
  - c. A plain statement of the nature of the appeal and the relief requested.
  - d. A statement explaining:
    - 1) How the decision appealed from violates the law; or
    - 2) How the decision appealed from is clearly erroneous; or
    - 3) How the decision appealed from was arbitrary or capricious, or characterized by an abuse of discretion or clearly unwarranted exercise of discretion.
  - e. A clear and concise statement of any other relevant facts.

Should you have any further questions, please feel free to contact this office at 961-8288.

Sincerely,



SIDNEY FUKU  
Planning Director

MO:gs

cc: Chief Engineer, DFW  
Chief Sanitarian, DOH