

August 4, 1989

Ms. Cheryl Morgan
RR 2, Box 7801
Pahoa, HI 96778

Dear Ms. Morgan:

Ohana Dwelling Permit (OD 89-175)
Tax Map Key: 1-2-18:2

The subject application has been reviewed by the concerned agencies and note:

1. The subject tax map key parcel is served by an acceptable street;
2. The subject application can meet with the State Department of Health wastewater treatment and disposal systems requirements;
3. The copy of document(s) received relating to subject tax map key parcel to establish title and exhibits contained herein do not include any deed restriction or covenant to prohibit construction of requested ohana dwelling; and,
4. The submitted revised site plan dated June 21, 1989 denotes two off-street parking stalls on the property.

In view of the above, by this letter, you are hereby granted permission to construct the Ohana Dwelling subject to the following condition(s):

- (a) Pursuant to Special Management Area (SMA) Minor Permit No. 89-9, the Ohana Dwelling shall be completed on or before August 21, 1990.
- (b) Off-street parking space for two vehicles is designated on the submitted revised site plan to fulfill the off-street parking requirement. The off-street parking spaces may not be employed for storage or other use unless and until approved alternative on-site parking arrangements are established.
- (c) All construction drawings together with approved site plan drawn to scale submitted with the ohana dwelling building

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permit application shall denote location and identify required two (2) off-street parking spaces.

- (d1) The ohana dwelling shall conform to all requirements of codes and statutes pertaining to access and building construction.
- (d2) Applicant shall secure a driveway permit for the proposed Ohana dwelling. Applicant shall provide a minimum clear distance of 30 feet between driveways and construct the driveway connection to current standards.
- (e) The applicant shall conform to State Department of Health standards and regulations and following comment(s) dated June 2, 1989:

*The use of cesspools as means of individual wastewater disposal above the UIC line may not be allowed effective January 1, 1990.

Use of an individual wastewater system limited to four bedrooms or 800 gallons per day based on 200 gallons/bedroom/day.*

- (f) The applicant shall comply with Special Management Area (SMA) Minor Permit No. 89-9 and conditions dated July 31, 1989.
- (g) This Ohana Dwelling permit is subject to all other applicable rules, regulations and requirements, including but not limited to those of the Planning Department, Department of Public Works, and State Department of Health.

Please bring or attach a copy of this Permit to expedite processing the building plans and building permit application to construct the ohana dwelling. Should you have any questions regarding the above, please feel free to contact either Masa Onuma or William Yamamoto of my staff at 961-8288.

Sincerely,



DUANE KANUHA
Planning Director

MO/WRY:etn
cc: Department of Health,
Chief Sanitarian
Department of Public Works
Real Property Tax Division

CERTIFIED MAIL

July 31, 1989

Ms. Cheryl Morgan
RR 2, Box 7801
Pahoa, HI 96778

Dear Ms. Morgan:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 89-9
Tax Map Key 1-2-18:2 (OD 89-175)

Upon careful review of your SMA Use Permit request, we have found that it complies with the requirements for a Minor Permit set forth in Rule 9.7 of the Planning Commission's Rules and Regulations Relating to Special Management Area.

Accordingly, please find enclosed an SMA Minor Use Permit No. 89-9 to allow the construction of an ohana dwelling on a small portion of her 2.671 acre lot. The land involved is located about one half mile northeast of Kaimu Beach, just makai of the Kaimu-Kapoho Road in a portion of the Kaimu-Makena Homesteads, Puna, Hawaii, TMK: 1-2-18:2.

Please note that the permit approval is also subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. All stone mounds, stone-filled cracks, walls and other archaeological features present in the area of the proposed improvements shall be clearly marked and roped off from all grading, grubbing and construction activities. All site preparation, construction and subsequent use of the project area shall proceed so as to leave the identified features intact and undisturbed.

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4. Should any unanticipated archaeological or historic features be uncovered during the construction activities, work in the affected area shall cease immediately and the Planning Department be notified. Work shall not resume until clearance has been obtained from the Planning Department.
5. Should any unanticipated burials be uncovered, work in the affected area shall cease immediately and the Department of Land and Natural Resources, Historic Sites Section, be notified. Work shall not resume until a clearance has been obtained from the Historic Sites Section.
6. The applicant shall complete the construction within one year.
7. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).

Should you have any questions regarding the above, please do not hesitate to contact this department at 961-8288.

Sincerely,



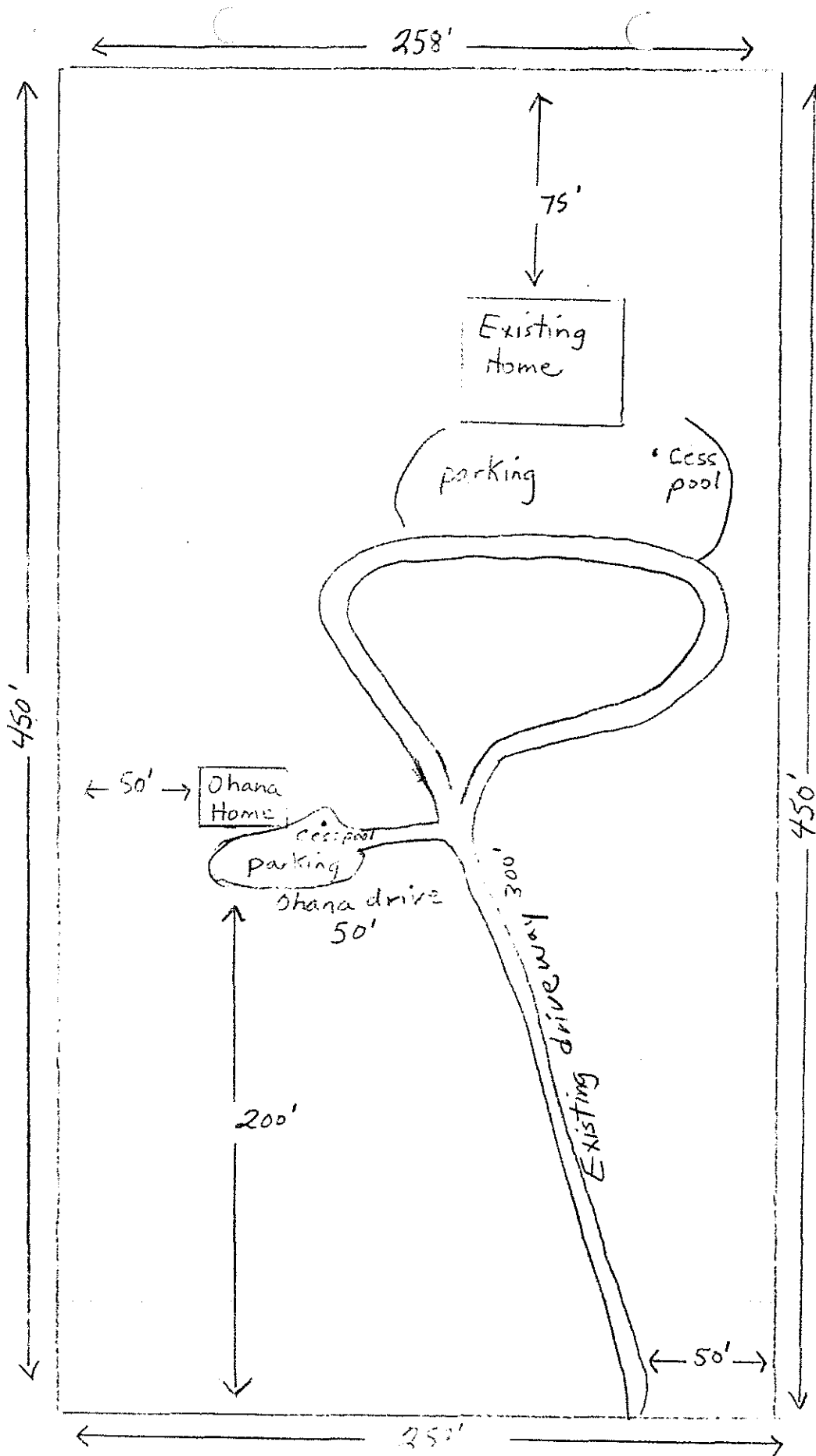
DUANE KANUHA
Planning Director

PRW:lv
Enclosures

cc: Chief Engineer w/enc.
West Hawaii Planning Coordinator w/encs.

bcc: SMA Section w/encs.

Scale
1" = 50'



Kalapana - Kapoho Beach Rd, Hy 137

Revised site plan
June 21, 1989