

February 20, 1990

Mr. and Mrs. James C. Clay  
P.O. Box 4515  
Kailua-Kona, HI 96745

SubD 5761 leaves this  
OD on TMK 7-7-18:33

Dear Mr. and Mrs. Clay:

Ohana Dwelling Permit (OD 90-19)  
Tax Map Key: 7-7-08:104, Lot 9

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 therein do not include any deed restriction or covenant to prohibit construction of requested ohana dwelling; and,
4. The submitted site plan 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 (NEW DUPLEX) subject to the following condition(s):

- (a) The building permit for the Ohana Dwelling shall be secured on or before February 20, 1992. If the applicant and/or owner fails to secure a building permit within two (2) years of the date of this letter, permission to construct the subject ohana dwelling shall be deemed void. A time extension may be granted for good cause, provided, the permittee and/or owner applies in writing at least forty-five (45) calendar days before the expiration of the two (2) year period.
- (b) Off-street parking space for two vehicles is designated on the submitted 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.

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- (c) All construction drawings together with approved site plan drawn to scale submitted with the Ohana dwelling building permit application shall denote location and identify required two (2) off-street parking spaces.
- (d) The Ohana dwelling shall conform to all requirements of codes and statutes pertaining to access and building construction.
- (e) The applicant shall conform to State Department of Health standards and regulations and following comment(s) dated January 29, 1990:

\*Per Administrative Rule, Title 11, Chapter 62, Wastewater, a single individual wastewater system may receive no more than 900 gallons per day of sewage which is generated from a single or multiple dwelling unit complex containing a total of no more than four (4) bedrooms. Developments that exceed four bedrooms (4) must install another individual wastewater system.

The minimum setback requirements for cesspools as per Administrative Rules 11-62 must be met.

The Department of Health would like to inform the applicant that wastewater rules are in the process of change and that comments to the project may change accordingly."

- (f) 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 Mass Onuma or William Yamanaka of my staff at 961-8298.

Sincerely,

*William L. Moore*

DUANE KANURA  
Planning Director

WRY:etn

cc: Department of Health,  
Chief Sanitarian  
Department of Public Works  
Real Property Tax Division

February 6, 1990

Mr. and Mrs. James Clay  
P. O. Box 4515  
Kailua-Kona, HI 96745

Dear Mr. and Mrs. Clay:

Special Management Area (SMA) Use Permit  
Assessment Application  
Construction of duplex dwelling (OD 90-19) ✓  
TMK: 7-7-08: 104, Lot 9; Laaloa 1, North Kona, Hawaii

We have received and reviewed the Special Management Area (SMA) Use Permit Assessment Application for the proposed construction of an ohana duplex dwelling. While this subdivision contains some parcels having archaeological easements which may constrain construction on the lots, this parcel is devoid of any such easements.

We find that the proposed construction of a duplex dwelling, pursuant to Article 25, Regulations for Ohana Dwelling, is outside the definition of "development" under Planning Commission Rule No. 9, Special Management Area Rules and Regulations. Therefore, the proposed action is exempt from further SMA review.

Should you have any questions on this letter, please contact staff member Rick Warshauer.

Sincerely,

*William L. Moore*  
DUANE KANUHA  
Planning Director

FRW:aeb

bcc: SMA Section  
Kona Planning Coordinator

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Scanned Map  
Unavailable  
Due to Size

See File

