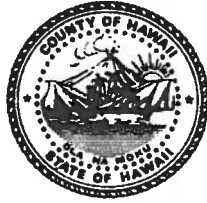


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

November 27, 2012

Lloyd J. Soehren
44-3441 Kalaniai Road
Honoka'a, HI 96727-6839

Dear Mr. and Mrs. Soehren:

SUBJECT: Change of Occupancy Status
TMK: (3)4-4-008:018
Por. of Kalopa Hmstds., Hamakua, Hawai'i

This letter is in response to your letter dated October 5, 2012 (COR-12-081640), in which you requested a change of occupancy status between the two dwellings located on the subject TMK.

The subject property consists of 6.412 acres of land and is zoned Agricultural (A-5a) with the County of Hawaii and has a State Land Use designation of Agricultural (A).


Building Permit No. 892755 was issued on December 06, 1989, for a dwelling with major floor area of 910 square feet, hereinafter referred to as "Dwelling A". Ohana Dwelling Permit No. 90-227 was approved on September 5, 1990, and remains a valid permit for the construction of a second single-family dwelling on the subject parcel. Under this Ohana Dwelling Permit, Building Permit No. 902380 was issued on October 26, 1990 for a dwelling with major floor area of 3,703 square feet hereinafter referred to as "Dwelling B".

Ohana Dwelling Permits approved under the provisions of the Zoning Code in force at the time the permit was approved applied to the applicable land and are, therefore, transferable. Your request to change the occupancy of Dwelling B to Single Family and the occupancy of Dwelling A to Ohana is approved.

Mr. and Mrs. Soehren
November 27, 2012
Page 2

Should you have any further questions, please feel free to contact Zoning Clerk Alukahe Kala of this department at (808)961-8170 or akala@hawaiicounty.gov.

Sincerely,


BJ LEITHEAD TODD
Planning Director

KWR/AK:ak

\\coh33\planning\public\Admin Permits Division\Ohana\4-4-008-018SoehrenChgOccup2012-11-19.doc

cc: Department of Public Works – Building
Real Property Tax Office
Gilbert Bailado

September 5, 1990

Mr. Lloyd J. Soehren
75-5336 Laaulu Road
Molokai, HI 96725

Dear Mr. Soehren:

Ohana Dwelling Permit (OD 90-227)
Tax Map Key: 4-4-08:18, Lot 75

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 subject to the following condition(s):

- (a) The building permit for the Ohana Dwelling shall be secured on or before September 5, 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.

SEP 6 1990

Mr. Lloyd J. Soehren

Page 2

September 5, 1990

- (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 August 29, 1990:

"Per Administrative Rule, Title 11, Chapter 62, Wastewater, a single individual wastewater system (IWS) may receive no more than 800 gallons of sewage per day based on 200 gallons per bedroom per day. This limits discharge into a single IWS to four bedrooms. Developments which exceed four bedrooms must install a additional IWS.

No individual wastewater system shall be located at any point having less than the minimum distances indicated in chapter 62.

The Department of Health would like to inform the applicant that wastewater rules is in the process of change and that comments made 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 Masa Onuma or William Yamanoha of my staff at 961-8288.

Sincerely,

William L. Moore

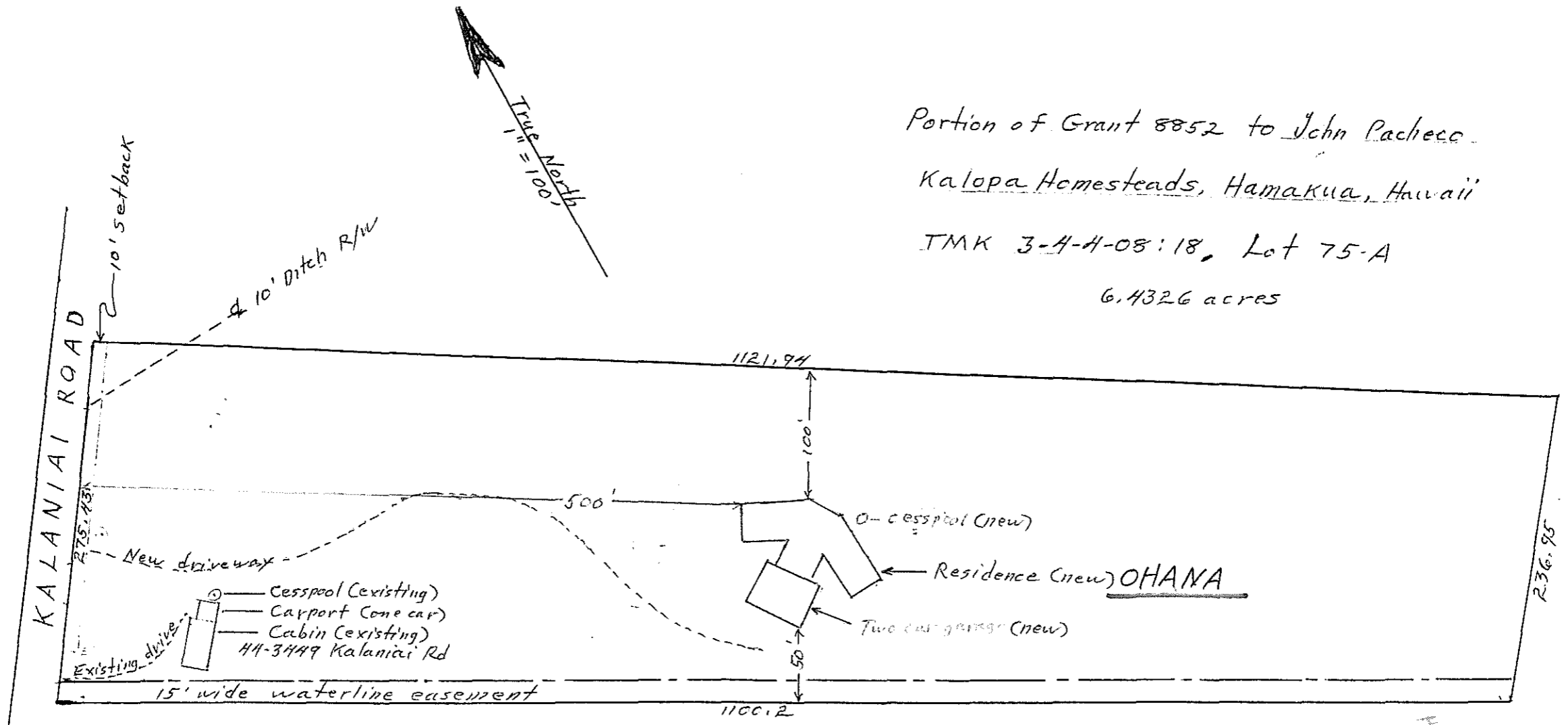
DUANE KANUHA
Planning Director

WRY:etn

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

Dot

Portion of Grant 8852 to John Pacheco
Kalopa Homesteads, Hamakua, Hawaii
TMK 3-4-4-08:18, Lot 75-A
6.4326 acres



HAMAKUA FOREST RESERVE
Kalopa Section

STATE OF HAWAII
DEPARTMENT OF LAND AND NATURAL RESOURCES
OFFICE OF THE ATTORNEY GENERAL
1000 KALANIALAI ROAD, HONOLULU, HI 96813