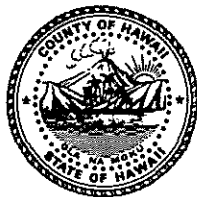


Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-9615

February 27, 1995

Ms. Wendelin L. Campbell
P. O. Box 6844
Kamuela, HI 96743

Dear Ms. Campbell:

OHD 94-322

Ohana Dwelling Applications (OHD 94-317-34-323 & 94-327)
Philip Delmer, et al
Tax Map Key: 5-9-06:03 Lots 20-A through 20-H

TMK: 5-9-006:46

This acknowledges the subject Ohana Dwelling applications and related submittals received on November 29, 1994, December 27, 1994, January 4, 1995 and January 18, 1995.

As agreed to in a recent telephone conversation between yourself and Rodney Nakano of my staff the applications are being returned as an Ohana Dwelling Permit will not be required to construct a farm dwelling on each of these parcels.

Chapter 205, Hawaii Revised Statutes, does not authorize residential dwellings as a permissible use in the Agricultural District as classified by the State Land Use Commission, unless the dwelling is related to an agricultural activity or is a "farm dwelling."

Farm dwelling is defined in Section 205-4.5(a)(4) as "a single family dwelling located on and used in conjunction with a farm, including clusters of single-family farm dwellings permitted within agricultural parks developed by the State, or where agricultural activity provides income to the family occupying the dwelling."

Penalty for violation of Section 205-4.5, Hawaii Revised Statutes, is a fine of not more than \$5,000. If any person who is cited for a violation of the law fails to remove the violation within six months of such citation and the violation continues, such person is subject to a citation for a new and separate violation. There shall be a fine of not more than \$5,000 for any additional violation.

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Ms. Wendelin L. Campbell

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

Sincerely,



VIRGINIA GOLDSTEIN
Planning Director

RKN:dmo

LDelmer1.rkn

Enclosures