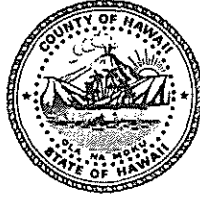


Stephen K. Yamashiro  
Mayor



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

CERTIFIED MAIL  
Z 095 324 238

December 23, 1996

Mr. David A. Jessup  
7945 Amalfi Way  
Fair Oaks, CA 95628

Dear Mr. Jessup:

(96-24)

OHANA DWELLING PERMIT NO.3809  
Applicant: David A. Jessup  
Proposed Ohana Dwelling Unit  
Tax Map Key: (3) 9-4-003:022, Lot H

The subject Application For Ohana Dwelling Unit Permit has been reviewed by the following agencies and note:

1. The Department of Public Works Ohana memorandum dated May 9, 1996 states: "NO COMMENTS".
2. The Department of Health (DOH-HILO) memorandum dated May 15, 1996 states in part:  
"The existing cesspool may service a total of 1,000 gallons per day of wastewater. A total of five bedrooms are allowed in the two dwelling units. More than one cesspool are allowed, provided 10,999 square feet per cesspool is available."
3. The transmittal letter, signed extract, and copy of the warranty deed and policy of title insurance were received on July 23, 1996 and incorporated into the subject file for the record.
4. The ohana dwelling is subject to a and shall comply with Ordinance No. 96 47 and Rule 12, the County of Hawaii Planning Department's Rules of Practice and Procedure Rule 12 relating to Ohana Dwelling Units.

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Mr. David A. Jessup  
Page 2  
December 23, 1996

In view of the above, by this letter, you are hereby granted permission to construct an additional single family dwelling or Ohana Dwelling on the subject property, subject to the following condition(s):

1. The ohana dwelling is subject to and shall comply with Ordinance No. 96 47 and Rule 12, the County of Hawaii Planning Department's Rules of Practice and Procedure, Rule 12 relating to Ohana Dwelling Units.

Non-transferability: The permit for the ohana dwelling unit shall be personal to the applicant until construction of the ohana dwelling unit has been completed. The permit shall not be transferable or assignable to any other person prior to its completion.

Prohibition of Advertising, Sales, Transfers: No person shall advertise or represent to the public that a permit to construct an ohana dwelling unit is transferable with the sale of the property on which the permit has been granted.

2. Building Permit: The building permit for the construction of the ohana dwelling shall be applied for and secured from the Department of Public Works, Building Division on or before December 23, 1997. Please bring or attach a copy of this Permit to help the reviewing agencies to understand and expedite the review and processing of the building construction plans and building permit application to construct the additional building improvements and establish the Ohana dwelling on the subject parcel.

- a. A one time 30-day time extension to obtain the building permit may be granted by the Planning Director. A written time extension request shall be filed with the Planning Director not less than forty-five (45) days prior to the expiration date of the ohana dwelling unit permit. The Planning Director shall render a decision on the time extension request prior to the expiration date of the permit.
- b. The applicant shall not be able to obtain further extensions beyond the initial 30-day time extension. Further, such failure to conform to the time requirement shall not be cause to petition the Planning Director, Board of Appeals or any other governmental body for relief from the time requirement.

3. Requirements for Height, Building Site Area (Lot size), Yard (Setback) and Off-Street Parking (Parking spaces):
  - a. Maximum Height Limitation: The proposed detached ohana dwelling unit shall not exceed a maximum height limit of twenty-five (25) feet regardless of the maximum height limitation of the zoned district.
  - b. Minimum Building Site Area (Lot Size): The subject lot exceeds the minimum building site area (lot size) of 10,000 square feet.
  - c. Minimum Yards (Setbacks): The minimum front, rear and side yard requirements for a detached ohana dwelling shall be as stipulated in the appropriate zoned district plus and additional five (5) feet from all property lines. Minimum setbacks for the proposed ohana dwelling are:  
  
Front and Rear Yard: Thirty-five feet (35'-0") minimum.  
Side Yards: Twenty-five feet (25'-0") minimum.
  - d. Off-Street Parking: An ohana dwelling unit shall be provided with a minimum of two (2) off-street parking spaces which comply with the requirements of Section 25-4-53, Chapter 25, Effective: December 7, 1996.
4. This Ohana Dwelling permit is subject to all other applicable rules, regulations and requirements of the Planning Department; including but not limited to those of the Zoning Code, Chapter 25, Effective: December 7, 1996, Department of Public Works, Department of Water Supply, Fire Department and State Department of Health and other reviewing agencies/divisions listed on the Building Permit Application.
5. Variances: Ohana dwelling units are prohibited on a building site which is the subject of an approved variance from the Subdivision Code (Chapter 23), the Zoning Code (Chapter 25), and property where a second dwelling unit is specifically prohibited by a change of zone ordinance.
  - a. No variance from the requirements of Chapter 23 and Chapter 25, Hawaii County Code, as amended, shall be granted to permit the construction or placement of an ohana dwelling unit.

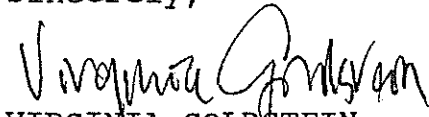
Mr. David A. Jessup  
Page 4  
December 23, 1996

- b. An ohana dwelling unit shall not be permitted on a lot which has been the subject of a previously granted variance from any provision of Chapter 23 and Chapter 25, Hawaii County Code, as amended.

Thank you for your patience and understanding.

Should you have any questions regarding the above, please feel free to contact William Yamanoha of my staff at 961-8288.

Sincerely,



VIRGINIA GOLDSTEIN  
Planning Director

WRY/VKG:dc  
F:WP60\DORYAL\LJESSUP

xc: Department of Health,  
Chief Sanitarian  
Department of Public Works  
Real Property Tax Division  
Department of Water Supply

Scanned Map  
Unavailable  
Due to Size

See File

