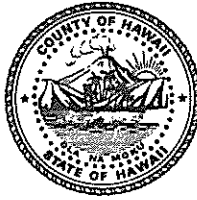


Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

CERTIFIED MAIL
P 364 305 189

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

June 26, 1997

Mr. and Mrs. Richard G. Carter
18 Moi Street
Hilo, Hawaii 96720

Dear Mr. and Mrs. Carter:

OHANA DWELLING PERMIT NO. 3824 (OHD 97-9)
Applicant: Richard G. Carter, Et al.
Request: Proposed Ohana Dwelling Unit Within Proposed
New Single Story Duplex
Tax Map Key: (3) 2-4-013:010

Please disregard letter dated June 23, 1997. The following is an amended version of what was previously sent. The subject application for an Ohana Dwelling Unit Permit has been revised by the following agencies:

1. The Department of Public Works Ohana memorandum dated May 15, 1997, states:

"NO COMMENTS."
2. The Department of Health (DOH-HILO) memorandum dated May 21, 1997, states in part:

"The subject lot size of 16,292 square feet can support only one septic tank system. The total number of bedrooms for both dwellings can only be (5) bedrooms or less."
3. The applicant shall comply with the requirements of the Department of Water Supply (DWS).

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4. The Hawaii County Fire Department (HFD) memorandum dated June 4, 1997, states:

"Fire Extinguisher."

5. The letter signed by Richard G. Carter and Pamela M. Carter and notarized affidavit dated April 25, 1997, attached to said letter states in part:

"This is a copy of trustee's deed.

Seller: George De Costa.

Buyer Richard George and Pamela Margo Carter, husband and wife.

Property description is for Lot 517B Waiakea Homesteads First Series, Waiakea, South Hilo, TMK (sic) (3) 2-4-13-10.

This also includes a copy of Exhibit A, stating the provisions of any restrictions covenant of other land use restrictions applicable to the lot."

6. The Ohana Dwelling is subject to and shall comply with Ordinance No. 96-160 and Rule 12, the County of Hawaii Planning Department's Rules of Practice and Procedure relating to Ohana Dwelling Units.

In view of the above, by this letter, you are hereby granted permission to construct and establish the proposed Ohana Dwelling within proposed new single story duplex subject to the following condition(s):

1. The Ohana Dwelling is subject to and shall comply with Ordinance No. 96-160 and Rule 12, the County of Hawaii Planning Department's Rules of Practice and Procedure, 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.

Mr. and Mrs. Richard G. Carter

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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 applicant is required to comply with the State Department of Health requirements in Hilo and secure a building permit from the Department of Public Works, Building Division in Hilo, to construct the proposed duplex on or before June 27, 1998. 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): The applicant is required to comply with Hawaii County Code, Chapter 25, Section: 25-6-34 regarding Height Limit; 25-6-35 regarding minimum building site area and yards; and 25-6-37 regarding off-street parking spaces.
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.

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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.
 - 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 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 this office at 961-8288.

Sincerely,



for VIRGINIA GOLDSTEIN
Planning Director

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

Scanned Map
Unavailable
Due to Size

See File

