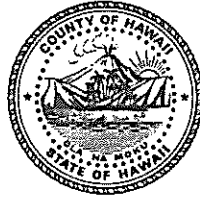


Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director  
Russell Kokubun  
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 095 323 354**

October 15, 1997

Ms. Elaine Kai  
174 Iwalani Street  
Hilo, Hawaii 96720

Dear Ms. Kai:

OHANA DWELLING PERMIT NO. 3829 (OHD 97-11)  
Applicant: Ms. Elaine Kai  
Tax Map Key: (3) 2-4-014:111 \_\_\_\_\_

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

1. The Department of Public Works Ohana memorandum dated June 20, 1997 states:  
  
"NO COMMENTS".
2. The Department of Health (DOH-HILO) memorandum dated July 9, 1997 states:  
  
"Wastewater Rules, Chapter 62, allows one individual wastewater system (IWS) per 10,000 sq. ft. The subject lot has 15,150 sq. ft. and is allowed only one IWS. The use of the existing cesspool and a proposed septic system is not allowed. One IWS may serve two dwellings but no more than a total of five bedrooms."

OCT 16 1997

Ms. Elaine Kai  
Page 2  
October 15, 1997

3. The applicant shall comply with the conditions of the Department of Water Supply (DWS) memorandum dated August 14, 1997 which states in part:

"...For your information, there is an existing 5/8-inch meter servicing the property with an allotment of 600 gallons per day, which is adequate for only one dwelling. Our records indicate that the existing maximum daily usage is less than the amount allotted.

The ohana unit, considered an additional dwelling, requires the installation of an additional meter and payment of a facilities charge of \$3,375.00, which is subject to change, by the applicant..."

4. The Hawaii County Fire Department (HFD) memorandum dated July 24, 1997 states:

"Fire Extinguisher shall be provided in accordance with UFC Standard 10-1."

5. The original notarized letter or affidavit, dated May 16, 1997 and signed by Elaine Kai, included with the ohana dwelling application states:

"I Elaine Kai, titleholder of 174 Iwalani Street (Tax Map Key : Third District/2 4 14-111), plan to do a duplex conversion on my existing home.

There are no restrictions, covenant or other land use restrictions applicable to the lot by way of a deed or lease or other provisions do not prohibit the construction of an ohana dwelling unit."

In view of the above, by this letter, you are hereby granted permission to construct and establish the proposed ohana dwelling within the existing single family dwelling subject to Rule 12, the County of Hawaii Planning Department's Rules of Practice and Procedure relating to Ohana Dwelling Units, and the following condition(s):

1. **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 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 October 9, 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):
  - a. Minimum Building Site Area (Lot Size): The subject lot exceeds the minimum building site area (lot size) of 10,000 square feet.
  - b. Sewage Disposal System: The site plan submitted with the ohana dwelling application identifies and denotes the location of an existing cesspool and a "proposed septic system." Please confer with the State Department of Health to discuss the permitted specific IWS requirements allowed and required to be shown on the detailed construction plans before applying for the building permit application to construct the proposed duplex.
  - c. Minimum Yards (Setbacks): The minimum front yards and side yards required to construct the proposed "detached ohana dwelling unit" on the subject property zoned R-15 shall comply with the minimum building yards of the Zoning Code, dated December 7, 1996.

Ms. Elaine Kai  
Page 4  
October 15, 1997

- 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, Zoning Code.
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 Chapter 25, the Zoning Code, 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), or for 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 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 this office at 961-8288.

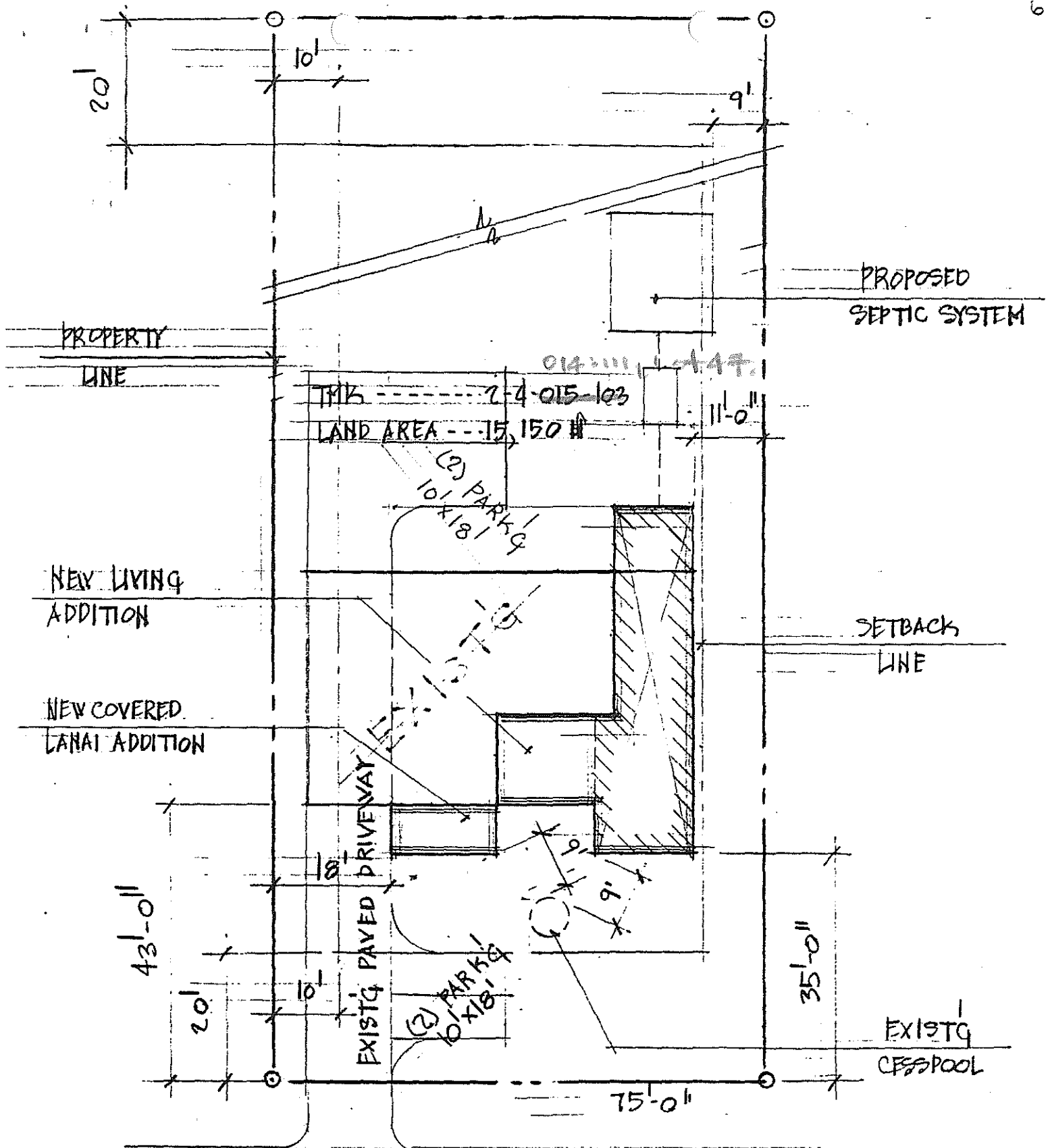
Sincerely,



VIRGINIA GOLDSTEIN  
Planning Director

WRY:jkg  
F:\WP60\WRY\FORMLETT\ODKAI.1

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



TRK --- 2-4-015-103  
 LAND AREA --- 15,150 #

PROPOSED  
 SEPTIC SYSTEM

NEW LIVING  
 ADDITION

SETBACK  
 LINE

NEW COVERED  
 LANAI ADDITION

EXISTG PAVED DRIVEWAY

EXISTG  
 CESSPOOL

43'-0"

35'-0"

75'-0"

← W A L L A N I →

PROT PLAN

SCALE: 1" = 20'-0"