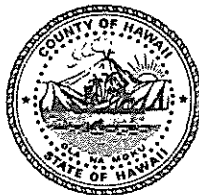


Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Russell Kokubun
Deputy Director

County of Hawaii

CERTIFIED MAIL

Z 095 324 051

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-8742

July 8, 1998

Ms. Raquel K. Rezendes
1367 Kaumana Drive
Hilo, Hawaii 96720

Dear Ms. Rezendes:

OHANA DWELLING PERMIT NO. 3838 (OHD 98-003)

Applicants: RAQUEL K. REZENTES

Titleholder: HENRY J. REZENTES

ADDITIONAL SINGLE FAMILY DWELLING UNIT

Tax Map Key: (3) 2-5-040:001 por., Lot 1-A

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

1. The Hawaii County Fire Department (HFD) memorandum dated July 1, 1998, states in part:

"Again, no comments and requirements are being set at this time."

2. The applicant shall comply with the State of Hawaii Department of Health (DOH-HILO) memorandum dated June 4, 1998, which states:

"The existing cesspool may service two dwelling units if the dwellings have a total of five (5) bedrooms or less."

3. The Department of Water Supply (DWS) memorandum dated June 5, 1998, states in part:

"For your information, an existing 5/8-inch meter services the property, which is adequate for only one dwelling at 600 gallons per day. Inasmuch as this application is proposing an additional detached dwelling, the installation of a separate 5/8-inch meter by the applicant is required in accordance with Department regulations.

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file by Raquel Rezendes

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July 8, 1998

Therefore, the Department has no objection to the application subject to the applicant complying with the following condition:

The applicant shall be responsible for the installation of the second service by applying at our Customer Service Section, along with the remittance of following charges:

Facilities Charge	\$3,375
Service Lateral Installation Charge	1,200
Credit Deposit (if applicable)	<u>50</u>
Total	\$4,625

Should there be any questions, please call our Water Resources and Planning Branch at 961-8660."

4. The Department of Public Works (DPW) memorandum dated June 2, 1998, states in part:

"NO COMMENTS"

5. The original and notarized affidavit dated May 11, 1998 included with the Ohana Dwelling application states that:

"I Henry J. Rezentes do hereby declare the following:

- 1) I am the owner or titleholder of the subject property TMK: (3) 2-5-40:1 por., Lot 1-A.", and,

furthermore, the notarized affidavit dated May 11, 1998, includes the following statement:

- 2) There are no provisions of any restriction, covenant or other land use restrictions to Lot 1-A, consisting of 10,068 square feet, by way of a deed or lease or other provisions which would prohibit the conversion of the existing guest house into an ohana dwelling unit.

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Furthermore, I grant permission to my granddaughter Raquel K. Rezentes permission to submit the APPLICATION FOR OHANA DWELLING UNIT PERMIT to the County Planning Department. "

In view of the above, by this letter, you are hereby granted permission to convert the existing guest house into a single family dwelling Ohana Dwelling Unit subject to the following conditions:

1. The proposed Ohana Dwelling unit shall comply with Ordinance No. 96 47 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.

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, to construct the proposed ohana dwelling unit on or before July 8, 1999.

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. The existing cesspool shall be maintained and limited to 1,000 gallons per day of wastewater. A total of five (5) bedrooms are allowed. Pursuant to the DOH comments stated above, a second cesspool is not allowed.
- b. The applicant shall contact the DWS and pay any required facilities charge and service lateral installation charges to the DWS.

- c. 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.
- d. 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, Site Area (Lot size), Yard (Setback) and Off-Street Parking (Parking spaces):


- a. Height limit: The height limit for the proposed ohana dwelling unit shall be twenty-five (25'-0") feet.
- 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 proposed conversion of the existing guest house into a "detached Ohana Dwelling unit" shall be sited on Lot 1-A containing 10,068 square feet. The proposed ohana dwelling unit is required to comply with the minimum building yards of the Zoning Code, dated December 7, 1996. The minimum building yards are as follows: front/rear yards- minimum twenty-five (25'-0") feet and side yards-minimum fifteen (15'-0") feet. Any non-permitted building improvements attached to the existing guest house within the affected side yards or near the proposed additional off-street parking spaces shall be removed prior to closure of a building permit to convert the existing guest house into the additional ohana dwelling unit.
- 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. All existing and additional parking spaces shall be arranged so as to be individually accessible.

Ms. Raquel K. Rezentes
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4. This Ohana Dwelling permit is subject to all other applicable rules, regulations and requirements of the Planning Department, Department of Public Works, 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.
 - 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.

Should you have any questions regarding the above, please feel free to contact this office at 961-8288.

Sincerely,


for VIRGINIA GOLDSTEIN
Planning Director

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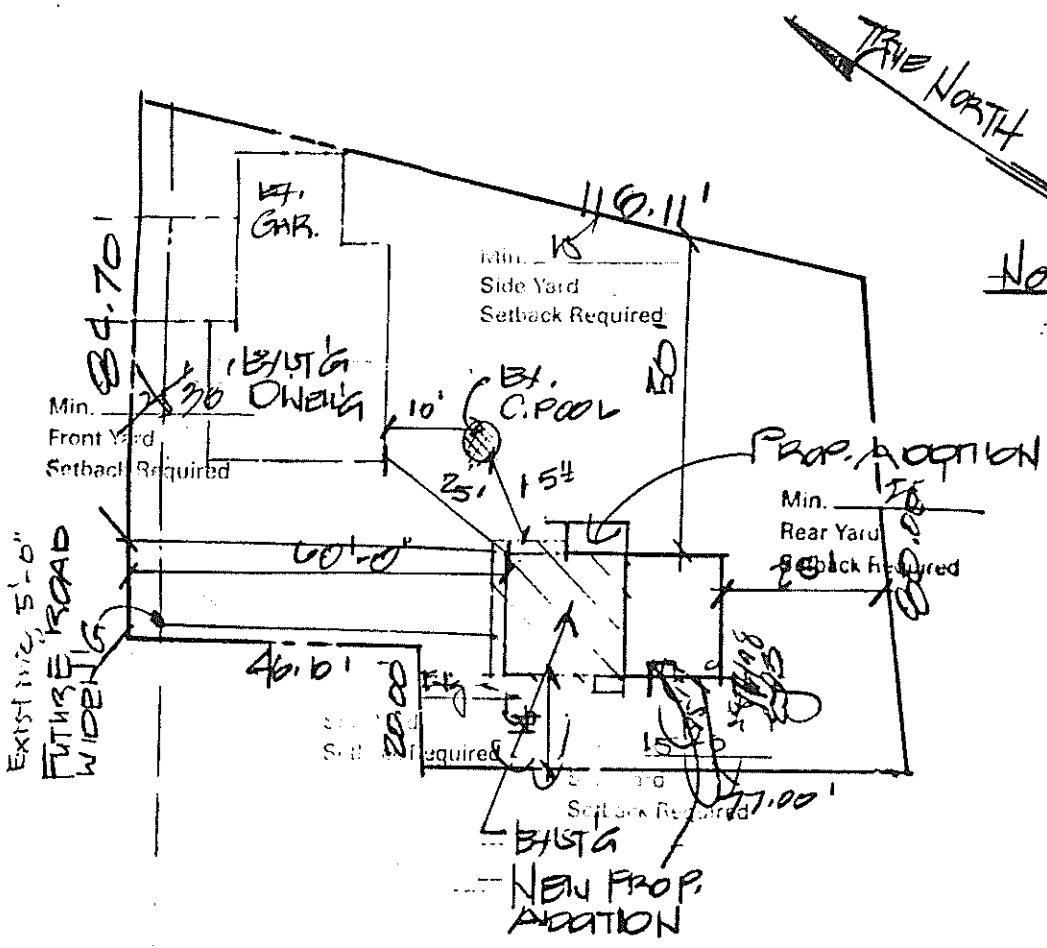
xc: Department of Health, Chief Sanitarian
Department of Public Works
Real Property Tax Division
Department of Water Supply

ANYTIME WHEN IN DOUBT, THE OWNER/AND OR ARCHITECT SHALL CONTACT THE ARCHITECT, BUILDING DEPT. DRAFTSMAN,

ONCE THE PLANS ARE REVIEWED & STAMPED BY THE ARCHITECT, AT NO TIME SHALL CHANGES BE ALLOWED TO OCCUR, UNLESS THE ARCHITECT IS NOTIFIED (CALLED UPON) GIVES APPROVAL & CHANGES BE MADE ON THE PLAN TO REFLECT ANY CHANGES DONE ON JOB.

THE OWNER SHALL BE RESPONSIBLE FOR ALL EXTRA COSTS, INCLUDING CHANGES MADE BY THE COUNTY OF HAWAII BUILDING DEPT. AFTER PLANS HAVE BEEN DRAWN & SUBMITTED FOR A BUILDING PERMIT.

KAUHAUNA DRIVE
TO HILO



NOTE:
SETBACKS AS FOR COUNTY OF HAWAII PLANNING DEPT

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

DRIVEWAY: IN ACCORDANCE WITH CHAPTER 22 OF THE HAWAII COUNTY CODE, A PERMIT SHALL BE OBTAINED FOR DRIVEWAY CONSTRUCTION WORK WITHIN THE COUNTY ROAD RIGHT-OF-WAY.

GRADING: ALL EARTHWORK AND GRADING SHALL CONFORM TO CHAPTER 10 OF THE HAWAII COUNTY CODE. A PERMIT MAY BE REQUIRED FOR LOT GRUBBING AND/OR GRADING.

DRAINAGE: NO ADDITIONAL RAINFALL RUNOFF GENERATED BY THIS PROJECT SHALL BE DISPOSED OF ONTO COUNTY ROADWAYS OR ADJACENT PROPERTIES. ALL DRAINAGE IMPROVEMENTS SHALL CONFORM TO CHAPTER 27 OF THE HAWAII COUNTY CODE.

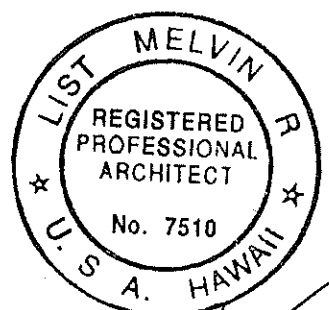
PLOT PLAN

SCALE 1" = 30'-0"
TAX MAP 15B; 2-5-040:1
AREA: 10,068 sq ft

DEPARTMENT OF PUBLIC WORKS
ENGINEERING DIVISION

REVIEWED BY: ly
DATE: 8/7/98

THE CONTRACTOR AND EACH SUBCONTRACTOR SHALL VERIFY DIMENSIONS, ELEVATIONS, NOTES AND CONDITIONS PRIOR TO STARTING CONSTRUCTION. NOTIFY ARCHITECT OF ANY DISCREPANCY ON THE DRAWING / SPECIFICATION OR IN THE FIELD BEFORE STARTING PORTION OF WORK IN QUESTION.



This work was prepared by me or under my supervision, construction of this project will be under my observation

RECEIVED HILO

This set of approved plans and specifications shall be kept on job site at all times during construction.

Date _____ 19____
APPROVED _____
BUILDING DIVISION CHIEF

PHD 2138
APPR. VED
[Signature]
Director, County Planning Department
8/7/98