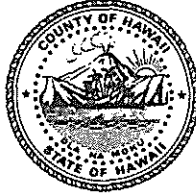


Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Russell Kokubun  
Deputy Director

## County of Hawaii

CERTIFIED MAIL  
P 417 370 125

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

August 21, 1998

Ms. Doris M. Scharpf  
c/o Mr. Gregory R. Mooers  
P. O. Box 1101  
Kamuela, Hawaii 96743

Dear Ms. Scharpf:

Ohana Dwelling Unit Permit No. 3839 (OHD 98-004)  
New Duplex  
Applicant: DORIS M. SCHARPF  
Tax Map Key: 6-9-005: 001

The subject application for Ohana Dwelling Unit Permit has been reviewed by the following agencies:

1. The State Department of Health memorandum dated July 24, 1998 states:

"The subject lot is located in the Critical Wastewater Disposal Area where cesspools are not allowed because of water pollution concerns. Any development on this lot would require all wastewater be disposed into a Septic Tank System. Due to your lot size only one system is allowed. The Septic Tank system may service two dwelling units with a total of five (5) bedrooms."

2. The Fire Department memorandum dated October 24, 1997 states:

"Fire extinguisher shall be provided in accordance with UFC standard 10-1."

3. The Department of Public Works memorandum dated July 27, 1998 states:

"We have reviewed the subject application and have the following comments.

- a. The subject property is located within Flood Zone VE according to the Flood

08025

AUG 27 1998

Ms. Doris M. Scharpf  
Page 2  
August 21, 1998

the Special Flood Hazard Area inundated by the 100-year coastal flood with velocity hazard (wave action) and known base flood elevations.

- b. Any new construction or substantial improvements within the subject property will be subject to the requirements of Chapter 27 - Flood Control, of the Hawaii County Code."
4. The Department of Water Supply did not provide any comments.
5. The notarized affidavit dated June 29, 1998 signed by Doris M. Scharpf states in part:  
"Doris M. Scharpf being duly sworn on oath depose and say:
  1. That I am trustee under the Doris M. Scharpf Trust, having all powers under said trust agreement, including full power to sell, convey, exchange, mortgage, lease, assign, or otherwise deal with and dispose of all lands of the trust estate and interests therein and The Doris M. Scharpf Trust is the owner and title holder of that certain property located in Lalamilo, Island of Hawaii, Hawaii, identified as Lot 26 Puako Beach Lots, Tax Map Key (3) 6-9-05: 01.
  2. That no provisions of any restriction, covenant or other applicable land use restriction by way of any deed or lease or other provision restrict the construction or placement of an Ohana unit or a second dwelling unit on the Property."
6. The Real Property Tax Clearance form certified on July 2, 1998 indicates that all real property taxes has been paid up to June 30, 1998.
7. The ohana dwelling unit shall comply with Chapter 25, Article 6, Division 3, Section 25-6-30 thru Section 25-6-39.7 and Rule 12, 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 a duplex dwelling unit subject to the following conditions:

1. The ohana dwelling shall unit comply with Chapter 25, Article 6, Division 3, Section 25-6-30 thru Section 25-6-39.7 and Rule 12, Planning Department's Rules of Practice and Procedure relating to Ohana Dwelling Units.

Non-transferability:

- (a) A permit for an ohana dwelling unit shall be personal to the applicant and shall not be transferable or assignable to any other person until construction of the ohana dwelling unit has been completed and final approval has been issued by the chief engineer.
- (b) 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 unit shall be applied for and secured from the Department of Public Works, Building Division on or before August 17, 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 unit on the subject parcel.

- a. A one time 30-day 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 of 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 duplex 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 duplex ohana dwelling shall be as stipulated in the appropriate zoned districts. Minimum setbacks for the proposed duplex ohana dwelling are:

Front and Rear Yard: Twenty feet (20'-0") minimum.  
Side Yards: Ten feet (10'-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 Unit 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.
  - 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.

Ms. Doris M. Scharpf  
Page 5  
August 21, 1998

Should you have any questions, please feel welcome to contact Royden Yamasato of our Kona office at 327-3510.

Sincerely,



VIRGINIA GOLDSTEIN  
Planning Director

RHY:rld  
a:\69005001\approved.sch

xc: Department of Health,  
Chief Sanitarian  
Department of Public Works  
Fire Department  
West Hawaii Office  
Department of Water Supply

40 FOOT  
SHORELINE  
SETBACK

CERTIFIED  
SHORELINE

20 FOOT FRONT  
YARD SETBACK

SITE PLAN



RESIDENCE FOR  
DORIS M SCHARPF TRUST

MAIN HOUSE

OHANA  
ABOVE  
2 CAR  
GARAGE  
BELOW

SEPTIC  
TANK

PARKING

LEACH FIELD

ACCESS ROAD

PROPEERTY LINES

10 FOOT SIDERYARD  
SETBACK

20 FOOT FRONT  
YARD SETBACK

FUAKO BEACH ROAD



CLEM LAM ARCHITECT, A.I.A.  
P.O. Box 1693 Honolulu, Hawaii, 96743  
(808) 852-4431