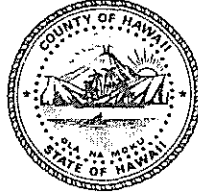


Stephen K. Yamashiro  
Mayor



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) 961-8742

#### **CERTIFIED MAIL**

**7099 3220 0000 4869 6308**

May 4, 2000

Ms. Nora S. James  
155 Hoonanea Street  
Hilo, Hawaii 96720

Dear Ms. James:

**OHANA DWELLING PERMIT NO. 3854 (OHD 00-004)**  
**Applicant: NORA S. JAMES**  
**Titleholder: NORA S. JAMES**  
**Request: Duplex Conversion**  
**Tax Map Key: (3) 2-4-011:172, Lot 15**

The subject Application For Ohana Dwelling were reviewed by the agencies and includes the following respective comments:

1. The Department of Public Works (DPW) memorandum dated February 24, 2000, states in part:

"NO COMMENTS"

2. The Department of Water Supply (DWS) memorandum dated April 25, 2000, states in part:

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

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

004490

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Therefore, the Department has no objection to the proposed application subject to the applicant understanding and accepting the following conditions:

1. Installation, by the Department of Water Supply, of a second 1-inch service lateral to service a 5/8-inch meter, which shall be restricted to a maximum daily flow of 600 gallons as the existing service is.
2. Remittance of the following charges, **which are subject to change**, to our Customer Service Station:

- a. Facilities Charge (One 2nd service at \$3,375.00)      \$3,375.00
- b. Service Lateral Installation Charge  
(Install one meter on Hoonanea Street,  
a County road)

1,200.00  
Total (Subject to Change) \$4,575.00

Should there be any questions, please call our Water Resources and Planning Branch at 961-8665."

3. The State of Hawaii Department of Health (DOH-HILO) memorandum dated February 24, 2000, states:

"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. A second individual wastewater system is not allowed because of the lack of land area. The applicant is provided an option of applying for a variance to the rules in accordance with Chapter 342D, Hawaii Revised Statutes."

4. The Hawaii County Fire Department memorandum dated February 25, 2000, states.

"We have no comments on the above-referenced Ohana Dwelling Application."

5. The original and notarized affidavit of Nora James dated February 15, 2000, included with the Ohana Dwelling application states in part:

"NORA JAMES, being first duly sworn on oath, deposes and says:

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1. Affiant is the titleholder of the affected property bearing Tax Map Key 2-4-11:172, Lot 15.
2. Affiant is unaware of any restriction, covenant or other land use restriction applicable to the lot by way of a deed or lease or other provision that do not prohibit the construction or placement of an ohana dwelling unit or a second dwelling unit.
3. Affiant has attached hereto a true and correct copy of the current legal description to the subject parcel which shows that there are no restrictions or covenants affecting the subject property.

Further affiant sayeth naught.”

In view of the above, by this letter, you are hereby granted permission to construct a duplex conversion 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 (duplex conversion) on or before May 3, 2001.

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 applicant shall contact the DWS and pay any required facilities charge and service lateral installation charges to the DWS.
  - b. 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.
  - c. 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
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. Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel containing 19,729 square feet is zoned Single-Family Residential (RS-15) by the County and Urban "U" by the State. The subject property or Lot 15 exceeds the minimum 10,000 square feet building site area (lot size) requirement.
  - c. Minimum Yards (Setbacks): The proposed Ohana Dwelling unit shall be located on property exceeding 10,000 square feet. The proposed dwelling unit (duplex conversion) is required to comply with the minimum building yards of the Zoning Code, dated December 7, 1996.
  - 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. Nora S. James

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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.

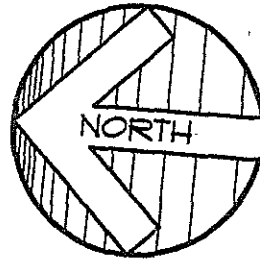
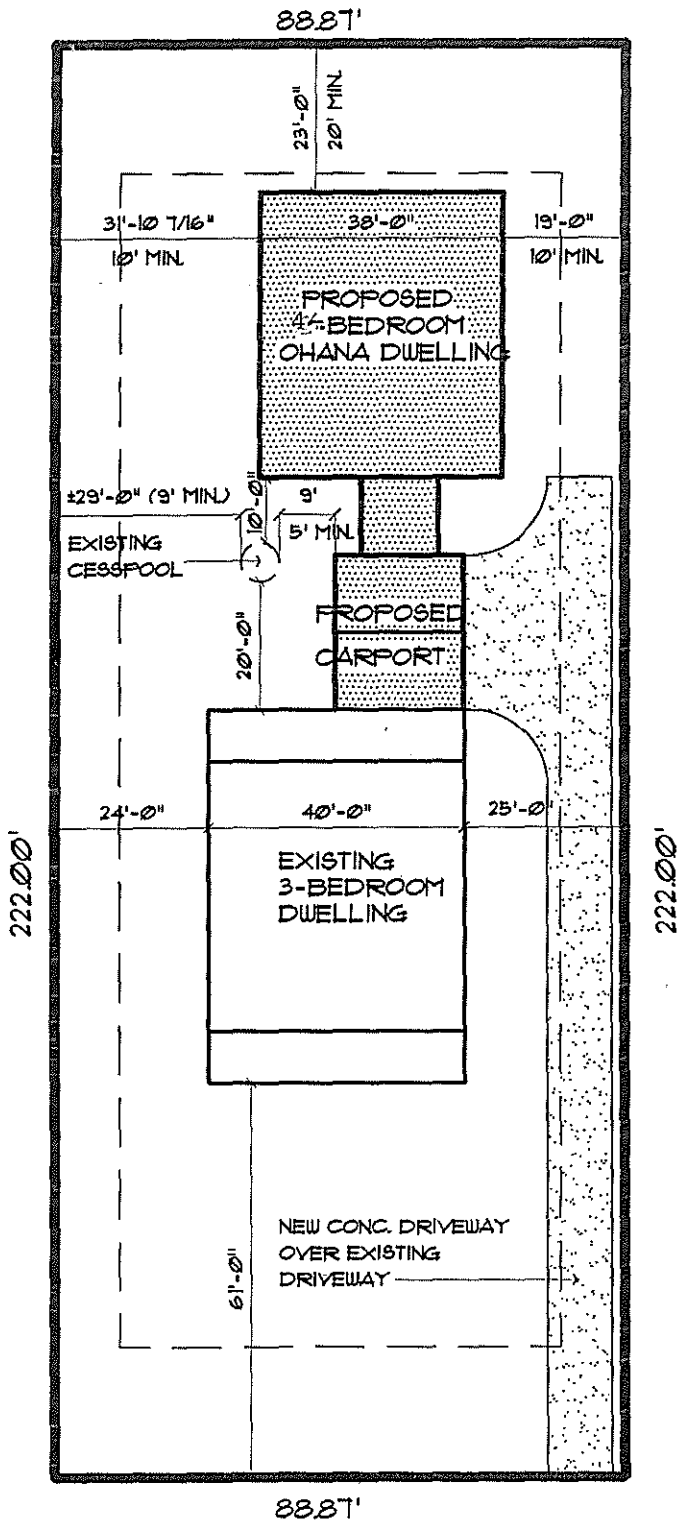
Sincerely,

  
VIRGINIA GOLDSTEIN  
Planning Director

WRY:gp

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



# SITE PLAN

SCALE: 1" = 30'

LOT AREA:  
19,729 SQ. FT.

PROPOSED OHANA DWELLING FOR:

**NORA JAMES**

TMK: 2-4-11: 172 LOT NO. 15

WAIAKEA HMSTDS, 1st SERIES, S. HILO, HAWAII

HOONANEA STREET