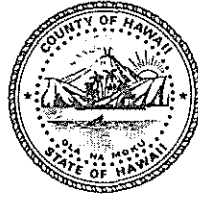


Stephen K. Yamashiro
Mayor



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 4868 9980

July 21, 2000

Mr. and Mrs. Gregory N. Anderson
P.O. Box 1838
Honokaa, HI 96727

Dear Mr. and Mrs. Anderson:

OHANA DWELLING PERMIT NO. 3858 (OHD 00-007)

Applicants: Gregory N. Anderson & Kellyanne Y.L. Anderson

Titleholders: Gregory N. Anderson & Kellyanne Y.L. Anderson

Request: Duplex Conversion

Tax Map Key: 4-5-4:117

The subject Application for Ohana Dwelling was reviewed by the agencies and includes the following respective comments:

1. The Department of Public Works (DPW) memorandum dated June 13, 2000, states in part:

"NO COMMENTS"

2. The Department of Water Supply (DWS) memorandum dated June 27, 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 the property, which is adequate for only one dwelling at 600 gallons per day.

007662

JUL 25 2000

Mr. and Mrs. Gregory N. Anderson

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Inasmuch as this application is proposing a duplex conversion, the installation of a separate 5/8-inch meter by the applicant would normally be required in accordance with Department regulations. However, the Department's existing water system facilities cannot support an additional meter for the proposed additional farm (sic) dwelling at this time. Extensive improvements and additions, including source, storage, transmission, booster pumps, and distribution facilities must be constructed. Currently, sufficient funding is not available and no time schedule is set.

Therefore, the Department has no objections to the proposed application subject to the applicant understanding and accepting the Department cannot provide water service to the proposed duplex conversion. Further, should the application be approved, both dwellings must not share the existing meter.

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

3. The State of Hawaii Department of Health (DOH-HILO) memorandum dated May 22, 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 cesspool is not allowed because of the lack of land area.

4. The Hawaii County Fire Department memorandum dated June 1, 2000, states:

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

5. The original and notarized affidavit of Gregory N. Anderson and Kellyanne Y.L. Anderson dated May 11, 2000, included with the Ohana Dwelling application states in part:

Gregory N. and Kellyanne Y.L. Anderson, whose residence is 45-483 Analio Place, Honokaa, Hawaii 96727 being duly sworn on oath deposes and says:

1. That we Gregory N. and Kellyanne Y.L. Anderson are the owners and title holder of that certain property located on Kaaohomestead lots in

Mr. and Mrs. Gregory N. Anderson

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July 21, 2000

Honokaa, Island of Hawaii identified as Lot 9 Analio Place, Tax Map Key (3) 4-5-004:117.

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.

In view of the above, by this letter, you are hereby granted permission to construct a duplex conversion 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 (duplex conversion) on or before July 21, 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 comply with DWS requirements.
- 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.

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.

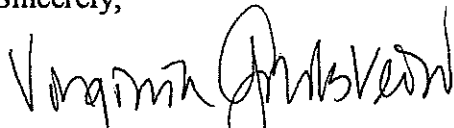
3. Requirements for Height, Site Area (Lot size), Yard (Setback) and Off-Street Parking (Parking spaces):
 - a. Height limit: The height limit for the proposed ohana dwelling unit shall be twenty-five (25'-0") feet.
 - b. Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel containing 10,997 square feet is zoned Single-Family Residential (RS-10) by the County and Urban "U" by the State. The subject property or Lot 9 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 duplex conversion is required to comply with the minimum building yards of the Zoning Code, dated December 7, 1996. The respective minimum front, rear, and side yard requirements for the proposed ohana dwelling (duplex conversion) located on the subject TMK: property shall be as follows: front yard —minimum twenty (20) feet required, rear yard – minimum twenty (20) feet required, and, side yard(s) – minimum ten (10) feet required.
 - 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.
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.

Mr. and Mrs. Gregory N. Anderson
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5. Variations: 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,



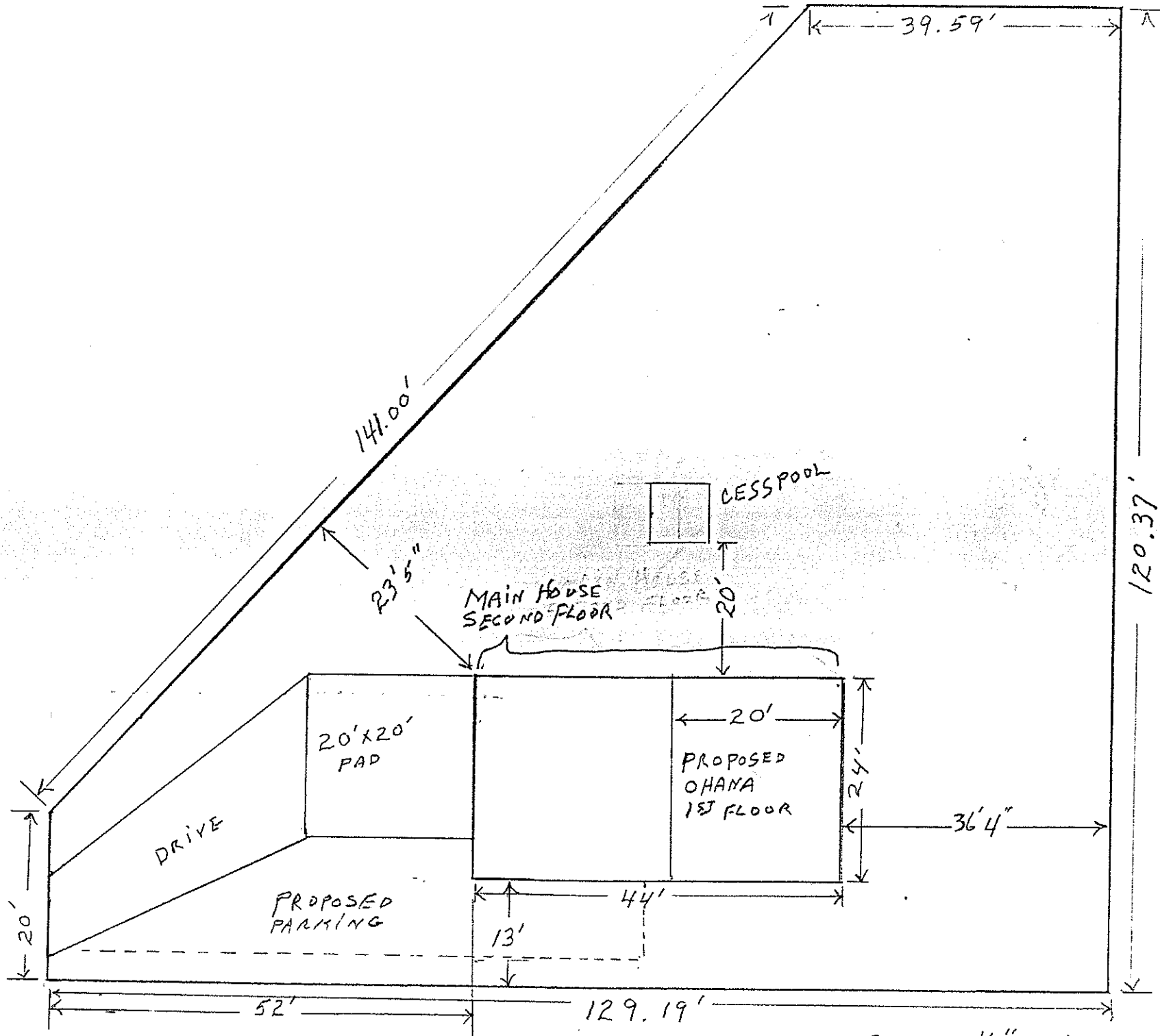
VIRGINIA GOLDSTEIN
Planning Director

ETI:pak

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

ANALIO PL.



SCALE 1/16" = 1'