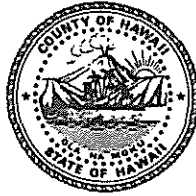


Stephen K. Yamashiro
Mayor



Virginia Goldstein
Director

Norman Olesen
Deputy Director

August 17, 2000

County of Hawaii

PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252
(808) 961-8288 • Fax (808) 961-9615

Mr. Klaus D. Conventz
P.O. Box 2308
Kailua-Kona, Hawaii 96745-2308

Dear Mr. Conventz:

Ohana Dwelling Unit Permit No. 3862 (OHD 00-011)
Duplex Addition
Applicant: KEN BROWN
Tax Map Key: 7-7-011: 041

The subject application dated July 25, 2000 for Ohana Dwelling Unit Permit has been previously reviewed by the Department of Public Works, Fire Department, State Department of Health and the Department of Water Supply. The comments from these agencies state the following:

1. The Department of Public Works memorandum dated February 23, 1999, states:

"We have reviewed the subject application and have no comments. Please refer questions to Kelly Gomes at ext. 8327."
2. The Fire Department memorandum dated February 24, 1999, states:

"We have no comments on the above-referenced Ohana Dwelling Unit Application."
3. The State Department of Health memorandum dated March 3, 1999, 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 Department of Water Supply memorandum dated March 17, 1999, states:
"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. Therefore, the Department has no objections to the proposed application subject to the applicant understanding and accepting the following conditions:

AUG 17 2000

7275

Mr. Klaus D. Conventz

Page 2

August 17, 2000

1. Installation, by the Department of Water Supply, of a second 1-inch service lateral to service a 5/8-inch meter.
2. Remittance of the following charges, which are subject to change, to our Customer Service Section:
 - a. Facilities Charge (One 2nd service at \$3,375 each) \$3,375.00
 - b. Capital Assessment Fee 500.00
(One 2nd service in N. Kona Water System at \$500 each)
 - c. Service Lateral Installation Charge 1,200.00
(Install one meter on a County road)

Total \$5,075.00

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

5. The notarized Affidavit of Ownership dated November 30, 1998, signed by Kenneth W. Brown, states in part:

"I, Kenneth W. Brown, am the sole Owner of the house and land located at 77-6462 Leilani Street, Kailua-Kona, Hawaii 96740."

6. The notarized Affidavit of Understanding dated February 2, 1999, states in part:

"I, Kenneth W. Brown, attest to the following: To my knowledge there exists no Homeowners' Association in the section of Kona Sunset Subdivision that includes my residence at 77-6462 Leilani Street."

7. The Real Property Tax Clearance form certified on July 24, 2000, indicates that all real property taxes have been paid up to June 30, 2000.
8. 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 addition 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, 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 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 (35) feet regardless of the maximum height limitation of the zoned district.

- b. Minimum Building Site Area (Lot Size): The subject lot meets 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 detached ohana dwelling are:

Front and Rear Yard: Twenty (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.

Mr. Klaus D. Conventz

Page 5

August 17, 2000

Thank you for your patience and understanding.

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

Sincerely,



VIRGINIA GOLDSTEIN
Planning Director

EMM:rld

a:\77011041\approved.bro

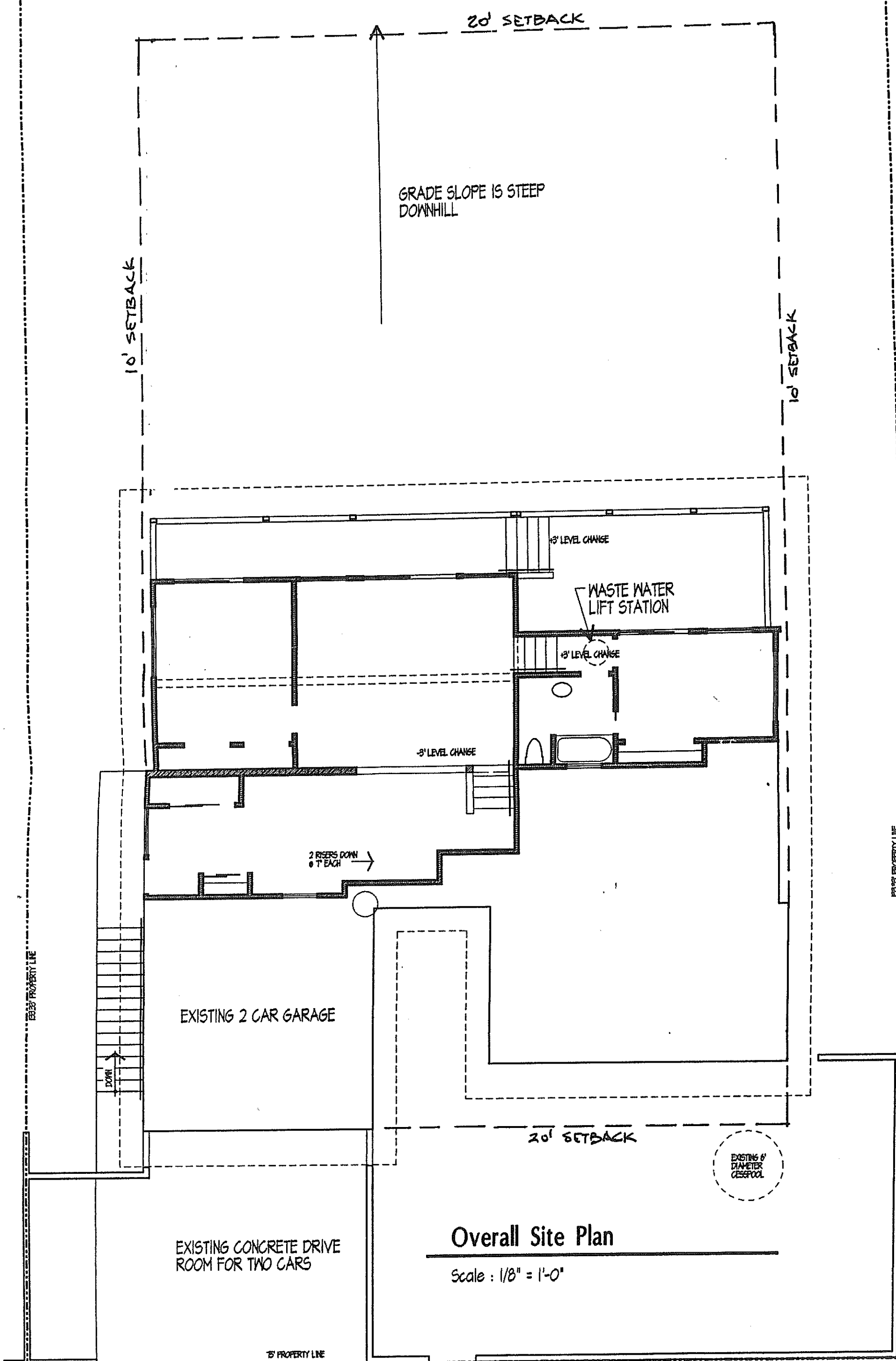
xc: Department of Health,
Chief Sanitarian
Department of Public Works
Real Property Tax Division
West Hawaii Office
Department of Water Supply
West Hawaii Office

Kona Blueprint

Your ENLARGEMENT & REDUCTION Specialists

75-5749 Kalawa Street
Kailua-Kona, Hawaii 96740-1817
Ph. (808) 329-5339 / Fax: (808) 329-5334

Printed by:



Overall Site Plan

Scale : 1/8" = 1'-0"

77-6462 Leilani Street