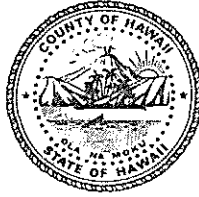


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Roy R. Takemoto  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

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

April 18, 2001

Brett P. and Susan S. Kennelly  
4224 Waialae Ave. #386  
Honolulu, Hawaii 96816

Dear Mr. and Mrs. Kennelly:

(OHD 2001-001)

#### Ohana Dwelling Unit Permit Application

Tax Map Key: 8-2-011:024

TMK: 6-2-10:14

This letter is in response to your submittal of an Application for Ohana Dwelling Unit Permit that was received by our Kona Office on March 20, 2001. Enclosed with this letter are your application submittals, including your check for the \$25.00 filing fee.

Upon closer review of our records, it was discovered that an Ohana Dwelling Unit Permit (OD 89-318) was approved for the subject parcel on September 19, 1989. This information was not readily available to our Kona Office staff. OD 89-318 was actually applied for under a different Tax Map Key (TMK) number (6-2-001:068, Lot 4) shortly after TMK 8-2-011:024 was created by Subdivision No. 5758 and prior to the new TMK numbers being assigned for the new lots.

Although OD 89-318 included Condition (a) requiring that a building permit be secured on or before September 19, 1991 or permission to construct the subject ohana dwelling shall be deemed void, OD 89-318 is, in fact, still a valid Ohana Dwelling Unit Permit. The Zoning Code in force at the time OD 89-318 was approved did not provide for time limit conditions for ohana dwelling permits. Therefore, your application for an Ohana Dwelling Unit Permit on the subject property is not necessary for you to obtain a building permit for the construction of a second detached single-family dwelling on the subject property.

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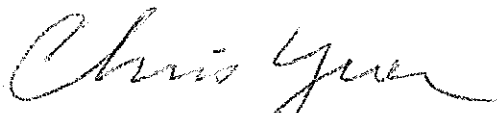
For you information, the construction of the ohana dwelling at this time is subject to the provisions of the current Zoning Code, which includes the following:

1. Height limit: The height limit for the proposed ohana dwelling unit shall be twenty-five (25'-0") feet
2. Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel containing 15,007 square feet is zoned Single-Family Residential (RS-15) by the County and is situated within the State Land Use Urban district.
3. Minimum Yards (Setbacks) and Open Space: The proposed dwelling unit is required to comply with the yards and open space requirements of the Hawaii County Zoning Code. The respective minimum open space, front, rear, and side yard requirements for the proposed detached ohana dwelling unit to be located on the subject TMK property shall be as follows:
  - Front yard – minimum **twenty-five** (25) feet required;
  - Rear yard – minimum **twenty-five** (25) feet required;
  - Side yard(s) – minimum **fifteen** (15) feet required;
  - Open space from other main structures – minimum **fifteen** (15) feet required.
4. Off-Street Parking: The Ohana Dwelling unit shall be provided with a minimum of two (2) off-street parking spaces that comply with the requirements of Section 25-4-53 of the Zoning Code. All existing and additional parking spaces shall be arranged so as to be individually accessible.
5. 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.

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A copy of OD 89-318 has also been enclosed for your reference. Please accept my apologies for any inconvenience you may have experienced in the preparation of the unnecessary Ohana Permit application. Should you have questions, please feel welcome to contact Larry Brown of my staff at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

LMB:cps  
P:\WPWIN60\Larry\Ohana\Kennelly 6-2-10-14 appl.doc

enclosure