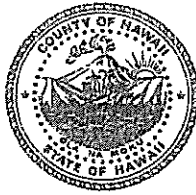


Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii
PLANNING DEPARTMENT
101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

August 16, 2004

Ms. Valerie Ferrari
HC2 Box 9590
Keaau, Hawaii 96749

Dear Ms. Ferrari:

Ohana Dwelling Unit Permit Application (2004-0013) 3914
Applicant: Valerie Ferrari
Land Owner: Valerie Ferrari
Proposal: Construct A Detached Ohana Dwelling Unit
Tax Map Key: (3) 2-4-015:116

The subject Application for an Ohana Dwelling Unit Permit was reviewed by the required agencies and their respective comments are as follows:

1. The Department of Public Works (DPW) (Memorandum dated August 4,2004):

“No comments.”

2. The Department of Water Supply (DWS) (memorandum dated April 29, 2004):

“We have reviewed the subject application and have the following comments and conditions.

For your information, the parcel an existing 5/8-inch meter services this property and is adequate for only one dwelling unit at an average day of 400 gallons per day. Therefore, a second 5/8-inch meter should be installed. Water is available from the 8-inch waterline in ‘Iwalani Street, which fronts the subject parcel.

Hawai'i County is an equal opportunity provider and employer.

MD
058956
AUG 19 2004

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 lateral to service a 5/8-inch meter, which shall be restricted to a maximum daily flow of 600 gallons.
2. Remittance of the following charges, which are subject to change, to our Customer Service Section:

A. FACILITIES CHARGE

One 2 nd Service at \$5,500.00 each	\$5,500.00
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b. SERVICE LATERAL INSTALLATION CHARGE

<u>Install one meter on 'Iwalani Street, a County Road)</u>	<u>2,600.00</u>
Total (Subject to change)	\$8,100.00

Should there be any questions, please call Ms. Shari Komata of our Water Resources and Planning Branch at 961-8070, extension 252.”

3. The State of Hawaii Department of Health (DOH-HILO) (memorandum dated July 30, 2004):

“The proposed ohana unit cannot be connected to the existing cesspool. A cesspool can serve only five (5) bedrooms and record indicates the existing house has five (5) bedrooms. The ohana dwelling can be served with a septic system.”

4. The Hawaii County Fire Department (HFD) (memorandum dated July 28, 2004):

“We have no comments to offer at this time regarding the above-referenced ohana dwelling unit permit application.”

There were no comments received from the surrounding property owners.

We note the following documents that accompanied your application. A copy of applicants Warranty Deed, Document number 2002-038726, listing no restrictions for second dwelling unit on the subject property. Also, the original and notarized affidavit of **Valerie Ferrari** dated July 7, 2003 included with the Ohana Dwelling application states:

“This letter is written and notarized in order to certify that I, Valerie Ferari (sic), own a property in Waiakea House Lots, Hilo, Located at 334 Iwalani St., the 2 bedroom, 2 bath house was purchased in 2002.”

In view of the above, by this letter, you are hereby **granted** permission to construct a detached single family 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.
2. 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.
3. 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.
4. Building Permit: **The applicant is required to secure a building permit from the Department of Public Works, Building Division, for the construction of the ohana dwelling unit on or before August 17, 2005.**

Please bring or attach a copy of this Permit to assist the reviewing agencies in understanding and expediting the review and processing of the building construction plans and building permit application for the additional building improvements necessary to establish the Ohana Dwelling on the subject parcel.

- a) The applicant shall correspond with the DOH to verify the number of existing bedrooms and total number of bedrooms proposed to ascertain the individual wastewater disposal system(s) required.
- b) The applicant shall consult with the DWS to coordinate service lateral and water meter installation and to remit the required charges.
- c) A one time 30-day time extension to obtain the building permit may be granted by the Planning Director. A written request for a time extension 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 request for a time extension prior to the expiration date of the permit.

- d) 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.

5. Requirements for Height, Site Area (Lot size), Yard (Setback) and Off-Street Parking (Parking spaces):

- a) Height limit: The height limit for the proposed attached ohana dwelling unit shall be twenty-five (25'-0") feet.
- b) Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel containing 15,150 sq.ft. is zoned Single-Family Residential (RS-15) by the County and is situated within the State Land Use Urban district.

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.

- c) 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 structure(s) – minimum **fifteen** (15) feet required.
- d) 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.
6. 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.

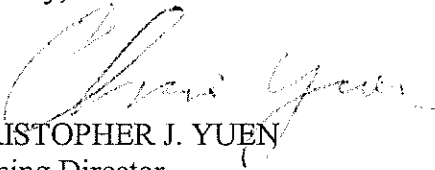
Ms. Valerie Ferrari
Page 5
August 16, 2004

Ohana dwelling units are prohibited on a building site that 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 contact Jonathan Holmes of this office.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

JRH:cd

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xc: Dept. of Health, Chief Sanitarian
Dept. of Public Works
Real Property Tax
Dept. of Water Supply

TERRITORY OF HAWAII — DEPARTMENT OF HEALTH
DIVISION OF SANITATION

Dist. Hilo # 3 SAL. SARY INSPECTOR'S REPORT OF C. SPOOLS Date 7-19-61

Property Owner T. Okuyama Address Lot 87 - Inwalani St.
TRK 2-4-5-116 Lot 87

New Construction yes Intended for new home of Mr. Okuyama

Builder or Contractor Yamada Construction Co.

Distance from building 10 ft. Boundary 20 ft. 30 ft. Stream or well _____

Diameter (clear) - ft. 6 ft. Depth - ft. 15 ft. No. ft. down to water if any _____

Capacity (Gallons) 317.2 gallons Ground slope slight

State soil or rock formation starting from surface dirt (about 10 in.), rock, dirt + loose rock, cinders + dirt + gravel at bottom.

Kind of wall or curb cemented rocks Kind of cover concrete

Distance from surface of ground to top of cover - ft. 12 in.

Approved _____ 19 _____ Harry M. Leher
INSPECTOR

