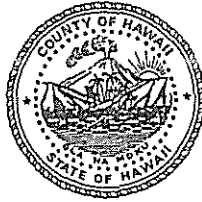


Harry Kim
Mayor



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

October 6, 2004

Tamotsu and Kay K. Kusano
12 Maikai Street
Hilo, Hawaii 96720

Dear: Tamotsu and Kay K. Kusano

Ohana Dwelling Unit Permit Application (2004-0025)

Applicant(s): Tamotsu and Kay K. Kusano

Land Owner(s): Tamotsu and Kay K. Kusano

Proposal: Construct A Detached Ohana Dwelling Unit

Tax Map Key: (3) 2-4-009:015

Your application for Ohana Dwelling Unit Permit, attachments, and filing fee were received for consideration by this office. The subject ohana dwelling application, submittals and check no. 2190 for the filing fee are being returned to you for the following reason:

An Ohana Permit was issued on August 5, 1991 for this property with a condition that the applicant obtains a building permit within one year or by August 5, 1992. Article 25 of the Zoning Code (Sections 25-270 through 25-277) were the regulations for Ohana Dwellings at that time. There were no provisions in those Sections, 25-270 through 25-277, which authorized the Planning Director to set a time limit on the Ohana Permit. Also, the permit privilege was not issued to the person but rather to the land and as such is transferable to subsequent property owners. **Thus, Ohana Permit 91-256 is currently active and available for your use.** A copy of the permit is enclosed for your use. To facilitate the application process for a building permit, please bring the Ohana Dwelling Unit Permit document with you.

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

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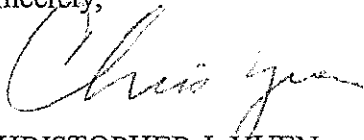
Tamotsu and Kay K. Kusano
Page 2
October 6, 2004

Please note that when you secure a building permit to construct the Ohana Dwelling, you must comply with the rules and regulations of the Planning Department, the Department of Health and the Department of Public Works as well as other government agencies that are currently in effect. This includes that the minimum setbacks to the property lines for the detached Ohana Dwelling are 25'-0" in the front and rear and 15'-0" on the sides and that the maximum height limit is 25'-0". There must also be a minimum of 15'-0" of separation between the Ohana Dwelling and the main house.

By copy of this letter to the agencies listed at the end of this letter we ask them for any comments they may have and that they convey them, if there are any, directly to you. We request said agencies to copy this Department with any such correspondence.

Any questions regarding this Ohana Dwelling permit may be directed to Jonathan Holmes of this Department at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

JRH:cd

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Enclosures

xc: Chief Sanitarian, DOH
Manager, DWS
Chief, HFD
Chief Engineer, DPW

August 5, 1991

Mr. Gary H. Iwaoka
12 Maikai Street
Hilo, Hawaii 96720

Dear Mr. Iwaoka:

Ohana Dwelling Permit (OD 91-256)
Tax Map Key: 2-4-09:15, Lot 3

2260

The subject application has been reviewed by the concerned agencies and note:

1. The subject tax map key parcel is served by an acceptable street;
2. The subject application can meet with the State Department of Health wastewater treatment and disposal systems requirements;
3. The copy of document(s) received relating to subject tax map key parcel to establish title and exhibits contained therein do not include any deed restriction or covenant to prohibit construction of requested ohana dwelling; and,
4. The site plan denotes two off-street parking stalls on the property.

In view of the above, by this letter, you are hereby granted permission to construct the Ohana Dwelling, subject to the following condition(s):

- (a) The building permit for the Ohana Dwelling shall be secured on or before August 5, 1992. It should be noted that the permit is effective for only one (1) year and should applicant fail to secure a building permit within this period, a new application must be applied for.

Please bring or attach a copy of this Permit to expedite processing the building plans and building permit application to construct the ohana dwelling.

- (b) Off-street parking space for two vehicles is designated on the submitted site plan to fulfill the off-street parking requirement. The off-street parking spaces may not be employed for storage or other use unless and until approved alternative on-site parking arrangements are established.

AUG 6 1991

Mr. Gary H. Iwaoka
Page 2
August 5, 1991

- (c) All construction drawings together with approved site plan drawn to scale submitted with the ohana dwelling building permit application shall denote location and identify required two (2) off-street parking spaces.
- (d) The ohana dwelling shall conform to all requirements of codes and statutes pertaining to access and building construction. Please refer to your copy of the Department of Public Works memorandum dated July 29, 1991.
- (e) The applicant shall conform to State Department of Health standards and regulations and following comment(s) dated July 16, 1991:

Per Administrative Rule, Title 11, Chapter 62, Wastewater, a single individual wastewater system (IWS) may receive no more than 800 gallons of sewage per day based on 200 gallons per bedroom per day. This limits discharge into a single IWS to four bedrooms. Developments which exceed four bedrooms must install a additional IWS.

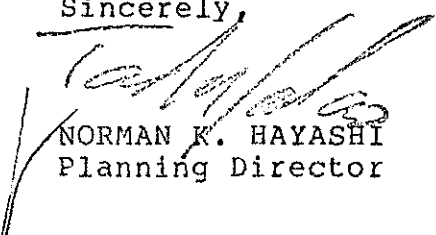
No individual wastewater system shall be located at any point having less then the minimum distances indicated in Chapter 62.

The Department of Health would like to inform the applicant that the wastewater rule is in the process of change and that comments made to the project may change accordingly.

- (f) This Ohana Dwelling permit is subject to all other applicable rules, regulations and requirements, including but not limited to those of the Planning Department, Department of Public Works, and State Department of Health.

Should you have any questions regarding the above, please feel free to contact either Masa Onuma or William Yamanoha of my staff at 961-8288.

Sincerely,



NORMAN K. HAYASHI
Planning Director

WRY/MO:eti
2657D-1

cc: Department of Health,
Chief Sanitarian
Department of Public Works
Real Property Tax Division

APPLICATION FOR OHANA DWELLING UNIT PERMIT

COUNTY OF HAWAII
PLANNING DEPARTMENT

2004 SEP 16 PM 1 29

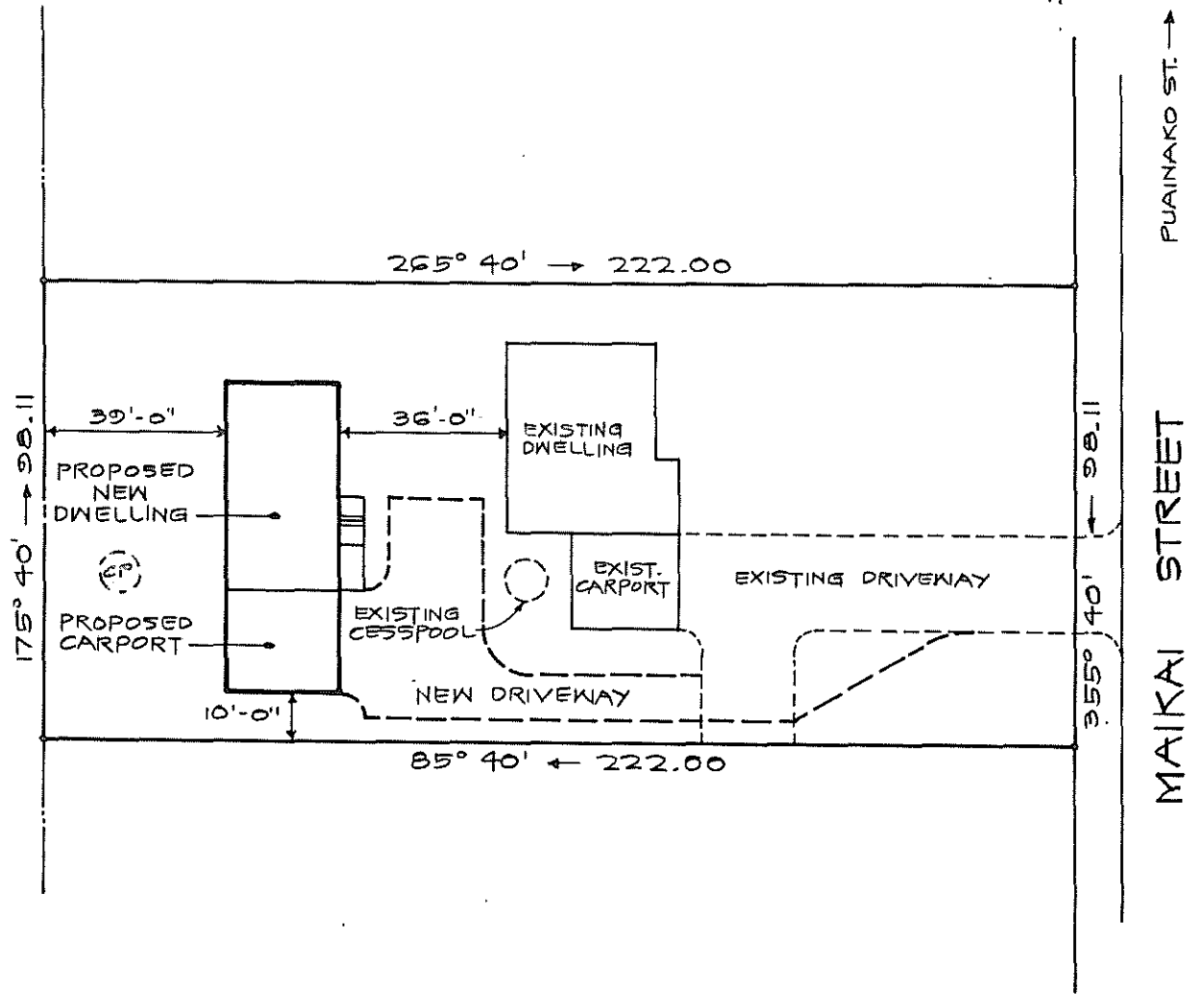
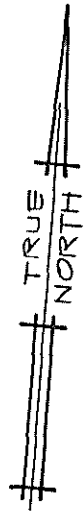
APPLICANT: Tamotsu Kusano & Kay K. Kusano
APPLICANT'S SIGNATURE: Tamotsu Kusano Kay K. Kusano DATE: 9-06-04
ADDRESS: 12 Maikai St. Hilo, HI 96720
TELEPHONE (Bus): 808-935-6381 (Res): 808-959-4468
TITLEHOLDER(S): Tamotsu Kusano & Kay K. Kusano
APPLICANT'S INTEREST, if not titleholder(s): _____

TAX MAP KEY: 3-2-4-009-015-0000 LAND AREA: 21780F
STATE LAND USE DISTRICT: URBAN ZONING: RS-15

THIS APPLICATION SHALL BE FILED WITH THE PLANNING DIRECTOR AND SHALL INCLUDE:

- (a) A non-refundable filing fee of twenty-five dollars;
- (b) Original and five copies of:
 - (1) Application form;
 - (2) Plot plan, drawn to scale, showing:
 - (i) All property boundaries;
 - (ii) Proposed ohana dwelling unit, including yard (setback) requirements from property lines;
 - (iii) Existing and proposed structures, including detached garages and water catchment system;
 - (iv) Two additional parking spaces for the proposed ohana dwelling unit;
 - (v) Existing and proposed driveway; and
 - (vi) Location of private sewage disposal system.
 - (3) Elevations of the ohana dwelling unit, drawn to scale.
- (c) A notarized affidavit stating that the applicant is a titleholder of the affected property.
- (d) A notarized affidavit stating that provisions of any restriction, covenant or other land use restrictions applicable to the lot by way of a deed or lease or other provision do not prohibit the construction or placement of an ohana dwelling unit or a second dwelling unit.
- (e) A copy of the notice of the application sent to all parties listed in the application who did not execute the application as a titleholder; to owners of properties within three hundred feet of the perimeter boundary of the lot; to and any known association of such property owners, informing them that an application for an ohana dwelling unit permit has been filed. Proof of service or of good faith efforts to serve notice of the application shall also be submitted. Such proof may consist of certified mail receipts, affidavits, or the like. The list of names, addresses, and tax map key of those individuals notified shall also be submitted.
- (f) A certification of clearance (from the Director of Finance that the real property taxes and all other fees relating to the subject parcel(s) have been paid and that there are no outstanding delinquencies) shall accompany this Application.

THE OHANA DWELLING UNIT SHALL MEET ALL APPLICABLE REQUIREMENTS OF THE HAWAII COUNTY CODE.



PLOT PLAN

SCALE = 1 IN. = 40 FT.

TAX MAP KEY = 3RD DIV. 2-4-09 = 15

LOT 3 (21,780 SQ. FT.)

WAIAKEA, SOUTH HILO, HAWAII