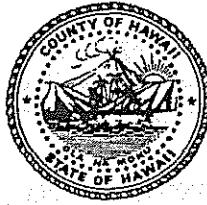


Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720
Phone (808) 961-8288 • Fax (808) 961-8742

January 7, 2005

Henry R. Smith
P.O. Box 1866
Kailua-Kona, Hawaii 96743

Dear Mr. Smith:

SUBJECT: Ohana Dwelling Permit Application (2005-0033)
Applicants: Henry R. Smith
Land Owners: Henry R. Smith
Faith Carlin-Smith
Proposal: Construct a Detached Ohana Dwelling
Unit
Tax Map Key: (3) 7-5-020:047

We would like to inform you that we have returned your application and submittals, including your \$25.00 filing fee, for an Ohana Dwelling Unit on the subject parcel (TMK: (3) 7-7-003:054) due to being defective. The application, submittals and filing fee have been picked up by Edward Rapoza. It will be necessary for you to address the deficiencies listed below before we will be able to consider your application complete.

1. In order to apply for an Ohana Dwelling, there must, at the very least, be a Building Permit issued for the first dwelling on the subject property.

You are welcome to resubmit this application once you have secured a Building Permit for a first dwelling on the property.

2. The subject parcel, designated urban by the State Land Use Commission and zoned Single-Family Residential district (RS-15) by the County, contains approximately 18,310 sq. ft. of land area. The "normal" setbacks (yards) for this property are twenty feet for the front and rear yards and ten feet for the side yards. For a detached ohana dwelling unit the Zoning Code requires an additional five feet of setback for each yard. The minimum separation between main (dwelling) structures on the lot is fifteen feet.

The detached Ohana Dwelling Unit must be setback from the property lines an additional five feet compared to the first dwelling. The site plan as submitted shows approximately twenty feet of rear yard to the outermost wall of the Ohana dwelling

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Henry R. Smith
January 7, 2005
Page 2

unit (twenty-five feet minimum required). Please address this issue should you plan to re-submit this application.

3. This parcel is located within the Special Management Area and a Special Management Area Assessment Application must be applied for **prior to any resubmittal** that is made for the Ohana Unit. A SMA Assessment Application form has been given to Edward Rapoza for your use.

You are reminded that it will be necessary that you mail the notices to surrounding property owners again if you decide to resubmit this application. The notification needs to occur **within ten (10) days** of the submittal of the application and that proof of that mailing be submitted to this office. A current certification of clearance from the Director of Finance that the real property taxes and all other fees relating to the subject parcel have been paid and that there are no outstanding delinquencies will also need to be included should you choose to resubmit.

If you have any questions please call Deanne Bugado of our West Hawaii Office at 327-3510.

Sincerely,


CHRISTOPHER J. YUEN
Planning Director

BM:deb

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xc: Planning Department - Kona