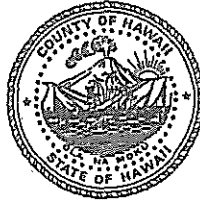


Harry Kim
Mayor



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 5, 2005

Mr. and Mrs. Danny Stever
P.O. Box 2185
Pahoa, Hawaii 96778

Dear: Mr. and Mrs. Stever

Ohana Dwelling Unit Permit Application (ohd-05-000048)

Applicant(s): Danny and Claudia Stever

Land Owner(s): Danny and Claudia Stever

Proposal: Construct An Attached Ohana Dwelling Unit

Tax Map Key: (3) 1-5-078:064

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 July 13, 2005):

“No comments.”

2. The Department of Water Supply (DWS) (memorandum dated July 22, 2005):

“We have reviewed the subject application and have the following information.

The property does not have an existing water service with the Department as the parcel receives its water from a private water system.

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 14, 2005):

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“On May 26, 2005, Wastewater Branch approved a septic design for four bedrooms. Wastewater Branch has no objection to this project as long as the total number of bedrooms or bedroom-like room is no more than four bedrooms for the two dwellings.”

4. The Hawaii County Fire Department (HFD) (memorandum dated July 14, 2005):

“We have no comments to offer at this time on the above-referenced Ohana dwelling unit permit.”

We note the following documents that accompanied your application. The original and notarized affidavits of **Danny and Claudia Stever**, dated June 2, 2005, included with the Ohana Dwelling application state:

“This affidavit is being submitted, as per the requirements of the County of Hawaii, as part of an application for an ‘Ohana’ permit.

Danny and Claudia Stever, whose parcel is TMK (3) 1-5-078:064, are the applicants. The parcel has no provision of any restriction, covenant, or other provision do not prohibit the construction or placement of an ohana dwelling or a second dwelling unit.”

and

“This affidavit is being submitted, as per the requirements of the County of Hawaii, as part of an application for an ‘Ohana’ permit.

Danny and Claudia Stever are the titleholders for the parcel, TMK (3) 1-5-078:064.”

In view of the above, by this letter, you are hereby **granted** permission to construct an attached single-family Ohana Dwelling Unit duplex conversion 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 to the satisfaction of the Chief Engineer, Department of Public Works.
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 6, 2006.**

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) 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.
- 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 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 duplex conversion shall be thirty-five (35'-0") feet.
- b) **Zoning and Minimum Building Site Area (Lot Size):** The subject TMK parcel containing 15,077 square feet is zoned Agricultural (A-1a) 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 attached ohana dwelling unit to be located on the subject TMK property shall be as follows:
- Front yard - minimum **twenty** (20) feet required;
 - Rear yard – minimum **twenty** (20) feet required;
 - Side yard(s) – minimum **ten** (10) feet required;

- Open space from other main structure(s) – not applicable, attached duplex conversion.
- 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.
7. In reference to the DWS comment, considering that there is sufficient annual rainfall to satisfy the minimum Zoning Code requirements, and should additional water not be available from the private water supplier, may we suggest the following:
- a. Any dwelling not serviced by a County water system should be provided with and maintain a private potable rain catchment system which includes a minimum 6,000 gallons for domestic consumption or potable uses. This catchment system should adhere to the Department of Public Works, Building Division's "Guidelines for Owners of Rain Catchment Water Systems" as well as the State Department of Health requirements related to water testing and water purifying devices.
 - b. Any dwelling on a water catchment system should be provided with and maintain an additional 3,000 gallon water storage capacity for fire fighting and emergency purposes. The emergency water supply system, including the necessary compatible connector system and location of the water storage facility on the property, should meet with the approval of the Hawaii County Fire Department.

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.

Mr. and Mrs. Danny Stever
August 5, 2005
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Should you have any questions regarding the above, please contact Jonathan Holmes of this office.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

JRH: je

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

GENERAL NOTES

IT SHALL BE THE RESPONSIBILITY OF THE GENERAL CONTRACTOR TO CONSTRUCT THIS STRUCTURE WITH STRICT ACCORDANCE TO THE PLANS AND THE RULES AND REGULATIONS OF THE UNIFORM BUILDING CODE AS AMENDED BY THE COUNTY OF HAWAII.

THE CONTRACTOR SHALL INSPECT PLANS AND SITE AND VERIFY ALL DIMENSIONS, CONDITIONS, AND DETAILS BEFORE STARTING

CONTRACTOR SHALL BRING ANY POTENTIAL PROBLEMS, ERRORS, OR OMISSIONS TO THE ARCHITECT'S ATTENTION BEFORE STARTING

THE CONTRACTOR SHALL BRING ANY SITE CONDITIONS THAT MAY ADVERSELY AFFECT THE DESIGN TO THE ARCHITECT'S ATTENTION BEFORE STARTING JOB.

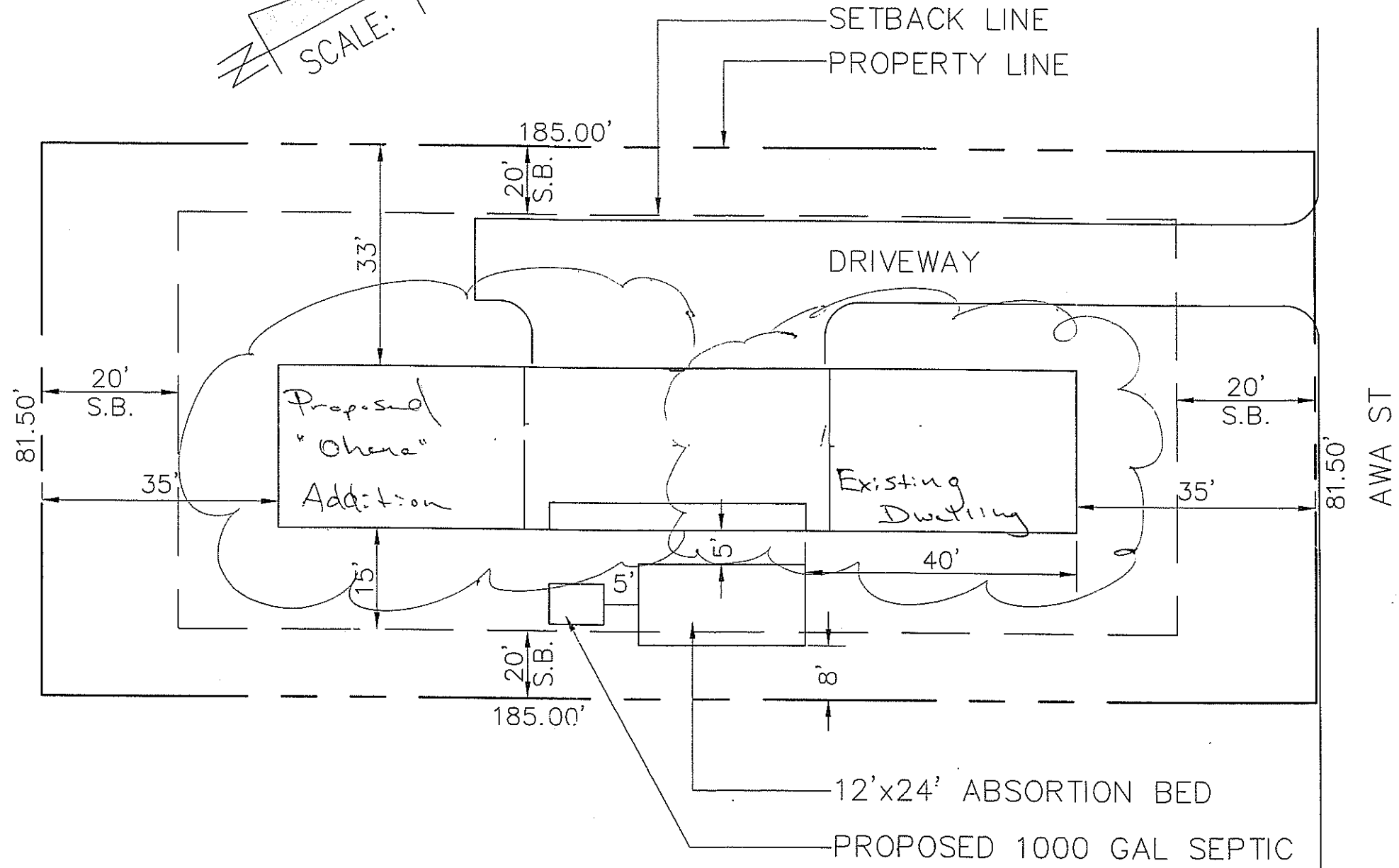
OWNERS RESPONSIBILITY

THE OWNER IS RESPONSIBLE FOR VERIFYING ALL LOT DIMENSIONS AND ANGLES, SETBACKS, EASEMENTS, RIGHTS OF WAY, COVENANTS AND RESTRICTIONS, AND OTHER PLANNING AND ZONING ISSUES - REGARDLESS OF THE DRAFTED

THE OWNER SHALL BE RESPONSIBLE FOR ALL EXTRA COST DUE TO CHANGES MADE BY THE COUNTY BUILDING DEPT. AFTER THE PLANS HAVE BEEN DRAWN, AND FOR CONFORMING TO ALL SUBDIVISION COVENANTS, EASEMENTS & RESTRICTIONS

BY APPLYING FOR A BUILDING PERMIT, THE OWNER CONFIRMS THAT HE HAS REVIEWED THESE PLANS AND FINDS THEM COMPLETE AND ACCURATE IN REGARD TO HIS REQUIREMENTS.

SCALE: 1" = 20'



1	DRAWN BY: André	DATE: APRIL 2005	CONTENTS: SITE PLAN
	Cole Custom Drafting 808/935-6307		

A NEW DUPLEX RESIDENCE FOR:	REVISIONS	
DAN STEVER	DESCRIPTION	DATE
ADDRESS: PO BOX 10697, HILO, HI, 96721		
PHONE #: 965-5498		
TMK#: 1-5-078: 064		

