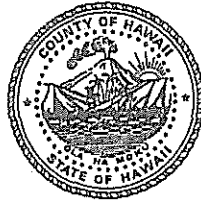


Harry Kim
Mayor



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

December 20, 2005

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

Dear Mr. and Mrs. Stever:

Ohana Dwelling Unit Permit Application (ohd-05-000057)

Applicant(s): Danny and Claudia Stever

Land Owner(s): Danny and Claudia Stever

Proposal: Construct An Attached Ohana Dwelling Unit

Tax Map Key: (3) 1-5-078:034

The applicants have previously obtained permission to construct an Ohana Dwelling Unit on parcel 1-5-078:064 (ohd-05-000048) approved on August 5, 2005.

The subject application is therefore being denied on the basis of the following excerpt of the Hawaii County Code (HCC):

Section 25-6-31. Eligibility for ohana dwelling permit.

...

- (b) Only one permit application for an ohana dwelling unit may be active for any one applicant at any time. Any applicant who has obtained an ohana dwelling permit shall not be eligible or apply for a subsequent ohana dwelling permit on any building site for a period of two years from the date on which the first ohana dwelling unit was completed to the satisfaction of the chief engineer. For purposes of this subsection, each titleholder and person named in an application for an ohana dwelling permit, pursuant to section 25-6-39(a) (2), shall be considered the applicant. The director shall maintain and keep readily available for public reference a current list of applicants for ohana dwelling units, including the dates of application and approval or denial. ...

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

DEC 19 2005

Mr. Danny and Mrs. Claudia Stever

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Please be aware that decisions by the Planning Director may be appealed to the Board of Appeals per Section 25-6-39.7:

“Any person aggrieved by the decision of the director in the issuance of an ohana dwelling permit decision, except for a decision regarding the duration of a permit under section 25-6-39.2, may appeal the director's action to the board of appeals, in accordance with this chapter, within thirty days after the date of the director's written decision.”

An application for General Petition for Appeal of Decisions by Planning Director is enclosed for your convenience should you decide to petition to the Board of Appeals.

Any questions regarding the subject matter may be directed to Jonathan Holmes of this Department at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

JRH:cd

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Encl. BOA Application

xc: Chief Sanitarian, DOH w/application
Manager, DWS w/application
Chief, HFD w/application
Chief Engineer, DPW w/ application

TMK File 1-5-078:064