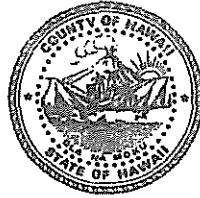


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Brad Kurokawa, ASLA  
LEED® AP  
Deputy Director

County of Hawaii  
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • FAX (808) 961-8742

June 7, 2006

Ms. Tiffany Ann Otani-Thompson  
1503 Kaumana Drive  
Hilo, Hawaii 96720

Dear Ms. Otani-Thompson:

**Ohana Dwelling Unit Permit Application (ohd-06-000077)**  
**Applicant(s): Tiffany Ann Otani-Thompson**  
**Land Owner(s): Tiffany Ann Otani-Thompson**  
**Proposal: Construct A Detached Ohana Dwelling Unit**  
**Tax Map Key: (3) 1-1-007:075**

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 May 2, 2006):

“We have reviewed the subject application and have no comments to offer.

Questions may be referred to Cres Rambayon at 961-8327.”

2. The Department of Water Supply (DWS) (memorandum dated May 9, 2006):

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

Please be informed that the subject property is not within the Department’s existing service limits. The nearest point of connection is from the existing 4-inch waterline within the Volcano Highway approximately 9 miles north of the subject parcel.

Should there be any questions, you may contact Mr. Finn McCall of our Water Resources and Planning Branch at 961-8070, extension 255.”

3. The State of Hawaii Department of Health (DOH-HILO) (memorandum dated May 17, 2006):

“The use of individual wastewater systems is allowed. The type and number of individual wastewater systems to be used will be determined by the wastewater rules in effect at the time of building permit application.

The Department of Health’s Safe Drinking Water Branch authority on drinking water quality is based on the definition of a ‘public water system’. A ‘public water system’ means a system which provide water for human consumption through pipe or other constructed conveyance if such system has fifteen (15) service connections or regularly serves an average of at least twenty-five (25) individuals daily at least sixty (60) days out of the year. All public water systems are regulated by the Department of Health and shall be in compliance with the Hawaii Administrative Rules, Title 11, Chapter 20. Recommend the subdivision lots be connected to an existing public water system.

Concerns on water quality for lead, copper, algae and microbial and chemical contaminations in private water systems have identified the need for self monitoring. The Department of Health does not support the use of these private rain catchment systems for drinking purposes since the quality may not meet potable water standards.”

1. The Hawaii County Fire Department (HFD) (memorandum dated May 3, 2006):

“We have no comments to offer at this time in reference to the above-mentioned Ohana dwelling permit application.”

We note the following documents that accompanied your application. The original and notarized affidavits of **Tiffany Ann Thompson**, dated March 24, 2006, included with the Ohana Dwelling application state:

“To whom it may concern:

According to the deed for my property, there are no restrictions, covenants, or other land use restrictions applicable to the lot that prohibits the construction or placement of an ohana dwelling unit or a second dwelling unit on the property.”

and

“To whom it may concern:

I am the titleholder of the affected property TMK(s) 3-1-1-007-075-0000.”

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 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 June 8, 2007.**

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 shall be twenty-five (25'-0") feet.

- b) Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel containing 20,000 sq.ft. is zoned Residential Single-Family (RS-20) 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 **thirty** (30) feet required;
  - Rear yard – minimum **thirty** (30) feet required;
  - Side yard(s) – minimum **twenty** (20) 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.
7. This Department's research indicates that the area in which the subject parcel is located, Kea'au, Puna, receives 120 to 160 inches of rainfall annually, which, according to the Zoning Code and the Planning Department's Rules of Practice and Procedure is sufficient for an ohana dwelling to be served by a water catchment system.

In reference to the DWS comment 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.

Ms. Tiffany Ann Otani-Thompson

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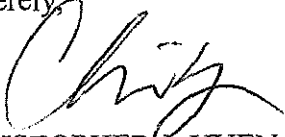
- b. Any dwelling on a water catchment system should be provided with and maintain an additional 3,000 gallon water storage capacity for fire fighting and emergency purposes. The emergency water supply system, including the necessary compatible connector system and location of the water storage facility 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.

Should you have any questions regarding the above, please contact Jonathan Holmes of this office.

Sincerely,

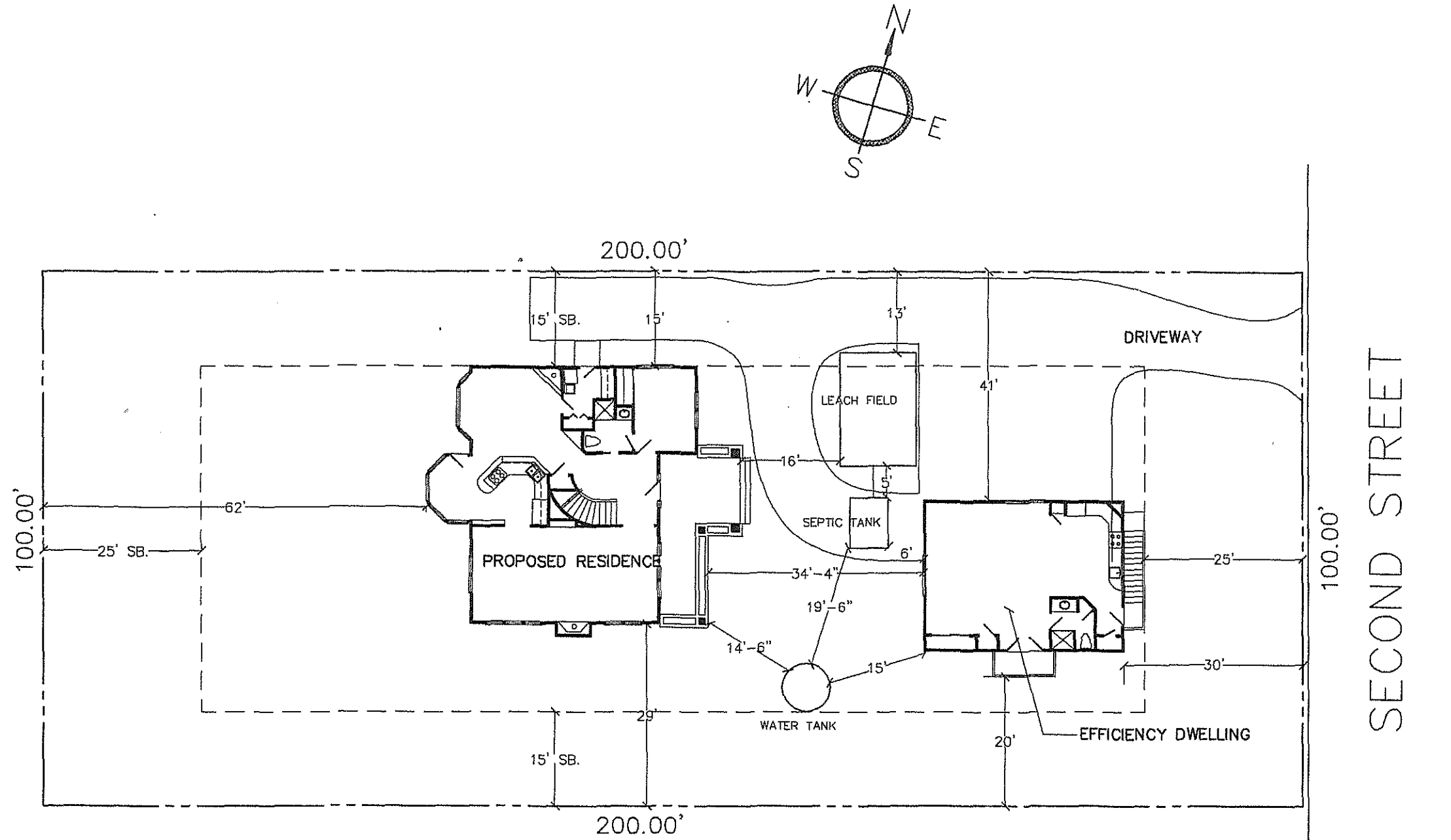


CHRISTOPHER J. YUEN  
Planning Director

JRH:cd

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



TIFFANY THOMPSON  
P.O. BOX  
VOLCANO , HAWAII 96778  
PH#

SITE PLAN

SC: 1"=20'  
TMK: 1-1-007: 075  
MAUNA LOA ESTATES

DARWIN BY: <b>Cole Custom Drafting</b> 808/935-6307	DATE: MARCH 2006	CONTENTS: SITE PLAN	TITLE: A NEW RESIDENCE FOR: <b>THOMPSON</b> TMK: 1-1-007: 075	REVISIONS
				DESCRIPTION
SHEET NO. <b>T-1</b>				DATE