

Harry Kim
Mayor



Michael Yee
Director

Daryn Arai
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
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County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

April 28, 2017

Richard M. & Deborah A. P. Standke
85 Saddlebow Road
Bell Canyon, CA 91307-1134

Dear Mr. & Mrs. Standke:

SUBJECT: Application: Ohana Dwelling Unit Permit Application (OHD-17-000177)
Applicant: RICHARD M. & DEBORAH A. P. STANDKE
Land Owners: RICHARD M. & DEBORAH A. P. STANDKE
Proposal: Construct an Attached Ohana Dwelling Unit
Tax Map Key: (3) 2-1-018:032

Upon review of your application and as applicable, comments from the public and government agencies for an Ohana Dwelling Unit Permit (OHD), you are hereby **granted** approval to construct an attached OHD subject to conditions set forth below in this letter.

REQUEST

The applicant is requesting an OHD Permit to construct an additional dwelling unit on the subject property.

PROPERTY DESCRIPTION

The subject TMK parcel, comprised of 18,000 square feet, Lot 38-B, being also a portion of Grant 9774, Waiuli, Waiākea, South Hilo, Island of Hawai'i. The property is 10,000 square feet in size, zoned Residential Single-Family (RS-15) by the County and is situated within the State Land Use Urban district. The property is situated in the Special Management Area (SMA). SMA Minor Permit No. SMM-17-000367, has been issued in relation to this application. The subject property is also located in the area designated as Flood Zone "VE".

AGENCY COMMENTS

The subject Application for an OHD Permit was reviewed by the required agencies and their respective comments are as follows:

1. The Department of Water Supply (DWS): See attached memorandum dated April 6, 2017 (**Exhibit A**);
2. The Hawai'i County Fire Department (HFD): See attached memorandum dated March 29, 2017 (**Exhibit B**);
3. The State of Hawai'i Department of Health (DOH): See attached memorandum dated March 28, 2017 (**Exhibit C**); and
4. The Department of Public Works (DPW): See attached memorandum dated April 4, 2017 (**Exhibit D**).
5. The Department of Environmental Management (DEM): See attached memoranda dated March 14, 2017 (**Exhibit E**).

COMMUNITY COMMENTS

There were no comments received from the surrounding property owners or the public.

ADDITIONAL FINDINGS

We note the following documents that accompanied your application:

The original and notarized affidavit of **Richard M. & Deborah A. P. Standke**, dated February 23, 2017, included with the OHD application states:

"Richard and Debbie Standke represent, under penalties of perjury, the following:

1. *Applicants are titleholders of the affected property.*
2. *Provisions of any restriction, covenant or other land use restriction 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."*

ANALYSIS

The proposed building site for the subject OHD application is a legal lot of record of at least 10,000 square feet located within the RS district and is designated Urban by the State Land Use Commission. Additional dwellings are not permitted on this lot, and there is no guest

house located on the property. There are no pending subdivision actions affecting the subject TMK property, nor has any variance, Planned Unit Development, Cluster Plan Development, or other preemption from requirements of the Hawai'i County Code been granted. There has not been a previously approved variance from the Subdivision Code (Chapter 23) and the Zoning Code (Chapter 25) on the property, nor are there any conditions within a change of zone ordinance that would prohibit an OHD. The applicant has not submitted any OHD applications in the previous two years. Therefore, the application meets the requirements for an OHD Permit.

DECISION AND CONDITIONS

In view of the above, by this letter, you are hereby **granted** permission to construct an attached single-family OHD subject to the following conditions:

1. The proposed OHD shall comply with Ordinance No. 96-47 and Rule 12, the County of Hawai'i Planning Department's Rules of Practice and Procedure relating to OHD's.
2. **Non-transferability:** The permit for the OHD shall be personal to the applicant until construction of the OHD has been completed. The permit shall not be transferable or assignable to any other person prior to completion of its construction to the satisfaction of the Chief Engineer, DPW.
3. **Prohibition of Advertising, Sales, Transfers:** No person shall advertise or represent to the public that a permit to construct an OHD 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, within one (1) year from the date of this approval for the construction of the OHD on or before **April 28, 2018.**

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 OHD 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 OHD 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 OHD shall be **thirty-five** (35'-0") feet.
- b) Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel, containing 18,000 sq. ft., is zoned Residential Single-Family (RS-15) by the County and is situated within the State Land Use Urban district.
- c) Minimum Yards (Setbacks) and Open Space: The proposed dwelling unit is required to comply with the yards and open space requirements of the Hawai'i County Zoning Code, Section 25-6-35 and 25-4-7.

The respective minimum open space, front, rear, side yard and dwelling unit requirements for the proposed attached OHD to be located on the subject TMK property shall be the minimum yard requirements as follows:

- Front yards - minimum **twenty**-(20) feet required;
- Rear yard – not applicable, corner lot; and
- Side yards – minimum **ten** (10) feet required.
- Between dwelling units – not applicable, attached unit.

- d) Off-Street Parking: The OHD 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. A guest house shall not be permitted or constructed where an ohana dwelling has been permitted or constructed.
7. This OHD permit is subject to all other applicable rules, regulations and requirements of the Planning Department, DPW, HFD, DOH, DWS and DEM and any other reviewing agencies/divisions listed on the Building Permit Application. In particular, the applicant shall consult with the DPW-Engineering Division regarding requirements for construction in the designated Flood Zone "VE" area.

8. OHD's 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, Hawai'i County Code, as amended, shall be granted to permit the construction or placement of an OHD.
 - b) An OHD 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, Hawai'i County Code, as amended.

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

Sincerely,



MICHAEL YEE
Planning Director

JRH:nci
\\COH33\planning\public\Admin Permits Division\Ohana\2017\OHD-17-000177 Standke\APVL.docx

Encls: Agency comments – Exhibits A-E

cc: DOH
DWS
HFD
DPW
DEM

cc w/encls: GIS Section (via email)



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAI'I

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAI'I 96720

TELEPHONE (808) 961-8050 • FAX (808) 961-8657

April 6, 2017

2017 APR 6 PM 2 15

TO: Mr. Michael Yee, Director
Planning Department

FROM: Keith K. Okamoto, Manager-Chief Engineer

SUBJECT: **Ohana Dwelling Unit Permit Application (OHD 17-000177)**
Applicant – Richard M. and Deborah A.P. Standke
Tax Map Key 2-1-018:032

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

Please be informed that the subject parcel does not have an existing water service with the Department. However, water can be made available from an existing 6-inch waterline along Oeoe Street which ends at the subject property.

Inasmuch as this application is proposing an additional dwelling, the installation of a separate 5/8-inch meter will be required at a minimum. Therefore, the Department requires the installation of either a 1-inch meter or two (2) 5/8-inch meters to service both dwellings.

Therefore, the Department has no objections to the proposed application, subject to the applicant understanding and accepting the following conditions:

Option 1, Installation of 1-inch meter:

1. Installation, by the Department of Water Supply, of a 1½-inch service lateral to service a 1-inch meter, which shall be restricted to a maximum daily flow of 1,200 gallons,
2. Remittance of the following charges, which are subject to change, to our Customer Service Section:

FACILITIES CHARGE (FC):	
1-inch meter service to the parcel	\$13,750.00
TEMPORARY DEPOSIT FOR SERVICE LATERAL INSTALLATION:	
<u>Install one 1-inch meter on Oeoe Street, a County road</u>	<u>\$3,000.00</u>
Total (Subject to Change)	\$16,750.00

Please keep in mind that if the actual labor and material costs to install the meter amount to more than \$3,000.00, the applicant will be billed for the balance. If the costs amount to less than \$3,000.00, then the applicant will be refunded.

EXHIBIT

A

... Water, Our Most Precious Resource ... Ka Wai A Kane ...

The Department of Water Supply is an Equal Opportunity provider and employer

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Mr. Michael Yee, Director
Page 2
April 6, 2017

Option 2, Installation of two (2) 5/8-inch meters:

1. Installation, by the Department of Water Supply, of a 1-inch service lateral to service a 5/8-inch meter, which shall be restricted to an average daily flow of 400 gallons.
2. Remittance of the following charges, which are subject to change, to our Customer Service Section:

FACILITIES CHARGE (FC):

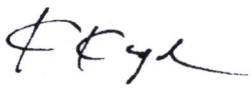
Initial service to the parcel	\$1,900.00
2 nd service to the parcel	\$5,500.00

SERVICE LATERAL INSTALLATION CHARGE:

<u>Install two (2) 5/8-inch meters on Oeoe Street, a County road</u>	<u>\$6,000.00</u>
Total (Subject to Change)	\$13,400.00

Should there be any questions, please contact Mr. Troy Samura of our Water Resources and Planning Branch at 961-8070, extension 256.

Sincerely yours,


Keith K. Okamoto, P.E.
Manager-Chief Engineer

TS:dfg

copy – Mr. Richard M. and Ms. Deborah A. P. Standke
DWS Customer Service (Hilo)

Harry Kim
Mayor



Darren J. Rosario
Fire Chief

Renwick J. Victorino
Deputy Fire Chief

County of Hawai'i
HAWAI'I FIRE DEPARTMENT
25 Aupuni Street • Suite 2501 • Hilo, Hawai'i 96720
(808) 932-2900 • Fax (808) 932-2928

2017 MAR 30 pm 2 49
PLANNING DEPARTMENT
COUNTY OF HAWAII

March 29, 2017

TO : MICHAEL YEE, PLANNING DIRECTOR

FROM : DARREN J. ROSARIO, FIRE CHIEF

SUBJECT : Ohana Dwelling Unit Permit Application (OHD 17-000177)
Applicant: Richard M. & Deborah A.P. Standke
Land Owner: Richard M. & Deborah A.P. Standke
Proposal: Construct an Attached Ohana Dwelling Unit
Tax Map Key: (3) 2-1-018:32

The Hawai'i Fire Department has no comments or issues with regards to the Ohana Dwelling Unit Permit Application as noted above.

DARREN J. ROSARIO
Fire Chief

KV:ds

EXHIBIT
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110673





STATE OF HAWAII
DEPARTMENT OF HEALTH
P O BOX 916
HILO, HAWAII 96721-0916

MEMORANDUM

DATE: March 28, 2017

TO: Mr. Michael Yee
Planning Director, County of Hawaii

FROM: Eric Honda *EH*
District Environmental Health Program Chief

SUBJECT: Application: Ohana Dwelling Unit Permit Application (OHD-17-000177)
Applicants: RICHARD M. & DEBORAH A.P. STANDKE
Owners: RICHARD M. & DEBORAK A.P. STANDKE
Proposal: Construct an Attached Ohana Dwelling unit
TMK: 2-1-018:032

The Health Department found no environmental health concerns with regulatory implications in the submittals.

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EXHIBIT
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DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: April 4, 2017

2017 APR 4 PM 4:49

Memorandum

TO: Michael Yee, Planning Director

FROM:  Department of Public Works, Engineering Division

SUBJECT: OHANA DWELLING UNIT PERMIT APPLICATION (OHD 17-000177)
Applicants: Richard M. & Deborah A.P. Standke
Land Owners: Richard M. & Deborah A.P. Standke
Proposal: Construct an Attached Ohana Dwelling Unit
Tax Map Key: 2-1-18: 032

We have reviewed the subject application forwarded by your memo dated March 13, 2017 and offer the following comments for your consideration.

The subject parcel is in an area designated as Flood Zone VE on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Flood Zone VE is the Special Flood Hazard Area inundated by the 100-year coastal flood (1% chance of occurring in any given year) with velocity hazard (wave action).

All construction shall be in compliance with the requirements of Chapter 27, Floodplain Management, of the Hawaii County Code.

Questions may be referred to Kelly Gomes at ext. 8327.

EXHIBIT
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Harry Kim
Mayor

Wilfred M. Okabe
Managing Director



County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūāno'a Street, Suite 41 · Hilo, Hawai'i 96720
(808) 961-8083 · Fax (808) 961-8086
cohdem@co.hawaii.hi.us
<http://www.hawaiicounty.gov/environmental-management/>

William A. Kucharski
Director

Diane A. Noda
Deputy Director

2017 APR 9 PM 2 59
PLANNING DEPARTMENT
COUNTY OF HAWAII

MEMORANDUM

Date : March 14, 2017

To : MICHAEL YEE, Planning Director

From : WILLIAM A. KUCHARSKI, Director *WAK*

Subject: **Application: Ohana Dwelling Unit Permit Application (OHD 17-000177)**
Applicants: RICHARD M. & DEBORAH A.P. STANDKE
Land Owners: RICHARD M. & DEBORAH A.P. STANDKE
Proposal: Construct an Attached Ohana Swelling Unit
TMK: 2-1-018:032

The Solid Waste Division has reviewed the subject application and offers the following recommendations (Please note Wastewater Division's comments will be submitted separately):

SOLID WASTE COMMENTS: (Contact Solid Waste Division for details.)

- No comments
- Commercial operations, State and Federal agencies, religious entities and non-profit organizations may not use transfer stations for disposal.
- Aggregates and any other construction/demolition waste should be responsibly reused to its fullest extent.
- Ample and equal room should be provided for rubbish and recycling.
- Green waste may be transported to the green waste sites located at the West Hawai'i Organics Facility and East Hawai'i Organics Facility, or other suitable diversion programs.
- Construction and demolition waste is prohibited at all County Transfer Stations.
- Submit Solid Waste Management Plan in accordance with attached guidelines.
- Existing Solid Waste Management Plan is to be followed. Provide update to the department on current status.
- Other: _____

WK:mt

EXHIBIT
E

County of Hawai'i is an Equal Opportunity Provider and Employer.

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Harry Kim
Mayor

Wilfred M. Okabe
Managing Director



William A. Kucharski
Director

Diane A. Noda
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

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cohdem@co.hawaii.hi.us
<http://www.hawaiicounty.gov/environmental-management/>

PLANNING DEPARTMENT
COUNTY OF HAWAII

2017 APR 19 PM 2 59

MEMORANDUM

Date : March 14, 2017

To : MICHAEL YEE, Planning Director

From : WILLIAM A. KUCHARSKI, Director *WAK*

Subject: **Application:** Ohana Dwelling Unit Permit Application (OHD 17-000177)
Applicants: RICHARD M. & DEBORAH A.P. STANDKE
Land Owners: RICHARD M. & DEBORAH A.P. STANDKE
Proposal: Construct an Attached Ohana Swelling Unit
TMK: 2-1-018:032

The Wastewater Division has reviewed the subject application and offers the following recommendations (please note Solid Waste Division comments will be submitted separately):

WASTEWATER COMMENTS: (Contact Wastewater Division for details.)

Lyle Hirota

- No comments
- Require connection of existing and/or proposed structures to the public sewer in accordance with Section 21-5 of the Hawai'i County Code.
- Require Council Resolution to approve sewer extension in accordance with Section 21-26.1 of the Hawai'i County Code. Complete Sewer Extension Application.
- Require extension of the sewer system to service the proposed subdivision in accordance with Section 23-85 of the Hawai'i County Code.
- Check or line out as applicable: [] If required by the Director of the Department of Environmental Management ("Director of DEM"), [] applicant shall conduct a sewer study in accordance with the then applicable wastewater system design standards prior to approval to connect to the County sewer system. Applicant shall provide such sewer line or other facility improvements as the Director of DEM may reasonably require, which the sewer study may indicate are advisable for mitigation of impacts of the proposed project. Contact Wastewater Division Chief for details.
- Other: _____

WK:mt