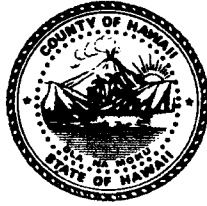


Harry Kim
Mayor



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
Fax (808) 327-3563

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

July 24, 2017

Christopher Lamb
HPM Hawai'i
Via e-mail (chris.lamb@hpmhawaii.com)

Dear Mr. Lamb:

SUBJECT: Application: Ohana Dwelling Unit Permit Application (OHD-17-000181)
Agent: CHRISTOPHER LAMB, HPM HAWAI'I
Land Owners: GLENN TAKEO & ANGELA ANDRADA YAZAKI TRUST
Proposal: Construct an Detached Ohana Dwelling Unit
Tax Map Key: (3) 2-4-011:123

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 a detached 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 19,980 square feet, Lot 11 situated within the Waiākea Homesteads, First Series, Hilo, Island of Hawai'i. The property is zoned Residential Single-Family (RS-15) by the County and is situated within the State Land Use Urban district.

AGENCY COMMENTS

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

1. The Hawaii County Department of Public Works (DPW): The DPW did not comment on this application as of this date;

2. The Department of Water Supply (DWS): See attached memorandum dated June 14, 2017 (**Exhibit A**);
3. The Hawai'i County Department of Environmental Management (DEM), Solid Waste Division: See attached memorandum dated May 25, 2010 (**Exhibit B**);
4. The Hawai'i County Department of Environmental Management (DEM), Wastewater Division: See attached memorandum dated May 25, 2017 (**Exhibit C**);
5. The Hawai'i County Fire Department (HFD): Their memorandum was dated May 30, 2017. See attached memorandum dated May 30, 2017 (**Exhibit D**);
6. The State of Hawai'i Department of Health (DOH): See attached memorandum dated June 6, 2017 (**Exhibit E**). Also see attached e-mail clarifying the DOH position on the applicant response to Exhibit E (**Exhibit F**).

COMMUNITY COMMENTS

Notices were sent to surrounding property owners on May 13, 2017 and July, 13, 2017. There were no comments from the surrounding property owners or the public.

ADDITIONAL FINDINGS

We note the following documents that accompanied your application:

Quitclaim Deed Recorded on June 5, 2014 as Document No. A-52690544 verifying ownership of the property unto the applicants.

The original and notarized affidavit of **Glenn and Angela Yazaki**, dated July 20, 2017, included with the OHD application states:

"Glenn and Angela Yazaki 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 great than 10,000 square feet located within the RS district and is designated Urban by the State Land Use Commission. Additional dwellings are not normally permitted on this lot, and there is

Christopher Lamb
HPM Hawai'i
Page 3 of 5
July 24, 2017

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.

The Department of Water Supply has stated in its memorandum dated June 14, 2017, "*that the subject parcel is currently served by a 5/8 inch meter (Account No. 160-50400) which is adequate for only one (1) dwelling at an average daily usage of 400 gallons. Inasmuch as this application is proposing an additional dwelling, the installation of a separate 5/8-inch meter will be required. Water can be made available from the Department's existing 6-inch waterline within Nohea Street, fronting the subject parcel.*"

DECISION AND CONDITIONS

In view of the above, by this letter, you are hereby **granted** permission to construct a detached 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 **July 31, 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 detached OHD shall be **twenty-five (25'-0")** feet.
 - b) Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel, containing 19,980 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 yard - minimum **twenty-five**(25) feet required;
 - Rear yard – minimum **twenty-five** (25) feet required;
 - Side yards – minimum **fifteen** (15) feet required; and
 - Between dwelling units – minimum **fifteen** (15) feet required.
 - 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.

Christopher Lamb
HPM Hawai'i
Page 5 of 5
July 24, 2017

7. This OHD permit is subject to all other applicable rules, regulations and requirements of the Planning Department, DPW, HFD, DOH and DWS and other reviewing agencies/divisions listed on the Building Permit Application.
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-17-000181 Yazaki\APVL.docx

Encls: Agency comments - Exhibits A-F

cc: Dept. of Health, Chief Sanitarian
Dept. of Water Supply
Hawai'i Fire Dept.
Dept. of Public Works

cc w/encls: Glenn Takeo & Angela Andrada Yazaki Trust
424 Nohea Street
Hilo, HI 96720

GIS Section (via email)



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720

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

June 14, 2017

2017 JUN 15 PM 2 23
PLANNING DEPARTMENT
COUNTY OF HAWAII

TO: Mr. Michael Yee, Director
Planning Department

FROM: Keith K. Okamoto, Manager-Chief Engineer

SUBJECT: **Ohana Dwelling Unit Permit Application
(OHD 17-000181)
Applicant – Glenn Takeo and Angela Andrada Yazaki Trust
Tax Map 2-4-011:123**

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

Please be informed that the subject parcel is currently served by a 5/8-inch meter (Account No. 160-50400) which is adequate for only one (1) dwelling at an average daily usage of 400 gallons. Inasmuch as this application is proposing an additional dwelling, the installation of a separate 5/8-inch meter will be required. Water can be made available from the Department's existing 6-inch waterline within Nohea Street, fronting the subject parcel.

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

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 a maximum daily flow of 400 gallons.
2. Remittance of the following charges, which are subject to change, to our Customer Service Section:

FACILITIES CHARGE (FC):	
2 nd service to the parcel	\$5,500.00
SERVICE LATERAL INSTALLATION CHARGE:	
Install one meter on Nohea Street, a County road	4,000.00
<u>Total (Subject to Change)</u>	<u>\$9,500.00</u>

EXHIBIT
A

112204

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

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

Mr. Michael Yee, Director
Page 2
June 14, 2017

Should there be any questions, please contact Mr. Troy Samura of our Water Resources and Planning Branch at 961-8070, extension 255.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Okamoto', written in a cursive style.

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

TS:dfg

copy – Mr. Glenn Takeo and Ms. Angela Andrada Trust
DWS Customer Service Section (Hilo)

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
345 Kekūānāo'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/>

MEMORANDUM

Date : May 25, 2017
To : MICHAEL YEE, Planning Director
From : WILLIAM A. KUCHARSKI, Director *WAK*
Subject: **Application:** Ohana Dwelling Unit Permit Application (OHD 17-000181)
Applicants: CHRISTOPHER LAMB, HPM HAWAI'I
Land Owners: GLENN TAKEO & ANGELA ANDRADA YAZAKI TRUST
Proposal: Construct a Detached Ohana Dwelling Unit
TMK: (3) 2-4-011:123

2017 JUN 5 PM 2:32

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
B

111960

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

345 Kekūānāo'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>

MEMORANDUM

Date : May 25, 2017

To : MICHAEL YEE, Planning Director

From : WILLIAM A. KUCHARSKI, Director *WAK*

Subject: **Application:** Ohana Dwelling Unit Permit Application (OHD 17-000181)
Applicants: CHRISTOPHER LAMB, HPM HAWAI'I
Land Owners: GLENN TAKEO & ANGELA ANDRADA YAZAKI TRUST
Proposal: Construct a Detached Ohana Dwelling Unit
TMK: (3) 2-4-011:123

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 Hinote*
6/1/2017
- (X) 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: _____

EXHIBIT

C

WK:mt

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

May 30, 2017

TO : MICHAEL YEE, PLANNING DIRECTOR

FROM : DARREN J. ROSARIO, FIRE CHIEF

SUBJECT : Ohana Dwelling Unit Permit Application (OHD-17-000181)
Applicant: Christopher Lamb, HPM Hawai'i
Land Owners: Glenn Takeo & Angela Andrada Yazaki Trust
Proposal: Construct a Detached Ohana Dwelling Unit
Tax Map Key: (3) 2-4-011:123

2017 MAY 30 PM 2:54
COUNTY OF HAWAII
FIRE DEPARTMENT

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
D

MAY 31 2017
111853



DAVID Y. IGE
GOVERNOR OF HAWAII



VIRGINIA PRESSLER, M.D.
DIRECTOR OF HEALTH

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

PLANNING DEPARTMENT
COUNTY OF HAWAII
2017 JUN 9 AM 10 05

MEMORANDUM

DATE: June 6, 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-17-000181)
Applicant: CHRISTOPHER LAMB, HPM HAWAII
Land Owner: GLENN TAKEO & ANGELA ANDRADA YAZAKI TRUST
Proposal: Construct a Detached Ohana Dwelling Unit
TMK: 2-4-011:0123

Under wastewater rules, each individual wastewater system (cesspool or septic) requires a minimum of 10,000 square feet per system. This lot has only 19,980 square feet and, therefore, is allowed only one wastewater system. As submitted, Wastewater Branch recommends denial of the ohana dwelling.

EXHIBIT
E

112054

Holmes, Jonathan

2017 JUL 12 AM 10 03

From: Holmes, Jonathan
Sent: Wednesday, July 12, 2017 9:56 AM
To: 'Cook, Amy'; Chris Lamb
Subject: RE: Ohana Application

PLANNING DEPARTMENT
COUNTY OF HAWAII

Mahalo Amy, will condition approval on one IW system.

From: Cook, Amy [mailto:amy.cook@doh.hawaii.gov]
Sent: Wednesday, July 12, 2017 9:48 AM
To: Chris Lamb <chris.lamb@hpmhawaii.com>; Holmes, Jonathan <Jonathan.Holmes@hawaiicounty.gov>
Subject: RE: Ohana Application

Aloha Mr. Holmes,

I have discussed the proposed changes with Mr. Lamb.

I have no objections to the project provided the two dwellings share a single septic system and have a combined total of 5 or fewer bedrooms or "bedroom like" rooms.

Please let me know if you have any further questions.

Amy Cook
Dept. of Health - Wastewater Branch
East Hawaii Office
1582 Kamehameha Ave.
Hilo, HI 96720
Phone: 808 933-0930
Fax: 808 933-0400

From: Chris Lamb [mailto:chris.lamb@hpmhawaii.com]
Sent: Wednesday, July 12, 2017 9:44 AM
To: Cook, Amy <amy.cook@doh.hawaii.gov>
Subject: FW: Ohana Application

See Attached

Mahalo,

Christopher Lamb

HILO HOME PLANNING PROGRAM COORDINATOR
Office Hours: 9:00am – 5:00pm, Tuesday – Saturday
OFFICE (808) 319-2419 • FAX (808) 934-4364
380 KANOELEHUA AVENUE • HILO, HI 96720

112708