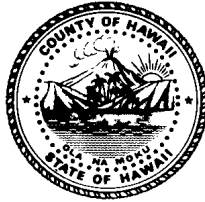


Mitchell D. Roth  
Mayor

Lee E. Lord  
Managing Director

West Hawai'i Office  
74-5044 Ane Keohokālole Hwy  
Kailua-Kona, Hawai'i 96740  
Phone (808) 323-4770  
Fax (808) 327-3563



## County of Hawai'i

### PLANNING DEPARTMENT

Zendo Kern  
Director

Jeffrey W. Darrow  
Deputy Director

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

June 14, 2022

Doug Schilling  
Schilling Construction Inc.  
P.O. Box 6240  
Kamuela, HI 96743

Dear Doug Schilling:

Ohana Dwelling Permit Application (PL-OHD-2022-000006)

Applicant:	Doug Schilling
Owner:	Kohler Trust (RPT Website: Kathrin Kohler Trust)
State Land Use:	Urban
County Zoning:	Agriculture (A-1a)
Land Area:	55,000 s.f.
TMK:	(3) 6-5-007:033

---

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 55,000 s.f. situated within the Waimea Homesteads, South Kohala, Island of Hawai'i. The property is zoned Agriculture (A-1a) 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): No Comments were received;
2. The Department of Water Supply (DWS): No Comments were received;
3. The Hawai'i County Fire Department (HFD): See attached memorandum dated March 24, 2022 (Exhibit A);
4. The State of Hawai'i Department of Health (DOH): See attached memorandum dated March 24, 2022 (Exhibit B)
5. The Department of Environmental Management (DEM): See attached memorandum dated March 29, 2022 (Exhibit C)

6. The Hawaii County Finance Department, Real Property Tax Division: See attached memorandum dated March 31, 2022 (Exhibit D)

## **COMMUNITY COMMENTS**

Notice were sent to surrounding property owners on May 26, 2022 and June 4, 2022. No comments were received.

## **ADDITIONAL FINDINGS**

We note the following documents that accompanied your application:

The original and notarized affidavits of Love Lee & Clarity Trust, dated June 24, 2019, included with the OHD application states:

1. This document shall serve as an affidavit stating that the applicant “Kohler Trust” is the title holder of the below listed property. Name of the Applicant: Kohler Trust. Location: 65-1272 Opelo Road, Kamuela Hawaii 96743. TMK: 65007033.
2. This document shall serve as an affidavit stating that there is no known restriction, covenant or other land use restriction applicable to the lot by way of a deed or lease or other provision to prohibit the construction of an Ohana dwelling unit.

## **ANALYSIS**

The proposed building site for the subject OHD application is a legal lot of record greater than 10,000 square feet located within the Single Family Residential district and is designated Urban by the State Land Use Commission. Additional dwellings are not normally 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.

The Department of Water Supply has stated in its memorandum issued for the original application dated June 8, 2020, “ that there is an existing service assigned to the subject parcel 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 Opelo Road, fronting the subject parcel...”

## **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 June 14, 2023.
- 5) 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) The applicant shall consult with the DPW to conform with driveway requirements and to address potential runoff issues with the placement of the OHD.
  - b) The applicant shall contact the DWS and pay any required facilities charge and service lateral installation charges to the DWS.
  - c) The applicant shall correspond with the DOH to determine the number and type of individual wastewater systems allowed.
  - d) The applicant shall consult with the HFD to verify the accessibility of the premises for emergency/fire fighting purposes.
  - e) 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.
  - f) 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.
- 6) 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 thirty-five (35'-0") feet.
  - b) Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel, containing 55,000 s.f., is zoned Agriculture (A-1a) 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.
- 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:
    - a) Front yard - minimum thirty-five (35) feet required;
    - b) Rear yard – minimum thirty-five (35) feet required;
    - c) Side yards – minimum twenty-five (25) feet required; and
    - 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.
  - 8) A guest house shall not be permitted or constructed where an ohana dwelling has been permitted or constructed.
  - 9) 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.
  - 10) 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.

If you have any questions please call Deanne Bugado of our West Hawai'i Office at 323-4770.

Sincerely,

  
Zendo Kern (Jun 14, 2022 16:03 HST)

Zendo Kern  
Planning Director

DEB:deb

P:\Ohana\Kona Ohana\Approval\OHNap-6-5-007-033 - Kohler

Encls: Agency & Public comments – Exhibits A,B,C,D

Kohler Trust  
June 14, 2022  
Page 5

xc: Chief Sanitarian, DOH  
Manager, DWS  
Chief, HFD  
Chief Engineer, DPW  
GIS Section (via email)

**From:** Baybayan, Clinton  
**Sent:** Thursday, March 24, 2022 4:03 PM  
**To:** Bugado, Deanne  
**Cc:** Kawasaki, Edward; Henderson, Royd  
**Subject:** Fire, Please Send Comment Regarding the Attached Ohana Re-Application

Hey Deanne,  
You can use our existing memo for this reapplication. Our requirements are still the same. Let me know if you need anything else.

Mahalo,

Clinton K. Baybayan  
Fire Captain  
Hawaii Fire Department  
Fire Prevention Branch  
(W) 808-323-4761

**From:** Fire Admin <[fire@hawaiicounty.gov](mailto:fire@hawaiicounty.gov)>  
**Sent:** Thursday, March 24, 2022 2:22 PM  
**To:** Kurashige, Palani <[Palani.Kurashige@hawaiicounty.gov](mailto:Palani.Kurashige@hawaiicounty.gov)>  
**Subject:** FW: Please Send Comment Regarding the Attached Ohana Re-Application

Hi Palani,

Forwarding for your review and comment.

Thank you.

Leanne

**From:** Bugado, Deanne <[Deanne.Bugado@hawaiicounty.gov](mailto:Deanne.Bugado@hawaiicounty.gov)>  
**Sent:** Thursday, March 24, 2022 2:09 PM  
**To:** Fire Admin <[fire@hawaiicounty.gov](mailto:fire@hawaiicounty.gov)>  
**Cc:** Darrow, Jeff <[Jeff.Darrow@hawaiicounty.gov](mailto:Jeff.Darrow@hawaiicounty.gov)>; Grace, Deidree <[Deidree.Grace@hawaiicounty.gov](mailto:Deidree.Grace@hawaiicounty.gov)>  
**Subject:** Please Send Comment Regarding the Attached Ohana Re-Application

Hello

Please find attached the Request for Comments on an application resubmittal on an expired permit, application information for a Ohana Dwelling Application and comment letter/memo that you submitted on this application in 2020. Please let me know if this comment/memo is still valid or if there are revised comments by April 20, 2022.

Please let me know if you have any questions.

Deanne

Deanne E. Bugado  
West Hawaii Civic Center  
County of Hawaii Planning Department. Bldg E, 2nd Floor  
74-5044 Ane Keohokalole Highway  
Kailua-Kona, Hawaii 96740  
Phone: (808) 323-4770  
Fax: (808) 327-3563  
Email: [Deanne.Bugado@hawaiicounty.gov](mailto:Deanne.Bugado@hawaiicounty.gov)

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



COUNTY OF HAWAII   
**Electronic Processing and  
Information Center (EPIC)**

The County of Hawaii has launched its new **Electronic Processing & Information Center (EPIC)** permit system on July 26, 2021. Only electronic applications will be accepted after that date. For more information go to <https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home>.

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**Harry Kim**  
Mayor



**Darren J. Rosario**  
Fire Chief

**Lance S. Uchida**  
Deputy Fire Chief

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

June 16, 2020

RCVD COH PLANNING DEPT  
JUN 18 '20 PM 1:45

VIA EMAIL

**TO:** MICHAEL YEE, PLANNING DIRECTOR

**FROM:** DARREN J. ROSARIO, FIRE CHIEF

**SUBJECT:** Application: Ohana Dwelling Unit Permit (OHD-20-000202)  
Applicant: Kathrin G. Kohler Trust  
Land Owner: Kathrin G. Kohler Trust  
Adi W. Kohler Trust  
Proposal: Construct an Detached Ohana Dwelling Unit  
Tax Map Key: (3) 6-5-007:033 Lot D

---

In regards to the above-referenced subject, the following shall be in accordance:

**NFPA 1, UNIFORM FIRE CODE, 2006 EDITION**

*Note: Hawai'i State Fire Code, National Fire Protection Association 2006 version, with County of Hawai'i amendments. County amendments are identified with a preceding "C~" of the reference code.*

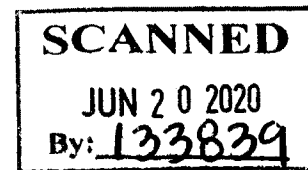
**Chapter 18 Fire Department Access and Water Supply**

**18.1 General.** Fire department access and water supplies shall comply with this chapter.

For occupancies of an especially hazardous nature, or where special hazards exist in addition to the normal hazard of the occupancy, or where access for fire apparatus is unduly difficult, or areas where there is an inadequate fire flow, or inadequate fire hydrant spacing, and the AHJ may require additional safeguards including, but not limited to, additional fire appliance units; more than one type of appliance, or special systems suitable for the protection of the hazard involved.

**18.1.1 Plans.**

**18.1.1.1 Fire Apparatus Access.** Plans for fire apparatus access roads shall be submitted to the fire department for review and approval prior to construction.





**18.1.1.2 Fire Hydrant Systems.** Plans and specifications for fire hydrant systems shall be submitted to the fire department for review and approval prior to construction.

**C~ 18.1.1.2.1 Fire Hydrant use and Restrictions.** No unauthorized person shall use or operate any Fire hydrant unless such person first secures permission or a permit from the owner or representative of the department, or company that owns or governs that water supply or system. Exception: Fire Department personnel conducting firefighting operations, hydrant testing, and/or maintenance, and the flushing and acceptance of hydrants witnessed by Fire Prevention Bureau personnel.

**18.2 Fire Department Access.**

**18.2.1** Fire department access and fire department access roads shall be provided and maintained in accordance with Section 18.2.

**18.2.2\* Access to Structures or Areas.**

**18.2.2.1 Access Box(es).** The AHJ shall have the authority to require an access box(es) to be installed in an accessible location where access to or within a structure or area is difficult because of security.

**18.2.2.2 Access to Gated Subdivisions or Developments.** The AHJ shall have the authority to require fire department access be provided to gated subdivisions or developments through the use of an approved device or system.

**18.2.2.3 Access Maintenance.** The owner or occupant of a structure or area, with required fire department access as specified in 18.2.2.1 or 18.2.2.2, shall notify the AHJ when the access is modified in a manner that could prevent fire department access.

**18.2.3 Fire Department Access Roads. (\*may be referred as FDAR)**

**18.2.3.1 Required Access.**

**18.2.3.1.1** Approved fire department access roads shall be provided for every facility, building, or portion of a building hereafter constructed or relocated.

**18.2.3.1.2** Fire Department access roads shall consist of roadways, fire lanes, parking lots lanes, or a combination thereof.

**18.2.3.1.3\*** When not more than two one- and two-family dwellings or private garages, carports, sheds, agricultural buildings, and detached buildings or structures 400ft<sup>2</sup> (37 m<sup>2</sup>) or less are present, the requirements of 18.2.3.1 through 18.2.3.2.1 shall be permitted to be modified by the AHJ.

**18.2.3.1.4** When fire department access roads cannot be installed due to location on property, topography, waterways, nonnegotiable grades, or other similar conditions, the AHJ shall be authorized to require additional fire protection features.

**18.2.3.2 Access to Building.**

**18.2.3.2.1** A fire department access road shall extend to within in 50 ft (15 m) of at least one exterior door that can be opened from the outside that provides access to the interior of the building. Exception: 1 and 2 single-family dwellings.

**18.2.3.2.1.1** When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.1 shall be permitted to be increased to 300 feet.

**18.2.3.2.2** Fire department access roads shall be provided such that any portion of the facility or any portion of an exterior wall of the first story of the building is located not more than 150 ft (46 m) from fire department access roads as measured by an approved route around the exterior of the building or facility.

**18.2.3.2.2.1** When buildings are protected throughout with an approved automatic sprinkler system that is installed in accordance with NFPA 13, NFPA 13D, or NFPA 13R, the distance in 18.2.3.2.2 shall be permitted to be increased to 450 ft (137 m).

**18.2.3.3 Multiple Access Roads.** More than one fire department access road shall be provided when it is determined by the AHJ that access by a single road could be impaired by vehicle congestion, condition of terrain, climatic conditions, or other factors that could limit access.

**18.2.3.4 Specifications.**

**18.2.3.4.1 Dimensions.**

**C~ 18.2.3.4.1.1** FDAR shall have an unobstructed width of not less than 20ft with an approved turn around area if the FDAR exceeds 150 feet. **Exception:** FDAR for one and two family dwellings shall have an unobstructed width of not less than 15 feet, with an area of not less than 20 feet wide within 150 feet of the structure being protected. An approved turn around area shall be provided if the FDAR exceeds 250 feet.

**C~ 18.2.3.4.1.2** FDAR shall have an unobstructed vertical clearance of not less then 13ft 6 in.

**C~ 18.2.3.4.1.2.1** Vertical clearances may be increased or reduced by the AHJ, provided such increase or reduction does not impair access by the fire apparatus, and approved signs are installed and maintained indicating such approved changes.

**18.2.3.4.1.2.2 Vertical clearances shall be increased when vertical clearances or widths are not adequate to accommodate fire apparatus.**

**C~ 18.2.3.4.2 Surface.** Fire department access roads and bridges shall be designed and maintained to support the imposed loads (25 Tons) of the fire apparatus. Such FDAR and shall be comprised of an all-weather driving surface.

**18.2.3.4.3 Turning Radius.**

**C~ 18.2.3.4.3.1** Fire department access roads shall have a minimum inside turning radius of 30 feet, and a minimum outside turning radius of 60 feet.

**18.2.3.4.3.2** Turns in fire department access road shall maintain the minimum road width.

**18.2.3.4.4 Dead Ends.** Dead-end fire department access roads in excess of 150 ft (46 m) in length shall be provided with approved provisions for the fire apparatus to turn around.

**18.2.3.4.5 Bridges.**

**18.2.3.4.5.1** When a bridge is required to be used as part of a fire department access road, it shall be constructed and maintained in accordance with county requirements.

**18.2.3.4.5.2** The bridge shall be designed for a live load sufficient to carry the imposed loads of fire apparatus.

**18.2.3.4.5.3** Vehicle load limits shall be posted at both entrances to bridges where required by the AHJ.

**18.2.3.4.6 Grade.**

**C~ 18.2.3.4.6.1**The maximum gradient of a Fire department access road shall not exceed 12 percent for unpaved surfaces and 15 percent for paved surfaces. In areas of the FDAR where a Fire apparatus would connect to a Fire hydrant or Fire Department Connection, the maximum gradient of such area(s) shall not exceed 10 percent.

**18.2.3.4.6.2\*** The angle of approach and departure for any means of fire department access road shall not exceed 1 ft drop in 20 ft (0.3 m drop in 6 m) or the design limitations of the fire apparatus of the fire department, and shall be subject to approval by the AHJ.

**18.2.3.4.6.3** Fire department access roads connecting to roadways shall be provided with curb cuts extending at least 2 ft (0.61 m) beyond each edge of the fire lane.

**18.2.3.4.7 Traffic Calming Devices.** The design and use of traffic calming devices shall be approved the AHJ.

**18.2.3.5 Marking of Fire Apparatus Access Road.**

**18.2.3.5.1** Where required by the AHJ, approved signs or other approved notices shall be provided and maintained to identify fire department access roads or to prohibit the obstruction thereof of both.

**18.2.3.5.2** A marked fire apparatus access road shall also be known as a fire lane.

**18.2.4\* Obstruction and Control of Fire Department Access Road.**

**18.2.4.1 General.**

**18.2.4.1.1** The required width of a fire department access road shall not be obstructed in any manner, including by the parking of vehicles.

**18.2.4.1.2** Minimum required widths and clearances established under 18.2.3.4 shall be maintained at all times.

**18.2.4.1.3\*** Facilities and structures shall be maintained in a manner that does not impair or impede accessibility for fire department operations.

**18.2.4.1.4** Entrances to fire departments access roads that have been closed with gates and barriers in accordance with 18.2.4.2.1 shall not be obstructed by parked vehicles.

**18.2.4.2 Closure of Accessways.**

**18.2.4.2.1** The AHJ shall be authorized to require the installation and maintenance of gates or other approved barricades across roads, trails, or other accessways not including public streets, alleys, or highways.

**18.2.4.2.2** Where required, gates and barricades shall be secured in an approved manner.

**18.2.4.2.3** Roads, trails, and other access ways that have been closed and obstructed in the manner prescribed by 18.2.4.2.1 shall not be trespassed upon or used unless authorized by the owner and the AHJ.

**18.2.4.2.4** Public officers acting within their scope of duty shall be permitted to access restricted property identified in 18.2.4.2.1.

**18.2.4.2.5** Locks, gates, doors, barricades, chains, enclosures, signs, tags, or seals that have been installed by the fire department or by its order or under its control shall not be removed, unlocked, destroyed, tampered with, or otherwise vandalized in any manner.

### **18.3 Water Supplies and Fire Hydrants**

**18.3.1\*** A water supply approved by the county, capable of supplying the required fire flow for fire protection shall be provided to all premises upon which facilities or buildings, or portions thereof, are hereafter constructed, or moved into or within the county. When any portion of the facility or building is in excess of 150 feet (45 720 mm) from a water supply on a fire apparatus access road, as measured by an approved route around the exterior of the facility or building, on-site fire hydrants and mains capable of supplying the required fire flow shall be provided when required by the AHJ. For on-site fire hydrant requirements see section 18.3.3.

#### **EXCEPTIONS:**

1. When facilities or buildings, or portions thereof, are completely protected with an approved automatic fire sprinkler system the provisions of section 18.3.1 may be modified by the AHJ.
2. When water supply requirements cannot be installed due to topography or other conditions, the AHJ may require additional fire protection as specified in section 18.3.2 as amended in the code.
3. When there are not more than two dwellings, or two private garage, carports, sheds and agricultural. Occupancies, the requirements of section 18.3.1 may be modified by AHJ.

**18.3.2\*** Where no adequate or reliable water distribution system exists, approved reservoirs, pressure tanks, elevated tanks, fire department tanker shuttles, or other approved systems capable of providing the required fire flow shall be permitted.

**18.3.3\*** The location, number and type of fire hydrants connected to a water supply capable of delivering the required fire flow shall be provided on a fire apparatus access road on the site of the premises or both, in accordance with the appropriate county water requirements.

**18.3.4** Fire Hydrants and connections to other approved water supplies shall be accessible to the fire department.

**18.3.5** Private water supply systems shall be tested and maintained in accordance with NFPA 25 or county requirements as determined by the AHJ.

**18.3.6** Where required by the AHJ, fire hydrants subject to vehicular damage shall be protected unless located within a public right of way.

**18.3.7** The AHJ shall be notified whenever any fire hydrant is placed out of service or returned to service. Owners of private property required to have hydrants shall maintain hydrant records of approval, testing, and maintenance, in accordance with the respective county water requirements. Records shall be made available for review by the AHJ upon request.

**C~ 18.3.8** Minimum water supply for buildings that do not meet the minimum County water standards:

Buildings up to 2000 square feet, shall have a minimum of 3,000 gallons of water available for Firefighting.

Buildings 2001- 3000 square feet, shall have a minimum of 6,000 gallons of water available for Firefighting.

Buildings, 3001- 6000 square feet, shall have a minimum of 12,000 gallons of water available for Firefighting.

Buildings, greater than 6000 square feet, shall meet the minimum County water and fire flow requirements.

Multiple story buildings shall multiply the square feet by the amount of stories when determining the minimum water supply.

Commercial buildings requiring a minimum fire flow of 2000gpm per the Department of Water standards shall double the minimum water supply reserved for firefighting.

Fire Department Connections (FDC) to alternative water supplies shall comply with 18.3.8 (1)-(6) of *this code*.

**NOTE: In that water catchment systems are being used as a means of water supply for firefighting, such systems shall meet the following requirements:**

- 1) In that a single water tank is used for both domestic and firefighting water, the water for domestic use shall not be capable of being drawn from the water reserved for firefighting;
- 2) Minimum pipe diameter sizes from the water supply to the Fire Department Connection (FDC) shall be as follows:
  - a) 4" for C900 PVC pipe;
  - b) 4" for C906 PE pipe;
  - c) 3" for ductile Iron;
  - d) 3' for galvanized steel.

- 3) The Fire Department Connection (FDC) shall:
  - a) be made of galvanized steel;
  - b) have a gated valve with 2-1/2 inch, National Standard Thread male fitting and cap;
  - c) be located between 8 ft and 16 ft from the Fire department access. The location shall be approved by the AHJ;
  - d) not be located less than 24 inches, and no higher than 36 inches from finish grade, as measured from the center of the FDC orifice;
  - e) be secure and capable of withstanding drafting operations. Engineered stamped plans may be required;
  - f) not be located more than 150 feet of the most remote part, but not less than 20 feet, of the structure being protected;
  - g) also comply with section 13.1.3 and 18.2.3.4.6.1 of *this code*.
- 4) Commercial buildings requiring a fire flow of 2000gpm shall be provided with a second FDC. Each FDC shall be independent of each other, with each FDC being capable of flowing 500gpm by engineered design standards. The second FDC shall be located in an area approved by the AHJ with the idea of multiple Fire apparatus'conducting drafting operations at once, in mind.
- 5) Inspection and maintenance shall be in accordance to NFPA 25.
- 6) The owner or lessee of the property shall be responsible for maintaining the water level, quality, and appurtenances of the system.

**EXCEPTIONS TO SECTION 18.3.8:**

- 1) Agricultural buildings, storage sheds, and shade houses with no combustible or equipment storage.
- 2) Buildings less than 800 square feet in size that meets the minimum Fire Department Access Road requirements.
- 3) For one and two family dwellings, agricultural buildings, storage sheds, and detached garages 800 to 2000 square feet in size, and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 1000 feet.
- 4) For one and two family dwellings, agricultural buildings, and storage sheds greater than 2000square feet, but less than 3000 square feet and meets the minimum Fire Department Access Road requirements, the distance to the Fire Department Connection may be increased to 500 feet.

Michael Yee  
June 16, 2020  
Page 9

- 5) For buildings with an approved automatic sprinkler system, the minimum water supply required may be modified.

If there are any questions regarding these requirements, please contact Assistant Fire Chief Robert Perreira at (808) 932-2907.



DARREN J. ROSARIO  
Fire Chief

RP:nac



**From:** Honda, Eric T. <Eric.Honda@doh.hawaii.gov>  
**Sent:** Thursday, March 24, 2022 2:50 PM  
**To:** Bugado, Deanne  
**Subject:** RE: Please Send Comment Regarding the Attached Ohana Re-Application

Hi Deanne,  
Our comments are still valid.  
Thanks,

Eric Honda  
District Environmental Health Program Chief  
Hawaii District Health Office  
(808) 933-0917  
[Eric.honda@doh.hawaii.gov](mailto:Eric.honda@doh.hawaii.gov)

**From:** Bugado, Deanne <[Deanne.Bugado@hawaiicounty.gov](mailto:Deanne.Bugado@hawaiicounty.gov)>  
**Sent:** Thursday, March 24, 2022 2:14 PM  
**To:** Honda, Eric T. <[Eric.Honda@doh.hawaii.gov](mailto:Eric.Honda@doh.hawaii.gov)>; Une, Michael Y. <[michael.une@doh.hawaii.gov](mailto:michael.une@doh.hawaii.gov)>  
**Cc:** Darrow, Jeff <[Jeff.Darrow@hawaiicounty.gov](mailto:Jeff.Darrow@hawaiicounty.gov)>; Grace, Deidree <[Deidree.Grace@hawaiicounty.gov](mailto:Deidree.Grace@hawaiicounty.gov)>  
**Subject:** [EXTERNAL] Please Send Comment Regarding the Attached Ohana Re-Application

Hello

Please find attached the Request for Comments on an application resubmittal on an expired permit, application information for a Ohana Dwelling Application and comment letter/memo that you submitted on this application in 2020. Please let me know if this comment/memo is still valid or if there are revised comments by April 20, 2022.

Please let me know if you have any questions.

Deanne

Deanne E. Bugado  
West Hawaii Civic Center  
County of Hawaii Planning Department. Bldg E, 2nd Floor  
74-5044 Ane Keohokalole Highway  
Kailua-Kona, Hawaii 96740  
Phone: (808) 323-4770  
Fax: (808) 327-3563  
Email: [Deanne.Bugado@hawaiicounty.gov](mailto:Deanne.Bugado@hawaiicounty.gov)

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



COUNTY OF HAWAII

## Electronic Processing and Information Center (EPIC)

The County of Hawaii has launched its new **Electronic Processing & Information Center (EPIC)** permit system on July 26, 2021. Only electronic applications will be accepted after that date. For more information go to <https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home>.

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

PLANNING DEPARTMENT  
County of Hawaii  
74-5044 Ane Keohokalole Hwy  
Kailua-Kona, HI 96740

VIA EMAIL

RECEIVED JUN 18 2020

MEMORANDUM

DATE: June 18, 2020

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

FROM: Eric Honda  
District Environmental Health Program Chief

SUBJECT: Application: OHD-20-000202  
Applicant: Kathryn G. Kohler Trust  
Land Owner: Kathryn G. Kohler Trust  
Proposal: Construct a Detached Ohana Dwelling Unit  
TMK: (3) 6-5-007:033 Lot D

The applicant would need to meet the requirements of our Department of Health Air Pollution Rules, Chapter 60.1, Title 11, State of Hawaii for fugitive dust control. If there is need to discuss these requirements, please contact our Clean Air Branch staff at Ph. 933-0401.

Construction activities must comply with the provisions of Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control."

1. The contractor must obtain a noise permit if the noise levels from the construction activities are expected to exceed the allowable levels of the rules.
2. Construction equipment and on-site vehicles requiring an exhaust of gas or air must be equipped with mufflers.
3. The contractor must comply with the requirements pertaining to construction activities as specified in the rules and the conditions issued with the permit.

Should there be any questions on this matter, please contact the Department of Health at 933-0917.

Construction activities must comply with the provisions of Hawaii Administrative Rules, Chapter 11-46, "Community Noise Control."

1. The contractor must obtain a noise permit if the noise levels from the construction activities are expected to exceed the allowable levels of the rules.

SCANNED

JUL 25 2020

By: 134700

2. Construction equipment and on-site vehicles requiring an exhaust of gas or air must be equipped with mufflers.
3. The contractor must comply with the requirements pertaining to construction activities as specified in the rules and the conditions issued with the permit.

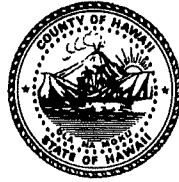
Should there be any questions on this matter, please contact the Department of Health at 933-0917.

We recommend that you review all of the Standard Comments on our website: <http://hawaii.gov/health/environmental/env-planning/landuse/landuse.html>. Any comments specifically applicable to this project should be adhered to.

The same website also features a Healthy Community Design Smart Growth Checklist (Checklist) created by Built Environment Working Group (BEWG) of the Hawaii State Department of Health. The BEWG recommends that state and county planning departments, developers, planners, engineers and other interested parties apply the healthy built environment principles in the Checklist whenever they plan or review new developments or redevelopments projects. We also ask you to share this list with others to increase community awareness on healthy community design.

Mitchell D. Roth  
Mayor

Lee Lord  
Managing Director



Ramzi I. Mansour  
Director

Brenda Iokepa-Moses  
Deputy Director

# County of Hawai'i

## DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāo'a Street, Suite 41 · Hilo, Hawai'i 96720 · cohdem@hawaiicounty.gov

Ph: (808) 961-8083 · Fax: (808) 961-8086

### MEMORANDUM

TO: Zendo Kern, Director  
Planning Department

FROM: Ramzi I. Mansour, Director  
Department of Environmental Management

DATE: March 29, 2022

SUBJECT: Ohana Dwelling Permit Application (PL-OHD-2022-000006)  
Applicant: Doug Schilling  
Owner: Kathrin Kohler Trust  
State Land Use: Urban  
County Zoning: Agriculture (A-1a)  
TMK: (3) 6-5-007:033

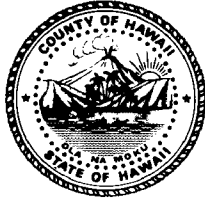
The Solid Waste Division has reviewed the subject application and offers the following comments and/or recommendations (contact the Solid Waste Division for details):

- No comments.
- Commercial operations, State and Federal agencies, religious entities and non-profit organization 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:

The Wastewater Division has reviewed the subject application and offers the following comments and/or recommendations (contact the Wastewater Division for details):

- ( ) 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 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.
- ( ) Proposed activity may be subject to existing or future federal, state, or county regulation under Title 40 CFR 403.5, prohibiting discharge of certain pollutants into publicly owned treatment works. Contact the Hawai'i Department of Health for information regarding pretreatment standards.
- (X) Applicant shall follow Department of Health regulations.
- ( ) Other:

RM:pls



## County of Hawai'i

### DEPARTMENT OF FINANCE - REAL PROPERTY TAX

Aupuni Center • 101 Pauahi Street • Suite No. 4 • Hilo, Hawai'i 96720-4679 • Fax (808) 961-8415  
Appraisers (808) 961-8354 • Clerical (808) 961-8201 • Collections (808) 961-8282  
West Hawai'i Civic Center • 74-5044 Ane Keohokalole Hwy. • Bldg. D, 2nd Flr. • Kailua Kona, Hawai'i 96740  
Fax (808) 327-3538 • Appraisers (808) 323-4881 • Clerical (808) 323-4880

Date: 03/31/2022

Tax Map Key: 6-5-007-033-0000

To: Planning Director

From: Real Property Tax Office

Subj: Request for Comments and/or Review

#### Comments from the Appraisal Section:

- Property is receiving agricultural use value
- Property is dedicated to agricultural use
- Possible rollback taxes
- There are no comments at this time

Remarks: \_\_\_\_\_

Appraiser to Contact: Charlie Brown

Phone: 323-4892

#### Comments from the collection section:

- Status of real property taxes:
- Current
- Delinquent / Amounts \$ \_\_\_\_\_  
Amount includes tax, penalty & interest up to \_\_\_\_\_

Remarks: Real property taxes are paid up to and including 6/30/2022.

Collection personnel to contact: Namele Walker

Phone: (808) 961-8285