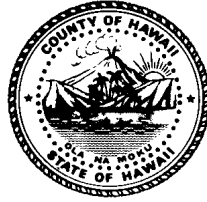


Mitchell D. Roth  
Mayor

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

August 30, 2022

Leland and Sherri Traylor, TTE's  
Traylor Family Trust  
P.O. Box 1396  
Volcano, HI 96785

Dear Leland and Sherri Traylor:

**SUBJECT:   Application:           'Ohana Dwelling Unit Permit (PL-OHD-2022-000007)**  
**Applicant(s):       Leland Traylor and Sherri Traylor, TTE's**  
**Land Owner:       Traylor Family Trust**  
**Proposal:           Construct Proposed 'Ohana Dwelling Unit**  
**Tax Map Key:       (3) 1-1-012:037, Kea'au, Puna, Hawai'i**

---

**This letter supersedes and replaces letter sent on August 22, 2022, for (PL-OHD-2022-000007). There were some minor corrections made to the letter.**

Upon review of your application and as applicable, comments from the public and government agencies for an 'Ohana Dwelling Unit (OHD) Permit, you are **approved** to construct an 'Ohana Dwelling 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, comprises of 33,006 square feet, Lot 1038, and is situated within Kea'au, Puna, Hawai'i. The property is zoned Single-Family Residential – 20,000 square feet (RS-20) by the County and is situated within the State Land Use Urban district. Subject parcel was created by Land Court (LD. CT. APP 1053, M-12), dated October 1946.

#### **AGENCY COMMENTS**

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

1. State Department of Health (DOH): See attached memorandum dated April 14, 2022. (Exhibit A);

2. Department of Water Supply (DWS): See attached memorandum dated July 20, 2022. (Exhibit B);
3. Hawai'i Fire Department (FIRE): See attached memorandum dated June 22, 2022. (Exhibit C);
4. Department of Public Works (ENG): See attached memorandum dated July 19, 2022. (Exhibit D);

### **COMMUNITY COMMENTS**

There were no community comments received for this application.

### **ADDITIONAL FINDINGS**

We note the following documents that accompanied your application:

Included with the OHD application are the original and notarized affidavits of Leland Traylor and Sherri Traylor, both of which are dated October 6, 2022, and state in part:

*Leland Traylor and Sherri Traylor are the title holders for the subject parcel, TMK (3) 1-1-012:037.*

*The Parcel is TMK (3) 1-1-012:037. There are no covenants or any other land use restrictions that are applicable to the lot by way of deed or lease or other provision that prohibit construction or placement of an "Ohana" dwelling unit.*

### **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. 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 form 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 meets the requirements for an OHD Permit.

The DWS has indicated that the subject parcel does not have an existing water service with the Department, as the parcel is not within the service limits of the Department's existing water system. However, the applicant has indicated that the proposed 'Ohana dwelling will be served by a private rainwater catchment system. Therefore, DWS does not have any objection to the use of a private rainwater catchment system to provide water service.

### **DECISION AND CONDITIONS**

In view of the above, by this letter, you are hereby **granted** permission to construct a single-family OHD to replace a pre-existing dwelling, 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. The proposed OHD shall comply with the State of Hawai'i Department of Health's Hawai'i Administrative Rules, Chapter 11-20 (HAR 11-20), and titled "Rules to Public Water Systems." The proposed site plan indicate that the existing septic system will also service the proposed OHD. Should the DOH require another septic system for the OHD, the applicant must revise the proposed site plan to reflect the requirements of the DOH.
3. **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.
4. **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.
5. **Building Permit:** Hawai'i County records indicate that one dwelling structure was built in 2018, (BH2018-01098).
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 attached OHD shall be twenty-five (25'-0") feet.
  - b) Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel, containing 33,006 sq. ft., is zoned Single-Family Residential (RS-20) 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 feet (30') feet required;
  - Rear yard – minimum feet (30') feet required;
  - Side yards – minimum feet (20') feet required
  - Between dwellings 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.

Leland and Sherri Traylor

August 30, 2022

Page 4

All existing and additional parking spaces shall be arranged so as to be individually accessible.

7. A guest house shall not be permitted or constructed where an 'Ohana dwelling has been permitted or constructed.
8. This OHD permit is subject to all other applicable rules, regulations and requirements of the Planning Department, DPW, HFD, DOH, DWS and other reviewing agencies/divisions listed on the Building Permit Application.
9. 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 zoning 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 of 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, amended.

Should you have any questions regarding the above, please contact Terri Napeahi of this office, at (808) 961-8288 or email [terri.napeahi@hawaiicounty.gov](mailto:terri.napeahi@hawaiicounty.gov).

Sincerely,

*Zendo Kern*

Zendo Kern (Sep 1, 2022 13:44 HST)

ZENDO KERN  
Planning Director

TLN:cn

\\COH01\planning\public\Admin Permits Division\Ohana\2022\PL-OHD-2022-000007 Traylor Apvl Ltr.doc

Encl: Exhibit A, B, C & D, Revised Site/Plot plan

cc: Dept. of Health, Chief Sanitarian w/revised site plan  
Dept. of Water Supply w/revised site plan  
Hawai'i Fire Dept. w/revised site plan  
Dept. of Public Works w/revised site plan  
GIS Section (via email) w/enclosure

## Mori, Ashley

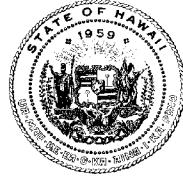
---

**From:** Honda, Eric T. <Eric.Honda@doh.hawaii.gov>  
**Sent:** Thursday, June 30, 2022 11:01 AM  
**To:** Planning Internet Mail  
**Subject:** PL-OHD-2022-000007  
**Attachments:** PL-OHD-2022-000007 TMK1-1-012--037.doc

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

EXHIBIT A

DAVID Y. IGE  
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.  
DIRECTOR OF HEALTH

STATE OF HAWAII  
DEPARTMENT OF HEALTH

P.O. BOX 916  
HILO, HAWAII 96721-0916

MEMORANDUM

DATE: April 14, 2022

TO: Mr. Zendo Kern  
Planning Director, County of Hawaii

FROM: Eric Honda  
District Environmental Health Program Chief

SUBJECT: OHANA DWELLING UNIT PERMIT  
(PL-OHD-2022-000007)

Applicant: Traylor Family Trust, Leland Traylor and Sherri Traylor,  
TTEE's

Landowner: Traylor Family Trust

SLU: Urban

CZ: RS-20

Land Area: 33,006sf

TMK: 1-1-012:037

The Department of Health, Wastewater Branch requests that the proposed individual wastewater system that will serve the proposed Ohana dwelling is indicated on the site map that is provided with the application.

**Public Water Systems:** The Department of Health's Safe Drinking Water Branch authority on drinking water quality is based on the definition of a "public water system." Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules, Chapter 11-20 (HAR 11-20), and titled "Rules Relating to Public Water Systems". 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 microbiological 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.

Zendo Kern

July 1, 2022

Page 2 of 2

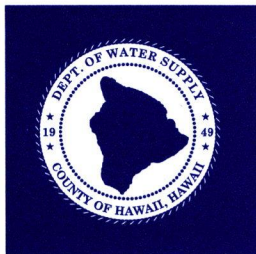
For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other public water system programs, please contact the SDWB at 586-4258.

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.

EXHIBIT "B"



**DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII**

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720  
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

July 20, 2022

COH PLANNING DEPT  
JUL 21 2022 PM 2:15

TO: Mr. Zendo Kern, Director  
Planning Department

REC'D HAND DELIVERED

FROM: Keith K. Okamoto, Manager-Chief Engineer

**SUBJECT: 'Ohana Dwelling Unit Permit (PL-OHD-2022-000007)**  
**Applicant: Traylor Family Trust, Leland Traylor and Sherri Traylor, Trustees**  
**Tax Map Key 1-1-012:037**

We have reviewed the subject application.

Please be informed that the subject parcel does not have an existing water service with the Department, as the parcel is not within the service limits of the Department's existing water system. However, the applicant has indicated that the proposed 'ohana dwelling will be served by a private rainwater catchment system.

For your information, we have no objection to the use of a private rainwater catchment system to provide water service. However, we cannot approve or comment as to the adequacy of those systems, as they do not meet the requirements of the Department's Water System Standards.

We recommend that the applicant consult the County of Hawaii, Planning Department, County of Hawaii, Department of Public Works, and/or the State of Hawaii, Department of Health to determine any other guidelines, recommendations, or regulations regarding the use of rainwater catchment systems.

Should there be any questions, please contact Mr. Ryan Quitarano of our Water Resources and Planning Branch at (808) 961-8070, extension 256.

Sincerely yours,

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

RQ:dfg

copy – Traylor Family Trust, Leland Traylor and Sherri Traylor, Trustees

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

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



## Sakai, Kimberly

---

**From:** Napeahi, Terri  
**Sent:** Wednesday, June 22, 2022 11:50 AM  
**To:** Sakai, Kimberly  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Kimberly,

Just wanted to forward Fire Departments comments, that was emailed to my email address.

Mahalo,

*Terri L. Napeahi*

Planner IV  
East Hawaii Office  
101 Pauahi Street, Suite 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8288  
Fax: (808) 961-8742



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

The County of Hawaii is launching 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://www.dpw.hawaiicounty.gov/divisions/building/plans-permits-and-inspections-system>.

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### EXHIBIT "C"

**From:** Baybayan, Clinton <Clinton.Baybayan@hawaiicounty.gov>  
**Sent:** Wednesday, June 22, 2022 11:34 AM  
**To:** Napeahi, Terri <Terri.Napeahi@hawaiicounty.gov>  
**Cc:** Kawasaki, Edward <Edward.Kawasaki@hawaiicounty.gov>  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Aloha Terri,

HFD has no 'comments or concerns' regarding this application. Please let me know if you have any question at 640-7364 or ext. 4761.

Mahalo,

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

**From:** Fire Admin  
**Sent:** Wednesday, June 22, 2022 10:49 AM  
**To:** Baybayan, Clinton <[Clinton.Baybayan@hawaiicounty.gov](mailto:Clinton.Baybayan@hawaiicounty.gov)>  
**Cc:** Kurashige, Palani <[Palani.Kurashige@hawaiicounty.gov](mailto:Palani.Kurashige@hawaiicounty.gov)>  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Hi Clint,

Request for comments.

Thank you.

Leanne

**From:** Nelson, Catherine <[Catherine.Nelson@hawaiicounty.gov](mailto:Catherine.Nelson@hawaiicounty.gov)>  
**Sent:** Wednesday, June 22, 2022 10:07 AM  
**To:** Honda, Eric <[Eric.Honda@doh.hawaii.gov](mailto:Eric.Honda@doh.hawaii.gov)>; [michael.une@doh.hawaii.gov](mailto:michael.une@doh.hawaii.gov); [dwsengineeringreview@hawaiidws.org](mailto:dwsengineeringreview@hawaiidws.org);  
Fire Admin <[fire@hawaiicounty.gov](mailto:fire@hawaiicounty.gov)>; public\_works email <[public\\_works@hawaiicounty.gov](mailto:public_works@hawaiicounty.gov)>  
**Cc:** Napeahi, Terri <[Terri.Napeahi@hawaiicounty.gov](mailto:Terri.Napeahi@hawaiicounty.gov)>  
**Subject:** Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Aloha ~

Please follow this link to view the [Memo requesting your review and comments on the subject application](#), and listed below is the link to the application Review Submittals in the EPIC system:

- [PL-OHD-2022-000007 EPIC Review Submittals: Traylor](#)

**We kindly ask that you forward your comments electronically to [planning@hawaiicounty.gov](mailto:planning@hawaiicounty.gov) no later than August 12, 2022.** Should you have any questions, please feel free to contact Terri Napeahi, at (808) 961-8160, or via email [Terri.Napeahi@hawaiicounty.gov](mailto:Terri.Napeahi@hawaiicounty.gov).

Thank you ~ have a great day 🌸

Cat Nelson  
Administrative Permits Division  
**County of Hawai'i | Planning Department**  
101 Pauahi Street, Suite 3 | Hilo, HI 96720  
[catherine.nelson@hawaiicounty.gov](mailto:catherine.nelson@hawaiicounty.gov)  
808.961.8144



COUNTY OF HAWAII 

## Electronic Processing and Information Center (EPIC)

We hope that the County of Hawaii's **EPIC system** has made your application process convenient and easy. Connecting with us for help is just a click away. Click [here](#) to request support. For more information go to <https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home>.

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**Mori, Ashley**

---

**From:** Matsumoto, Robyn  
**Sent:** Tuesday, July 19, 2022 2:52 PM  
**To:** Planning Internet Mail  
**Cc:** Napeahi, Terri  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor  
**Attachments:** 11012037 OHD.pdf

Comments attached. No hardcopy to follow. Thanks

Sincerely,  
*Ms. Robyn Matsumoto, P.E.*  
Department of Public Works  
Engineering Division



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

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**From:** Mendonca, Ashlee <Ashlee.Mendonca@hawaiicounty.gov>  
**Sent:** Thursday, June 23, 2022 8:43 AM  
**To:** Matsumoto, Robyn <Robyn.Matsumoto@hawaiicounty.gov>  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

FYI.. Received via Public Works email.

*Ashlee Mendonca*  
Administrative Assistant  
County of Hawai'i – Department of Public Works  
101 Pauahi Street, Suite 7  
Hilo, HI 96720

Direct: (808) 961-8783 | Main: (808) 961-8321 | Fax: (808) 961-8630  
[ashlee.mendonca@hawaiicounty.gov](mailto:ashlee.mendonca@hawaiicounty.gov)



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

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**From:** Nelson, Catherine <[Catherine.Nelson@hawaiicounty.gov](mailto:Catherine.Nelson@hawaiicounty.gov)>

**Sent:** Wednesday, June 22, 2022 10:07 AM

**To:** Honda, Eric <[Eric.Honda@doh.hawaii.gov](mailto:Eric.Honda@doh.hawaii.gov)>; michael.une@doh.hawaii.gov; dwsengineeringreview@hawaiidws.org; Fire Admin <[fire@hawaiicounty.gov](mailto:fire@hawaiicounty.gov)>; public\_works\_email <[public\\_works@hawaiicounty.gov](mailto:public_works@hawaiicounty.gov)>

**Cc:** Napeahi, Terri <[Terri.Napeahi@hawaiicounty.gov](mailto:Terri.Napeahi@hawaiicounty.gov)>

**Subject:** Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Aloha ~

Please follow this link to view the Memo requesting your review and comments on the subject application, and listed below is the link to the application Review Submittals in the EPIC system:

- [PL-OHD-2022-000007 EPIC Review Submittals: Traylor](#)

**We kindly ask that you forward your comments electronically to [planning@hawaiicounty.gov](mailto:planning@hawaiicounty.gov) no later than August 12, 2022.** Should you have any questions, please feel free to contact Terri Napeahi, at (808) 961-8160, or via email [Terri.Napeahi@hawaiicounty.gov](mailto:Terri.Napeahi@hawaiicounty.gov).

Thank you ~ have a great day 🌸

Cat Nelson

Administrative Permits Division

**County of Hawai'i | Planning Department**

101 Pauahi Street, Suite 3 | Hilo, HI 96720

[catherine.nelson@hawaiicounty.gov](mailto:catherine.nelson@hawaiicounty.gov)

808.961.8144



COUNTY OF HAWAII

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We hope that the County of Hawaii's **EPIC system** has made your application process convenient and easy. Connecting with us for help is just a click away. Click [here](#) to request support. For more information go to <https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home>.

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**DEPARTMENT OF PUBLIC WORKS**  
COUNTY OF HAWAII  
HILO, HAWAII

DATE: July 19, 2022

**Memorandum**

TO: Planning Department

FROM: Department of Public Works



**SUBJECT: OHANA DWELLING UNIT PERMIT (PL-OHD-2022-000007)**

Applicants: Traylor Family Trust, Leland Traylor and Sherri Traylor,  
TTEE's

Land Owners: Traylor Family Trust

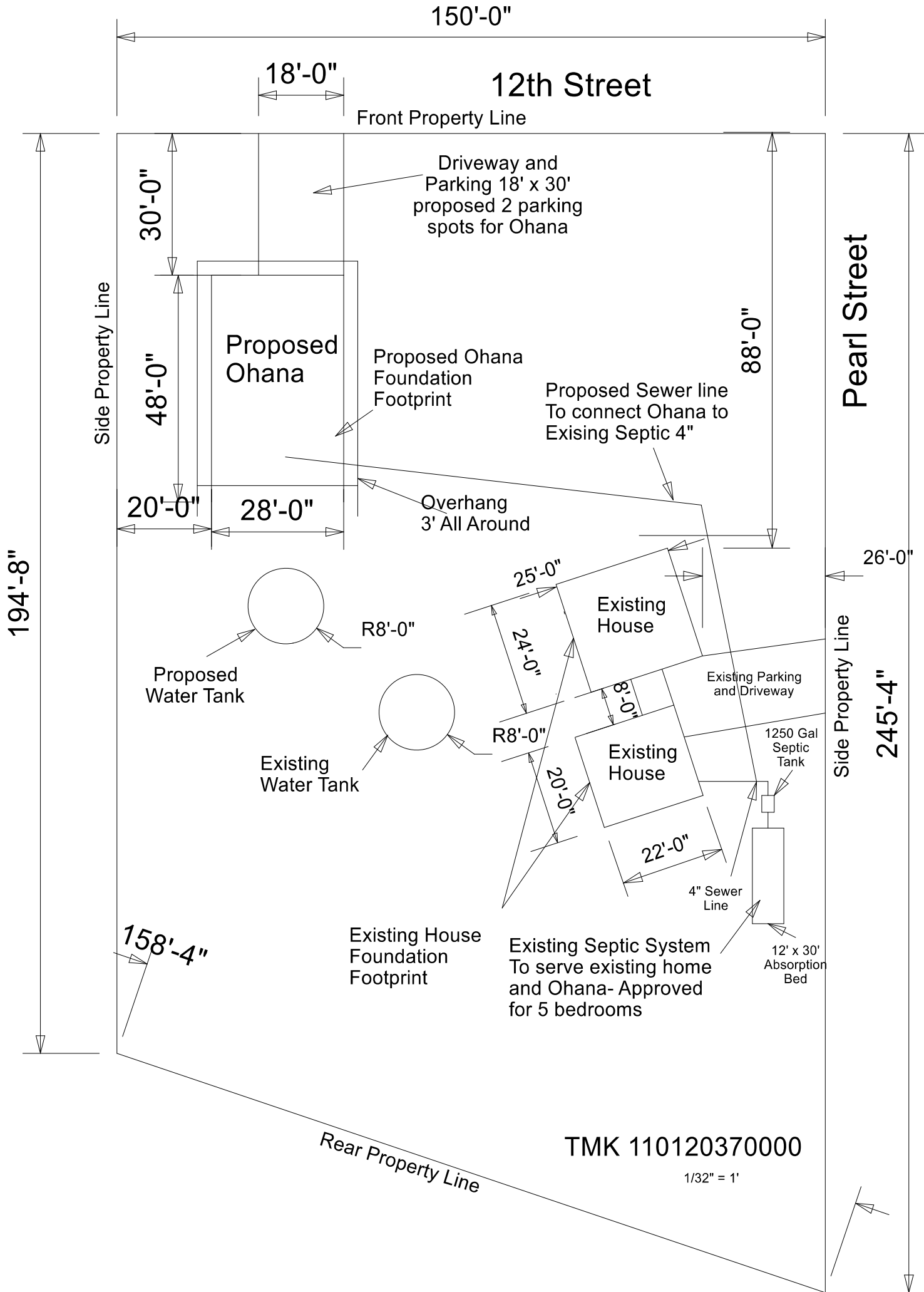
Proposal: Construct a Detached Ohana Dwelling Unit

Tax Map Key: 1-1-012:037

We have reviewed the subject application forwarded by your letter dated June 21, 2022 and based on the proposed layout, have no comments for consideration.

Should you have any questions, please contact Ms. Robyn Matsumoto at 961-8327.

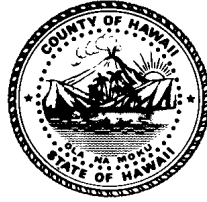
RM



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

August 22, 2022

Leland and Sherri Traylor, TTE's  
Traylor Family Trust  
P.O. Box 1396  
Volcano, HI 96785

Dear Leland and Sherri Traylor:

**SUBJECT:   Application:           ‘Ohana Dwelling Unit Permit (PL-OHD-2022-000007)**  
**Applicant(s):       Leland Traylor and Sherri Traylor, TTE's**  
**Land Owner:       Traylor Family Trust**  
**Proposal:           Construct Proposed ‘Ohana Dwelling Unit**  
**Tax Map Key:       (3) 1-1-012:037, Kea‘au, Puna, Hawai'i**

---

Upon review of your application and as applicable, comments from the public and government agencies for an ‘Ohana Dwelling Unit (OHD) Permit, you are **approved** to construct an ‘Ohana Dwelling 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, replacing an old pre-existing dwelling.

#### PROPERTY DESCRIPTION

The subject TMK parcel, comprises of 33,006 square feet, Lot 1038, and is situated within Kea‘au, Puna, Hawai'i. The property is zoned Single-Family Residential – 20,000 square feet (RS-20) by the County and is situated within the State Land Use Urban district. Subject parcel was created by Land Court (LD. CT. APP 1053, M-12), dated October 1946.

#### AGENCY COMMENTS

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

1. State Department of Health (DOH): See attached memorandum dated April 14, 2022. (Exhibit A);
2. Department of Water Supply (DWS): See attached memorandum dated July 20, 2022. (Exhibit B);



3. Hawai'i Fire Department (FIRE): See attached memorandum dated June 22, 2022. (Exhibit C);
4. Department of Public Works (ENG): See attached memorandum dated July 19, 2022. (Exhibit D);

### COMMUNITY COMMENTS

There were no community comments received for this application.

### ADDITIONAL FINDINGS

We note the following documents that accompanied your application:

Included with the OHD application are the original and notarized affidavits of Leland Traylor and Sherri Traylor, both of which are dated October 6, 2022, and state in part:

*Leland Traylor and Sherri Traylor are the title holders for the subject parcel, TMK (3) 1-1-012:037.*

*The Parcel is TMK (3) 1-1-012:037. There are no covenants or any other land use restrictions that are applicable to the lot by way of deed or lease or other provision that prohibit construction or placement of an "Ohana" dwelling unit.*

### 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. There are no pending subdivision actions affecting the subject TMK property, nor has any Variance, Planned Unit Development, Cluster Plan Development, or other exemption 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 meets the requirements for an OHD Permit.

The DWS has indicated that the subject parcel does not have an existing water service with the Department, as the parcel is not within the service limits of the Department's existing water system. However, the applicant has indicated that the proposed 'Ohana dwelling will be served by a private rainwater catchment system. Therefore, DWS does not have any objection to the use of a private rainwater catchment system to provide water service.

### DECISION AND CONDITIONS

In view of the above, by this letter, you are hereby **granted** permission to construct a single-family OHD to replace a pre-existing dwelling, 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. The proposed OHD shall comply with the State of Hawai‘i Department of Health’s Hawai‘i Administrative Rules, Chapter 11-20 (HAR 11-20), and titled “Rules to Public Water Systems.” The proposed site plan indicate that the existing septic system will also service the proposed OHD. Should the DOH require another septic system for the OHD, the applicant must revise the proposed site plan to reflect the requirements of the DOH.
3. **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.
4. **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.
5. **Building Permit:** Hawai‘i County records indicate that one dwelling structure was built in 2018, (BH2018-01098).
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 attached OHD shall be twenty-five (25’-0”) feet.
  - b) Zoning and Minimum Building Site Area (Lot Size): The subject TMK parcel, containing 33,006 sq. ft., is zoned Single-Family Residential (RS-20) 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 feet (30’) feet required;
  - Rear yard – minimum feet (30’) feet required;
  - Side yards – minimum feet (20’) feet required
  - Between dwellings 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.

Leland and Sherri Traylor

August 22, 2022

Page 4

7. A guest house shall not be permitted or constructed where an 'Ohana dwelling has been permitted or constructed.
8. This OHD permit is subject to all other applicable rules, regulations and requirements of the Planning Department, DPW, HFD, DOH, DWS and other reviewing agencies/divisions listed on the Building Permit Application.
9. 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 zoning 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 of 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, amended.

Should you have any questions regarding the above, please contact Terri Napeahi of this office, at (808) 961-8288 or email [terri.napeahi@hawaiicounty.gov](mailto:terri.napeahi@hawaiicounty.gov).

Sincerely,

Zendo Kern

Zendo Kern (Aug 24, 2022 08:16 HST)

ZENDO KERN  
Planning Director

TLN:cn

\\COH01\planning\public\Admin Permits Division\Ohana\2022\PL-OHD-2022-000007 Traylor Apvl Ltr.doc

Encl: Exhibit A, B, C & D, Revised Site/Plot plan

cc: Dept. of Health, Chief Sanitarian w/revised site plan  
Dept. of Water Supply w/revised site plan  
Hawai'i Fire Dept. w/revised site plan  
Dept. of Public Works w/revised site plan  
GIS Section (via email) w/enclosure

## Mori, Ashley

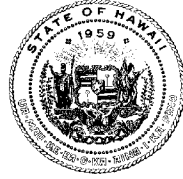
---

**From:** Honda, Eric T. <Eric.Honda@doh.hawaii.gov>  
**Sent:** Thursday, June 30, 2022 11:01 AM  
**To:** Planning Internet Mail  
**Subject:** PL-OHD-2022-000007  
**Attachments:** PL-OHD-2022-000007 TMK1-1-012--037.doc

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

EXHIBIT A

DAVID Y. IGE  
GOVERNOR OF HAWAII



ELIZABETH A. CHAR, M.D.  
DIRECTOR OF HEALTH

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

MEMORANDUM

DATE: April 14, 2022

TO: Mr. Zendo Kern  
Planning Director, County of Hawaii

FROM: Eric Honda  
District Environmental Health Program Chief

SUBJECT: OHANA DWELLING UNIT PERMIT  
(PL-OHD-2022-000007)

Applicant: Traylor Family Trust, Leland Traylor and Sherri Traylor,  
TTEE's

Landowner: Traylor Family Trust

SLU: Urban

CZ: RS-20

Land Area: 33,006sf

TMK: 1-1-012:037

The Department of Health, Wastewater Branch requests that the proposed individual wastewater system that will serve the proposed Ohana dwelling is indicated on the site map that is provided with the application.

**Public Water Systems:** The Department of Health's Safe Drinking Water Branch authority on drinking water quality is based on the definition of a "public water system." Federal and state regulations define a public water system as a system that serves 25 or more individuals at least 60 days per year or has at least 15 service connections. All public water system owners and operators are required to comply with Hawaii Administrative Rules, Chapter 11-20 (HAR 11-20), and titled "Rules Relating to Public Water Systems". 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 microbiological 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.

Zendo Kern

July 1, 2022

Page 2 of 2

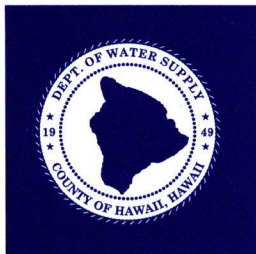
For further information concerning the application of capacity, new source approval, operator certification, source water assessment, backflow/cross-connection prevention or other public water system programs, please contact the SDWB at 586-4258.

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.

EXHIBIT "B"



**DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII**

345 KEKŪANAŌ'A STREET, SUITE 20 • HILO, HAWAII 96720  
TELEPHONE (808) 961-8050 • FAX (808) 961-8657

July 20, 2022

COH PLANNING DEPT  
JUL 21 2022 PM 2:15

TO: Mr. Zendo Kern, Director  
Planning Department

REC'D HAND DELIVERED

FROM: Keith K. Okamoto, Manager-Chief Engineer

**SUBJECT: 'Ohana Dwelling Unit Permit (PL-OHD-2022-000007)**  
**Applicant: Traylor Family Trust, Leland Traylor and Sherri Traylor, Trustees**  
**Tax Map Key 1-1-012:037**

We have reviewed the subject application.

Please be informed that the subject parcel does not have an existing water service with the Department, as the parcel is not within the service limits of the Department's existing water system. However, the applicant has indicated that the proposed 'ohana dwelling will be served by a private rainwater catchment system.

For your information, we have no objection to the use of a private rainwater catchment system to provide water service. However, we cannot approve or comment as to the adequacy of those systems, as they do not meet the requirements of the Department's Water System Standards.

We recommend that the applicant consult the County of Hawaii, Planning Department, County of Hawaii, Department of Public Works, and/or the State of Hawaii, Department of Health to determine any other guidelines, recommendations, or regulations regarding the use of rainwater catchment systems.

Should there be any questions, please contact Mr. Ryan Quitarano of our Water Resources and Planning Branch at (808) 961-8070, extension 256.

Sincerely yours,

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

RQ:dfg

copy – Traylor Family Trust, Leland Traylor and Sherri Traylor, Trustees

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

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

## Sakai, Kimberly

---

**From:** Napeahi, Terri  
**Sent:** Wednesday, June 22, 2022 11:50 AM  
**To:** Sakai, Kimberly  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Kimberly,

Just wanted to forward Fire Departments comments, that was emailed to my email address.

Mahalo,

*Terri L. Napeahi*

Planner IV  
East Hawaii Office  
101 Pauahi Street, Suite 3  
Hilo, Hawaii 96720  
Phone: (808) 961-8288  
Fax: (808) 961-8742



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

The County of Hawaii is launching 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://www.dpw.hawaiicounty.gov/divisions/building/plans-permits-and-inspections-system>.

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### EXHIBIT "C"

**From:** Baybayan, Clinton <Clinton.Baybayan@hawaiicounty.gov>  
**Sent:** Wednesday, June 22, 2022 11:34 AM  
**To:** Napeahi, Terri <Terri.Napeahi@hawaiicounty.gov>  
**Cc:** Kawasaki, Edward <Edward.Kawasaki@hawaiicounty.gov>  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Aloha Terri,

HFD has no 'comments or concerns' regarding this application. Please let me know if you have any question at 640-7364 or ext. 4761.



Mahalo,

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

**From:** Fire Admin  
**Sent:** Wednesday, June 22, 2022 10:49 AM  
**To:** Baybayan, Clinton <[Clinton.Baybayan@hawaiicounty.gov](mailto:Clinton.Baybayan@hawaiicounty.gov)>  
**Cc:** Kurashige, Palani <[Palani.Kurashige@hawaiicounty.gov](mailto:Palani.Kurashige@hawaiicounty.gov)>  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Hi Clint,

Request for comments.

Thank you.

Leanne

**From:** Nelson, Catherine <[Catherine.Nelson@hawaiicounty.gov](mailto:Catherine.Nelson@hawaiicounty.gov)>  
**Sent:** Wednesday, June 22, 2022 10:07 AM  
**To:** Honda, Eric <[Eric.Honda@doh.hawaii.gov](mailto:Eric.Honda@doh.hawaii.gov)>; [michael.une@doh.hawaii.gov](mailto:michael.une@doh.hawaii.gov); [dwsengineeringreview@hawaiidws.org](mailto:dwsengineeringreview@hawaiidws.org);  
Fire Admin <[fire@hawaiicounty.gov](mailto:fire@hawaiicounty.gov)>; public\_works email <[public\\_works@hawaiicounty.gov](mailto:public_works@hawaiicounty.gov)>  
**Cc:** Napeahi, Terri <[Terri.Napeahi@hawaiicounty.gov](mailto:Terri.Napeahi@hawaiicounty.gov)>  
**Subject:** Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Aloha ~

Please follow this link to view the [Memo requesting your review and comments on the subject application](#), and listed below is the link to the application Review Submittals in the EPIC system:

- [PL-OHD-2022-000007 EPIC Review Submittals: Traylor](#)

**We kindly ask that you forward your comments electronically to [planning@hawaiicounty.gov](mailto:planning@hawaiicounty.gov) no later than August 12, 2022.** Should you have any questions, please feel free to contact Terri Napeahi, at (808) 961-8160, or via email [Terri.Napeahi@hawaiicounty.gov](mailto:Terri.Napeahi@hawaiicounty.gov).

Thank you ~ have a great day 🌸

Cat Nelson  
Administrative Permits Division  
**County of Hawai'i | Planning Department**  
101 Pauahi Street, Suite 3 | Hilo, HI 96720  
[catherine.nelson@hawaiicounty.gov](mailto:catherine.nelson@hawaiicounty.gov)  
808.961.8144



COUNTY OF HAWAII 

## Electronic Processing and Information Center (EPIC)

We hope that the County of Hawaii's **EPIC system** has made your application process convenient and easy. Connecting with us for help is just a click away. Click [here](#) to request support. For more information go to <https://hawaiicountyhi-energovpub.tylerhost.net/Apps/SelfService#/home>.

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**Mori, Ashley**

---

**From:** Matsumoto, Robyn  
**Sent:** Tuesday, July 19, 2022 2:52 PM  
**To:** Planning Internet Mail  
**Cc:** Napeahi, Terri  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor  
**Attachments:** 11012037 OHD.pdf

Comments attached. No hardcopy to follow. Thanks

Sincerely,  
*Ms. Robyn Matsumoto, P.E.*  
Department of Public Works  
Engineering Division



COUNTY OF HAWAII   
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**From:** Mendonca, Ashlee <Ashlee.Mendonca@hawaiicounty.gov>  
**Sent:** Thursday, June 23, 2022 8:43 AM  
**To:** Matsumoto, Robyn <Robyn.Matsumoto@hawaiicounty.gov>  
**Subject:** FW: Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

FYI.. Received via Public Works email.

*Ashlee Mendonca*  
Administrative Assistant  
County of Hawai'i – Department of Public Works  
101 Pauahi Street, Suite 7  
Hilo, HI 96720

Direct: (808) 961-8783 | Main: (808) 961-8321 | Fax: (808) 961-8630  
[ashlee.mendonca@hawaiicounty.gov](mailto:ashlee.mendonca@hawaiicounty.gov)



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Information Center (EPIC)**

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**From:** Nelson, Catherine <[Catherine.Nelson@hawaiicounty.gov](mailto:Catherine.Nelson@hawaiicounty.gov)>

**Sent:** Wednesday, June 22, 2022 10:07 AM

**To:** Honda, Eric <[Eric.Honda@doh.hawaii.gov](mailto:Eric.Honda@doh.hawaii.gov)>; michael.une@doh.hawaii.gov; dwsengineeringreview@hawaiidws.org; Fire Admin <[fire@hawaiicounty.gov](mailto:fire@hawaiicounty.gov)>; public\_works\_email <[public\\_works@hawaiicounty.gov](mailto:public_works@hawaiicounty.gov)>

**Cc:** Napeahi, Terri <[Terri.Napeahi@hawaiicounty.gov](mailto:Terri.Napeahi@hawaiicounty.gov)>

**Subject:** Request for Comments | TMK: 1-1-012:037 | PL-OHD-2022-000007: 'Ohana Application - Traylor

Aloha ~

Please follow this link to view the Memo requesting your review and comments on the subject application, and listed below is the link to the application Review Submittals in the EPIC system:

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**We kindly ask that you forward your comments electronically to [planning@hawaiicounty.gov](mailto:planning@hawaiicounty.gov) no later than August 12, 2022.** Should you have any questions, please feel free to contact Terri Napeahi, at (808) 961-8160, or via email [Terri.Napeahi@hawaiicounty.gov](mailto:Terri.Napeahi@hawaiicounty.gov).

Thank you ~ have a great day 🌸

Cat Nelson

Administrative Permits Division

**County of Hawai'i | Planning Department**

101 Pauahi Street, Suite 3 | Hilo, HI 96720

[catherine.nelson@hawaiicounty.gov](mailto:catherine.nelson@hawaiicounty.gov)

808.961.8144



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**DEPARTMENT OF PUBLIC WORKS**  
COUNTY OF HAWAII  
HILO, HAWAII

DATE: July 19, 2022

**Memorandum**

TO: Planning Department

FROM: Department of Public Works

A handwritten signature in black ink, appearing to be 'Ohana', is written over the 'FROM' line.

**SUBJECT: OHANA DWELLING UNIT PERMIT (PL-OHD-2022-000007)**

Applicants: Traylor Family Trust, Leland Traylor and Sherri Traylor,  
TTEE's

Land Owners: Traylor Family Trust

Proposal: Construct a Detached Ohana Dwelling Unit

Tax Map Key: 1-1-012:037

We have reviewed the subject application forwarded by your letter dated June 21, 2022 and based on the proposed layout, have no comments for consideration.

Should you have any questions, please contact Ms. Robyn Matsumoto at 961-8327.

RM

