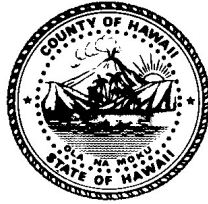


Mitchell D. Roth  
*Mayor*

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

November 9, 2022

Dayne & Blanche Tamanaha  
3528 Loko Street  
Hilo, HI 96720

Dear Mr. and Ms. Tamanaha:

**SUBJECT: Application: 'Ohana Dwelling Unit Permit | PL-OHD-2022-000009**  
**Applicant(s): Dayne Takeshi Tamanaha and Blanche Sueko Tamanaha**  
**Land Owner(s): Tamanaha Family Joint Trust**  
**Proposal: Construct Proposed 'Ohana Dwelling Unit**  
**Tax Map Key: (3) 2-2-037:153, Kalanikoa St., South Hilo, 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.

#### PROPERTY DESCRIPTION

The subject TMK parcel comprises of 11,066 square feet, Lot 5-A, and is situated within Waiākea House Lots, Hilo, Hawai'i. The property is zoned Single-Family Residential – 10,000 square feet (RS-10) by the County and is situated within the State Land Use Urban district. Subject parcel was created by Subdivision of Grant 10971 to George Wong Maka'ea, Subdivision No. 6545, dated February 1, 1995.

#### 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 September 29, 2022. (Exhibit A);
2. Department of Water Supply (DWS): See attached memorandum dated October 11, 2022. (Exhibit B);

3. Hawai'i Fire Department (FIRE): See attached memorandum dated September 26, 2022. (Exhibit C);
4. Department of Public Works (ENG): See attached memorandum dated October 17, 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 Dayne Tamanaha and Blanche Tamanaha, both of which are dated August 12, 2022, and state in part:

- *Dayne Tamanaha and Blanche Tamanaha are the title holders for the subject parcel, TMK (3) 2-2-037:153.*
- *The Parcel is TMK (3) 2-2-037:153. 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 is currently served by a 5/8-inch meter (Account 110-72300), which is adequate for only one (1) dwelling at an average daily usage of 400 gallons. Inasmuch as this applicant 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 8-inch waterline within Kalanikoa Street, fronting the subject parcel. 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 indicates 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 2019, (BH-2018-01656).
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 11,066 sq. ft., is zoned Single-Family Residential (RS-10) 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 (25') feet required;
- Rear yard – minimum feet (25') feet required;
- Side yards – minimum feet (15') 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.
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 (Nov 18, 2022 11:04 HST)

ZENDO KERN  
Planning Director

TLN:cn

\\COH01\planning\public\Admin Permits Division\Ohana\2022\PL-OHD-2022-000009 Tamanaha Apvl Ltr.doc

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

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

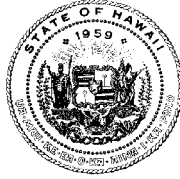
**DeVera, Ashley**

---

**From:** Honda, Eric T. <Eric.Honda@doh.hawaii.gov>  
**Sent:** Thursday, September 29, 2022 1:19 PM  
**To:** Planning Internet Mail  
**Subject:** PL-OHD-2022-000009  
**Attachments:** PL-OHD-2022-000009 TMK2-2-037--153.doc

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

**EXHIBIT A**



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

MEMORANDUM

DATE: September 29, 2022

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

FROM: Eric Honda  
District Environmental Health Program Chief

SUBJECT: Application: OHANA DWELLING UNIT PERMIT  
PL-OHD-2022-000009  
Applicant: Dayne Takeshi Tamanaha and Blanche Sueko Tamanaha  
Landowner: Tamanaha Family Joint Trust  
SLU: Urban  
CZ: RS-10  
LA: 11,066 sf  
TMK: 2-2-037:153

---

The existing dwelling on the subject property is connected to the County's sewer system. The proposed Ohana dwelling unit shall also connect to the County's sewer system. An individual wastewater system will not be allowed to be constructed for the subject property. Please contact Mark Tomomitsu at (808) 586-4294 should you have any questions.

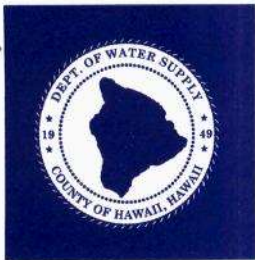
The applicant would need to meet the requirements of our Department of Health Air Pollution Rules, Chapter 60.1, Title 11, State of Hawaii for fugitive dust control. If there is need to discuss these requirements, please contact our Clean Air Branch staff at Ph. 933-0401.

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.

Zendo Kern  
October 4, 2022  
Page 2 of 2

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



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

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

October 11, 2022

COH PLANNING DEPT  
OCT 12 2022 PM2:07

REC'D HAND DELIVERED

TO: Mr. Zendo Kern, Director  
Planning Department

FROM: Keith K. Okamoto, Manager-Chief Engineer

SUBJECT: **Ohana Dwelling Unit Permit (PL-OHD-2022-000009)**  
**Applicant – Dayne Takeshi Tamanaha and Blanche Sueko Tamanaha**  
**Tax Map Key 2-2-037:153**

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 110-72300), 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 8-inch waterline within Kalanikoa 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 of a 1-inch service lateral to service one (1) 5/8-inch meter, which shall be restricted to an average daily flow of 400 gallons each.
2. Submit construction plans, prepared by a professional engineer licensed in the State of Hawai'i, for review and approval.
3. Remittance of the following charges, which are subject to change, to our Customer Service Section:

FACILITIES CHARGE (FC):

One (1) additional unit of water @ \$6,095.00/unit	\$6,095.00
<b>Total (subject to change)</b>	<b>\$6,095.00</b>

This is due and payable upon completion of the installation of the required water system improvements and prior to water service being granted.

**EXHIBIT B**

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

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



Mr. Zendo Kern, Director  
Page 2  
October 11, 2022

Should there be any questions, please contact Mr. Troy Samura of our Water Resources and Planning Branch at (808) 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 – Tamanaha Family Joint Trust  
DWS Customer Service (Hilo)

**Mori, Ashley**

---

**From:** Baybayan, Clinton  
**Sent:** Monday, September 26, 2022 2:58 PM  
**To:** Planning Internet Mail  
**Subject:** Subject: Request for Comments | TMK: 2-2-037:153 | PL-OHD-2022-000009 'Ohana Application - Tamanaha  
**Attachments:** Takeshi Tamanaha, Ohana Dwelling Permit, 9-26-22 PDF.PDF

Good Afternoon,  
Please see attached file for HFD comments regarding the Ohana application. Please let me know if you have any questions.

Thank You,

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

**EXHIBIT C**

**HAWAII FIRE DEPARTMENT . COUNTY OF HAWAII .**  
**HILO, HAWAII 96720**

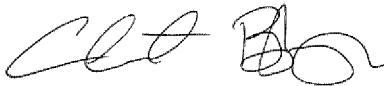
**DATE** September 26, 2022

**Memorandum**

**TO :** TERRI NAPEAHI, PLANNING DEPARTMENT, COH  
**FROM :** CAPTAIN CLINTON BAYBAYAN, FIRE PREVENTION BRANCH  
**SUBJECT: PL-OHD-2022-000009, TAMANAHA/TAKESHI, OHANA PERMIT APPLICATION**

In regards to the above mentioned project, Fire Department Access and Water Supply shall comply with Chapter 18 of the 2018 Hawaii State Fire Code and Chapter 26 of the Hawaii County Code. For any questions please email [Clinton.Baybayan@hawaiicounty.gov](mailto:Clinton.Baybayan@hawaiicounty.gov) or call 808-323-4761.

Respectfully Submitted,



Clinton Baybayan  
Fire Prevention Captain  
Fire Prevention Branch  
Hawaii Fire Department

**EXHIBIT C**

## DeVera, Ashley

---

**From:** Matsumoto, Robyn  
**Sent:** Monday, October 17, 2022 11:56 PM  
**To:** Planning Internet Mail  
**Subject:** FW: Request for Comments | TMK: 2-2-037:153 | PL-OHD-2022-000009 'Ohana Application - Tamanaha  
**Attachments:** 22037153 OHD Tamanaha.pdf  
**Importance:** High

Our comments are attached. No hardcopy to follow. Thanks

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

**From:** Nelson, Catherine <Catherine.Nelson@hawaiicounty.gov>  
**Sent:** Monday, September 26, 2022 8:04 AM  
**To:** 'dwsengineeringreview@hawaiidws.org' <dwsengineeringreview@hawaiidws.org>; Honda, Eric <Eric.Honda@doh.hawaii.gov>; 'michael.une@doh.hawaii.gov' <michael.une@doh.hawaii.gov>; michael.une@doh.hawaii.gov; Fire Admin <fire@hawaiicounty.gov>; DPW Eng <dpweng@hawaiicounty.gov>  
**Cc:** Aki, Tara <Tara.Aki@hawaiicounty.gov>; Napeahi, Terri <Terri.Napeahi@hawaiicounty.gov>  
**Subject:** Request for Comments | TMK: 2-2-037:153 | PL-OHD-2022-000009 'Ohana Application - Tamanaha  
**Importance:** High

Aloha ~

Please follow this link to view the [Memo requesting your review and comments on the subject application](#). The EPIC Review Files are available in the link below.

Application Number: [PL-OHD-2022-000009 EPIC Review Submittals - Tamanaha](#)

**We kindly ask that you forward your comments electronically to [planning@hawaiicounty.gov](mailto:planning@hawaiicounty.gov) no later than October 19, 2022.** Should you have any questions, please feel free to contact Terri Napeahi, at (808) 961-8160.

Thank you ~ 🌸

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

**EXHIBIT D**



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>.

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

**EXHIBIT D**

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

DATE: October 17, 2022

**Memorandum**

TO: Planning Department

FROM: Department of Public Works



**SUBJECT: OHANA DWELLING UNIT PERMIT (PL-OHD-2022-000009)**

Applicants: Dayne Takeshi Tamanaha and Blanche Sueko Tamanaha

Land Owners: Tamanaha Family Joint Trust

Proposal: Construct a Detached Ohana Dwelling Unit

Tax Map Key: 2-2-037:153

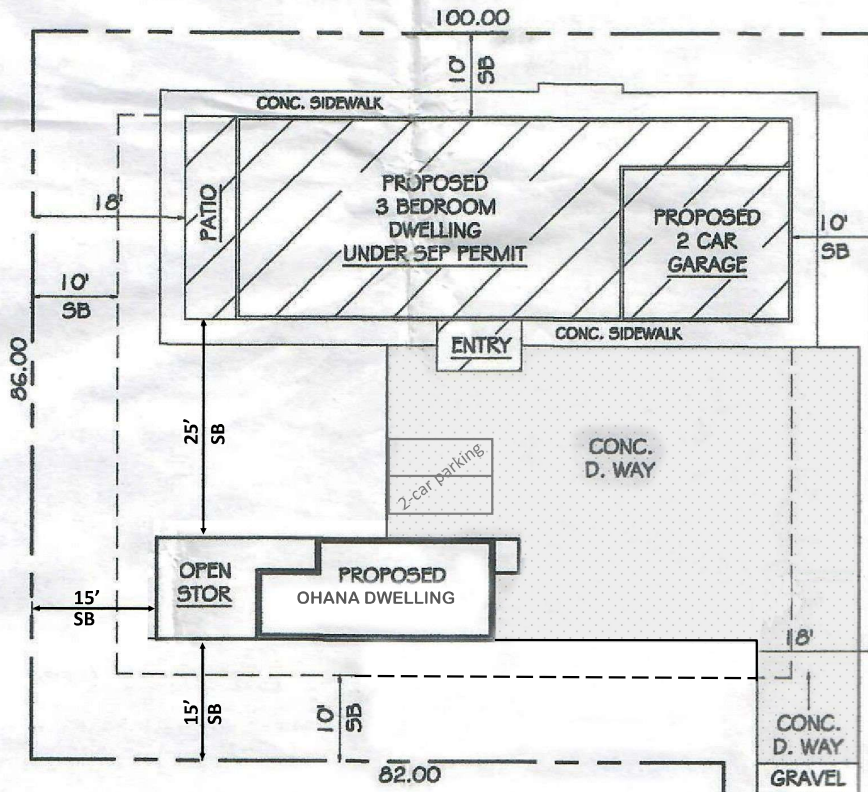
We have reviewed the subject application forwarded by your letter dated September 19, 2022 and based on the proposed layout, we have the following comment for consideration:

A driveway apron shall be constructed within the County right-of-way that complies with Hawaii County Code, Chapter 22, County Streets.

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

RM

**EXHIBIT D**



NOTES: County water is available  
 Wastewater via sewer

PERMIT # PL-OHD-2022-000009  
 TMK: 2-2-037:153

# PLOT PLAN

SCALE : 1" = 20'