

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

April 11, 2023

Allen Ross Perrins Jr. &  
Catharine Hotz Perrins Trust  
P.O. Box 702  
Honoka'a, Hawai'i 96727

Dear Mr. & Mrs. Perrins:

**SUBJECT: Application: 'Ohana Dwelling Unit Permit | PL-OHD-2023-000011**  
**Applicant(s): Allen Ross Perrins Jr.**  
**Catharine Hotz Perrins**  
**Land Owner(s): Allen Ross Perrins Jr. Trust**  
**Catharine Hotz Perrins Trust**  
**Proposal: Construct Proposed 'Ohana Dwelling Unit**  
**Tax Map Key: (3)4-5-012:015 45-3385 Kukui Mauka Rd, Hāmākua, HI**

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 15,000 square feet, Lot B, and is situated in a Kā'ao Homesteads, Hāmākua, Hawai'i. The property is zoned Residential and Urban District – 15,000 square feet (RS-10) 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. Department of Water Supply (DWS): See attached memorandum dated March 23, 2023 (Exhibit A)

2. State of Hawai'i Department of Health (DOH): See attached memorandum dated March 28, 2023. (Exhibit B)

## 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 Allen Ross Perrins Jr. & Catharine Hotz Perrins, both of which are dated February 17, 2023, and state in part:

- *We (Affiants) Allen Ross Perrins Jr. & Catharine Hotz Perrins hereby attest that we are the titleholder of the affected property TMK: (3) 4-5-012:015, address 45-3383 Kukui Mauka Road, Honoka'a, Hawai'i 96727.*
- *We (Affiants) Allen Ross Perrins Jr. & Catharine Hotz Perrins hereby attest that provisions of any restriction, covenant or other land use restriction applicable to the lot by way of a deed or lease or other provision do not prohibit the construction or placement of an ohana dwelling unit or a second dwelling 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-10 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 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 Department of Water Supply, County of Hawaii has indicated that the subject parcel is currently served by a 5/8-inch meter (Account No. 670-95900), which is adequate for only one (1) dwelling unit each at an average daily usage of 400 gallons per day. 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 4-inch waterline within Kukui Mauka Road, fronting the subject parcel.

Therefore, the Department has no objections to the proposed application, subject to the applicant's understanding and accepting the following conditions. (See Exhibit A – March 23, 2023 attached).

## DECISION AND CONDITIONS

In view of the above, by this letter, you are hereby **granted** permission to construct a single-family 'Ohana Dwelling Unit, 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 shows an existing cesspool built for the existing two bedroom / 1 bath single family dwelling since 1951. The applicant provided a State of Hawaii Department of Health – Wastewater Branch Individual Wastewater Systems (IWS) letter, indicating that the owner's new plans for an (IWS) septic tank and leach field area conforms to applicable provisions of Chapter 11-62. The new septic (IWS) will service both the existing and proposed 'Ohana Dwelling. (see Exhibit B – October 10, 2022, attached.)
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 assigned 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 the first dwelling structure with two bedrooms and one full bath, was built in 1951, Building Permit No. 10166. In 1952 the owner added a garage Building Permit No. 12301.
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 15,000 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.

Allen Ross Jr. & Catharine Hotz Perrins Trust  
'Ohana Dwelling Unit Permit Approval Letter  
PL-OHD-2023-000011  
April 11, 2023  
Page 5

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 (Apr 28, 2023 10:01 HST)  
ZENDO KERN  
Planning Director

TLN:so

\\COH01\planning\public\Admin Permits Division\Ohana\2023\PL-OHD-2023-000011 Apvl Ltr Perrins 4-11-2023.doc

Encl: Exhibit A -DWS Letter  
Exhibit B – DOH Letter,  
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

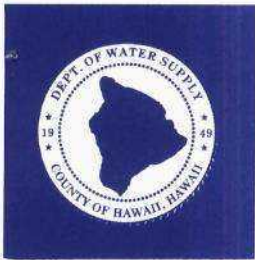


Exhibit A

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

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

March 23, 2023

COH PLANNING DEPT  
MAR 29 2023 AM 7:41

TO: Mr. Zendo Kern, Director  
Planning Department

FROM: Keith K. Okamoto, Manager-Chief Engineer

**SUBJECT: Ohana Dwelling Unit Permit**  
**Applicant – Allen Ross Perrins Jr. and Catherine Hotz Perrins**  
**Tax Map Key 4-5-012:013 (PL-OHD-2023-000011)**

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 670-95900), 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 4-inch waterline within Kukui Mauka Road, fronting the subject parcel.

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

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

FACILITIES CHARGE (FC):	
2 <sup>nd</sup> service to the parcel	\$6,095.00
SERVICE LATERAL INSTALLATION CHARGE:	
<u>Install one meter on Kukui Mauka Road, a County road</u>	<u>\$3,000.00</u>
<b>Total (Subject to Change)</b>	<b>\$9,095.00</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  
March 23, 2023

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 "k. okamoto". The signature is written in a cursive, somewhat stylized font.

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

TS:dfg

copy – DWS Customer Service Sections (Hilo and Waimea)

Exhibit B

DAVID Y. IGE  
Governor of Hawaii



ELIZABETH A. CHAR, M.D.  
Director of Health

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. Box 3378  
HONOLULU, HI 96801-3378

October 10, 2022

Peter J K Dahlberg  
Aina Engineers  
P.O. Box 81  
Holualoa, HI 96725

Dear Sir/Madam:

**Subject:** Individual Wastewater System (IWS) for  
**Owner/Lessee:** Allen R. (Jr.) & Catharine H. Perrins TR  
**Project Site:** 45-3383 Kukui Mauka Rd. (Lot B, Kaa Homesteads), Honokaa, HI  
**TMK:** 345012015  
**IWS File No.:** 70209 (Septic Tank) E-Filed  
**Old File No.:** N/A

The subject wastewater plans have been reviewed by the Wastewater Branch for conformance to applicable provisions of Hawaii Administrative Rules, Title 11, Chapter 62, entitled Wastewater Systems. The IWS plan conforms to applicable provisions of Chapter 11-62.

As the professional engineer responsible for the design of the above wastewater plan, it is your responsibility to inform the owner/lessee of the property that: **a) the IWS plans must be attached to each set of permit construction plans, b) the IWS must be installed by a licensed contractor holding A, C-9, C-37, C-37a or C-43 license, c) inspected and certified by the designing engineer, d) authorized in writing by the Department of Health before use, and e) IWS approval expires in one year without concurrent active building permit.**

For new dwellings, the Department of Health will process an applicable county building permit application provided that all information submitted as part of the IWS plan and county building permit application are consistent with each other and meet applicable provisions of Chapter 11-62, HAR at the time of permit application.

For renovation projects that require abandoning the existing cesspool and/or require building modifications to the existing dwelling (require separate permit) to comply with Chapter 11-62, HAR, the new IWS and/or required modifications to the existing dwelling must be completed **prior** to applying for a County Building Permit for the project. For clarification purposes, the separate building modifications permit to the existing dwelling will be considered completed when the County Building Permit is properly closed for that work.

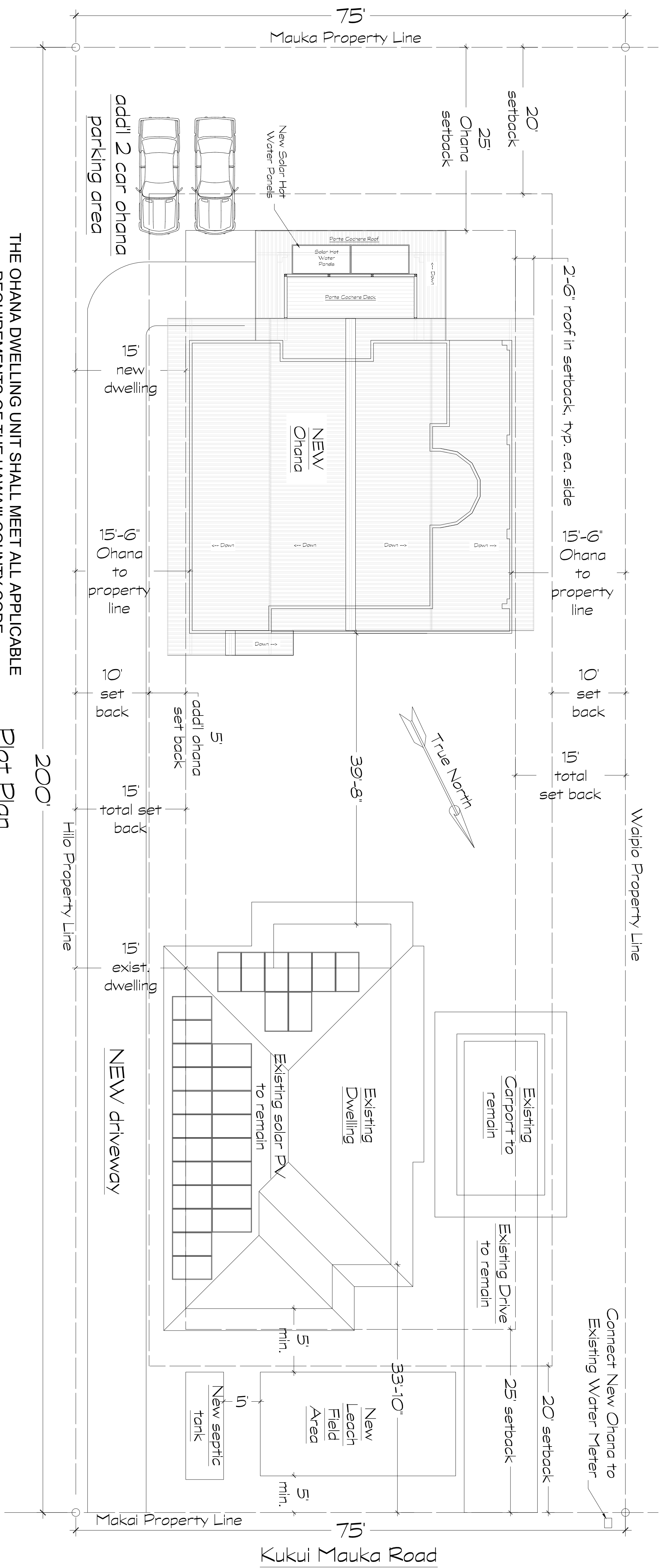
Should you have any questions, please feel free to contact Nathan See at 586-4294.

Sincerely,

A handwritten signature in cursive script, appearing to read "Sina Pruder".

SINA PRUDER, P.E.  
Chief, Wastewater Branch





**THE OHANA DWELLING UNIT SHALL MEET ALL APPLICABLE REQUIREMENTS OF THE HAWAII COUNTY CODE. (Chapter 25 (Zoning), Article 6, Division 3, Section 25-6-30)**

**Plot Plan**

Scale: 1/8" = 1' - 0"

HAWAII COUNTY ENERGY CODE  
 2018 IECC, HAWAII REVISED STATUTES HRS 107-24 TO 28 & HAWAII ADMINISTRATIVE RULES HAR 3-181.1  
 RESIDENTIAL BUILDING ENERGY EFFICIENCY STANDARDS  
 I CERTIFY THAT THE DESIGN IS IN CONFORMANCE WITH THE BUILDING ENERGY EFFICIENCY STANDARDS PERTAINING TO THE RESIDENTIAL PROVISIONS OF THE 2018 IECC WITH AMENDMENTS PER HAR CHAPTER 3-181.1.  
 STATE AMENDMENTS, EFFECTIVE FOR NEW APPLICATIONS BEGINNING 09/01/2021  
 COUNTY AMENDMENTS, PENDING

**COMPLIANCE METHOD**

<input checked="" type="checkbox"/> Tropical Zone, R401.2.1	
<input type="checkbox"/> Prescriptive, R402	
<input type="checkbox"/> Roof and Wall	
<input type="checkbox"/> Insulation R-value, Table R402.1.2	
<input type="checkbox"/> Construction U-factor, Table R402.1.4	
<input type="checkbox"/> Point UA, R402.1.3	
<input type="checkbox"/> Point UA, R402.1.7 (Populate Checklist)	
<input type="checkbox"/> Simulated Performance, R405	
<input type="checkbox"/> Energy Rating Index, Compliance Alternative, R406	

**INFORMATION IN CONSTRUCTION DOCUMENTS**

<b>Envelope</b>	Yes	N/A
Roof insulation R-value	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roof insulation type and location	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Roof membrane solar reflectance and thermal emittance	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wall insulation R-value	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Wall insulation type and location	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Window and skylight SHGC	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Air leakage testing requirement	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Air Conditioning	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Air conditioning equipment capacity and efficiency	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Programmable Thermostat	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Duct leakage testing requirement	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Duct leakage testing equipment	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Electrical	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lighting fixture locations	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Lamp Type	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Ceiling fans	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Whole-house fan	<input checked="" type="checkbox"/>	<input type="checkbox"/>

**NOTES**

Please Utilize Points Options Checklists When R407 is to be Utilized  
 The above must be submitted to the County of Hawaii Building Division as a block or detail within the plan sets.  
 Effective Date: 09/01/2021

**APPLICABLE CODES**

- 2018 International Residential Code (IRC 2018) as amended by Hawaii State & County
- 2018 International Electrical Conservation Code (IECC 2018) as amended by Hawaii State & County
- 2017 National Electrical Code (NEC 2017)
- 2018 Uniform Plumbing Code (UPC 2018)

New Ohana for:  
 Allen Ross & Catharine Perrins  
 Site Address:  
 45-3383 Kukui Mauka Road  
 TMK: (3)4-5-12:15  
 TMK: 450120150000  
 Owners & Mailing Address:  
 PERRINS, ALLEN ROSS  
 JR/CATHARINE HOTZ TR  
 P.O. Box 702  
 Honokaa, HI 96727-6843

**PROJECT DATA**  
 TMK: (3) 4-5-12:15 or :  
 450120150000  
 Lot Size: 0.3444 Acre  
 Ohana Setbacks:  
 15,000 sq. ft.  
 Front & rear 25,  
 Sides 15  
 Max. Height: 25  
 Owners: Allen Ross Perrins Jr.  
 Catharine H. Perrins  
 Ohana Address:  
 45-3385 Kukui Mauka Road

- BUILDING CODE INFORMATION**
1. Floor Live Load = 40 psf.
  2. Roof Live Load = 20 psf.
  3. Allowable Wind Speed = 115 mph.
  4. Ultimate Wind Speed = 130 mph.
  5. Wind Exposure Category  
 (ref. R301.2.1.4): Exposures A B  D
  6. Seismic Design Category  
 (ref. R301.2.1.1): D1  D2 E

New Ohana For:  
**Allen Ross Jr & Catharine Hotz Perrins Trust**  
 P.O.Box 702, Honokaa, Hawaii 96727

Plot Plan, IECC statement, Applicable Codes, Building Code Information, Owner's Mailing Address, Project Data

Hawaii Drafting Service  
 P.O. Box 702  
 Honokaa, Hawaii  
 96727  
 (808) 938-1243  
 hotzcatz@yahoo.com

Date: February 9th, 2023  
 Drawn: C. Perrins  
 Scale: As Noted  
 T 01  
 Ohana