

CERTIFIED MAIL

June 3, 1982

Ms. Miki Harada  
75-5654 Mamalahoa Highway  
Holualoa, HI 96725

Dear Ms. Harada:

Variance Application (V82-7)  
Tax Map Key 7-5-14:23

After reviewing your application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of your variance request to construct an agricultural standard roadway with a pavement width of fourteen (14) feet within a right-of-way of forty (40) feet in lieu of the required pavement width of twenty (20) feet within a right-of-way of fifty (50) feet.

The approval is based on the following:

1. There are special and unusual circumstances applying to the parcel.

The parcel's current access is via a forty (40) feet wide roadway easement with an AC pavement of eight (8) feet in width. This roadway easement is bounded by lands not owned by the applicant. The applicant, unlike government, does not have the power of eminent domain to acquire the additional ten (10) feet required to create a new roadway which conforms to the Zoning and Subdivision Codes and General Plan.

2. There are no reasonable alternatives that would resolve the difficulty of increasing the right-of-way width from forty (40) feet to fifty (50) feet. Where the applicant does own the land, however, a right-of-way width of fifty (50) feet is proposed.

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3. The variance is not inconsistent with the general purpose of the zoning district and the intent and purpose of the Zoning and Subdivision Codes and the County General Plan. The roadway will service low density residential and agricultural activities, as such the traffic volume on the roadway will not require full improvements.

The variance request is approved, subject to the following conditions:

- sub. status*
1. The applicant, Mikie Harada, apply for and receive final approval of the proposed subdivision by May 31, 1983.
  2. In lieu of the required agricultural standard pavement width of twenty (20) feet, the applicant construct a roadway with agricultural standard pavement with a width of sixteen (16) feet and with load bearing shoulders, each two (2) feet in width from the Mamalahoa Highway to the makai end of proposed Lot 1-F.
  3. The applicant, Mikie Harada, enter into an agreement with the County of Hawaii via document entitled "Declaration of Restrictive Covenants" prior to final Subdivision approval.
  4. Should the applicant, Mikie Harada, fail to comply with these conditions, the variance shall be deemed void.

If you have any questions on this matter, please feel free to contact us.

Sincerely,



SIDNEY M. FUCE  
Planning Director

RN:lgv  
Enclosure

cc: Planning Commission

bcc: Bill Stayton, P.O. Box 688, Kealahou, HI 96750