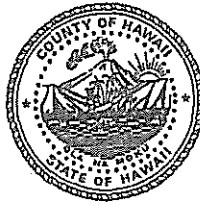


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Roy R. Takemoto  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043  
(808) 961-8288 • Fax (808) 961-8742

October 21, 2005

Ms. Priscilla A. Sensano  
2934 Pulima Drive  
Hilo, HI 96720-3046

Dear Ms. Sensano:

#### **VARIANCE APPLICATION (VAR 05-026)**

**Applicants: PRISCILLA A. SENSANO, ET AL.**

**Owners: PRISCILLA A. SENSANO, ET AL.**

**Request: Variance from Chapter 23, Subdivisions**

**Tax Map Key: 2-5-002:011, Lot 24-B, (SUB 04-0031)**

Your variance application from water and roadway requirements attached is being returned for the following reasons:

1. Enclosed is a copy of Final Order of Condemnation dated September 7, 1957 together with attached Board of Water Supply (BWS) map or plan dated January 24, 1950 showing the location "15-FOOT ACCESS ROAD & PIPELINE RIGHTS-OF-WAY" being a portion of Lot 24-B or subject TMK property received from the Department of Water Supply (DWS) Hilo office. According to the 1950 map and subsequent condemnation action recorded in 1957, the taking of the 15-foot wide right-of-way or "parcel of land" containing 16,684 square feet or approximately 0.3830 acre by County-BWS, essentially subdivided Lot 24-B into the 15-foot wide roadway lot and adjoining 2-lots having frontage along a "30 FOOT ROAD". The 1950 BWS map does not disclose the land area for 2-lots remaining after subtracting the 16,684 square feet BWS right-of-way area from Lot 24-B's land area.

*Hawai'i County is an equal opportunity provider and employer.*

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Ms. Priscilla A. Sensano

Page 2

October 21, 2005

2. In view of the enclosed map, there are discrepancies between the metes and bounds and area for the 15-foot right-of-way created by the 1950 BWS map and the metes and bounds and area for the 15-foot right of way denoted on your subdivision application's revised preliminary plat map (Rev.-PPM) dated July 8, 2004. In addition, by acknowledging a de-facto government subdivision of Lot 24-B on or about January 24, 1950 to create the 15-foot wide BWS-DWS roadway lot **and** 2-remainder lots, there are other mapping or subdivision issues regarding the nature of the proposed subdivision action, i.e. the subdivision title block describing Lot 24-B's land area, the status of the BWS or DWS roadway lot, etc. Therefore, the owner(s) of the property and/or surveyor should rectify mapping inconsistencies with the DWS and our subdivision section, since, it appears that you are requesting a subdivision of a portion of Lot 24-B created by the 1950 map, containing approximately 42 +/- acres. A revised PPM map may be necessary and require further agency review and revised comments

In the meantime, these are our comments regarding variances from the water and roadway variances related to a proposed subdivision of Lot 24-B:

- A. No variances from water supply, roadways or other requirements were required or necessary to record the original 1950 map taking "the parcel of land" containing 16,684 square feet from Lot 24-B. The 1950 map essentially subdivided "LOT 24-B" or created the "PIPELINE ACCESS ROAD" **and** 2-remainder lots. Each remainder lot has frontage along the "PIPELINE ACCESS ROAD" and "30 FOOT ROAD". Please note, your current PPM submittal dated July 8, 2004 shows there is no frontage along the "ROAD" or direct access between proposed "Lot 24-B-2" and the "ROAD".
- B. It appears that the subdividers are requesting a 2-lot subdivision of a "remainder lot" or larger portion of Lot 24-B which appears to contain approximately 42+ acres. The 1950 BWS map together with the metes and bounds description recorded in 1957 for this 15-foot wide roadway or BWS/DWS pipeline roadway/right-of-way ("parcel of land") predates the description of the DWS "15-FOOT RIGHT-OF-WAY" denoted on the PPM dated July 8, 2004. The mapping inconsistencies between the 15-foot access roadway-pipeline right-of-way and area denoted on the 1950 map and the DWS 15-foot right-of-way and area denoted on the PPM dated July 8, 2004; and, subdivision request, i.e. the PPM title block, land area, etc. and status and area of "remainder lots" should be resolved with the DWS and our subdivision section before requesting any variances to subdivide the property.

Ms. Priscilla A. Sensano

Page 3

April 7, 2005

**Please attach a copy of this letter with any further variance application submitted.**

Any questions regarding variances from Chapter 23, Subdivisions, may be directed to William Yamanoha or Daryn Arai in our Hilo office at telephone (808) 961-8288.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

WRY/DSA:cd

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Enclosures (Application/\$100 Filing Fee Check)

xc: Subdivision File (SUB 2004-0031)