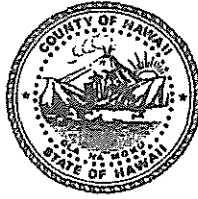


Harry Kim
Mayor



Christopher J. Yuen
Director

Brad Kurokawa, ASLA
LEED® AP
Deputy Director

County of Hawaii
PLANNING DEPARTMENT

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

May 19, 2006

Ms. Lori Mikkelson
dba All Aina Services
P. O. Box 291
Laupahoehoe, HI 96764

Dear Ms. Mikkelson:

SUBJECT: VARIANCE APPLICATION-VAR 06-041
Applicant: ALL AINA SERVICES
Owner: JAMES EDMONDS, ET AL.
Request: Variance from Chapter 25, Zoning
Tax Map Key: 3-5-004:008

Your variance application and transmittal letter dated April 28, 2006 were received on May 4, 2006. The application is being returned for the following reason:

A variance to repair or improve legally built or "pre-existing" dwelling(s) on subject TMK property is not required, provided, the owner(s) can demonstrate and prove the dwellings on subject TMK property are legal "non conforming" dwelling(s) pursuant to Chapter 25, Zoning or enclosed copy of Ordinance No. 82 89 relating to "Nonconforming Uses and Buildings".

In the meantime, these are some comments regarding your background report:

- A. Your clients are proposing to apply for building permits to "remodel existing structures" or 3-dwellings, "built in 1930", that are identified on your site plan included with your variance application. The owner(s) are required to submit further proof and photographs to demonstrate that the 3-dwellings identified on your site plan are legal "nonconforming dwellings" and "use" is "nonconforming" pursuant to Section 25-4-61, Continuance of nonconforming uses of land and buildings, before building permits are submitted.

MAY 23 2006

Ms. Lori Mikkelson
dba All Aina Services

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May 19, 2006

- B. Older tax or parcel records at the Real Property Tax Division-Hilo do not clearly identify or show the location of the 3-dwellings on the property. Recent County building records show a new dwelling was constructed pursuant to BP No. 811335 on subject TMK property; and, other associated building construction permits include an electrical permit and plumbing permit associated with BP No. 811335 and other electrical permits issued to subject TMK property by the DPW.

The \$250 variance filing fee will be refunded and sent to Jim Edmonds, at P.O. Box 42, Papaaloa, HI 96780 under separate cover.

Any questions regarding the above 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:cd

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Enclosures (Application)

xc: Account Clerk (Ltr. only)