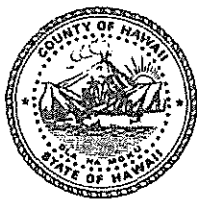


Harry Kim  
Mayor



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

December 6, 2006

Mr. Klaus D. Conventz  
dba Baumeister Consulting  
P.O. Box 2308  
Kailua-Kona, HI 96745

Dear Mr. Conventz:

**VARIANCE APPLICATION (VAR 06-093)**

**Applicant: KLAUS D. CONVENTZ**

**Owner: IMUA WALUA LLC**

**Re: Variance Application, Chapter 25, Zoning**

**Tax Map Key: 7-5-018:041**

Your variance application, background information, and other submittals received on or about November 21, 2006 by our Kona Office were reviewed. The variance request was discussed with staff on November 30, 2006 and your variance application and submittals are being returned to you for the following reason:

Pursuant to your variance site plan map prepared by Wes Thomas Associates dated November 20, 2006 and background report, the 19,523 square feet property is zoned Village Commercial (CV-10) by the County and bounded by two streets (Walua Road and Lunapule Road). Chapter 25, Zoning, Article 2, Division 7, Plan Approval, Division 4, Yards and Open Spaces, Section 25-4-40, General requirements for yards and open space, (d), states:

“In CV and CG districts, where the building site is bounded by two or more streets, a minimum of one front yard shall be required. Its location shall be determined by taking into account the relationship and impact of the development to the adjoining streets.”

Mr. Klaus D. Conventz  
dba Baumeister Consulting  
Page 2  
December 6, 2006

Therefore, since the subject TMK property is bounded by two streets, this office has determined that the "1-Story Building" denoted on the variance site plan map dated November 20, 2006 is subject to the minimum 15'-0" front yard to be taken from the front boundary line shared with Walua Road and subject to a minimum 10'-0" future road widening line measured from the property's boundary line shared with the Lunapule Road (Right-of-Way) or "10-Ft. Wide Road Widening Strip". The location and position of the "1-Story Building", denoted on the variance site plan map dated November 20, 2006 meets with the minimum yards of the Zoning Code. The location or portions of the "2-Story Building" denoted on the variance site plan map dated November 20, 2006 that were constructed or established on the subject TMK property prior to 1967 within the property's minimum 15 feet front yard along Walua Road and future 10-foot wide road widening strip are non-conforming.

Future building additions to enlarge any building or modification of other site improvements including parking spaces on the subject TMK property will be determined or required under Plan Approval, Chapter 25, Zoning. In addition, further development of the property and/or any future building additions or cosmetic building improvements are subject to Special Management Area (SMA) rules or conditions, KVSD Commission review and comments, and other agency requirements (DOH, DPW, etc.).

**Please note the \$250.00 variance filing fee will be refunded to Baumeister Consulting and sent under separate cover.**

Any questions regarding this letter or enclosures may be directed to our Hilo or Kona Office.

Sincerely,

  
CHRISTOPHER J. YUEN  
Planning Director

WRY:cd  
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Enclosures (Variance Application/Filing Fee/Application For Plan Approval)

xc: Planning Department-Kona (Ltr. only)  
Account Clerk