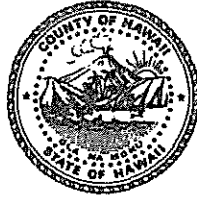


Harry Kim  
Mayor



Christopher J. Yuen  
Director

Brad Kurokawa, ASLA  
LEED® AP  
Deputy Director

County of Hawaii  
PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-4224  
(808) 961-8288 • FAX (808) 961-8742

October 31, 2007

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

Dear Mr. Conventz:

**VARIANCE APPLICATION-VAR 07-045**

**Applicant:** KLAUS D. CONVENTZ  
**Owners:** STEPHEN E. STATEN, ET AL.  
**Re:** Variance Application, Chapter 25, Zoning,  
Minimum yards  
**Tax Map Key:** 7-7-003:063, Lot 7

Your variance application, background information, and submittals including a copy of original detailed building drawings by the original Architects to construct the dwelling improvements upon the subject TMK property in 1973 were reviewed. After considering the property's original metes and bounds circa 1973 and considering the Planning Department's interpretation of minimum yards for the original property in 1973; and, reviewing a copy of original building plans circa 1973 received from Robert G. Nespor-Architect for the dwelling improvements; copy of the original building permit, and other building permit records at the County Real Property Office, etc., and, site inspection of the property and detached garage by Planning Department staff, the Planning Department and Planning Director have determined that a variance from minimum yards for the detached garage, "AS-BUILT", is not required. In addition, Planning Department staff concurs and agrees with the applicant, that the dwelling improvements and detached garage denoted on the original building construction plans prepared in 1973 appear to have been built and completed at the same time. Therefore, the Planning Department, gives the applicant the "benefit of the doubt" that the detached garage denoted on the original detailed building construction plans for a new dwelling was permitted to be built on the subject TMK property under the original building permit issued to construct "New Dwell'g" by the Planning Director and Department of Public Works (DPW) on June 8, 1973.

Mr. Klaus D. Conventz  
dba Baumeister Consulting  
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October 31, 2007

In view of the above, your application is being returned together with a reduced set of approved "AS-BUILT" plans of the detailed construction plans received from Architect-Robert G. Nespor, AIA; and, 2-copies of the original variance site plan map signed and dated June 16, 2007 by KKM Surveys denoting the subject TMK property's minimum yards pursuant to Chapter 25, Zoning, approved by the Director, County Planning Department dated October 31, 2007.

Future building modification or additions to the dwelling and detached garage constructed circa 1973-1974 are subject to the minimum yards denoted on the site plan map being returned with this letter and County building codes and any State of Hawaii building requirements; and, recommends that the survey map dated and signed June 16, 2007 be revised by KKM Surveys to denote the property's minimum yards for future reference.

**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  
P:\WP60\WRY\FORMLETT\VAR07-045LTR\TMK77003063.STATEN-BC

Enclosures (Variance Application/Site Plan/Receipt from Filing Fee)

xc: Planning Department-Kona (Ltr. only)  
DPW-Building Division-Kona (Ltr. only)  
County Real Property Tax Office-Kona (Ltr. only)  
Account Clerk