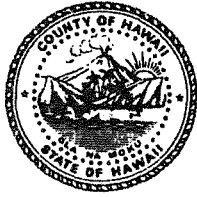


Harry Kim
Mayor



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

July 31, 2007

Mr. Joseph Okuna
228 B Laula Road
Hilo, HI 96720

Dear Mr. Okuna:

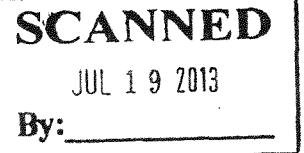
VARIANCE APPLICATION-VAR 07-046

Applicant: JOSEPH OKUNA
Owners: JOSEPH OKUNA, ET AL.
Request: Variance from Chapter 23, Subdivisions,
Water Supply
Tax Map Key: 2-4-004:164, (SUB 06-000273)

Your variance application and submittals received on June 27, 2007 were reviewed with the Department of Water Supply (DWS) and staff in the Hilo-Ministerial Division. The status of the water meter assigned to subject TMK property (Lot 3-B) and following comments regarding DWS water meter(s) assigned to adjoining property (TMK: 2-4-004:072, Lot 3-A) must be considered by the subdivider including location of a future roadway and necessary drainage studies. The original application is incomplete and being returned to you for the following reasons:

1. A detailed written explanation explaining purpose or nature of your variance request was not attached to the application. Please review the following information and comments and attach a written application (original and 4 copies) explaining purpose or nature of the variance request:

The subject property-Lot 3-B (TMK: 2-4-004:164) and adjoining property Lot 3-A (TMK: 2-4-004:072) zoned A-3a were created in 1971 (SUB 2988). In 1973, the areas of Lot-3-B and Lot 3-A were reduced to 9.988 acres and 2.95+ acres, respectively, pursuant to a County or DPW (Rights-of-Way) subdivision (SUB 3330) for street widening purposes.



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According to recent discussions with DWS-Engineering Division, the subject TMK parcel (TMK: 2-4-004:164) was issued an "out of bounds" county water meter in 2006 within Laula Road. In addition, DWS records show two (2) water meters were issued to the adjoining property (TMK: 2-4-004:072) created in 1971. DWS records indicate the first meter was issued in 1971 (Currently assigned to Tokushi) and second meter was issued in 1995 (Currently assigned to Joseph Okuna). The "NOTES:" on your variance application's site plan map attached to your variance application states in part:

"Water will be supplied by owner 1 ¼" line on Laula Road to new Road Lot. one (sic) water meter will supply one unit of water to lot, 3-B-2 (sic) Lot 3-B-1 water will be supplied from Lot 3-A existing water line (sic) Road Lot owned in common with 3 lots."

You have an option to confer with the DWS to designate and assign the second meter assigned to TMK: 2-4-004:072 to proposed Lot 3-B-1 or pending 2-lot subdivision (SUB 06-000273).

Further, according to the DWS-Engineering Division, the subject TMK parcel (TMK: 2-4-004:164) is eligible to receive county water from existing 6" DWS water line and/or via one (1) water meter situated within Laula Road. Please contact the DWS to verify the foregoing and costs associated with any facility charges or installation fees required for a DWS meter and cost to improve the existing DWS system to provide water to the proposed additional or second lot-Lot 3-B-1. Your proposal to utilize or co-share the second service issued circa 1995 to adjoining 2.95 + acre parcel (TMK: 2-4-004:164, Lot 3-A) to provide water supply to the proposed second lot (Lot 3-B-1) is not allowed pursuant to DWS-Rules and Regulations; and, will not be permitted by variance. A summary of discussions between you and the DWS regarding the status of the water supply to Lot 3-A fronting proposed 2-lot and proposed 2-lot subdivision should be included in required written explanation.

In addition to the above, please refer to your copy of DWS memorandum dated March 29, 2007 and copy of Rule No. 22-Water Variance forwarded to your surveyor with our letter dated April 26, 2007.

Mr. Joseph Okuna

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2. A copy of the DPW memorandum dated April 9, 2007 is enclosed for your files. Please note a drainage report is required by the DPW for the property and note roadway construction plans and required road improvements within the proposed road lot require the subdivider to address drainage concerns and install necessary access improvements to assure access within the road lot is provided during heavy rainfall or flooding conditions.

In addition, the location and position of a "Proposed 80 Foot Road" or future road on subject TMK property (Lot 3-B) and affecting the proposed "ROAD LOT" and adjoining property (Lot 3-A) is not denoted on the variance application's site plan map and preliminary plat map dated May 17, 2007 in pending subdivision (SUB 06-000273), pursuant to the final plat map (Dated: March 4, 1971) in SUB 2988 approved on June 16, 1971. The site plan map submitted with your variance does not show the location of the future road or right-of-way and must be revised.

3. Owner-Joyce Okuna (listed as owner on the variance application) must sign the enclosed "ORIGINAL" variance application form.
4. The attached list of surrounding property owners attached to your application is not complete and must be revised and corrected. Enclosed is a map or study of surrounding TMK properties within 300 feet of the subject TMK parcel and current list of owner(s) for your files. Please amend your original list and/or attach a revised list of surrounding TMK properties within 300 feet of the subject TMK property with your variance application from Chapter 23, Subdivisions.

In view of the above, the variance application, submittals, and filing fee are being returned to you with this letter. Please note the \$100.00 variance filing fee will be refunded to you and sent under separate cover.

Any questions regarding the enclosures should be directed to our Hilo office at telephone (808) 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

WRY/DSA:cd

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Mr. Joseph Okuna
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Enclosures

xc: SUB 06-000273 (Ltr. only)
DWS-Engineering Division (Ltr. only)
Account Clerk (Ltr. only)