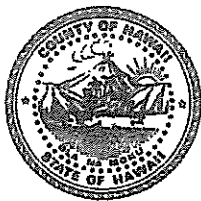


Harry Kim
Mayor



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

September 12, 2008

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

Dear Mr. Conventz:

VARIANCE-VAR 08-030

Applicant: KLAUS D. CONVENTZ

Owner: BERKELY FONTAINE FULLER LIVING TRUST

**Variance from Chapter 25, Zoning,
Minimum Yards**

Tax Map Key: 6-5-010:022, Lot A

Your variance application, background information, and submittals including a recent survey map denoting the "AS-BUILT" position of the second or ohana dwelling upon subject TMK property or Lot A were reviewed by this office. After considering this dwelling's position upon the subject TMK property in 1991 prior to approval of SUB 4414 creating Lot A on October 11, 2001, the Planning Department and Planning Director determined that variance from minimum yards to permit portions of second or ohana dwelling to remain upon "LOT A" is not required.

Pursuant to a recent discussion with staff, this office is returning 2-copies of original variance site plan map signed by Donald C. McIntosh, LPLS and dated March 18, 2008 with staff annotations and affixed stamps denoting subject TMK property's or Lot A's minimum yards pursuant to Chapter 25, Zoning dated September 12, 2008 for your files.

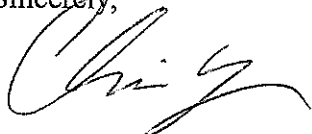
Pursuant to the enclosure(s) the "SETBACK" line and minimum yards denoted on the original survey map dated March 18, 2008 should be revised by the surveyor for future reference and use.

Mr. Klaus D. Conventz
dba Baumeister Consulting
Page 2
September 12, 2008

Future building modification or additions to both dwellings built upon LOT "A" shall be subject to minimum yards denoted on enclosed site plan or copies of the modified survey maps enclosed with this letter. Future building additions or improvements are subject to the minimum yards denoted on the enclosed map(s); and, future building additions or building improvements to both dwellings built on LOT "A" are subject to County building codes and any State of Hawaii building requirements.

Should any questions regarding this determination or enclosures, please contact the Hilo office at (808) 961-8288.

Sincerely,



CHRISTOPHER J. YUEN
Planning Director

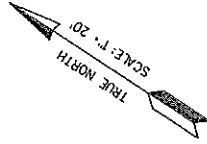
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P:\WP60\WRY\FORMLETT\VAR08-030ZCSETBACKAPP.BFFLT-BC

Enclosures

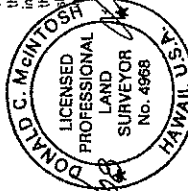
xc: Real Property Tax Office-Kona

NOTES:

1. No boundary encroachments were found.
2. No violations of County zoning setback codes were found, except as noted.
3. The distances shown between the property lines and the features, shown hereon, are based on selected found boundary monuments and acceptable tolerances for properties of this type.
4. The features shown hereon, were located by an actual survey on the ground done on February 25, 2008.
5. See attached letter pertaining to setbacks and encroachments.



The undersigned hereby certifies to the best of his professional knowledge, information and belief that this map and the survey on which it is based correctly shows the boundary lines and major improvements upon the property.



Job# 392108 (b-11)
Date: Mar. 6, 2008
Drawing: 65010022.dgn

MAP SHOWING
EXISTING CONDITIONS UPON

LOT "A"

KAMUELA HEIGHTS SUBDIVISION

WAIKANA, SOUTH KOHALA
ISLAND OF HAWAII, HAWAII

TMK: (3) 6-5-10-22

APPROVED

Director, County Planning Department
Date: 9/12/2008

Don McIntosh, Surveyor - Lic. LS4968
Kona Surveyors Inc
P.O. Box 58, Kailua-Kona, Hawaii 96745-0058
(808) 329-8830-tel. (808) 329-8840-fax

