

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

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County of Hawai'i PLANNING DEPARTMENT

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July 13, 2012

Roy A. Vitousek III
Cades Shutte, LLP
75-170 Hualālai Road, Suite B-303
Kailua-Kona, HI 96740

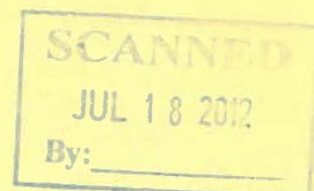
Dear Mr. Vitousek III:

SUBJECT: VARIANCE APPLICATION - VAR-12-000064
Applicant: ROY A. VITOUSEK III, CADES SHUTTE, LLP
Owner: MCCANDLESS LAND & CATTLE COMPANY, LLC
Request: Variance from Chapter 23, Subdivisions, (Roadway and
Improvements Required)
TMK: 8-6-007:008, 040 & 041 (SUB 12-001158)

Upon consideration of your variance application, the Planning Director determines that the request can be accommodated within the proposed subdivision Tentative Approval process. This determination is made as the Department of Public Works (DPW) did not specify roadway improvements as outlined in the Chapter 23 (Subdivision) code. Further, the proposed Sub 12-001158 is a consolidation and resubdivision of lots pursuant to Subdivision code, Section 23.7 which allows the Planning Director to impose roadway improvement during Tentative Approval.

Considering the number of lots involved in the subdivision action, the director does agree that some roadway improvement is appropriate, and again, we will include your slightly substandard proposal, as outlined in the variance application, in the context of the subdivision's tentative approval.

We apologize for the delay in making the determination not to formally process the variance application and will be returning the \$100.00 filing fee under separate cover.



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Roy A. Vitousek III
Cades Shutte, LLP
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If there should be any questions, feel free to contact Jonathan Holmes of this department.

Sincerely,



BJ LETIHEAD TODD
Planning Director

JRH:nci

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xc: DPW
HFD
DOH
Planning Account Clerk with Receipt
John D. Weeks, John D. Weeks, Inc.
McCandless Land and Cattle Company
SUB-11-001158