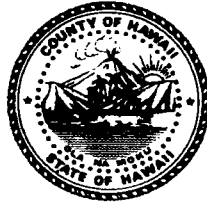


Harry Kim  
Mayor



Michael Yee  
Director

Daryn Arai  
Deputy Director

West Hawai'i Office  
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**County of Hawai'i**  
**PLANNING DEPARTMENT**

East Hawai'i Office  
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Hilo, Hawai'i 96720  
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February 13, 2018

Melitta Hodson  
77-359 B Nohealani Street  
Kailua-Kona, Hawaii 96740-8957

Dear Ms. Hodson:

**SUBJECT: RETURN OF VARIANCE 17-000424**  
**OWNERS: ANDGEN REVOCABLE LIVING TRUST**  
**MELITTA HODSON TRUSTEE**  
**TAX MAP KEY: 7-7-014:010; LOT 19**

This is in response to your request that the application for Variance 17-000424 be returned since all encroachments reflected in the variance application have been removed.

Planner, Larry Nakayama and Planning Inspectors, Mark Iwamoto and Clinton Mercado, conducted a site inspection on January 23, 2018, and determined that the encroachments reflected in the variance application had been removed.

The site inspection revealed the following:

1. A single-family dwelling measured 11' -6" with the roof eave projection measuring 7' -6" from the side (north) boundary;
2. The open carport is 18' -5" with the roof eave projection measuring 15' -5" from the rear (east) boundary;
3. The open patio with a 4-foot high grilled railing measures 17' -2.5" along with the roof eave projection measuring 14' -2.5" from the rear (east) boundary;
4. The observed open patio, open carport, and the supporting elements functioning as posts for support, are all considered permissible projections.

Chapter 25, Article 5, Division 1, Section-25-5-7. Minimum yards (2) states: *On a building site with a required area of ten thousand square feet to and including nineteen thousand nine hundred ninety-nine square feet: (A) Front and rear yards, twenty feet: and (B) Side yards, ten feet.*

Furthermore, Section 25-4-44. Permitted projection into yards and open spaces (a) states: *Except as may otherwise be restricted, roof overhangs, eaves, sunshades, sills, frames, beam ends, cornices,*

Melitta Hodson  
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*canopies, porches, balconies, terraces, fire escapes, stairs, ramps, above-grade pools and other similar features may extend four feet into any required yard or space that is less than ten feet, five feet when required yard or space is from ten up to fifteen feet, and six feet when required yard is over fifteen feet; provided that: (1) No cornices, canopy, eave, porch, balcony, terrace, fire escape, stair, ramp or other similar feature shall be enclosed above or below the extension except that there may be individual posts or beams for support and open or grill-type railings no higher than four feet.*

Therefore, we have determined that with the modifications to the structure that have been made, the single-family dwelling, open patio and open carport and the supporting elements functioning as posts for support, now comply with Chapter 25, Zoning, Article 5, Division 1 Section 25-4-7 Minimum Yards and Article 4, Division 4, Section 25-4-44 (a) Permitted projection into Yards and Open Space Requirements.

As a result of the modifications that you have made to make the structures compliant with the zoning code, we have determined that a variance is no longer required and are returning your variance application.

Thank you for your cooperation.

Should you have any further questions regarding this matter, please feel free to call Larry Nakayama at (808) 961-8149 or e-mail at [Larry.Nakayama@hawaiicounty.gov](mailto:Larry.Nakayama@hawaiicounty.gov).

Sincerely,



MICHAEL YEE  
Planning Director

LHN:nci

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cc: Gilbert Bailado, Planning GIS  
Libby Gillis, Zoning Inspector (Kona)  
Jai Ho Cheng, Deputy Building Chief – Dept. of Public Works Building Division (Kona)  
Michael Kagami, Deputy Corporation Counsel  
Amy Self, Deputy Corporation Counsel

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