

PUD 50

May 24, 1993

Ms. Ernie Franks
PBR Hawaii
Hilo Lagoon Center
101 Aupuni Street, Suite 310
Hilo, HI 96720

Dear Ms. Franks:

Planned Unit Development (PUD)
Permit Application (PUD 93-1)
Applicant: Kona Livestock and Land Management, Ltd.
Tax Map Key: 7-2-06: Portion 9

Upon reviewing the application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of your Planned Unit Development (PUD) Permit Application. This would allow the development of a 4 lot temporarily being served by an existing substandard road and ranch water system. The property is identified by Tax Map Key: 7-2-06: Portion 9 and is located on the west (makai) side of Mamalahoa Highway, approximately 1,000 feet north of the Kona Ocean View Properties Subdivision, Puukala and Kaulana, North Kona, Hawaii.

The approval is based on the following:

The construction of the project will be completed within a reasonable period of time from the date of approval. Upon approval of the PUD, the Applicant intends to submit for subdivision and secure final approval.

The proposed development substantially conforms to the General Plan. The following are goals of the Housing section of the General Plan:

- a. "Improve and maintain the quality and affordability of the existing housing stock."
- b. "The cornerstone of the County's Housing Programs and activities shall continue to be the encouragement and expansion of appropriate home ownership opportunities."

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The purpose of this PUD is to allow the creation of a four (4) lot subdivision with existing homes on each of the lots that will be conveyed to former employees of the ranch.

The four (4) lot subdivision will constitute an environment of sustained desirability and stability, will be in keeping with the character of the surrounding development and will result in an intensity of land utilization no higher than and standards of open space at least as high as permitted or otherwise specified for the district in which the developments. The proposed four (4) lot subdivision will not result in an intensity of land utilization as it is for the purposes of provided individual ownership of a house and lot for the existing residents of the houses. The existing property contains four (4) single family dwellings.

The proposed development is a harmonious, integrated whole that justifies exception from the codes. The proposed four (4) lot subdivision is to create individual houselots with an existing dwelling on it. The action will not result in an increase in the intensity of use of the existing property that is presently served by a paved driveway and a private ranch water system. The plans call for the temporary use of the existing driveway and water system for the four (4) lot subdivision which will be later replaced with a private non-dedicable road and a water system meeting with the requirements of the Department of Water Supply.

Based on the foregoing, the Planning Director has further concluded that the Planned Unit Development application be approved subject to the following conditions:

- A. The Applicant, it assigns or successors shall be responsible for complying with all stated conditions of approval.
- B. A subdivision application be submitted within one year of this PUD approval and final approval secured within one year thereafter.
- C. Plans for the roadway and water system improvements be submitted within one year after final subdivision approval and be completed within two years from the date of final subdivision approval.
- D. The development shall have a restriction of one single-family dwelling per lot. This restriction shall be incorporated as a deed covenant and a copy of this restriction shall be filed with the Planning Director for its file.

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- E. All other applicable County and State rules, regulations and requirements, including those of the State Department of Health be complied with.

Should the Applicant, its Assigns or Successors fail to comply with the above requirements, the Planning Director may nullify the Planned Unit Development Permit.

Sincerely,



VIRGINIA GOLDSTEIN
Planning Director

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cc: Chief Engineer
Manager, Department of Water Supply
Subdivision Section
West Hawaii Office