

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for)
SPECIAL MANAGEMENT AREA)
USE PERMIT)
By)
MAUKA-MAKAI HOMES, INC.) SMA USE PERMIT
For) NO. 94
THE CONSTRUCTION OF A)
DUPLEX RESIDENTIAL STRUCTURE)
AND RELATED IMPROVEMENTS)
In)
Waiaha 2nd, North Kona, Hawaii)

SPECIAL MANAGEMENT AREA USE PERMIT

The County Planning Commission at a duly held public hearing on March 29, 1979, considered the application of MAUKA-MAKAI HOMES, INC. for a Special Management Area Use Permit in accordance with Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, to allow the construction of a duplex residential structure and related improvements at Waiaha 2nd, North Kona, Hawaii, TMK: 7-5-18:48.

The Commission has found:

That approval of the subject request will not be contrary to Rule 9 of the Planning Commission, the Environmental Shoreline Protection Act, or Chapter 205-A, Hawai'i Revised Statutes, relating to Coastal Zone Management. The area under consideration is located almost one-fourth mile from the shoreline and development on the subject property as proposed is not expected to have any adverse environmental or ecological effects upon the shoreline or nearshore coastal waters. Due to the location of the subject property, the proposed development will not interfere with the use of public recreational areas, access to the shoreline, or any unique ecosystems. The subject property contains no known rare or endangered species of plants or animals nor any known historical or archaeological sites.

Further, the subject property is located in an area which has been developed for single family and double family residential use. Approval of the subject request will allow development consistent with the established character of the area and with the policies and standards of the County General Plan.

Therefore, the Commission hereby grants to the petitioner a Special Management Area Use Permit to allow the construction of a duplex residential structure and related improvements at Waiaha 2nd, North Kona, Hawaii, TMK: 7-5-18:48, pursuant to the authority vested in it by Rule No. 9, Rules and Regulations Relating to Environmental Shoreline Protection, subject to the following conditions:

1. *letter aloha* That the petitioner or its authorized representative shall resolve the water situation with the Department of Water Supply.
2. *P.P. - S/15/79* That the petitioner/representative shall submit plans and receive final plan approval within one (1) year from the date of resolution of the water situation.
3. *2/22 - 6/1/79* That construction of the proposed development shall commence within one (1) year from the date of receipt of final plan approval and be completed within two (2) years thereafter.
4. *letter S/15/79* That access to any of the parking stalls shall not be directly from Lunapule Road. It shall be from an on-site access driveway of proper design and width to allow passage of vehicles and necessary turning movements. Such design shall be approved by the Chief Engineer and Planning Director.
5. That all other applicable rules, regulations and requirements shall be complied with.

Should any of the conditions not be met, particularly that relating to the present water situation, the SMA Use Permit may be deemed null and void by the Planning Commission.


The effective date of the permit shall be March 29, 1979.

Dated at Hilo, Hawaii, this 12th day of April, 1979.



WILLIAM F. MIELCKE, CHAIRMAN
COUNTY PLANNING COMMISSION

APPROVED AS TO
FORM AND LEGALITY:



DEPUTY CORPORATION COUNSEL
COUNTY OF HAWAII

Date: APR 10 1979