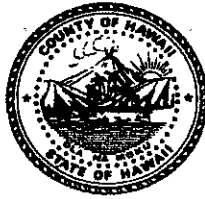


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
Fax (808) 327-3563

County of Hawai'i
PLANNING DEPARTMENT

East Hawai'i Office
101 Pauahi Street, Suite 3
Hilo, Hawai'i 96720
Phone (808) 961-8288
Fax (808) 961-8742

April 22, 2013

Mr. Gregory R. Mooers
P.O. Box 1101
Kamuela, HI 96743

Dear Mr. Mooers:

Special Management Area Use Permit Application (SMA 10-000043)
Applicant: Gideon Sorokin
Request: Construct a Five-Unit Single Family Condominium Property Regime
Subject: Withdrawal of Application
Tax Map Key: 7-5-019:007

On November 24, 2010, the Leeward Planning Commission voted to continue the hearing on the subject application to allow the County the opportunity to initiate acquisition of a portion or all of the subject property for the purposes of the Kahului Bridge replacement and associated public projects.

According to Real Property Tax records, the County has acquired the subject property; therefore, we are withdrawing the subject application.

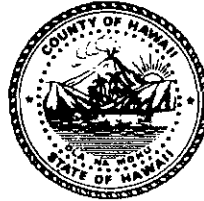
If you have any questions, please feel free to contact Daryn Arai or Maija Cottle at (808) 961-8288.

Sincerely,


BJ LEITHEAD TODD
Planning Director

MJC:syhf
P:\wpwin60\Maija\Letters\Acknowledge\LMooers-SMA10-43Withdraw.doc
cc: Leeward Planning Commission
Planning Department - Kona
Mr. Gilbert Bailado, GIS Section
TMK File

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawai'i


PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

July 7, 2010

MEMORANDUM

TO: DPW-KONA DLNR-HONOLULU
DWS OFFICE OF PLANNING
DEM HEALTH
POLICE CIVIL DEFENSE
FIRE PLANNING-KONA
LONG RANGE PLANNING

FROM: 
BJ LEITHEAD TODD
Planning Director

SUBJECT: Special Management Area Use Permit Application (SMA 10-000043)
Request: To Construct a Five-Unit Single Family Condominium Property Regime
Applicant: Gideon Sorokin
Tax Map Key: 7-5-019:007

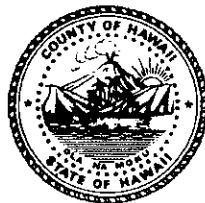
The enclosed request for a Special Management Area Use Permit is being forwarded for your review. May we please have your written comments by **August 4, 2010**. Otherwise, we will assume that you have no comments or objections on the request.

Should you have any questions, please do not hesitate to contact Maija Cottle of this department at 961-8288, ext. 8159.

Thank you very much.

Enclosure
Msorokin01syht

William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawai'i

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

July 7, 2010

Mr. Gregory R. Mooers
P.O. Box 1101
Kamuela, HI 96743

Dear Mr. Mooers:

Special Management Area Use Permit Application (SMA 10-000043)
Request: To Construct a Five-Unit Single Family Condominium Property Regime
Applicant: Gideon Sorokin
Tax Map Key: 7-5-019:007

This is to acknowledge receipt of the above-captioned Special Management Area Use Permit application on June 29, 2010. We also confirm the withdrawal of the applicant's previous application, SMA 05-000003, for the subject property. Enclosed is a receipt for the filing fee.

Please be informed, that in accordance with the Planning Commission's Rule 4. Contested Case Procedure, within ten (10) days after filing an application with the Planning Commission, you are required to serve notice of your application on surrounding property owners and lessees of record within 300 feet of the perimeter boundary of the building site, as required in the Hawai'i County Zoning Code, Section 25-2-4.

In addition, upon notice by our department that the hearing date has been set, you are again required to notify all owners and lessees of record within 300 feet of the perimeter boundary of the building site. This second notice shall be served within ten (10) days after receiving notice from the director of the date of the scheduled hearing but not less than ten (10) days prior to the date of the scheduled hearing.

Both notices shall include the following information:

1. Name of the applicant;

JUL 08 2010

Mr. Gregory R. Mooers

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July 7, 2010

2. Precise location of the property involved, including tax map key identification, location map and/or site plan;
3. Nature of the application and the proposed use of the property;
4. Date on which the application was filed with the director or the commission;
5. Inform the landowner or lessee that they have a right to submit a written request for a contested case procedure. Should they seek to intervene as a party, they shall file a written request on the form, "Petition for Standing in Contested Case Hearing." This form shall be included in both notices to the landowners and lessees. The request shall be filed with the Planning Commission at 101 Pauahi Street, Suite 3, Hilo, Hawai'i 96720; and accompanied by a filing fee of \$200 payable to the Director of Finance. The required information shall be submitted no later than seven (7) calendar days, prior to the Commission's first scheduled public hearing to consider the application;
6. Inform the landowner or lessee that should they choose not to submit a written request for a contested case procedure, they may express their support/opposition in writing or by oral testimony at the Planning Commission public hearing to be scheduled;
7. Date, time and place that the public hearing will be held to consider the application (include in second notice); and
8. Contact name and phone number should there be any questions.

Please also inform the owner that the application is available at the Planning Department for public review.

Prior to the date of the hearing, the applicant is required to file with the Commission certified mail receipts, affidavits, declarations or other similar proof of mailing of both notices.

Please also be advised that in accordance with Chapter 25 (Zoning Code), Article 2, Division 1, Section 25-2-12, Hawai'i County Code 1983 (2005 Edition) and/or Planning Commission Rules of Practice and Procedure, within ten (10) days of being notified of the acceptance of an application, the applicant shall post a sign on the subject property notifying the public of the following:

1. The nature of the application;
2. The proposed use of the property;

Mr. Gregory R. Mooers

Page 3

July 7, 2010

3. The size of the property;
4. The tax map key(s) of the property;
5. That the public may contact the Planning Department for additional information;
and
6. The address and telephone number of the Planning Department.

The sign shall be not less than nine square feet and not more than twelve square feet in area, with letters not less than one inch high. No pictures, drawings, or promotional materials shall be permitted on the sign.

The sign shall be posted at or near the property boundary adjacent to a public road bordering the property and shall be readable from said public road. If more than one public road borders the property, the applicant shall post the sign to be visible from the more heavily traveled public road.

The sign shall, in all other respects, be in compliance with Chapter 3 (Signs), Hawai'i County Code 1983 (2005 edition).

The applicant shall file an affidavit with the Planning Department not more than five (5) days after posting the sign stating that a sign has been posted, and that the applicant will not remove the sign until the application has been granted, denied, or withdrawn. A photograph of the sign in place shall accompany the affidavit.

The sign shall remain posted until the application has been granted, denied, or withdrawn. The applicant shall remove the sign promptly after such action.

According to Planning Commission Rule 9 (Special Management Area), the Commission shall conduct a public hearing on the request within a period of not more than 90 days from the date of receipt of the application. Within a reasonable time frame, not to exceed thirty days after the close of the hearing, or within a longer period as may be agreed to by the applicant, the Commission shall render a decision.

We will notify you as to the date of the hearing as soon as it has been determined.

Mr. Gregory R. Mooers

Page 4

July 7, 2010

Should you have any questions regarding the above, please do not hesitate to contact Maija Cottle of this department at 961-8288, ext. 8159.

Sincerely,



BJ LEITHEAD TODD
Planning Director

Lsorokin01syhf

Enclosure

cc: Mr. Gideon Sorokin

Long Range Planning Division

Planning Department - Kona