

PLANNING DEPARTMENT - PLANNING COMMISSION  
COUNTY OF HAWAII  
Hilo, Hawaii

PERMIT NO. 88-11

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

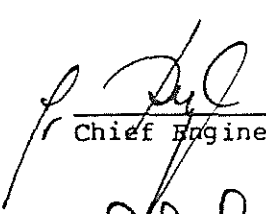
The Planning Director completed on February 23, 1988, an assessment on the application of Mr. Paul Blackmon for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: grading of property located at Komohana Kai Subdivision, Unit II, Holualoa 1 & 2, North Kona, Hawaii, Tax Map Key 7-6-22: 82.

As indicated on the attached report, the Director finds that the proposed development is:

- 1) not in excess of \$65,000; and
- 2) will not significantly affect the SMA.

Therefore, with concurrence of the Chief Engineer, the Director hereby grants to the applicant a minor use permit under the authority vested in him by Section 9.7.C of said Rules, with the following condition(s) that:

SEE ATTACHED CONDITIONS

  
\_\_\_\_\_  
Chief Engineer, DPW

  
\_\_\_\_\_  
Planning Director

Attachment

6257A-5/84

PT = 1 day  
Val = \$7,500

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Secure a grubbing permit from the Department of Public Works, Engineering and Surveys Division.
3. Comply with all other applicable laws, rules, regulations, and requirements.
4. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to nullify the permit.

BACKGROUND

Mr. Paul H. Blackmon is requesting a Special Management Area (SMA) Minor Use Permit to allow the grading of property located at Komohana Kai Subdivision, Unit II, Holualoa 1 & 2, North Kona, Hawaii, Tax Map Key 7-6-22: 82.

Specifically, the applicant proposes to grade an existing 20,073 square foot lot for the purpose of site preparation for the eventual construction of a single family dwelling upon completion of the structure plans. The lot has a steep slope from the roadway and the intent is to level the upper portion and also grade for vehicle driveway.

The General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the area as Medium Density Urban Development. The State Land Use District Classification is Urban and the County zoning classification is single family residential with a minimum lot size requirement of 15,000 square feet (RS-15).

The property is situated within an existing residential subdivision. As such, no historical sites as listed in the State or National Register of Historic Places nor are any known endangered or rare plant or animal species present on the project site.

Surrounding land are zoned for and contain single family dwellings.

According to the Flood Insurance Rate Map (FIRM), prepared by the Army Corps of Engineers, the area is not within the tsunami inundation area.

The subject property is approximately 3,000 feet from the shoreline.

The total cost of the proposed improvements will be approximately \$7,500.00.

#### RECOMMENDATION

An SMA Minor Use Permit is issued based on the following findings:

1. The total valuation of the proposal will not exceed \$65,000; and
2. The proposal will not result in a significant adverse effect on the Special Management Area.

The proposed grading is not anticipated to have any adverse environmental or ecological effects. The lot preparation for the single family dwelling use will not result in an increase of environmental impact to the surrounding areas.

The proposed action is consistent with the Special Management Area objectives, policies, and guidelines. These were established to provide guidance for the preservation, protection and development of the coastal resources of the State and County. The guidelines identify several areas of management concerns including recreational, historic, scenic and open space resources, coastal ecosystems, economic uses, and coastal hazards. Due to the limited nature of the project, it is determined that the granting of this request will not impact on the identified resources.

The proposed grading for site preparation to construct a single family dwelling is consistent with the present Single Family zoned

district, as well as the General Plan Medium Density Urban designation.

Based on the above, it is determined that the granting of the request will not create a significant adverse effect on the environment and, therefore, will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management; Rule 9 of the Planning Commission relating to the Special Management Area; the Hawaii County Zoning Code; or the General Plan.

A Special Management Area Minor Use Permit is approved subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. Secure a grubbing permit from the Department of Public Works, Engineering and Surveys Division.
3. Comply with all other applicable laws, rules, regulations, and requirements.
4. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a

period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year). Further, should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to nullify the permit.