

8A 1076/1571

CERTIFIED MAIL

February 6, 1991

Mr. Sidney Fuke  
100 Pauahi Street, Suite 212  
Hilo, HI 96720

Dear Mr. Fuke:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 91-1  
Applicant: Otaka, Inc. dba Kona Country Club  
Tax Map Key: 7-8-10:portion of 34

Upon careful review of your SMA Use Permit request, we have found that it complies with the requirements for a Minor Permit set forth in Rule 9.7 of the Planning Commission's Rules and Regulations Relating to Special Management Area.

Accordingly, please find enclosed an SMA Minor Use Permit No. 91-1 to allow the retention of the existing and the proposed construction of a chain link fence along the second to eighth holes and related improvements at the existing Kona Country Club golf course, Kahaluu-Keauhou 1st, North Kona, Hawaii.

Please note that the permit approval is also subject to the following conditions:

1. The applicants, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicants shall comply with all other applicable laws, rules, regulations, and requirements.
3. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review


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and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum forty-five days prior to the date by which plan approval must be secured.

4. Construction of the proposed improvements shall commence within one year from the date of securing Final Plan Approval and shall be completed within one year thereafter.
5. Should the applicant desire to add any use or construction not covered in this permit, he is required to submit an additional Special Management Area Use Permit Assessment Application for prior review and permission.
6. 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).

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

Sincerely,

  
NORMAN K. HAYASHI  
Planning Director

AK:syw

Enclosures

cc: Otaka, Inc.  
DPW/Building Division :  
West Hawaii Office (w/Background/Recommendation)

bcc: SMA Section

PLANNING DEPARTMENT - PLANNING COMMISSION  
COUNTY OF HAWAII  
Hilo, Hawaii

PERMIT NO. 91-1

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

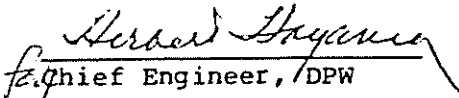
The Planning Director completed on January 30, 1991, an assessment on the application of OTAKA, INC. dba KONA COUNTRY CLUB for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: to allow the retention of the existing and the proposed construction of the chain link fence along the second to eighth holes and related improvements at the Kona Country Club golf course, Kahaluu-Keauhou 1st, North Kona.

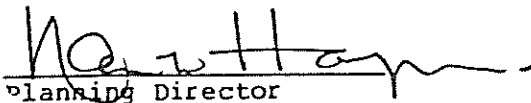
As indicated on the attached report, the Director finds that the proposed development is:

- 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:

Please see attached conditions.

  
Chief Engineer, DPW

  
Planning Director

Attachment

OTAKA, INC. dba KONA COUNTRY CLUB  
SMA Minor Use Permit  
Conditions

1. The applicants, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicants shall comply with all other applicable laws, rules, regulations, and requirements.
3. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of this permit. To assure adequate time for plan approval review and in accordance with Chapter 25-244 (Zoning Code), plans shall be submitted a minimum forty-five days prior to the date by which plan approval must be secured.
4. Construction of the proposed improvements shall commence within one year from the date of securing Final Plan Approval and shall be completed within one year thereafter.
5. Should the applicant desire to add any use or construction not covered in this permit, he is required to submit an additional Special Management Area Use Permit Assessment Application for prior review and permission.
6. 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).