

Planning Department

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720 • (808) 961-8288

Lorraine R. Inouye
Mayor
Norman K. Hayashi
Director
Tad Nagasako
Deputy Director

CERTIFIED MAIL

June 6, 1991

Mr. William D. Beery
P.O. Box 2131
Kamuela, HI 96743

Dear Mr. Beery:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 91-18

Applicant: William D. Beery

Tax Map Key: 6-1-06:12

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. 91-18 to allow you to construct a 5,100 square foot warehouse on a portion of the subject parcel. The property, consisting of 1.0 acre, is located on the mauka central portion of the Kaei Hana II Industrial Subdivision, on Department of Hawaiian Home Lands, Kawaihae 1st, South Kohala, Hawaii, TMK: 6-1-06:12.

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

1. The applicant, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall secure Final Plan Approval within one year from approval of this permit.
3. The applicant shall comply with all other applicable laws, rules, regulations and requirements.

JUN 7 1991

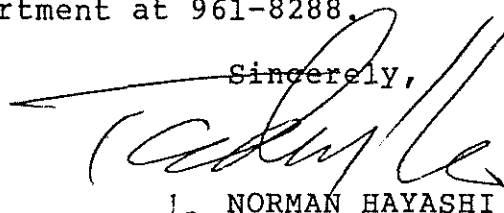
Mr. William D. Beery
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4. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors or assigns, and that are not the result of their fault or negligence; b) granting of the time extension would not be contrary to the General Plan or Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) 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 shall initiate procedures to revoke the permit.

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

Sincerely,



NORMAN HAYASHI
Planning Director

AK:smo
2032D
Enclosures

cc: Hoaliku L. Drake, Chairman, DHHL
Chief Engineer
West Hawaii office (w/Background & Recommendation)
✓SMA Section (w/Background & Recommendation)

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 91-18

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

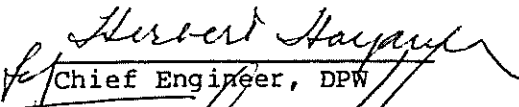
The Planning Director completed on June 5, 1991, an assessment on the application of WILLIAM D. BEERY for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: to allow him to construct a 5,100 square foot warehouse on a portion of the subject parcel. The property, consisting of 1.0 acre, is located on the mauka central portion of the Kaei Hana II Industrial Subdivision, on Department of Hawaiian Home Lands, Kawaihae 1st, South Kohala, Hawaii, TMK: 6-1-06: 12.

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

6257A-5/84

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 91-18
APPLICANT: WILLIAM D. BEERY
CONDITIONS

1. The applicant, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall secure Final Plan Approval within one year from approval of this permit.
3. The applicant shall comply with all other applicable laws, rules, regulations and requirements.
4. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) 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; b) granting of the time extension would not be contrary to the General Plan or Zoning Code; c) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and d) 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 shall initiate procedures to revoke the permit.