

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

April 8, 1991

Mr. Robert E. Oliver, III
209 Kinooole Street, Suite 8
Hilo, HI 96720

Dear Mr. Oliver:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 91-5
Applicant: ROBERT E. OLIVER, III
Tax Map Key: 2-3-08:21

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. 91-5 to allow your client, Mr. James Blakey, to restore and expand his existing commercial building by 1) removing the existing siding; 2) demolishing the existing two-story portion at the rear of the structure; and 3) constructing a new three-story addition. The structure will occupy nearly all of the 1,614 square foot parcel, and is located on the corner of Keawe Street and Furneaux Lane, Ponahawai, South Hilo, Hawaii, TMK: 2-3-08: 21.

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. 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 of forty-five days prior to the date by which plan approval must be secured.

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3. Construction of the proposed improvements shall commence within one year of the date of Final Plan Approval and shall be completed within one year thereafter.
4. The project is to be carried out exactly as described in the permit and attached Background statement. Any deviations from the described operations will need to receive advance approval from the Planning Department.
5. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
6. 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 K. HAYASHI
Planning Director

AK:syw
1302D
Enclosures
cc: Building Division

bcc: Rick (w/Background & Recommendation)

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 91-5

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

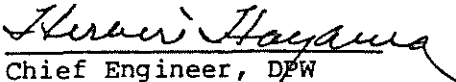
The Planning Director completed on April 5, 19⁹¹, an assessment on the application of ROBERT E. OLIVER for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: to allow his client (James Blakey) to restore & expand his existing commercial building by 1) removing the existing siding; 2) demolishing the existing 2-story portion at the rear of the structure; and 3) constructing a new 3-story addition at the corner of Keawe Street and Furneaux Lane, Ponahawai, South Hilo, TIK: 2-3-08:21.

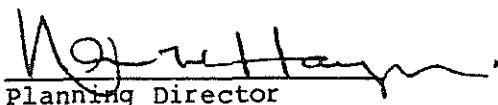
As indicated on the attached report, the Director finds that the proposed development is:

- 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

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 91-5
APPLICANT: ROBERT E. OLIVER
CONDITIONS

1. The applicant, its successors, or assigns shall be responsible for complying with all conditions of approval.
2. 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 of forty-five days prior to the date by which plan approval must be secured.
3. Construction of the proposed improvements shall commence within one year of the date of Final Plan Approval and shall be completed within one year thereafter.
4. The project is to be carried out exactly as described in the permit and attached Background statement. Any deviations from the described operations will need to receive advance approval from the Planning Department.
5. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
6. 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.