



Planning Department

County of Hawaii • 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

September 4, 1992

Mr. Toshisuke J. Suzuki
Suzuki, Kawabata & Associates, Inc.
2752 Woodlawn Drive, #5-204
Honolulu, HI 96822

Dear Mr. Suzuki:

Special Management Area (SMA) Minor Use Permit No. 92-8
Applicant: Toshisuke J. Suzuki
TMK: 7-5-05: 68, 94, 95 & 96

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 a SMA Minor Use Permit No. 92-8 to allow the construction of an array of stone walls along portions of the boundaries and interiors of the four contiguous parcels resultant from a recent consolidation/resubdivision of two parcels. The subject site, which totals 62,288 square feet in area, lies at the end of the recent extension of Kaiwi Street at the northwest end of Kona Bay Estates Subdivision, Keahuolu, North Kona, Hawaii, Tax Map Key: 7-5-05: 68, 94, 95 and 96.

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 comply with all other applicable laws, rules, regulations and requirements.
3. The portion of the mauka-makai wall along the northwest boundary of lot 4 (parcel 96) which extends into the 20-foot shoreline setback (i.e. that portion of the wall which runs from the public shoreline access seawall mauka for 6 feet) will require a Shoreline Setback Variance from the Planning Commission.

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4. The mauka-makai walls along the northwest boundaries of lots 3 and 2 (parcels 95 and 94) appear to extend slightly into the "VE" flood zone, and will require compliance with Chapter 27 of the County Code, administered by the Department of Public Works.
5. Construction of the proposed improvements shall commence within one year from the date of approval of this SMA Minor Use Permit and be completed within one year thereafter.
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 foregoing 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 Rick Warshauer or Alice Kawaha of this office.

Sincerely,



NORMAN K. HAYASHI
Planning Director

FRW:smo
6241D
Enclosures

cc: Chief Engineer
West Hawaii Office (w/Encl)
SMA Section (w/Encl)