

Lorraine R. Inouye  
Mayor

Norman K. Hayashi  
Director

Tad Nagasako  
Deputy Director



## Planning Department

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

CERTIFIED MAIL

October 6, 1992

Mr. Jim Makaweo  
Kapoho Beach Road  
P. O. Box 18  
Pahoa, HI 96778

Dear Mr. Makaweo:

Special Management Area (SMA) Minor Use Permit No. 92-9  
Applicant: Jim Makaweo/Kapoho Beach Roads  
TMK: 1-4-10: Por. 61

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. 92-9 for the after-the-fact construction of a 42.5 square foot guard house and gate within a portion of the 7.74 acre roadway lot owned by Kapoho Land and Development Co. Ltd. The subject location is about 140 feet mauka of the bifurcation of the entrance road into the Kapoho Beach Lots Subdivision, Kapoho, Puna, Hawaii, Tax Map Key: 1-4-10: por. 61.

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 applicant shall obtain a Building Permit within ninety (90) days of the date of issuance of this permit.
4. Construction of the proposed improvements shall be completed within one (1) year from the date of approval of this permit.

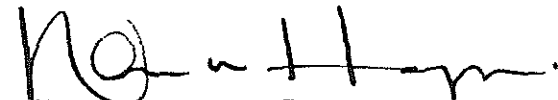
Mr. Jim Makaweo  
October 6, 1992  
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5. An extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: a) the non-performance is the result of conditions that could 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  
6657D  
Enclosures

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

PLANNING DEPARTMENT - PLANNING COMMISSION  
COUNTY OF HAWAII  
Hilo, Hawaii

PERMIT NO. 92-9

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

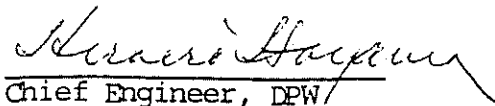
The Planning Director completed on September 29, 1992, an assessment on the application of JIM MAKAWEO/KAPOHO BEACH ROADS for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: the after-the-fact construction of a 42.5 square foot guard house and gate within a portion of the 7.74 acre roadway lot owned by Kapoho Land and Development Co. Ltd. The subject location is about 140 feet mauka of the bifurcation of the entrance road into the Kapoho Beach Lots Subdivision, Kapoho, Puna, HI, TMK: 1-4-10: por. 61.

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. 92-9

APPLICANT: JIM MAKAWEO/KAPOHO BEACH ROADS

CONDITIONS

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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 applicant shall obtain a Building Permit within ninety (90) days of the date of issuance of this permit.
4. Construction of the proposed improvements shall be completed within one (1) year from the date of approval of this permit.
5. 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.