

Planning Department

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

Rick

Stephen K. Yamashiro
Mayor

Virginia Goldstein
Director

Norman F. Olesen
Deputy Director

CERTIFIED MAIL

January 21, 1993

Mr. Christopher Norrie
P. O. Box 339
Capt. Cook, HI 96704

Dear Mr. Norrie:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 93-1
Applicant: Christopher Norrie dba KA'AWALOA ORCHARDS
Tax Map Key: 8-1-09: 17

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. 93-1 to allow the construction and use of an agricultural storage building on a 3.0 acre parcel at Kaawaloa, South Kona, Tax Map Key: 8-1-09: 17.

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, successors or assigns shall hold the County harmless in perpetuity from any liability emanating from the permitted proximity of the agricultural storage building to the communications tower also permitted on the subject parcel. An agreement to this effect shall be drafted by the applicant and submitted with the appropriate recordation fee to the Director for approval and recordation with the State of Hawaii Bureau of Conveyances within a year of the date of this permit. Failure to comply in a timely fashion shall be cause for the Director to revoke this permit.

Mr. Christopher Norrie
January 21, 1993
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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 of 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 of the date of Final Plan Approval and shall be completed within one year thereafter.
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 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).

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 this department at 961-8288.

Sincerely,



VIRGINIA GOLDSTEIN
Planning Director

RW:mjh
4094Q
Enclosures
cc: Chief Engineer
West Hawaii Office

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 93-1

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

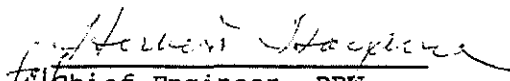
The Planning Director completed on January 19, 1993, an assessment on the application of Christopher Norrie for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: to allow the construction and use of an agricultural storage building on a 3.0 acre parcel at Kaawaloa, South Kona, Tax Map Key: 8-1-09: 17

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:

SEE ATTACHMENT


Chief Engineer, DPW


Planning Director

Attachment

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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.