

## Planning Department

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

Stephen K. Yamashiro  
Mayor

Virginia Goldstein  
Director

Norman F. Olesen  
Deputy Director

### CERTIFIED MAIL

February 23, 1993

Ms. Judy K. McDaniel  
77-6488 Maile Street  
Kailua-Kona, HI 96740

Dear Ms. McDaniel:

SPECIAL MANAGEMENT AREA (SMA) MINOR USE PERMIT NO. 93-2  
Applicant: Judy McDaniel  
Tax Map Key: 7-7-15:15

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 SMA Minor Use Permit No. 93-2 for the establishment of a bed and breakfast operation in an existing single family dwelling situated within the Kona Sea View Lots Subdivision, Holualoa 4th, North Kona, Hawaii, TMK: 7-7-15:15.

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. This permit is issued with the stipulation that only two bedrooms be utilized for the bed and breakfast operation.
3. The applicant shall obtain a Use Permit from the Planning Commission for the bed and breakfast operation within one year from the date of this SMA Minor Permit.
4. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of a Use 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.

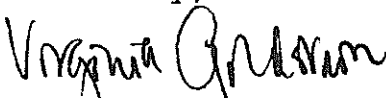
Ms. Judy K. McDaniel  
February 23, 1993  
Page 2

5. Construction of any required proposed improvements shall commence within one year of the date of Final Plan Approval and shall be completed within one year thereafter. In addition, the approval of a Use Permit, the securing of Final Plan Approval and completion of any required improvements shall precede the use of the subject premises as a bed and breakfast operation.
6. The applicant shall comply with all other applicable laws, rules, regulations and requirements.
7. 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).

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

FRW:mjs  
8120D

Enclosures

cc: Chief Engineer  
West Hawaii Office, w/Background and Recommendation  
SMA Section, w/Background and Recommendation  
Real Property Tax Office  
Susan Gagorik/Planner

PLANNING DEPARTMENT - PLANNING COMMISSION  
COUNTY OF HAWAII  
Hilo, Hawaii

PERMIT NO. 93-2

SPECIAL MANAGEMENT AREA MINOR USE PERMIT


The Planning Director completed on February 23, 1993, an assessment on the application of Judy K. McDaniel 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 establishment of a bed and breakfast operation in an existing single family dwelling situated within the Kona Sea View Lots Subdivision, Holualoa 4th, North Kona, Hawaii, TMK: 7-7-15:15.

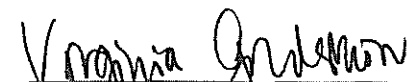
As indicated on the attached report, the Director finds that the proposed development is:

- 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)

  
Chief Engineer, DPW

  
Planning Director

Attachment

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. This permit is issued with the stipulation that only two bedrooms be utilized for the bed and breakfast operation.
3. The applicant shall obtain a Use Permit from the Planning Commission for the bed and breakfast operation within one year from the date of this SMA Minor Permit.
4. Final Plan Approval shall be secured from the Planning Department within one year from the effective date of a Use 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.
5. Construction of any required proposed improvements shall commence within one year of the date of Final Plan Approval and shall be completed within one year thereafter. In addition, the approval of a Use Permit, the securing of Final Plan Approval and completion of any required improvements shall precede the use of the subject premises as a bed and breakfast operation.
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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.