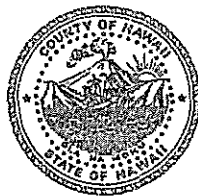


Harry Kim
Mayor



Christopher J. Yuen
Director

Roy R. Takemoto
Deputy Director

County of Hawaii

PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043
(808) 961-8288 • Fax (808) 961-8742

February 21, 2003

Scott L. Andrews and Claudia Rohr
369 Nene Street
Hilo, HI 96720

Dear Mr. Andrews and Ms. Rohr:

SUBJECT: Special Management Area Use Permit Assessments (SMAA 02-52) and (SMAA 03-03) and revisions thereto; SMA Minor Permit No. 132, with conditions
Applicant: Scott L. Andrews and Claudia Rohr
Initial Request: Construction of second single family dwelling (SMAA 02-52)
Second Request: Establishment of a 3-bedroom bed and breakfast operation (SMAA 03-03)
Third Request: Amendment to SMAA 02-52 for a guest house and possible revision to SMAA
TMK: 2-1-018: 005, Waiakea, South Hilo, Hawaii

This is to acknowledge receipt of your letter dated January 27, 2003 requesting an exemption for an accessory building/guest house on the subject property. This request (SMAA 02-52) was originally submitted as a second single family dwelling. It is our understanding that you are currently in the process of working with an architect to qualify the structure as a guest house instead of a single family dwelling. You are requesting that a minor permit be issued for SMAA 02-52, currently for an accessory building/guest house.

SMAA 03-03 was originally submitted to establish a 3-bedroom bed and breakfast operation within an existing 5-bedroom single family dwelling on the property. (We note our error in reading your request as a 5-bedroom bed and breakfast operation) You are now informing us that the proposed guest house/accessory building will be part of the

FEB 24 2003

SPECIAL MANAGEMENT AREA MINOR USE PERMIT NO. 132

Approved Development:

One guest house as part of the single family dwelling, with concurrence from the Army Corps of Engineers.

Applicant's Name: Scott L. Andrews and Claudia Rohr

TMK: 2-1-018: 005 Waiakea, South Hilo, Hawaii

Land Area: 1.2024 acres

Compliance with Objectives and Policies of Chapter 205-A, Hawaii Revised Statutes regarding the Special Management Area

Check all objectives and policies found to be consistent with proposed development.
Issuance of SMA Minor Use Permit requires that activity be consistent with all objectives & policies.

- ☒ Development will not have any significant adverse environmental or ecological effect, except as such adverse effect is minimized to the extent practicable and clearly outweighed by public health, safety, or compelling public interest. Such adverse effect shall include, but not be limited to, the potential cumulative impact of individual developments, each one of which taken in itself might not have a substantial adverse effect and the elimination of planning options.
- ☒ The proposed development is consistent with the Hawaii County General Plan and Zoning Code.

Conditions of Approval

1. The applicant(s), its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. SMA Minor Permit No. 132 will be effective only upon the submission of written clearance from the Army Corps of Engineers.
3. The applicant(s), its successors or assigns shall comply with all other laws, rules, regulations and requirements, including the Department of Public Works.
4. Request(s) for an extension of time shall be submitted to the Planning Director. Pursuant to SMA Rule 9-11E, written requests shall be filed sixty (60) days before the expiration of this permit. The request shall state the length of time requested and the reasons for the time extension.
5. The Planning Director may grant an extension of time upon the following circumstances:
 - a) non-performance is a result of unforeseen conditions or conditions beyond the control of the applicant, successors, assigns, and are not a result of their fault or negligence;
 - b) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and
 - c) 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).
6. Should any of the conditions not be met or substantially complied with in a timely fashion, the Director may initiate procedures to revoke the permit.

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: February 7, 2003
2003 FEB 7 AM 10 27

Memorandum

PLANNING DEPARTMENT
COUNTY OF HAWAII

TO: Christopher J. Yuen, Planning Director

FROM: *for*  Department of Public Works

SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION

Applicant: Scott L. Andrews and Claudia Rohr

Request: Guest House (Accessory Building)

TMK: 2-1-18: 005

We have reviewed the subject application received February 6, 2002 and offer the following comments for your consideration.

The subject quest house is located within Flood Zone VE as designated on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Flood Zone VE is the Special Flood Hazard Area inundated by the 100-year coastal flood with velocity hazard. The base flood elevations (water surface elevation from mean sea level) range between 13 and 14 feet.

All construction shall conform to the requirements of Chapter 27, Flood Control, of the Hawaii County Code.

Questions may be referred to Kelly Gomes of our Engineering Division at ext. 8327.

KG