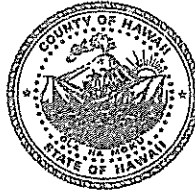


Harry Kim  
Mayor



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

May 14, 2004

Mr. James N. Cairns  
P. O. Box 102  
Hakalau, HI 96710

Dear Mr. Cairns:

**Subject: Special Management Area Use Permit Assessment Application (SMAA 04-30)**  
**Applicant: James N. Cairns** *Shm 155*  
**Owners: James & Jo Ann Cairns**  
**Request: Conversion of the Garage into a Second Single-Family Dwelling**  
**Tax Map Key: 2-9-2:84, Hakalau Nui, South Hilo, Hawaii**

This is to follow up on our April 26, 2004 letter relating to the above-referenced Special Management Area Assessment for the conversion of the garage into a second single family dwelling on the subject parcel.

This parcel is designated Urban by the State Land Use Commission and zoned Single Family Residential (RS-7.5) by the County. The General Plan designation is Open and Low Density Urban.

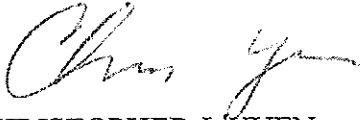
According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission Rule No. 9-4(10)(A)(v) relating to Special Management Area, a second single family dwelling is considered "Construction, reconstruction, or alteration of the size of any structure" and defined as "development". Therefore, a Special Management Area Minor Permit is required. For this reason and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No. 155 is hereby issued to allow for the conversion of the garage into a second single family dwelling.

Mr. James N. Cairns  
Page 2  
May 14, 2004

Finally, all other applicable Zoning and Building Code requirements must also be satisfied.

Should you have questions, please feel free to contact Esther Imamura or Larry Brown of this department at 961-8288.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

ETI:pak  
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Enclosures - SMM No. 155  
Department of Public Works May 4, 2004 Memo

xc w/encls: / Long Range Planning – Ms. Susan Gagorik  
Planning Commission  
DPW, Building Division – Hilo

## **Special Management Area Minor Permit No. 155**

**Project:** Conversion of the Garage into a Second Single-Family Dwelling  
**Applicant:** James N. Cairns  
**Owners:** James & Jo Ann Cairns  
**Location:** Hakalau Nui, South Hilo, Hawaii  
**TMK:** (3) 2-9-2:84 **Land Area:** 2.827 acres

### **Applicant's Request**

**1. Project Description:**

The applicant proposes to convert the garage into a second single-family dwelling.

**2. Project Valuation of the Conversion:** \$55,000.00

**3. Determination:**

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)(A)(v) relating to the Special Management Area, the construction, reconstruction, or alteration of the size of any structure is defined as "development." Therefore, the proposed conversion of the garage into a second single family dwelling requires a SMA Minor Permit.

### **State and County Plans**

- 1. State Land Use District:** The subject property is designated Urban by the State Land Use Commission.
- 2. General Plan:** The Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map designates the parcel as Open and Low Density Urban.
- 3. County Zoning:** The subject property is zoned Single Family Residential (RS-7.5). Pursuant to §25-5-8(a) of the Hawaii County Zoning Code, there may be more than

one single-family dwelling on each building site in an RS district provided there is not less than the required minimum building site area for each dwelling.

4. **Special Management Area:** The subject property is located in the SMA.

<b>Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area</b>
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The project site is a shoreline property.

SMAA 03-37 was approved to allow for the construction of a single family dwelling and related improvements. The conversion of the existing garage to a second single family dwelling will not affect the recreational resources available to the public.

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

The proposed development is consistent with the following objectives and 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 the Zoning Code.
- ☒ The proposed development does not conflict with the following objectives of Chapter 205A, HRS, to:
  - ☒ Provide coastal recreational opportunities accessible to the public.
  - ☒ Protect, preserve, and where desirable, restore those natural and man-made historic and pre-historic resources in the coastal zone management area that are significant in Hawaiian and American history and culture.
  - ☒ Protect, preserve, and where desirable, restore or improve the quality of coastal scenic and open space resources.
  - ☒ Protect valuable coastal ecosystems from disruption and minimize adverse impacts on all coastal ecosystems.
  - ☒ Provide public or private facilities and improvements important to the State's economy in suitable locations.
  - ☒ Reduce hazard to life and property from tsunamis, storm waves, stream flooding, erosion, subsidence and pollution.
  - ☒ Improve the development review process, communication, and public participation in the management of coastal resources and hazards.

- ☒ Stimulate public awareness, education, and participation in coastal management.
- ☒ Protect beaches for public use and recreation.
- ☒ Promote the protection, use, and development of marine and coastal resources to assure their sustainability.
- ☒ The proposed development is consistent with the following policies of Chapter 205A, HRS, relating to:
  - ☒ Recreational Resources
  - ☒ Historic Resources
  - ☒ Scenic and Open Space Resources
  - ☒ Coastal Ecosystems
  - ☒ Economic Uses
  - ☒ Coastal Hazards
  - ☒ Managing Development
  - ☒ Public Participation
  - ☒ Beach Protection
  - ☒ Marine Resources
- ☒ The proposed development conforms to the requirements of Chapter 343, HRS, regarding Environmental Impact Statements.

<b>Findings</b>
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As discussed above, the proposed 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.

The proposed development is consistent with the Hawaii County General Plan and Zoning Code.

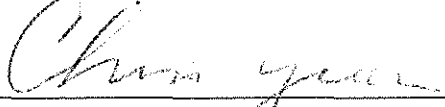
The proposed development is consistent with the objectives, policies, and SMA guidelines of Chapter 205A, HRS.

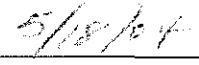
The estimated conversion cost of \$55,000 is not in excess of \$125,000.

Upon review of the subject application by the Department of Public Works – Engineering Division, the project is in compliance with Chapter 27, Flood Control, of the Hawaii County Code.

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 155** is hereby approved to allow the conversion of the garage into a second single-family dwelling.

APPROVED:

  
\_\_\_\_\_  
CHRISTOPHER J. YUEN

  
\_\_\_\_\_  
Date

DEPARTMENT OF PUBLIC WORKS  
COUNTY OF HAWAII  
HILO, HAWAII

DATE: May 4, 2004

*Memorandum*

5:04 PM MAY 4 19  
COUNTY OF HAWAII  
DEPARTMENT OF PUBLIC WORKS

TO: Christopher J. Yuen, Planning Director

FROM: *for* *EG* Department of Public Works

**SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SMAA 04-30)**

Applicant: James N. Cairns

Request: Convert Garage into a Second Single-Family Dwelling

TMK: 2-9-02: 084

We have reviewed the subject application for compliance with Chapter 27, Flood Control, forwarded by your memo dated April 26, 2004 and have no objections to the request.

The subject parcel is in an area that is not mapped by the Federal Emergency Management Agency (FEMA) and is designated as "minimal tsunami inundation."

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

KG