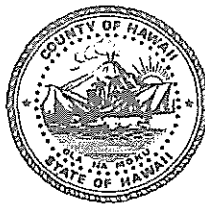


William P. Kenoi
Mayor



BJ Leithead Todd
Director

Margaret K. Masunaga
Deputy

County of Hawai'i

PLANNING DEPARTMENT

Aupuni Center • 101 Pauahi Street, Suite 3 • Hilo, Hawai'i 96720
Phone (808) 961-8288 • Fax (808) 961-8742

March 26, 2010

Mr. and Mrs. Robert G. Bloom
277 Kuikahi St.
Hilo, HI 96720

Dear Mr. and Mrs. Bloom:

**SUBJECT: Special Management Area (SMA) Use Permit Assessment Application
(SAA 10-000544)**

Special Management Area Minor Permit No. 10-000148

Applicant: Robert G. and Bebi L. Bloom

Land Owner: Robert G. and Bebi L. Bloom

Request: After the Fact Alteration to Existing Covered Lanai

Tax Map Key: 2-7-020:014, Por. Honoli'i Pali Tr. 2, Pauka'a, S. Hilo, Hawai'i

This is to acknowledge receipt, on February 23, 2010, of your Special Management Area Use Permit Assessment Application for the after the fact alteration of the existing covered and screened lanai on the subject parcel.

The subject property consists of 0.626 acres. The subject property is designated Urban by the State Land Use Commission and is designated Open by the Hawaii County General Plan Land Use Pattern Allocation Guide (LUPAG) Map. The parcel is zoned Residential (RS-20) by the County of Hawai'i. The subject property is located in the SMA and has frontage along the coastline.

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)(A)(v) relating to the Special Management Area (SMA), the "*Construction, reconstruction, demolition, or alteration of the size of any structure*" is defined as "development." Therefore, the after the fact alteration of the lanai requires a SMA Minor Permit.

For this reason and pursuant to Planning Commission Rule Section 9-10(E), Special Management Area Minor Permit No. 10-000148 is hereby issued to allow for the after-the-fact alteration to the existing covered lanai on the subject parcel. It is the applicant's responsibility to read and comply with the conditions listed in the enclosed permit.

Mr. and Mrs. Robert G. Bloom

Page 2

March 26, 2010

Since the parcel is several hundred feet above the shoreline, the need for a certified shoreline is hereby waived as we will accept the top of the cliff as the shoreline.

If you have questions, please feel free to contact Dana Okano of this department at 961-8134.

Sincerely,


BJ LEITHEAD TODD
Planning Director

DO:cs

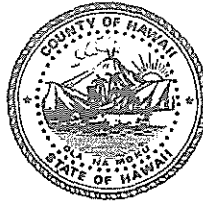
P:\wpwin60\CZM\SMM\2010\SMM 10-148L Bloom.doc

Enclosure: SMM No. 10-000148
April 21, 2010 Memorandum from Department of Public Works

cc w/encls: Long Range Planning Division
Mr. Robert Usagawa, Zoning Inspector
Mr. Daryn Arai, Planning Division

cc ltr only: Mr. Abbey S. Mayer, Director
State of Hawaii, Office of Planning
Department of Business, Economic Development & Tourism
P.O. Box 2359
Honolulu, HI 96804

William P. Kenoi
Mayor



BJ Leithead Todd
Director

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Phone (808) 961-8288 • Fax (808) 961-8742

Special Management Area Minor Permit No. 10-000148

Project: After-the-Fact Alteration to Existing Covered Lanai
Applicant: Robert and Bebi Bloom
Landowner(s): Robert and Bebi Bloom
Location: Por. Honoli'i Pali Tract 2, Pauka'a, South Hilo, Hawai'i
TMK: 2-7-020:014 **Total Land Area:** 0.626 acres

Applicant's Request

1. Project Description:

The applicant did exterior alterations to the existing covered lanai by decreasing its width approximately 6-feet and extending its length approximately 11-feet.

2. Purpose of Project:

The purpose of the project is to bring this unpermitted alterations into compliance with after-the-fact permits.

3. Project Valuation: \$35,000.

4. Determination:

According to Chapter 205A-22, HRS, and Planning Commission Rule No. 9-4(10)A(v) relating to the Special Management Area, "*Construction, reconstruction, demolition, or alteration of the size of any structure,*" is not exempt from the definition of "development." Therefore, the proposed project requires a SMA Minor Permit.

State and County Plans

- 1. State Land Use District:** The parcel 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.

3. **County Zoning:** The parcel is zoned Residential (RS-20) by the County of Hawaii.
4. **Special Management Area (SMA):** The parcel is located entirely within the SMA and has frontage along the shoreline.
5. **Flood Zone:** The subject parcel is located in Zone X.

<p style="text-align: center;">Compliance with Objectives and Policies of Chapter 205A, Hawaii Revised Statutes (HRS), Regarding the Special Management Area</p>

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 tsunami, 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.

Findings

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 activity will not affect public access to the shoreline or public use of the shoreline area.

There is a fence running approximately parallel to the top of the cliff, with a varying distance of approximately 8-feet to 20-feet from the top of the cliff along the length of the parcel. At the south end of the house, the lanai is approximately 25.5-feet to the fence, and the fence is approximately 8-feet to the top of the cliff, for a total of 33.5-feet from the top of the cliff. While this is less than the minimum 40-foot shoreline setback line, the house was constructed in 1958, prior to the adoption of Planning Department Rule 11 related to Shoreline Setbacks, therefore not subject to the minimum 40-foot setback but rather a 20-foot setback. This distance from the shoreline is also greater than the distance of the original lanai which extended an additional 6-feet closer to the top of the cliff.

The estimated project cost of approximately \$35,000 is not in excess of \$125,000.

The enclosed Department of Public Works, Engineering Division memorandum dated April 21, 2010, stated the following:

"We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated March 24, 3010 and offer the following comments for your consideration.

The subject parcel is in an area that is not mapped by the Federal Emergency Management Agency (FEMA) and is identified as an area of 'minimal tsunami inundation.' For development purposes, we designate such parcels as Zone X—areas determined to be outside of the 500-year floodplain as the existing elevation is at approximately 100 feet.

All building construction shall comply with code requirements under the authority of the Building Division, Department of Public Works.

Questions may be referred to Kelly Gomes at ext. 8327."

Pursuant to Planning Commission Rule Section 9-10(E), **Special Management Area Minor Permit No. 10-000148** is hereby approved for the after-the-fact alteration to the existing covered lanai. This approval is subject to the applicant's compliance with the conditions of approval as specified below.

Conditions of Approval

The Planning Director has approved **SMA Minor Permit No. 10-000148** subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
2. The applicant shall secure all necessary approvals and permits from other affected federal, state, and county agencies as necessary to comply with all applicable laws and regulations.
3. All after-the-fact permits or approvals from County of Hawai'i Planning Department and Department of Public Works shall be obtained within one (1) year from the date of this permit.
4. An extension of time for the performance of the conditions contained herein 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 original reasons for the granting of the permit; and
 - c) The time extension granted shall be for a period of not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended up to one additional year).

5. Should any of the conditions not be met or substantially complied with in a timely fashion, the Planning Director shall initiate procedures to revoke the permit.

APPROVED:


BJ LETTHEAD TODD
Planning Director

APR 27 2010

Date

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: April 21, 2010

Memorandum

TO: BJ Leithead Todd, Planning Director

FROM:  Department of Public Works

SUBJECT: SMA USE PERMIT ASSESSMENT APPLICATION (SAA 10-000544)

Applicant: Robert and Bebi Bloom

Land Owner: Robert and Bebi Bloom

Request: After-the-Fact Permit for the Alteration of the Lanai

Tax Map Key: 2-7-20: 014

We have reviewed the subject application for compliance with Chapter 27, Floodplain Management, forwarded by your memo dated March 24, 2010 and offer the following comments for your consideration.

The subject parcel is in an area that is not mapped by the Federal Emergency Management Agency (FEMA) and is identified as an area of "minimal tsunami inundation." For developmental purposes, we designate such parcels as Zone X - areas determined to be outside the 500-year floodplain as the existing elevation is at approximately 100 feet.

All building construction shall comply with code requirements under the authority of the Building Division, Department of Public Works.

Questions may be referred to Kelly Gomes at ext. 8327.

SAA-10-00544

PLANNING DEPARTMENT
COUNTY OF HAWAII

10 FEB 23 PM 3:36

SPECIAL MANAGEMENT AREA USE PERMIT ASSESSMENT APPLICATION
COUNTY OF HAWAII
PLANNING DEPARTMENT

APPLICANT(S): Robert G. Bloom & Bebi L. Bloom

APPLICANT(S) SIGNATURE: [Signature] DATE: 11/09/09

APPLICANT'S ADDRESS:

277 Kuikahi St., Hilo, Hawaii 96720

TELEPHONE - Business: 961-3704 Residence: 987-7069

LANDOWNER(S): Robert G. Bloom & Bebi L. Bloom

LANDOWNER(S) SIGNATURE: [Signature] DATE: 11/09/09

LANDOWNER(S) ADDRESS:

307 Kuikahi St., Hilo, Hawaii 96720

TAX MAP KEY(S): (3) 2-7-020:014

NATURE OF DEVELOPMENT/ACTIVITY:

SMA Use Permit Assessment Application to

obtain a written determination that improvements are exempted from the meaning of "development"

TOTAL COST/FAIR MARKET VALUE: \$ (ATA)
125,000 SEE ROBERT G. SMELKER'S LETTER 1/31/2010
\$35,000.00

DATE OF APPLICATION: 11 / 9 / 09

SCANNED

FEB 25 2010

By: 061100