

William P. Kenoi
Mayor



Duane Kanuha
Director

Bobby Command
Deputy Director

West Hawai'i Office
74-5044 Ane Keohokalole Hwy
Kailua-Kona, Hawai'i 96740
Phone (808) 323-4770
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County of Hawai'i
PLANNING DEPARTMENT

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

December 19, 2014

Ms. Kathleen Nikolas
58 Furneaux Lane
Hilo HI 96720

Dear Ms. Nikolas:

Subject: Amendment of Special Management Area Use Permit No.: 14-001187

Special Management Area Minor Permit No.: 14-000323

Land Owner: Kathleen Nikolas

Request: Conversion of the Garage Structure into a Second Dwelling Unit

Tax Map Key: (3) 2-6-005:019, Pu'u'eo, South Hilo, Hawaii

This is to acknowledge receipt on October 30, 2014, of your request for amendment of Special Management Area Use Permit No. SAA-14-1187, to allow for the conversion of the garage structure into a second dwelling unit on the subject property. Also, acknowledged is receipt of additional information on November 24, 2014 and December 17, 2014 and the time extension until December 30, 2014 in which to review this request.

SAA 14-001187, approved on October 29, 2014, allowed for the construction of a two-bedroom single-family dwelling, detached garage with bedroom and related improvements. Proposed now is the conversion of the garage structure into a second dwelling unit. This modification would only require the addition of a stove and refrigerator to the second floor of the structure.

The 39,269 square feet parcel is zoned Multiple-Family Residential (RM-1) by the County of Hawai'i. According to Hawai'i County Code §25-5-27(a), *"There may be more than one double-family dwelling or more than two single-family dwellings or any combination thereof on each building site in the RD district; provided that the minimum land area requirement for each dwelling unit is met."* Therefore, under this zoning designation, this parcel is of sufficient size to allow for a second single-family dwelling.

Special Management Area Determination:

According to Rule 9-4(c), relating to Special Management Area (SMA), the *"construction of a single-family residence that is not part of a larger development"* may be exempt from the definition of *"development."* The valuation for the proposed conversion of the garage structure into a second single-family dwelling unit is approximately \$5,000. Further, we find that the proposed development will not have a cumulative impact or a significant adverse environmental

Ms. Kathleen Nikolas

December 19, 2014

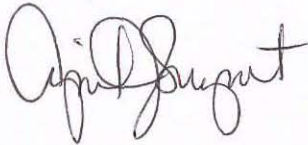
Page 2


or ecological effect on the SMA. In view of the above, we have determined that the proposed conversion of the garage structure into a second single-family dwelling unit consisting of approximately 656 sq. ft. of total living area on the subject property constitutes "development" and requires a Special Management Area Minor Permit. Therefore, pursuant to Planning Commission Rule Section 9-10(e), Special Management Area Minor Permit No.: 14-000323, enclosed herein, is hereby issued for the development described above.

Further, in view of the issuance of SMM 14-000323, for the conversion of the garage structure into a second dwelling unit, the Single Family Dwelling Notice is no longer applicable. Finally, it is the applicant's responsibility to read and comply with the conditions listed in the enclosed SAA 14-001187 and SMM 14-000323.

Should you have questions, please feel free to contact Esther Imamura of this department at (808) 961-8139.

Sincerely,



 DUANE KANUHA
Planning Director

ETI:cs

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Encls: SMM No.: 14-000323
 DPW Memorandum dated November 28, 2014
 SAA 14-001187

cc w/Encls: Long Range Planning
 Planning Commission via Email

cc ltr. only: Mr. Leo Asuncion, Acting Director
 Office of Planning, DBEDT
 P.O. Box 2359
 Honolulu, HI 96804-2359

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Special Management Area Minor Permit No. 14-000323

Project: Conversion of the Garage Structure into a Second Dwelling Unit
Applicant: Kathleen Nikolas
Landowner: Kathleen Nikolas
Location: Pu'u'eo, South Hilo, Hawai'i
TMK: (3) 2-6-005:019 **Land Area:** 39,269 sq. ft.

Applicant's Request

1. Project Description:

SAA 14-001187, approved on October 29, 2014, allowed for the construction of a two-bedroom single-family dwelling, detached garage with bedroom and related improvements. The detached structure is a two-story building consisting of a 336 square feet garage with storage room, a second floor 264 square feet bedroom with bathroom, and 56 square feet of stairway and storage.

Proposed is the conversion of the garage structure into a second dwelling unit. This would only require the addition of a stove and refrigerator on the second floor of the structure. Total floor area of this structure will remain 656 square feet.

The existing septic system approved for the 2-bedroom single-family dwelling will also be utilized by the one-bedroom second dwelling unit.

2. Purpose of Project:

The proposed second dwelling is intended for use by visiting guests.

3. Project Valuation: \$5,000.

4. Determination:

According to Chapter 205A-22, HRS, as amended, relating to Special Management Area, "development" includes the conversion of the garage structure into a second dwelling unit that is part of a larger development requiring review against the Special Management Area rules and regulations, and requires a SMA Minor Permit.

State and County Plans

1. State Land Use District: The parcel is designated Urban.

2. **General Plan:** The parcel is designated Medium Density Urban by the Hawai'i County General Plan Land Use Pattern Allocation Guide (LUPAG) Map.
3. **County Zoning:** The 39,269 square foot parcel is zoned Multiple-Family Residential (RM-1) by the County of Hawai'i. According to Hawai'i County Code §25-5-27(a), *"There may be more than one double-family dwelling or more than two single-family dwellings or any combination thereof on each building site in the RD district; provided that the minimum land area requirement for each dwelling unit is met."* Therefore, under this zoning designation, the parcel is of sufficient size to allow for a second dwelling unit.
4. **Special Management Area (SMA):** Although the subject parcel is located within the SMA, it is not located in a "shoreline area" as defined by Section 205A-41, Hawai'i Revised Statutes (HRS). Therefore, the requirement to submit a current certified shoreline survey is waived.
5. **Flood Zone: 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 Hawai'i 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 conversion of the garage structure into a second dwelling unit on the subject property is consistent with the Hawai'i County General Plan and Zoning Code.

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

The estimated project cost of \$5,000 for the conversion of the garage structure into a second dwelling unit is not in excess of \$500,000.

The enclosed Department of Public Works, Engineering Division memorandum dated November 28, 2014, states the following:

"We have reviewed the subject forwarded by your memo dated November 21, 2014 and have no objections to the request.

The subject parcel is in an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is an area determined to be outside the 500-year floodplain.

All earthwork activity (grading) shall conform to Chapter 10, Erosion and Sedimentation Control, of the Hawai'i County Code.

We do not sanction the specific plans submitted with the application as they may be subject to change give code and regulatory requirements of the affected agencies."

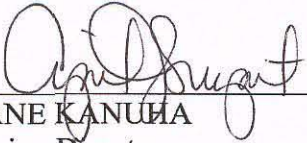
Pursuant to Planning Commission Rule Section 9-10(e), **Special Management Area Minor Permit No. 14-000323** is hereby approved for the conversion of the garage structure into a second dwelling unit on the parcel subject to the applicant's compliance with the conditions of approval as specified below.

Conditions of Approval

The Planning Director has approved **SMA Minor Permit No. 14-000323**, subject to **compliance with the conditions of approval of the attached SAA 14-001187**.

If you have questions, please contact Esther Imamura of this office at 961-8139.

APPROVED:



DUANE KANUHA
Planning Director

DEC 19 2014

Date

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: November 28, 2014

Memorandum

TO: Duane Kanuha, Planning Director

FROM: *for* *KG* Department of Public Works, Engineering Division

SUBJECT: SPECIAL PERMIT APPLICATION (SPP 14-001187)

Applicant: Kathleen Nikolas

Land Owner: Kathleen Nikolas

Request: Convert the Detached Garage into a Second Dwelling

Tax Map Key: 2-6-05: 019

We have reviewed the subject application forwarded by your memo dated November 21, 2014 and have no objections to the request.

The subject parcel is in an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by the Federal Emergency Management Agency (FEMA). Zone X is an area determined to be outside the 500-year floodplain.

All earthwork activity (grading) shall conform to Chapter 10, Erosion and Sedimentation Control, of the Hawaii County Code.

We do not sanction the specific plans submitted with the application as they may be subject to change given code and regulatory requirements of the affected agencies.

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

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William P. Kenoi
Mayor



Duane Kanuha
Director

Bobby Command
Deputy Director

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October 29, 2014

Ms. Kathleen E. Nikolas
58 Furneaux Lane
Hilo, HI 96720

Dear Ms. Nikolas:

**Subject: Special Management Area Use Permit Assessment Application
(SAA 14-001187)**

Applicant: Kathleen E. Nikolas
Land Owner: Kathleen E. Nikolas
**Request: Construct a Single-Family Dwelling, Detached Garage with
Bedroom and Related Improvements**
TMK: (3) 2-6-005:019, Pu'u'eo, South Hilo, Hawai'i

This is in response to your Special Management Area Use Permit Assessment Application received on September 23, 2014 for the construction of a single-family dwelling, detached garage with one bedroom and related improvements on the subject parcel. Also acknowledged is receipt of additional information on October 23, 2014.

This 39,269 square feet parcel is in the State Land Use Urban district and is zoned Multiple-Family Residential (RM-1) by the County. According to Hawai'i County Code, the maximum density for RM-1 is one single-family dwelling for each 1,000 square feet of land area.

Although it is in the Special Management Area (SMA), it does not have frontage along the coastline. Therefore, the requirement to submit a current certified shoreline survey is waived.

Uses, activities and operations proposed under this application include the following:

Dwelling:	
Living Area	1,560 sq. ft.
Covered Lanai Area	278 sq. ft.
Garage:	
Garage with Storage Room	336 sq. ft.
Bedroom w/Bath	264 sq. ft.
Stairway and Storage	56 sq. ft.
Total Floor Area:	<u>2,494 sq. ft.</u>

Additional improvements include a driveway, a septic system, and grading of approximately 7,436 square feet. Also proposed along Pukihae Stream is the clean-up of trees and vegetation that were affected by Tropical Storm Iselle.

Special Management Area Determination:

In view of the above and pursuant to Chapter 205A-22, Hawaii Revised Statutes relating to Special Management Area, the *"Construction or reconstruction of a single-family residence that is less than seven thousand five hundred square feet of floor area and is not part of a larger development"* may be determined by the Planning Director to be exempt from the definition of "development. This 2,494 square foot house and detached garage with one bedroom does not exceed 7,500 square feet of floor area and will not have a substantial adverse effect on the environment. Also, landscaping improvements are considered a related improvement to the residential use. Therefore, we have determined that the proposed single-family residence and related improvements are exempt from the definition of "development".

Please note, however, that any increase in the floor area of the dwelling after construction will require another SMA Use Permit Assessment Application for the new addition. Any construction, enlargement or reconstruction of the single-family residence that increases the floor area to 7500 square feet or greater will require an SMA (Major) Use Permit.

Further, Hawai'i County Code Chapter 25-1-5(b) states that a *"Dwelling unit" means one or more rooms designed for or containing or used as the complete facilities for the cooking, sleeping and living area of a single-family only and occupied by no more than one family and containing a single kitchen.*" (emphasis supplied) Also, Section 25-1-5(b) states that *"Kitchen means a room or a portion of a room designed to be used for the preparation of food and containing at least one item from both of the following categories:*

- (A) Fixtures, appliances or devices for heating or cooking food; and*
- (B) Fixtures, appliances or devices for washing utensils used for dining and food preparation and/or for washing, and preparing food."*

The proposed detached bedroom is identified on the floor plan as a studio and includes a sink, under counter refrigerator, counters and cabinets that could potentially be converted into a kitchen with just the addition of a heating device. Please note that the detached bedroom cannot have a kitchen as only one single-family dwelling is identified as the Nature of Development/Activity of SAA 14-001187. A copy of the Single Family Dwelling Notice is also enclosed for your perusal.

While further review of the proposed improvements against the Special Management Area rules and regulations will not be required, all other applicable Zoning and Building Code requirements must be satisfied. Additionally, this determination of exemption from the SMA definition of

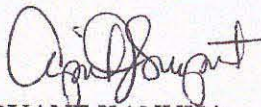
development is based on the project description and plans, as submitted, and is subject to compliance with the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all stated conditions of approval.
 2. The applicant shall comply with all applicable requirements of all Federal, State and County of Hawaii departments and agencies.
 3. The Building Permit for the proposed improvements shall be secured within one (1) year from the date of this letter.
 4. A construction and silt barrier, meeting with the approval of the Planning Director, shall be erected 10 feet mauka of and parallel to the banks of Pukihae Stream (see enclosed map with location in red) prior to commencement of land altering and construction activities and shall remain in place until final inspection has been granted for the improvements. After installation, please contact the Planning Department at 961-8139 to schedule a site inspection.
 5. The construction and silt barrier shall be maintained in good condition until final inspection has been granted for the improvements.
 6. The construction and silt barrier must be shown and properly noted on the plans submitted with any permits required for any land altering or construction activities. The construction notes on the plans must include the following statement, *"the construction and silt barrier must be erected prior to any land altering or construction activities, and must remain in place until final inspection by the Department of Public Works"*.
 7. No land alteration, grubbing, landscaping or construction activities, including, but not limited to, the stockpiling of debris, construction materials or equipment, shall occur makai of the construction and silt barrier.
 8. The Planning Department shall be notified by phone (961-8139) a minimum of 1-week in advance of any planned tree cutting activities.
 9. To the extent possible, trees shall be cut so as to fall away from the river. Any debris entering the river as a result of the subject activities shall be immediately removed. Tree roots shall be allowed to decompose in place to stabilize soils along the river bank as new vegetation grows in.
 10. All green waste shall be removed from the bank of the stream and disposed of at an appropriate location designated by the Department of Environmental Management.
-

11. Discovery of any unidentified sites or remains, such as artifacts, shell, bone or charcoal deposits, human burials, rock or coral alignments, pavings or walls will require that all work in the immediate area shall cease. The Planning Director shall be immediately notified. Work may proceed with an archaeological clearance from the Planning Director. The archaeological clearance requires a finding that sufficient mitigative measures are taken for the discovery; with written guidance from the State Historic Preservation Division of the Department of Land and Natural Resources.
12. Any further uses, activities or operations proposed for the subject properties shall require further review and approval as provided under Chapter 205A of the Hawai'i Revised Statutes, and Rule 9 of Planning Commission Rules of Practice and Procedure.
13. 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; 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).
14. The Planning Director shall initiate procedures to revoke this determination should any of the conditions not be met or substantially complied with in a timely fashion.

If you have questions, please contact Esther Imamura of this office at (808) 961-8139.

Sincerely,


for DUANE KANUHA
Planning Director

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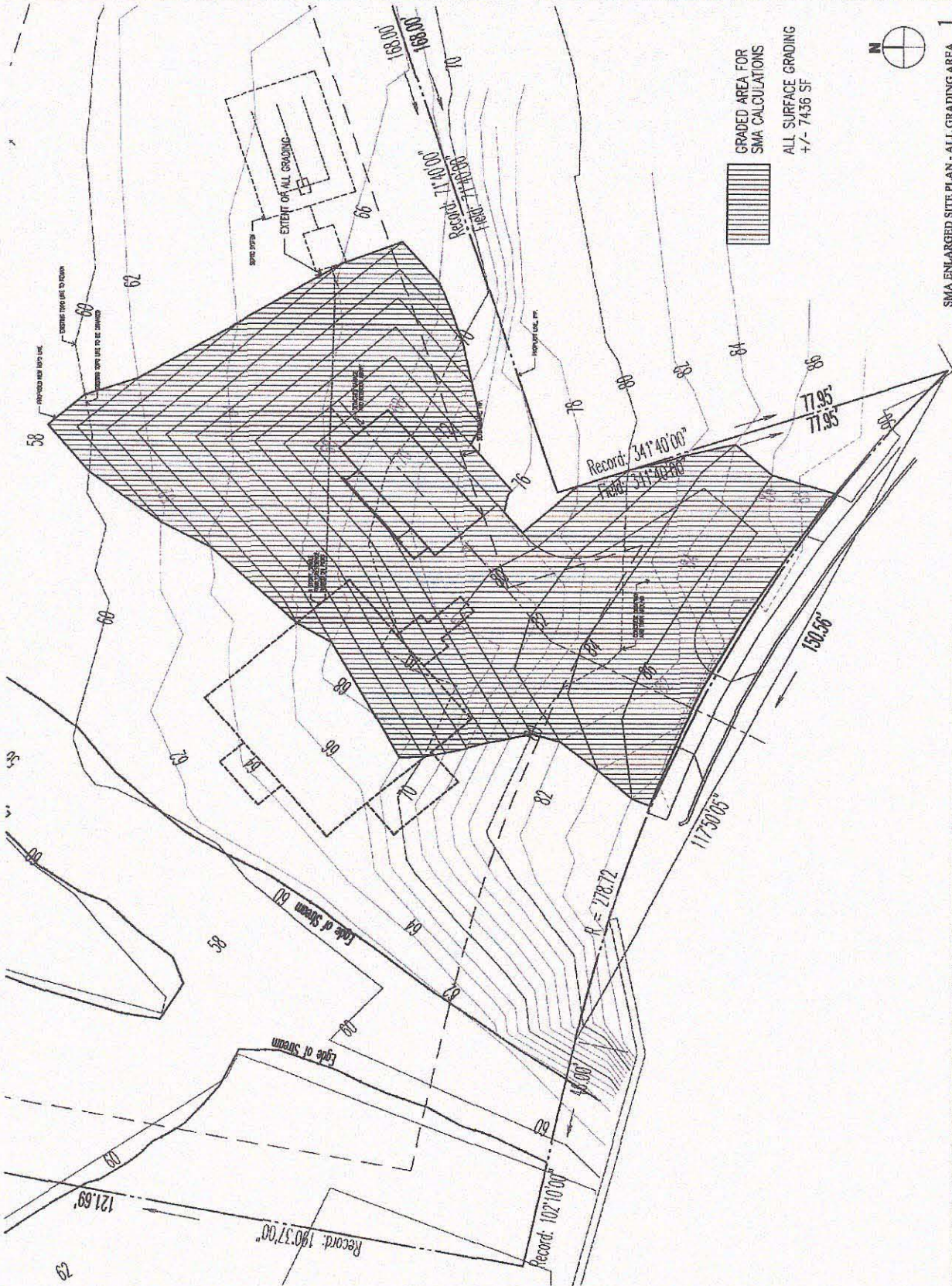
Encl. Approved Grading Area Plan
Approved Floor Plans and Elevations
Construction and Silt Barrier Plan
Single Family Dwelling Notice

cc: Long Range Planning Division

DATE	8/22/2014	PERIOD START	
DATE		PERIOD END	
DATE		PERIOD START	
DATE		PERIOD END	

NIKOLAS RESIDENCE
WAIKAKU STREET, WAIKAKU, S. H.I., HAWAII
TMMK# (3)-2-6-005-019
KATHY NIKOLAS
(TAX ADDRESS)
967-198-6217
Copyright 1996, Inc. 2014

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P.O. BOX 741
HILO, HAWAII 96720
T 808-854-4384
F 808-982-4043
kuali@hawaii.com



2.6.5.19
 GAH-14-1187



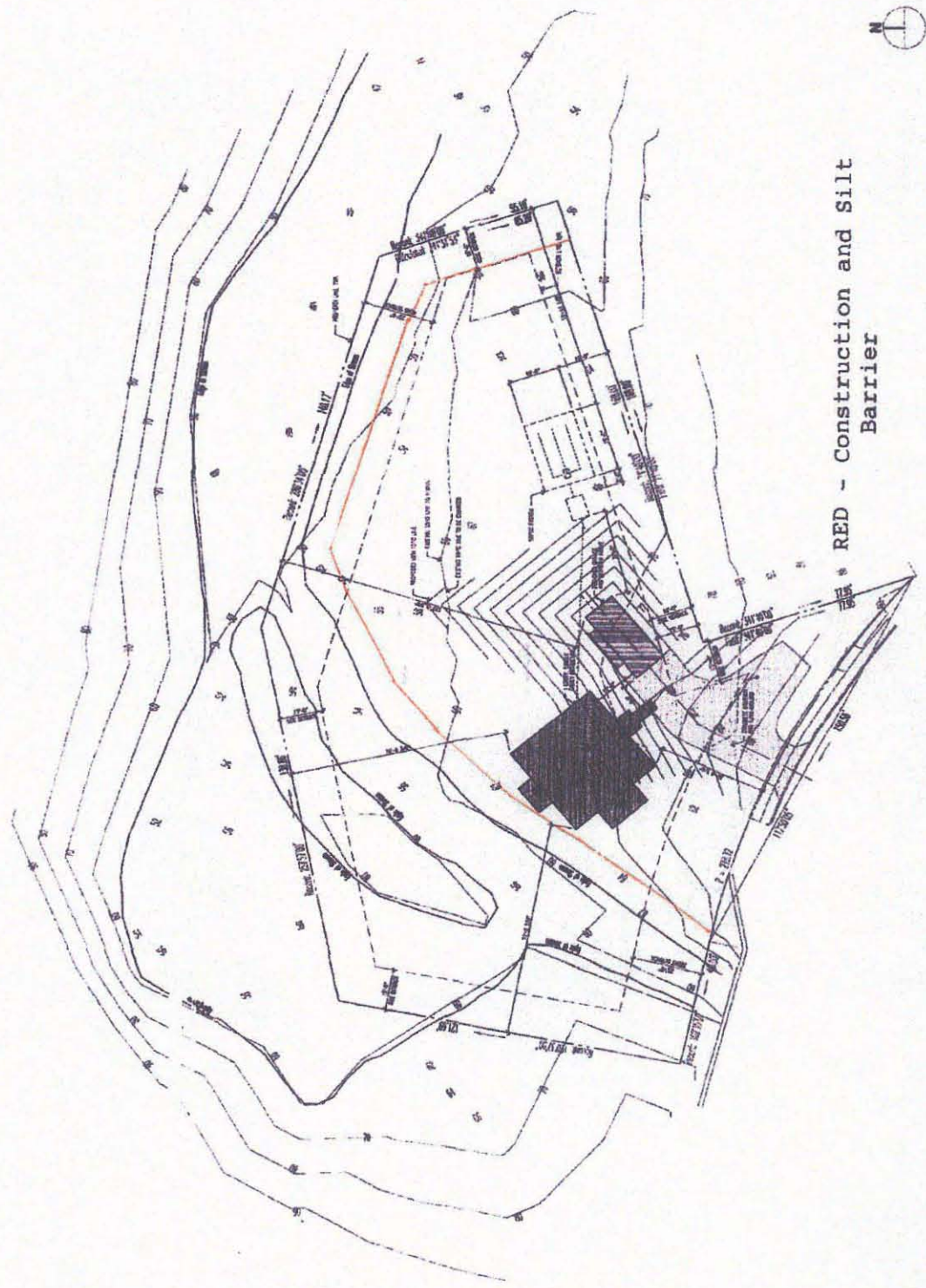
KR
 KIMBLE RICKS
 700 2ND ST
 WILSON, WYOMING 83090
 307.252.4200
 307.252.4201

NIKOLAS RESIDENCE
 6100 S. 12TH ST., WILSON, WYOMING 83090
 TRACT (D) 2-005-019
 EATON/THOMAS
 (TAX MAPS)
 10/10/2019

DATE	DESCRIPTION
10/10/2019	FINAL DESIGN
09/10/2019	REVISION
08/10/2019	REVISION
07/10/2019	REVISION
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01/10/2019	REVISION

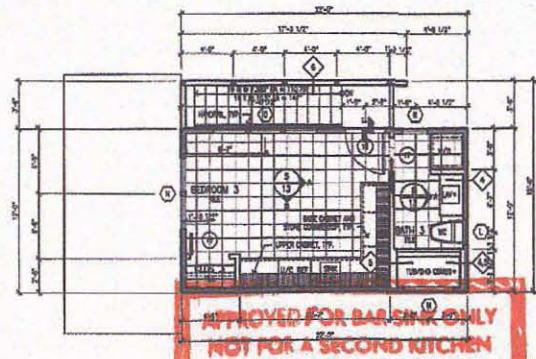
GRADING PLAN
 SITE PLAN
 2019/10/10

2

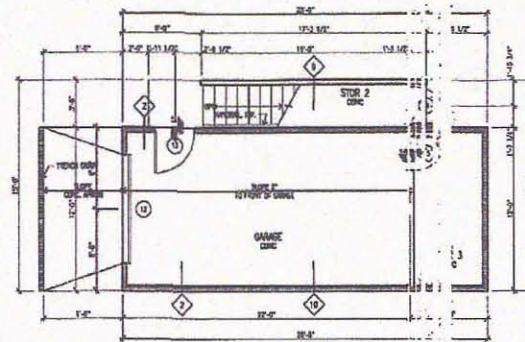


RED - Construction and Silt Barrier

SITE TOPOGRAPHY/GRADING PLAN 1



FLOOR PLAN - STUDIO 5
1/4" = 1'-0"



FLOOR PLAN - GARAGE 4
1/4" = 1'-0"

L-Series Single Sided Direct Vent • Flush Face Single Sided Fireplace

Features:

- 2" Clear Face Designation for look or the fireplace and the fireplace
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MONTIGO THE ART OF FIREPLACE

www.montigo.com

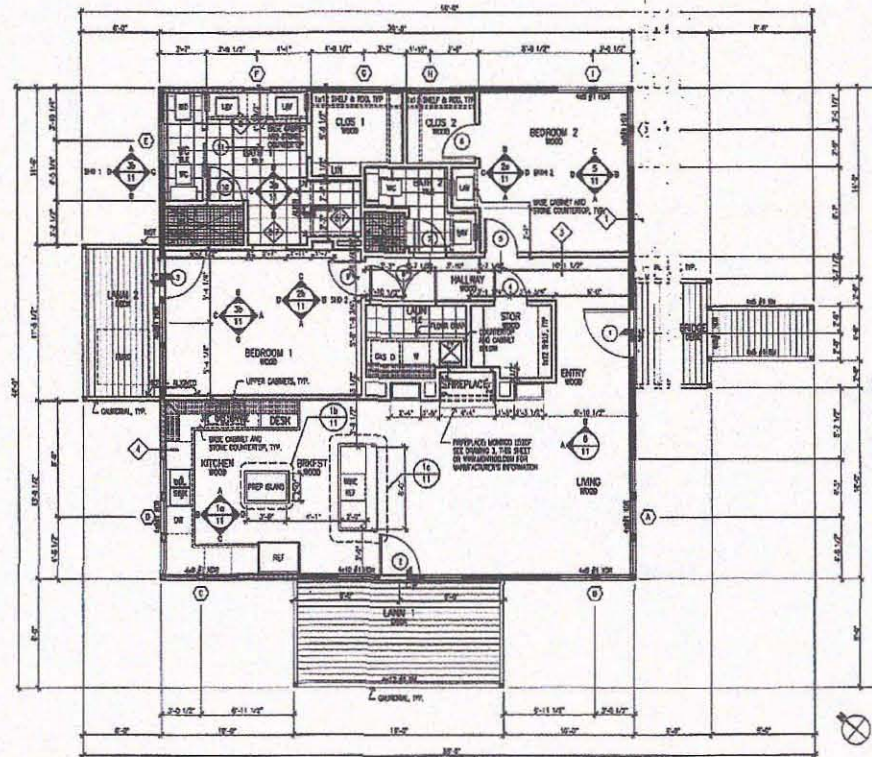
1-800-368-3688

1-800-368-3688

FIREPLACE INFO 3
N.T.S.

- TYPE 1 - EXTERIOR TYP
SEE DRAWING 12/14
- TYPE 2 - EXTERIOR 2
SEE DRAWING 12/14
- TYPE 3 - INTERIOR TYPICAL
SEE DRAWING 12/14
- TYPE 4 - EXTERIOR PLUMBING
SEE DRAWING 12/14
- TYPE 5 - EXTERIOR TYP
SEE DRAWING 12/14
- TYPE 6 - EXTERIOR 3
POLYMER/REINFORCED CONCRETE
SEE DRAWING 12/14
- TYPE 7 - INTERIOR PLUMBING
SEE DRAWING 12/14
- TYPE 8 - INTERIOR PART HEIGHT
SHOWN TO TYPE 2, SEE DRAWING 12/14
- TYPE 9 - EXTERIOR PART HEIGHT
SHOWN TO TYPE 1, SEE DRAWING 12/14
- TYPE 10 - EXTERIOR 1 W/ RATED
SHOWN TO TYPE 1, SEE DRAWING 12/14

WALL TYPES 2
N.T.S.



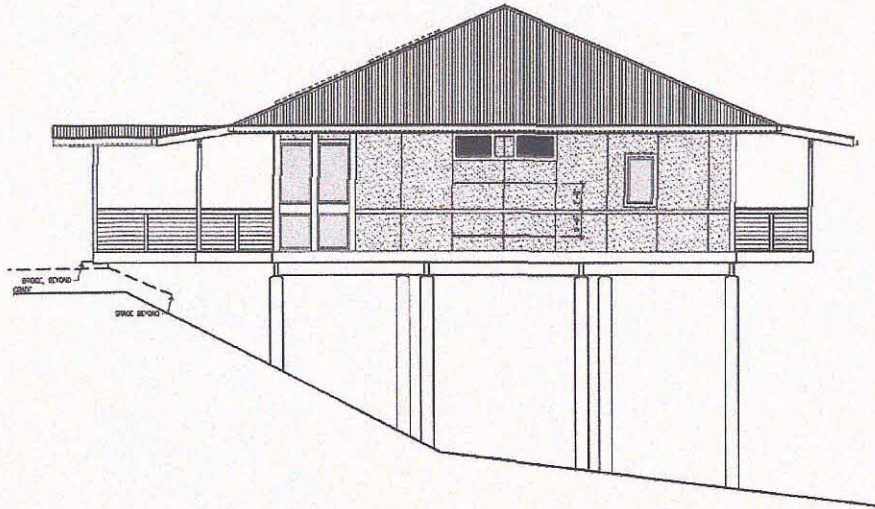
FLOOR PLAN - MAIN RESIDENCE 1
1/4" = 1'-0"

K&R
KIMBERLY RICK
100 BOYD AVE
HAWAII, HI 96713
P 808-254-4884
F 808-254-4884
kandk@hawaii.rr.com

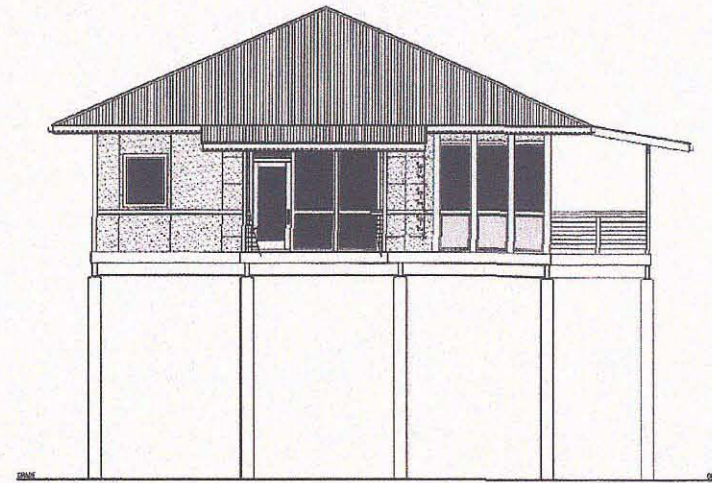
NIKOLAS RESIDENCE
WAIKIKI STREET, WAIKIKI, S. HAWAII
TIME# (312) 6-005-019
KATHY NEOLAS
(TAX ADDRESS)
808-254-4884

DATE	REVISION
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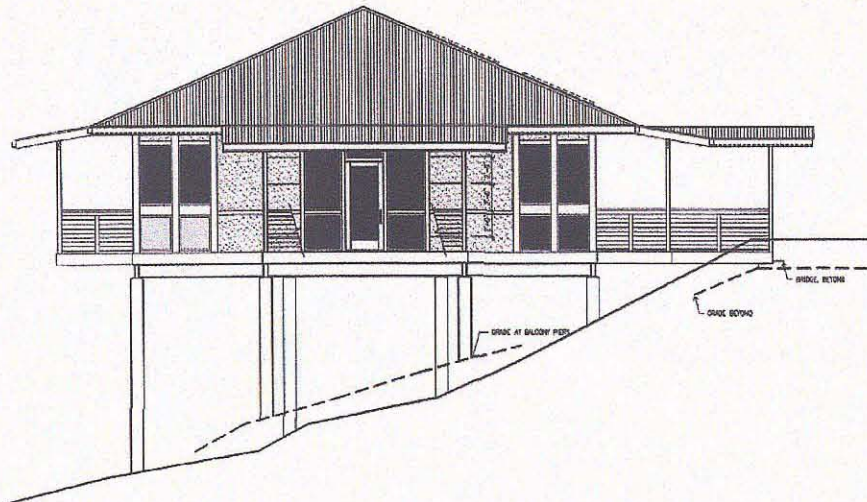
5 FLOOR PLANS
OF FLOOR SHEETS
1/4" = 1'-0"



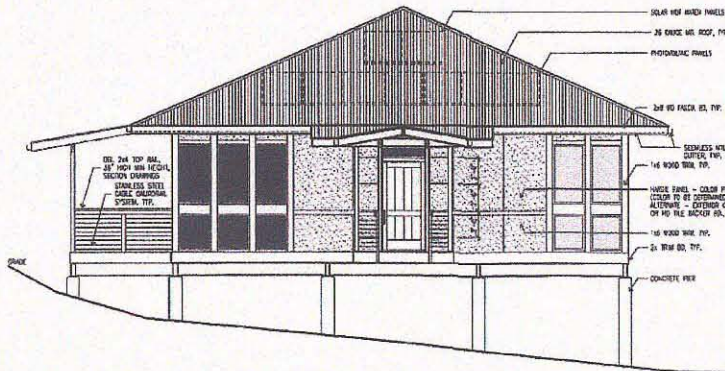
NORTH ELEVATION (FROM BACK OF PROPERTY) - MAIN RESIDENCE 4
1/4"=1'-0"



WEST ELEVATION (FROM STREAM) - MAIN RESIDENCE 3
1/4"=1'-0"



SOUTH ELEVATION (FROM STREET) - MAIN RESIDENCE 2
1/4"=1'-0"



EAST ELEVATION (FROM DRIVEWAY) - MAIN RESIDENCE 1
1/4"=1'-0"

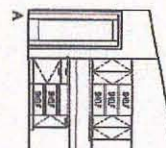
KAR
KEATH BECK
P.O. BOX 1431
HILO, HAWAII 96728
P 808-932-9933
M 808-932-9933
M 808-932-9933
M 808-932-9933

NIKOLAS RESIDENCE
WANNACU STREET, WANNACU, HILO, HAWAII
TMK# 3(2)-6-005-019
KEATH BECK
(TAX ADDRESS)
907-298-4377

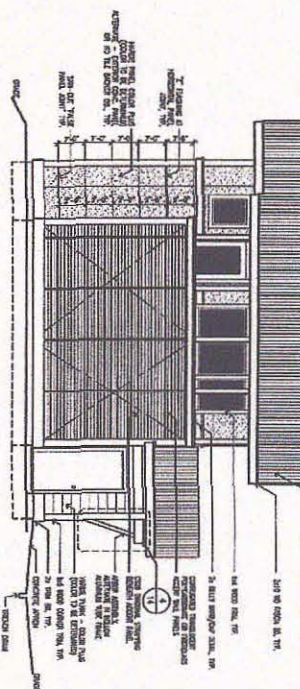
DATE	REVISION	BY	CHKD
10/20/11	1	KEATH BECK	KEATH BECK

12	MAIN RESIDENCE ELEVATIONS	24" X 36" - original
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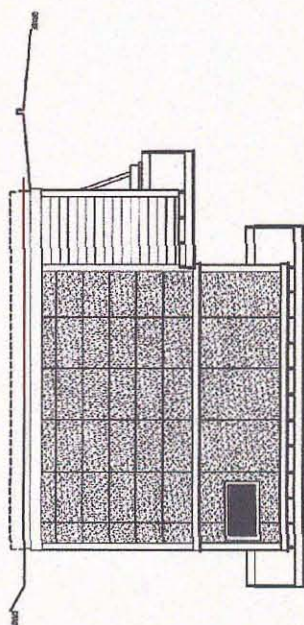
12
MAIN RESIDENCE
ELEVATIONS
24" X 36" - original



INTERIOR ELEVATION - BAR IN STUDIO 5
1/4"=1'-0"



WEST ELEVATION (FROM HOUSE) - GARAGE/STUDIO 3
1/4"=1'-0"



EAST ELEVATION (FROM APARTMENTS) - GARAGE/STUDIO 1
1/4"=1'-0"

24"x36" original

REV.	DATE	ISSUED FOR
	6/25/2014	FORM SUBMITAL
*	*	*
*	*	*

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K&R
CONSULTING

RED - Construction and Silt
Barrier



SITE TOPOGRAPHY/GRADING PLAN 1

2

GRADING PLAN
SITE PLAN

D:\1000\14 59-15

74.53" origin

STAMP

DATE	REVISION
01/20/01	1.00

NIKOLAS RESIDENCE

WAINAKU STREET, WAINAKU, S. H.E.O, HAWAII
TMK# (3)2-6-005-019

KATHY NIKOLAS
(TAX ADDRESS)
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Phone (808) 323-4770 • Fax (808) 327-3563

SINGLE FAMILY DWELLING NOTICE

TO: APPLICANTS FOR THE CONSTRUCTION OF A SINGLE FAMILY DWELLING IN THE COUNTY'S ZONING DISTRICTS.

This is to inform you that Chapter 25 (Zoning code) allows SINGLE FAMILY DWELLINGS as a permitted use in certain zone districts under the following:

1. "SINGLE FAMILY DWELLING" means a building containing only one dwelling unit.
2. "DWELLING UNIT" means one or more rooms designed for or containing or used as the complete facilities for the cooking, sleeping and living area of a single-family only and occupied by no more than one family and containing a single kitchen.

Penalty for violation of the Zoning Code is specified in Chapter 25 (Zoning Code), Article 2 (Administration and Enforcement), DIVISION 3 (Violations, Penalties, Enforcement), Section 25-2-35 (Administrative Enforcement). The section states in part that any person violating any provision of the Zoning Code shall be served with a notice of violation and order which may require the person to: (1) Cease and desist from the violation; (2) Correct the violation at the person's own expense before a dated specified in the order; (3) Pay a civil fine not to exceed \$500 in the manner, at the place and before the date specified in the order; (4) Pay a civil fine not to exceed \$500 per day for each day in which the violation persists, in the manner and at the time and place specified in the order.

I acknowledge that I have read the above and been given a copy.

LAND OWNER'S NAME (Print)

WITNESS NAME (Print)

LAND OWNER'S SIGNATURE

WITNESS SIGNATURE

TMK: _____

DATE: _____