

8-3-5:6

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PLANNING DEPARTMENT  
COUNTY OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
LAND DIVISION  
P.O. BOX 521  
HONOLULU, HAWAII 96809

AQUACULTURE DEVELOPMENT PROGRAM  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
CONSERVATION AND RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
LAND DIVISION  
STATE PARKS  
WATER RESOURCE MANAGEMENT

Ref.:PB:EAH

NOV 24 2000

File No.:CDUA HA-2990B

Mr. Alexander Wilson  
26875 Nina Pl.  
Los Altos Hills, CA 94022

Dear Mr. Wilson,

Subject: Conservation District Use Application (CDUA) No. HA-2990 for the Demolition of an Existing Residence and Construction of a New Single-Family Residence, Swimming Pool and Related Improvements at Kahauloa 2<sup>nd</sup>, South Kona, County of Hawaii, TMK (3)8-3-5:6

I am pleased to inform you that on November 17, 2000, the Board of Land and Natural Resources (Board) approved your CDUA for the demolition of an existing residence and construction of a new single-family residence, swimming pool and related improvements at Kahauloa 2<sup>nd</sup>, South Kona, County of Hawaii, TMK (3)8-3-5:6, subject to the following conditions:

1. The applicant shall comply with all applicable statutes, ordinances, rules, and regulations of the federal, state, and county governments, and applicable parts of Chapter 13-5, Hawaii Administrative Rules (HAR), including the standard conditions listed in 13-5-42, HAR;
2. The applicant, its successors and assigns, shall indemnify and hold the State of Hawaii harmless from and against any loss, liability, claim, or demand for property damage, personal injury, and death arising out of any act or omission of the applicant, its successors, assigns, officers, employees, contractors, and agents under this permit or relating to or connected with the granting of this permit;
3. The applicant shall comply with all applicable Department of Health administrative rules;
4. The single family dwelling shall not be used for rental or any other commercial purposes;
5. The applicant shall provide documentation e.g. book and page or document number. That this permit approval has been placed in recordable form as a part of the deed instrument of the legal lot of record, prior to submission for approval of subsequent construction plans;
6. Before proceeding with any work authorized by the department or the board, the

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applicant shall submit four copies of the construction plans and specifications to the chairperson or his authorized representative for approval for consistency with the conditions of the permit and the declarations set forth in the permit application. Three of the copies will be returned to the applicant. Plan approval by the chairperson does not constitute approval required from other agencies;


7. Any work or construction to be done on the land shall be initiated within one year of the approval of such use, in accordance with construction plans that have been signed by the chairperson, and, unless otherwise authorized, shall be completed within three years of the approval of such use. The applicant shall notify the department in writing when construction activity is initiated and when it is completed;
8. All representations relative to mitigation set forth in the accepted environmental assessment or impact statement for the proposed use are incorporated as conditions of the permit;
9. The applicant understands and agrees that the permit does not convey any vested rights or exclusive privilege;
10. In issuing the permit, the department and board have relied on the information and data which the applicant has provided in connection with the permit application. If, subsequent to the issuance of the permit such information and data prove to be false, incomplete, or inaccurate, this permit may be modified, suspended, or revoked, in whole or in part, and the department may, in addition, institute appropriate legal proceedings;
11. When provided or required, potable water supply and sanitation facilities shall have the approval of the department of health and the board of water supply;
12. Provisions for access, parking, drainage, fire protection, safety, signs, lighting, and changes on the landscape shall be provided;
13. Where any interference, nuisance, or harm maybe caused, or hazard established by the use, the applicant shall be required to take measures to minimize or eliminate the interference, nuisance, harm, or hazard;
14. During construction, appropriate mitigation measures shall be implemented to minimize impacts to off-site roadways, utilities, and public facilities;
15. Cleared areas shall be revegetated within thirty days unless otherwise provided for in a plan on file with and approved by the department;
16. Use of the area shall conform with the program of appropriate soil and water conservation district or plan approved by and on file with the department, where applicable;

17. The applicant shall use best management practices when engaging in demolition and construction;
18. That relocation of the property's trail encumbrance is not part of this approval;
19. The applicant shall include the car port within the total floor area at the time of construction plan approval;
20. The applicant shall not implement a wetbar or other types of food preparation facilities in the guest wing;
21. The applicant shall provide an alternative means of swimming pool water disposal which shall not impact coastal resources;
22. Other terms and conditions as prescribed by the chairperson; and
23. Failure to comply with any of these conditions shall render this permit void.

Please acknowledge receipt of this permit and acceptance of the above conditions by signing in the space provided below and returning a copy to us within thirty (30) days.

Should you have any questions on this matter please contact our Planning Branch at (808) 587-0380.

Aloha,



Dean Y. Uchida, Administrator

Receipt acknowledged:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

c: Hawaii Board Member  
DOCARE/SP/HPD/DAR/Na Ala Hele  
DOH/OEQC/OHA  
County of Hawaii, Department of Planning  
Mr. Gregory Mooers, Mooers Enterprises, P. O. Box 110, Kamuela, HI 96743