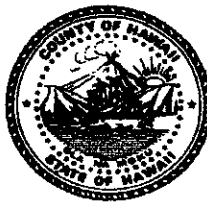


William P. Kenoi
Mayor



Duane Kanuha
Director

Bobby Command
Deputy Director

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County of Hawai'i
PLANNING DEPARTMENT

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Fax (808) 961-8742

October 2, 2014

Mr. Mark Ross
P.O. Box 2381
Kailua-Kona HI, 96745

Dear Mr. Ross:

SUBJECT: Amendment to Condition No. 4
Special Management Area Use Permit No. 11-000721
Project: Renovation of a Single-Family Dwelling
TMK: (3) 8-3-005:012, Kahauloa 2nd, South Kona, Hawai'i

We have received your correspondence dated September 16, 2014, requesting an extension for conditions of the SMA determination of exemption for the renovation of the existing single-family dwelling. However, after further research, an amendment to the condition would be more appropriate than the requested extension.

On November 2, 2011, the Planning Director approved a determination of exemption from the definition of "development" and exempt from further review against Special Management Area (SMA) rules and regulations for the renovations to the existing dwelling and related improvements on the subject parcel. This determination was subject to the applicant's compliance with several conditions including Condition 4, which stated that *"The Building Permit for the proposed addition shall be secured within two (2) years from the date of approval of the Conservation District Use Permit."*

On March 30, 2012 the Chair of the Board of Land and Natural Resources approved the Conservation District Use Permit. Therefore, Condition 4 of SAA 11-000721 required the building permits to be issued by March 30, 2014. According to the Real Property Tax permit information, Building Permit No. BK2013-00182 was issued timely on February 6, 2013. However, we understand that during construction on the structure, significant structural problems were discovered, and the structure could not be renovated and would need to be completely demolished. The applicant is now requesting to rebuild the structure within the same footprint, with no expansion or exterior changes.

Mr. Mark Ross
October 2, 2014
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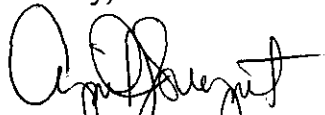
Special Management Area Determination:

According to Chapter 205A-22, Hawai'i Revised Statutes (HRS), and Planning Commission (PC) Rule No. 9-4 (e) (2) (A) relating to Special Management Area, "development" does not include "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." It has been determined that the proposed rebuilding of the structure is consistent with the SAA 11-000721 determination and will not have an adverse effect on the environment. In addition, we have received additional correspondence from the Office of Conservation and Coastal Lands granting site plan approval, on June 5, 2014 for the proposed reconstruction of the structure.

Therefore, Condition 4 of SAA 11-000721 is hereby revised to read "*The Building Permit for the proposed reconstruction shall be secured within two (2) years from the site plan approval dated June 5, 2014.*" As a reminder, the applicant, its successors or assigns shall be responsible for complying with all other stated conditions of approval in SAA 11-000721.

If you have questions or require further information, please feel free to contact Bethany Morrison of this office at (808) 961-8138.

Sincerely,



DUANE KANUHA
Planning Director

BJM:cs

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cc: Long Range Planning Division

Planning Department- Kona Office

Mr. Steven Wilcox
161 Nawiliwili Street
Honolulu, HI 96825-2041

Mr. Samuel J. Lemmo, Administrator
State of Hawaii Department of Land and Natural Resources