

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

February 7, 2005

Mr. Michael J. Riehm, AIA  
RIEHM OWENSBY PLANNERS ARCHITECTS  
P. O. Box 300747  
Kailua-Kona, HI 96739

Dear Mr. Riehm:

**SUBJECT: PLANNED UNIT DEVELOPMENT APPLICATION (PUD 05-002)**  
**Applicant: RIEHM OWENSBY PLANNERS ARCHITECTS**  
**Owner: DONALD S. RULLO**  
**Request: Proposed PUD-Subdivision: 33-Lots -Roadway Lot**  
**Tax Map Key: 8-7-013:006**

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This is to acknowledge the receipt of your application, attachments, and filing fee. Enclosed is your \$500 receipt for the filing fee.

Pursuant to your recent telephone discussion with staff, the application and submittals were deemed complete on January 28, 2005. In accordance with the recent discussion and Section 25-2-54 of the Hawaii County Code and other statutory provisions, the Planning Director may render a decision on subject PUD application after **February 23, 2005**. The Planning Director is required to render a decision on or before **March 30, 2005** or within a longer period as may be agreed to by the listed applicant or authorized representative.

In view of the above, the Director has fixed the dates to consider and act on your PUD/variance request. According to Section 25-2-4 of the Hawaii County Code, whenever any application under this Chapter requires the listed applicant (**RIEHM OWENSBY PLANNERS ARCHITECTS**) or authorized representative to serve notice to owners and lessees of record of the surrounding properties, the following procedures are required:

*Hawai'i County is an equal opportunity provider and employer.*

(1) Such notice shall be served to the owners and lessees of record of all lots of which any portion is within three hundred feet of any point along the perimeter boundary of the building site affected by the application if the building site is located within the State Land Use Urban or Rural district, or

(2) Such notice shall be served on the owners and lessees of record of all lots of which any portion is within five hundred feet of any point along the perimeter boundary of the building site affected by the application if the building site is located within the State Land Use Agricultural district, except that if the surrounding lots are located within either the State Land Use Urban or Rural district, notice shall be served on the owners and lessees of record of all lots which any portion is within three hundred feet of the building site.

(3) Upon receipt and acceptance of a properly filed and completed PUD/variance application, the Director shall fix a date for the Director's action on the application. The applicant shall first serve notice of the filing of the PUD/Variance Application on the surrounding owners and lessees within ten days after the PUD/Variance Application has been filed with the Director, and shall again serve notice of the application and of any proposed action on the surrounding owners and lessees, within ten days after receiving notice from the Director of the date of the proposed action or hearing. The second notice shall be served not less than ten days prior to the date of the proposed action or hearing.

The notice shall include the following information:

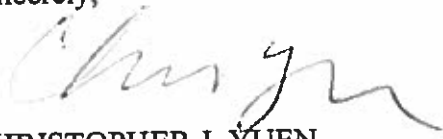
- (1) The name of the applicant;
- (2) The precise location of the property involved;
- (3) The nature of the use sought and the proposed accompanying structures, if any;
- (4) The date on which the application was filed with the Director;
- (5) If the notice is for any proposed administrative action by the Director, the date on which the administrative action will be taken by the Director. Prior to the stated decision date, the applicant is required to submit to the Director proof of service or of good faith efforts to serve first and second notice of the application on the designated surrounding property owners and lessees. Such proof may consist of certified mail receipts, affidavits or the like.

For your information, we are enclosing a copy of the public notice describing the subject PUD/Variance Application. The applicant may include and utilize this public notice with the required second notification letter prepared by the authorized representative sent to the designated surrounding property owners and lessees.

Mr. Michael J. Riehm, AIA  
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Any questions regarding pending PUD/variance application shall be directed to Daryn Arai in our Hilo Office by telephone at (808) 961-8288.

Sincerely,



CHRISTOPHER J. YUEN  
Planning Director

WRY:cd

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Enclosures: Receipt/Copy of Public Notice

cc: Planning Dept.-Kona (Copy of PUD Application)