

COUNTY OF HAWAI‘I PLANNING DEPARTMENT **BACKGROUND REPORT**

MARGARET ILIEV **SPECIAL PERMIT APPLICATION (PL-SPP-2023-000051)**

MARGARET ILIEV is requesting a Special Permit to allow the establishment of a 1-bedroom bed and breakfast establishment within an existing dwelling on a 26,761-square foot parcel of land in the State Land Use Rural District. The subject property is located at 78-6935 Māmalahoa Hwy, approximately 580 feet south of its intersection with Kalelei Street, Keauhou 2nd (Mauka), North Kona, Hawai‘i, TMK: (3) 7-8-004:041.

APPLICANTS’ REQUEST

1. **Request:** The applicants are requesting a Special Permit to establish a 1-bedroom bed and breakfast establishment within an existing 1,864-square foot, 3-bedroom single-family dwelling. The remaining two bedrooms will be used by the applicant who will also be the onsite caretaker. The bed and breakfast will provide overnight accommodation and breakfast for a maximum of 2 guests.
2. **Reason for Request:** The applicant would like to operate a bed and breakfast to supplement their income and to provide hospitable accommodations, education and understanding for tourists in Hawai‘i.
3. **Staffing/Employees:** The bed and breakfast establishment will be operated by the applicant, and by a live-in operator when the applicant is away.
4. **Parking:** Off-street parking is available as the applicant has designated 1 parking stall for guests of the bed and breakfast.
5. **Project Timetable and Cost:** If the bed and breakfast establishment is approved, the applicant would like to begin operations immediately and does not believe improvements to the existing dwelling will be necessary.
6. **Definition of “Bed and Breakfast Establishment”:** According to Section 25-1-5 of the Zoning Code, a “bed and breakfast establishment” means any single-family dwellings and/or guest houses (pursuant to section 25-4-9), which have been permitted on a building site, in which overnight accommodations and only breakfast meals are provided to a maximum of ten guests, for compensation, for periods of less than thirty days.

7. **Landowners:** Antonia Ysabel Iliev & Margaret Iliev.
8. **Supportive Information:** A Special Permit is required to operate a bed and breakfast establishment in the State Land Use Rural District. The applicants have submitted the attached in support of the request. **(Planning Department Exhibit 1 – Special Permit Application dated September 6, 2023)**

BACKGROUND INFORMATION

9. **Building Permits:** According to records on file with the Building Division, the following building permits have been issued and completed for the subject property:
 - **Building Permit No. 14148:** Completed on September 1, 1953 for a new dwelling.
 - **Building Permit No. 996139:** Completed on September 30, 1999 for an alteration to the existing dwelling, to convert a patio to living area.
 - **Building Permit No. 996140:** Completed on September 30, 1999, for an addition of outdoor accessory space.
10. **Building Division Complaint:** According to comments from the Department of Public Works, a complaint is on file with the Building Division regarding retaining walls used in landscaping on the subject property and the alleged violation is outstanding. The applicant has stated that they will communicate with the Building Division to address this issue.

STATE & COUNTY PLANS

11. **State Land Use District:** Rural.
12. **General Plan Land Use Pattern Allocation (LUPAG) Map:** The General Plan LUPAG map classifies a portion of the subject property as Rural (rur), which refers to lands that include existing subdivisions in the State Land Use Agricultural and Rural districts that have a significant residential component. Typical lot sizes vary from 9,000-square feet to two acres. These subdivisions may contain small farms, wooded areas, and open fields as well as residences. Allowable uses within these areas, with appropriate zoning, may include commercial facilities that serve the residential and agricultural uses in the area, and community and public facilities. The property also has a portion classified as Important Agricultural Land (ial), which refers to land with better potential for sustained high agricultural yields because of soil type, climate, topography, or other factors.
13. **County Zoning:** Residential Agricultural-0.5 acres (RA-.5a).

14. **Kona Community Development Plan (KCDP):** The KCDP, originally adopted by the Hawai‘i County Council on September 25, 2008 and most recently amended on September 18, 2019, identifies the preferred land use pattern for the Kona districts. The subject property is located outside of the Kona Urban Area and is not within any Rural Town Areas.
15. **Kona Coffee Belt:** The subject property is located within the region identified by the General Plan as the “Kona Coffee Belt”.
16. **Special Management Area (SMA):** The property is not within the County’s Special Management Area and is located approximately 1.6 miles from the nearest shoreline.
17. **Coastal Zone Management:** The entire State of Hawai‘i lies within the Coastal Zone Management area.

DESCRIPTION OF SUBJECT PROPERTY AND SURROUNDING AREA

18. **Subject Property:** The subject, 26,761-square foot property is irregular in shape and is improved with an 1,864 square-foot, 3-bedroom single-family dwelling, including a covered carport. A paved driveway cuts west to east, through the center of the property, and an open pavilion is located just south of the driveway. The property is situated at the 320-foot elevation level, slopes in an east to west direction and is landscaped with ornamental plants, a vegetable garden and fruit trees.
19. **Surrounding Zoning/Land Uses:** Properties surrounding the subject property are zoned Residential Agricultural-0.5 acres (RA-.5a) and Agricultural-1 acre (A-1a), with uses consisting of dwellings, agriculture, commercial uses permitted by Special Permits, and vacant lands. The closest residence to the permit area is located approximately 80 feet to the north.
20. **U.S.D.A. Soil Type:** Soils on the subject property are classified Puna and Haplic Udarents soils, 10 to 20 percent slopes.
21. **Land Study Bureau’s Detailed Land Classification System:** Soils within the project site are classified as “C” or “Fair” and “E” or “Very Poor” for agricultural productivity.
22. **Agricultural Lands of Importance to the State of Hawai‘i (ALISH):** The subject property is designated as “Other Lands”.

23. **Flood Insurance Rate Map (FIRM):** The property is situated within an area designated as Zone X on the Flood Insurance Rate Map (FIRM) by FEMA, an area of minimal flood hazard located outside the 500-year flood plain.
24. **Flora/Fauna Resources:** No professional surveys were conducted of the flora/fauna resources on the property. According to the applicant, the likelihood of any rare or endangered species, habitat or flora on the property is unlikely, given that the property has been extensively improved. The property has been planted with floral resources including trees such as macadamia nut, avocado, guava, banana, mango, lychee, starfruit, lemon, lime, orange and papaya, as well as plants including melons, beans, strawberries, mint, pineapple, monstera, plantains, corn, blueberries, jalapenos, onion, pepper and potatoes. In addition, the applicant states that the floral resources attract various kinds of birds and bees.
25. **Archaeological/Cultural/Historical Resources:** No archaeological and cultural study was conducted of the property as the subject property has been previously impacted by ground-disturbing activities associated with residential development and no construction is proposed. The subject site is not adjacent and/or proximate to the shoreline, therefore gathering of marine life and coastal access for Native Hawaiian gathering and fishing rights is not an issue. The applicant states that it is not known whether the subject property or immediate surrounding area was ever used for traditional and customary rights by native Hawaiians.
26. **Public Access:** There is no public access to the mountains or the shoreline that runs through the property.

PUBLIC UTILITIES AND SERVICES

27. **Access/Parking/Traffic:** Access to the subject property is from Māmalahoa Highway, a County-owned and maintained roadway with a variable pavement width between 18-20 feet within a variable right-of-way between 50-60 feet wide. Guests will utilize an existing paved driveway to cross the subject property, which aligns with an access easement in favor of the adjacent parcel mauka of the subject property. According to the Hawai'i County Zoning Code Section 25-4-51(a)(2), a bed and breakfast establishment must provide one parking stall for each guest bedroom and one stall for the dwelling, which the applicant will comply with. According to the applicant, traffic impacts are not anticipated to be significant and would remain consistent with current levels, given the small scale of

the proposed 1-bedroom bed and breakfast and that traffic will be limited to registered guests.

28. **Water:** According to the Department of Water Supply (DWS), the subject parcel is currently served by an existing 5/8-inch meter which is allotted one unit of water, equivalent to an average daily usage of 400 gallons per day (gpd). While there is no objection to the establishment of the proposed bed and breakfast, DWS may install a flow-reducing device on the meter should consumption through the existing meter exceed its rated capacity.
29. **Wastewater:** According to the Department of Environmental Management (DEM), there is no county sewer system in the area, thus, the applicant shall follow Department of Health (DOH) regulations for wastewater. The application states that the dwelling will continue to use an existing, permitted cesspool.
30. **Solid Waste:** According to the Department of Health (DOH), solid waste shall be properly recycled or disposed of at DOH-permitted solid waste facilities.
31. **Food Service Operations:** By definition, bed and breakfast establishments may only provide breakfast meals to guests. The Department of Health (DOH) has noted that a food establishment permit will be required if meals are to include “potentially hazardous food” or if the number of guests exceeds 6. If the bed and breakfast will only offer commercial cereal, pastries, breads, fruits, coffee, tea, and juice, then a food establishment permit is not required. However, the limited menu must be documented with DOH and the applicants must comply with other DOH requirements.
32. **Essential Utilities and Services:** Electrical, telephone and internet services are available to the subject property. Fire and medical services are available from the Kailua-Kona Fire Station and police services are available in Kailua-Kona.

AGENCY COMMENTS

33. **State Department of Health: (Planning Department Exhibit 2 – April 2, 2024, Memo).**
34. **Department of Environmental Management: (Planning Department Exhibit 3 – April 3, 2024, Memo).**
35. **Department of Water Supply: (Planning Department Exhibit 4 – April 29, 2024, Letter).**
36. **Department of Public Works – Engineering Division: (Planning Department Exhibit**

5 – April 29, 2024, Memo).

37. **Department of Public Works – Building Division: (Planning Department Exhibit 6 – April 30, 2024, Memo).**

AGENCIES – NO COMMENTS/NO CONCERNS

38. State Office of Planning & Sustainable Development; Police Department.

AGENCIES – NO RESPONSE

39. Land Use Commission, Department of Agriculture, Real Property Tax Office, Fire Department.

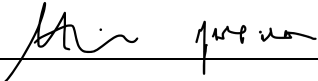
PUBLIC COMMENTS

40. There are no public comments as of the time of this writing.

SPECIAL PERMIT APPLICATION

COUNTY OF HAWAII PLANNING COMMISSION (Type or legibly print the requested information)

APPLICANT(S): Margaret iliev

APPLICANT'S SIGNATURE:  DATE: 09.06.2023

ADDRESS: 78-6935 Mamalahoa Hwy
Holualoa HI 96725

LIST APPLICANT'S INTEREST (if not owner): _____

PHONE: (Bus.) 845-263-5721 (Res.) 845-263-5721 (Email) kaiviewproperties@gmail.com

REQUEST: Special Use Permit for a Bed and Breakfast

TAX MAP KEY: 780040410000 ZONING: A-5A

SIZE OF PROPERTY / AREA OF REQUESTED USE: 26,759 sq ft. / 864 sq ft.

LANDOWNER(S): Margaret iliev, Ysabel iliev

FEE SIMPLE LANDOWNER(S) WRITTEN AUTHORIZATION

(may be provided by letter with the below statement included):

Margaret iliev DATE: 09.06.2023

Ysabel iliev DATE: 09.06.2023

Note: The above written authorization of the landowner(s) gives permission for the applicant/petitioner to file the application/petition and acknowledges that the landowner(s) and their successors are bound by the Special Permit and its conditions.

AGENT: N/A

AGENT ADDRESS: N/A

PHONE: (Bus.) N/A (Res.) N/A (Email) N/A

Please indicate to whom original correspondence and copies should be sent.

ORIGINAL: Margaret iliev and Ysabel iliev COPIES: Margaret iliev and Ysabel iliev

Planning Dept.
Exhibit 1

**SPECIAL PERMIT APPLICATION
PROPOSED 1- ROOM BED AND BREAKFAST
MARGARET ILIEV
LOT 9-A-1 26,761 SF KEAUFHOU 1 – KEAUFHOU 2 HOUSE LOTS
78-6935 MAMALAHOA HWY HOLUALOA HI 96725
TAX MAP KEY: 7-8-004-041**

I. INTRODUCTION

I, Margaret Iliev (“Applicant”) would like to establish a 1- room Bed and Breakfast (“B&B”) facility within the existing 3 bedroom single family dwelling on a 26,761 square feet property (“subject site”)

The property is located between Honalo and Kahaolu-Keaupu, approximately 5 miles to downtown Kailua-Kona. My property is right off of Mamalahoa Hwy on the Mauka side.

As the site is designated Important Agricultural Lands and Rural by the State Land Use Commission, a Special Permit is required to allow the requested use. This letter/report is intended to support the request.

II. PROJECT LOCATION

As noted earlier, the property is located between Honalo and Kahaolu-Keaupu, approximately 5 miles to downtown Kailua-Kona. My property is right off of Mamalahoa Hwy on the Mauka side.

III. PROJECT DESCRIPTION

A. Project Background and Concept

I purchased the 3 bedroom, 1,864 square foot dwelling on the subject property on September 6, 2022 with the intention to make it a Bed and Breakfast since there is a car port that divides the front and back of the dwelling. I have remodeled the entire back of the dwelling to meet the standards to host family, friends, and guests. I work in the service industry at Papa Kona Restaurant and Bar to help offset the cost of the mortgage, maintain the property, improve the landscaping and saving the native trees from invasive plants and animals, while adding fruit trees, vegetable garden and flowers to create a lush landscape that has a botanical feel to it.

I would like to conduct a Bed and Breakfast to be able to support the lifestyle to take care of the property that I have purchased and to provide a hospitable location for visitors from all over and to provide them education and understanding on this beautiful island we call home.

I propose to rent 1 room in my principal home (the back side of the dwelling). The 1 room, kitchen, living room and bathroom would comprise a total of 886 square feet.

While my property is not dedicated for agricultural use for real property tax purposes, the landscape is has a variety of native and endemic plants. We have macadamia nut trees, lychee trees, orange trees, lemon trees, tangerine trees, banana trees, plantain trees, papaya trees, mango trees, avocado trees, pineapple plants, blueberries, peppers, strawberries, mint, jalapeños, corn, beans, melon, guava trees. In total we have 50 plus fruit and vegetable trees. Out of our lot, we are one of the few owners that uses the land to grow food. We would like you to enable us to diversify in both agricultural and Bed and Breakfast enterprises. The landscape of our plants encourages our guests to explore and ask questions. We consider them an educational amenity.

The 1- room Bed and Breakfast would also operate and be consistent with the criteria for B&B's as outlined in the County Zoning Code. Specifically, these would be:

1. I will live in the same house as the guests. I will be the operator and if I need to go away I will have a person acting as operator, who would also live in the house.
2. The rooms to be rented, are all in my single family dwelling.
3. The total number of rentable guest room, will not exceed one (1). There will be a maximum of one (1) rentable rooms.
4. The number of guests would be up to two within it's 886 square foot area.
5. Guests will be offered breakfast only.
6. For the 1 rooms we rent, we have 1 parking stalls available in the garage port.
7. All sinage will comply with the requirements of Chapter 3.

B. Nature of Request

Given the above, a Special Permit would be required for the proposed maximum 1- room B&B.

C. Project Timetable and Cost

I am hoping to commence providing service as a Bed and Breakfast immediately upon issuance of the Special Permit since all renovations have been completed and it is ready to go. I do not foresee any construction cost associated with the operating of the B&B.

IV. INSTITUTIONAL CONSIDERATIONS

A. State Land Use

The State Land Use designation of the subject property is *Rural*. As such, a Special Permit from the County of Hawaii Planning Commission is required to authorize the requested use.

B. County General Plan

The County General Plan Land Use Pattern Allocation Guide ("LUPAG") map was not designed to be specifically measurable and instead be a broad-brush description of desired and use patterns. However, with the advent of technology, the map was formatted into measurable patterns.

The "LUPAG" map designates the site on the GIS designated map as class Important Agricultural Lands (IAL) and Rural (RUR).

Whether Important Agriculture or Urban Expansion, because the proposed B&B use of this site will not result in the reduction of any currently cultivated land with its predominantly residential use, the requested Special Permit would not be inconsistent with either of those General Plan LUPAG designation, and no amendments would be required.

C. Kona Community Development Plan

Relative to the Kona CDP, Section 15. 1 of the County General Plan called for the development and eventual County Council adoption of Community Development Plans. The General Plan states that the CDP " will translate the broad General Plan statements to specific actions as they apply to specific geographical areas. "The General Plan also notes that should the CDP require a General Plan amendment, it could be considered concurrent with the adoption of the CDP. However, if there is a direct conflict between the Community Development Plan, the General Plan shall be controlling.

The Land Use map of the CDP appeared to follow or utilize the digitized version of the General Plan LUPAG map.

The CDP also identified several principles related to its overall " vision". These principles and their relationship to the proposed B& B follow.

a. Protect Kona's natural resources and culture

The subject site does not have any critical natural resources, having been already developed as a residence. The site is designated "X" on the Federal Emergency Management Agency's Flood Insurance Rate Map. This designation is assigned to areas outside of the 500 year storm. Furthermore, there are no known archaeological features or botanical resources on my property that require protection.

b. Provide connectivity and transportation choices

To the best of my knowledge, Mamalahoa Hwy is not identified for any future connector road.

c. Provide housing choices

This endeavor is not a housing one. However, in the event of the Special Permit being approved, we will use it as a B&B and we will continue to retain the residential use of the house, reserved exclusively for visitor use, which can then effectively remove the dwelling from the housing inventory.

d. Provide recreation opportunities

Again, this endeavor is not a recreational one. The area where my property is located in is not a critical resource for recreational opportunities, as it is not a coastal property nor identified in the CPD as an area necessary for future recreational purposes.

e. Direct future growth patterns toward compact villages, preserving rural diverse and historical character

The location of my property is between Honalo and Kahaluu-Keauhou, approximately 5 miles to downtown Kailua-Kona. My property is right off of Mamalahoa Hwy on the Mauka side.

f. Provide infrastructure and essential facilities consistent with growth

The basic infrastructure, such as access and water, to support the B&B will not be a drastic change in consumption and usage.

g. Encourage a diverse and vibrant economy emphasizing agriculture and sustainable economies

The Land Study Bureau Overall Master Productivity Rating for the area where my property exists shows "C" as being the closest proximity classification. This area is considered fair which denotes soil that is moderately deep,

fine soil material. The color is very dark brown and the parent material is volcanic ash. The type of soil is well drained and very poorly suited for machine tillability.

h. Promote effective governance

This principle is not applicable.

D. County Zoning

The County zoning designation is RA-5a. The minimum lot size for this zoning district is (1) acre. My property is about ½ an acre and considered a conforming lot of record. The primary dwelling on my property is permitted. What is being requested will not require improvements to the property but only change of its use from residential use to a B&B. A Special Permit is required, which if approved would make the B&B use possible.

E. Special Management Area

My property falls outside the Special Management Area. No SMA permit is required.

F. Other Permitting Considerations

If there are any other permits required, we would adhere to the requirements.

V. INFRASTRUCTURAL CONSIDERATIONS

A. Water

We have access to water through the Board of Water Supply. There will be a slight increase in the usage of water if the B&B is approved. The subject site is already serviced by a County approved water meter. As the demand should be no different than a standard family which should use no more than a maximum average daily consumption of 400 gallons per day, no additional meter and/or water service is being requested for this proposed activity.

B. Wastewater

There will be a slight increase in the usage of water if the B&B is approved. The existing dwelling is served by a cesspool conversion approved by the State Department of Health. This system was predicated upon the use of the existing 3- bedroom dwelling.

C. Drainage

The US Corps of Engineers Flood Insurance Rate Map (FIRM), the area of the requested use is situated within Zone X (refer Flood Hazard Assessment Report already

submitted). Said designation refers to areas determined to be outside of the 500-year flood plain.

We have not observed any significant runoff or erosion in the recent past on this property. As noted earlier, no physical ground improvements- aside from normal maintenance and planting of fruit trees/landscaping normally associated with agricultural activities has occurred. However, if any improvements are made requiring significant drainage improvements, appropriate clearance from the County Department of Public Works will be secured prior to proceeding.

D. Access and Traffic Implications

According to our knowledge, Mamalahoa Hwy, on which our property is located, is owned and maintained by the County of Hawaii. The road is 20 feet wide and the surface is a paved one. Our property is situated right off of Mamalahoa Hwy.

E. Other Utilities

Electrical and telephone services, along with high speed internet and cable are currently in use.

VI. ENVIRONMENTAL CONSIDERATIONS

A. General Description

My property consisting of about ½ an acre is located between Honalo and Kahaluu-Keauhou, approximately 5 miles to downtown Kailua-Kona. My property is right off of Mamalahoa Hwy on the Mauka side. The landscape is has a variety of native and endemic plants. We have macadamia nut trees, lychee trees, orange trees, lemon trees, tangerine trees, banana trees, plantain trees, papaya trees, mango trees, avocado trees, pineapple plants, blueberries, peppers, strawberries, mint, jalapeños, corn, beans, melon, guava trees. In total we have 50 plus fruit and vegetable trees. Our home is situated approximately 320 foot elevation. The average rainfall for this area is 19 inches annually. The mean annual temperature varies from 65 degrees to 90 degrees Fahrenheit throughout the year with the warmer months during the summer.

B. Soils

The topography of the site is fairly level.

The Land Study Bureau Overall Master Productivity Rating for the area where my property exists shows "C" as being the closest proximity classification. This area is considered fair which denotes soil that is moderately deep, fine soil material. The color is very

dark brown and the parent material is volcanic ash. The soil is well drained and very poorly suited for machine tillability.

My property has a combination of dark soil and blue lava rock. We compost all our household food scraps and use as fertilizer for our fruit trees and vegetable plants.

C. Flora and Fauna

Although there are no professional surveys conducted of the flora and fauna resources of the site, I do not believe that rare or endangered flora or fauna resources are likely to be found within my property.

Almost all the floral resources have been planted from myself and my mother within the past year. We have macadamia nut tree, avocado trees, guava trees, banana trees, mango trees, lychee trees, starfruit trees, lemons, limes, oranges, melon, beans, strawberries, papaya trees, mint, white pineapple, pineapple, monstera, plantains, corn, blueberries, jalapeños, onions, pepper, and potatoes.

This site is not known to be a habitat for any rare or endangered wildlife.

It would appear that this B&B use would not have any significant negative impact, if at all on the flora and fauna resources in the area. The plants and flowers on our property actually attracts various kinds of birds and bees.

D. Archaeological Resources

As the site has been fully improved, no commissioned archaeological inventory survey was conducted. It is very unlikely that given the built up nature of the site there are any archaeological or cultural resources on the subject site.

Please note that in the event any inadvertent discoveries are made during any future land disturbance activity relating to the use of the property, work will cease and I will immediately notify the Planning Department and State DNLR and secure their clearances before proceeding further.

E. Valued Cultural Resources

The recent Hawaii State Supreme Court's "PASH" and "Ka Pa'akai O Ka 'Aina" decisions require decision makers to consider a project's impact to native Hawaiian gathering and fishing rights. Specifically, there must be a discussion of cultural, historical, and natural resources and associated traditional and customary practices of this site and the impact of this project to these resources and practices.

In this situation, the subject site is not adjacent and/or proximate to the shoreline. As such, gathering or marine life and coastal access is not an issue.

The cultural impact if any appears to be non-existent. However, in the event legitimate gathering claims are made by Native Hawaiians, I intend to respect and honor such claims and provide the needed access onto my property.

F. Volcanic and Earthquake Hazards

The United States Geological Survey (USGS) classifies the area of Kona as Lava Flow Zone 4 on a scale of ascending risk 9 to 1. There is very little that can be done to mitigate this situation and reflects an ongoing threat to all residents and businesses in these areas.

The entire island of Hawaii falls within Earthquake Zone 4, according to the County Building Code. As such, certain structural requirements have been taken during the building permit process to address this seismic hazard. In this situation, I have no plans to make further improvements on this building. In the event that I do, compliance with these requirements will be addressed during the building permit process.

In 2018 a 6.9 magnitude earthquake shook the island and the house is still standing tall and strong. The house was not damaged at all.

G. Other

There should be little, if at all, increase to the ambient noise levels. The activities would be domestic related. Normal farm machinery or equipment noise would be louder. Besides, we control noise by living in the house where the rooms will be rented and we have rules in place, such as Quiet Enjoyment Time after 10pm. Guests are not allowed to have parties at our home.

The air quality in this area is very good and rarely affected by natural, agricultural and/or vehicular emissions. Vehicular traffic to and from our property should not significantly increase over the current levels. The use itself is non-noxious, and no tour buses will be allowed to our property.

If approved, this request should have little or no significant short- or long-term noise, air quality, or visual impacts.

VII. PLANNING AND LAND USE CONSIDERATIONS

A. Surrounding Land Use

The land use character around our property has some farming and farther out there are a multitude of coffee farms. This will benefit our visitors to experience Hawaii's coffee all the way down to how it is processed. As well as provide more business to these coffee farms.

Given the existing and zoned conditions and varying accesses, the proposed maximum 5 room B&B would not be incongruous with the emerging rural-residential and rural- agriculture pattern of this area.

B. Agricultural Impacts

The requested use is intended to complement and enhance the existing rural- agricultural ambiance of this area. As such, the B&B- as a form of agricultural tourism- should enhance rather than detract from the strength of the agricultural industry, especially in light of our extensive fruit farming actives in the making.

C. Economic Impacts

We will be operating the B&B. No new direct employment is expected to be generated by this project, except for the occasional limited cleaning and ground maintenance service. Nonetheless, the operation will still generate added revenue in the form of TAT and GE taxes. Guests are expected to spend money in the community in the form of car rental, meals, and other activities.

VIII. RELATIONSHIP TO SMA OBJECTIVES AND CZMP

In reviewing this project against the Special Management Area (SMA) objectives, policies, and guidelines of County Planning Commission Rule No. 9 as well as the Coastal Zone Management Program (CZMP) outlined in Chapter 205A-2, HRS, the following findings are noted:

A. Recreational Resources

The subject site is situated more than 7.5 miles from the shoreline. Additionally, this site does not serve a mauka-makai access to the coastline. As such, the requested use should not have any adverse impact on the recreational resources of the area.

B. Historical Resources

As the subject of the site has been fully improved, it is very unlikely that the site has any residual archaeological or cultural resources. Nonetheless, should there be any inadvertent discovery of any archaeological features in conjunction with the use and development of any aspect of this parcel, work will stop and appropriate clearances from the State DLNR and County Planning Department will occur before said activity is resumed within the affected area(s).

C. Scenic and Open Space Resources

The subject parcel is located right next to Mamalahoa Hwy on the Mauka side. The dwelling is not visible with the naked eye from the shoreline. The visual impact of this project on the coastal area should be non-existent.

D. Coastal Ecosystem

As no improvements are contemplated, the existing structure and associated improvements should not result in any increase in the volume of rainwater on the site. Currently, rainwater is naturally drained on site and given the ground and soil condition, rapidly dissipates into the ground.

Given the above, the proposed B&B use should not create any adverse impacts to the area's coastal ecosystem.

E. Economic Uses

Hawaii's short-term economic future is still somewhat uncertain. All things considered, it is important to continue with projects such as this that indirectly enhance and emphasize the Big Island's agricultural-tourism industry. Establishments must be creative to be able to attract visitors that are looking for unique experiences.

This project, working within the framework of existing regulations, may help stabilize and provide some assistance to our island's economy. Although this project will not directly create any new jobs, its importance comes in the form of strengthening our community by creating a unique and affordable, Hawaiian tropical experience. We are here to give our visitors vital information about visiting our Island, such as how to protect our wildlife and ocean life. We help them plan their excursions and give tips about where to spend their money while eating out at restaurants all around the island and places to pick up unique snacks and souvenirs to take back home. We fill a special niche and would like to enhance our endeavor by becoming a B&B.

F. Coastal Hazards

The subject is designated Zone "X" (area of minimal hazard) on the Flood Insurance Rate Map. As such, there would be minimal hazards resulting from floodwater that cannot be properly addressed during the normal review and approval of any additional improvements to the site by the County. The subject area is not within the County's Civil Defense Tsunami Evacuation Zone.

G. Managing Development

While this function is more applicable to the "authority" or approving agencies, the request is intended to operate within the confines of the existing Zoning Code and Special Permit. The subject site is zoned RA-5a and the requested use and design/development

parameters (parking, height, setback, etc.) are already consistent with said zoning. In that regards, this project would be consistent with the policy of using, implementing, and enforcing existing law effectively to the maximum extent possible in managing present and future coastal zone management.

H. Public Participation

There is a statewide public advisory board called Marine and Coastal Zone Management Advisory Group (MACZMAC) that has the task among other matters, of advising the lead agency (Office of State Plan) on coastal management issues. This includes a direct or indirect review of certain requests that may have statewide coastal zone management implications.

Public participation in the review of the permitting process is also achieved through the posting of a sign on the property notifying the public of the filing of this application. Additionally, notices to surrounding property owners of the submittal of a Special Use Permit application and another separate notice informing said owners of the date of the Kona Planning Commission's required public hearing as well as the rights to request for participation via a contested case hearing are mailed.

IX. JUSTIFICATIOS FOR REQUEST

In determining whether the requested use is an "unusual and reasonable use" and this should be permitted within the important agricultural land and rural District, certain guidelines are used. These guidelines and their relationship to the requested use follow.

A. Relationship to Land Use Law and Objectives

The subject request will not be contrary to the Land Use Law, which purpose is to preserve, protect, and encourage the development of lands in the State for their best uses in the interest of public welfare. Approving the special permit to a host a B&B would not diminish the farming already in existence on this property as described previously in this document.

B. Relationship to General Plan and Other Planning Requirements

On the LUPAG Map, the subject property is designated "as" Important Agricultural land and Rural. *The Extensive Agricultural land includes lands "currently used for agricultural production. Land with soil qualities and growing conditions that support agricultural production of food, fiber, or fuel- and energy-producing crops. Land identified under agricultural productivity rating systems, such as the agricultural lands of importance to the State of Hawaii (ALISH) system adopted by the Board of Agriculture on January 28, 1977. Land types associated with traditional native Hawaiian agricultural uses, such as taro cultivation, or unique agricultural crops and uses, such as coffee, vineyards, aquaculture, and energy production. Land with sufficient quantities of water to support viable agricultural production.*

Land whose designation as important agricultural lands is consistent with general, development, and community plans of the county. Land that contributes to maintaining a critical land mass important to agricultural operating productivity. Land with or near support infrastructure conducive to agricultural productivity, such as transportation to markets, water, or power..”

Notwithstanding the Important Agriculture Land and Rural designation, the proposed maximum 1-room B&B will not result in the reduction of any currently cultivated land. As such, the requested Special Use Permit would not be inconsistent with the General Plan LUPAG designation, and no amendments would be required.

The requested use should not detract from the parcel’s potential agricultural uses, as the site has been fully improved. Any undeveloped area is intended to be further developed into landscaping and/or fruit bearing trees to support the B&B. With or without the requested use, the amount of cultivatable area should remain the same.

Furthermore, the requested B&B use could add to the guests’ interest in Native Hawaiian plants and other local agricultural crops, and thus indirectly help foster the interest and growth in the coffee and related agriculture industry. In that regard, the requested use would fulfill the General Plan’s agriculture objective.

The request would also not be contrary to the goals, policies, and standards of the General Plan and Community Development Plan.

In addition to the above, all applicable requirements of the Zoning Code and/ or other permits can and will be complied with. Relative to the proposed maximum 1- room B& B, it is already allowed in the County Agriculture Zone, subject to it meeting with the criteria outlined in the Code. This project will adhere to all of those criteria, such as not exceeding the maximum number of one (1) bedrooms; not having more than two (2) guests; and having the owner and/ or operator live on the premise.

The site is not within the Special Management Area (SMA). As such, a SMA Permit would not be required.

It should also be noted that the Tourism Strategic Plan prepared by the Hawaii Tourism Authority in 1999 recommended that the State look into Tourism niche market opportunities. Two (2) of these- although somewhat overlapping-are Agri-Tourism and Edu- Tourism. Agri-Tourism is travel for education with an agricultural emphasis. Edu- Tourism is along that line with an emphasis on education and training in Hawaii’ s unique natural and multi-cultural environment. Our overall program completely reflects this effort. This is an especially important marketing component to Asian countries, particularly Japan, where there is a strong agrarian base.

C. Impacts to Surrounding Properties

As noted above, the land use in this area is generally rural/residential in nature and a multitude of coffee farms within 10 miles from the subject property. For the most part, the immediately surrounding lots are used and/or zoned for residential and agricultural purposes.

Given the existing and zoned conditions, the proposed maximum 1- room B&B would blend in perfectly into the residential/rural/agricultural pattern of this area.

The proposed use is expected to occur within an existing 3- bedroom dwelling. I will also live on the property, and will supervise all activity conducted on the subject property.

Relative to the B&B, the impacts would be generally no different than a typical residence in terms of noise, traffic, and related infrastructure.

Furthermore, there should be little to no extra traffic resulting from this project. Normal check and check outs occur during non-peak traffic hours. There would be sufficient on-site parking, eliminating the need for any off-site or roadside parking.

Thus, the traffic, visual and noise impacts- with the mitigation noted herein- resulting from the request to surrounding properties should not be significant.

D. Infrastructural and Government Services Impacts

The proposed use would not unreasonably burden public agencies to provide roads and streets, sewer, or waste service improvements. No additional water service is needed. An approved wastewater system for the project already exists.

Access to the property is via Mamalahoa Hwy, a 20 foot wide paved road. Mamalahoa Hwy is more than sufficient to allow emergency vehicles to access the site of the B&B.

Keauhou Fire Station is less than a mile from the subject property. Police service is available on call via Kailua Kona. These public stations already service this area, as there are homes in this area. As such, the project should not result in an extension of or place an unreasonable burden on these services.

In summary, there is limited public infrastructure downsides to allowing this subject property as an approved B&B.

E. Suitability of the Site

The proposed B&B permit request will not result in the removal of any potentially agriculturally usable land.

There has been no flooding or other natural disturbance on the subject site. As such, there are no environmental restrictions over the use of this site for the requested use.

F. Altering Character of Land

The goal is to retain the general character and ambiance of this area. Further, as there will be little or no improvements required associated with the requested use, the use should not result in the significant alteration of the existing character of the area.

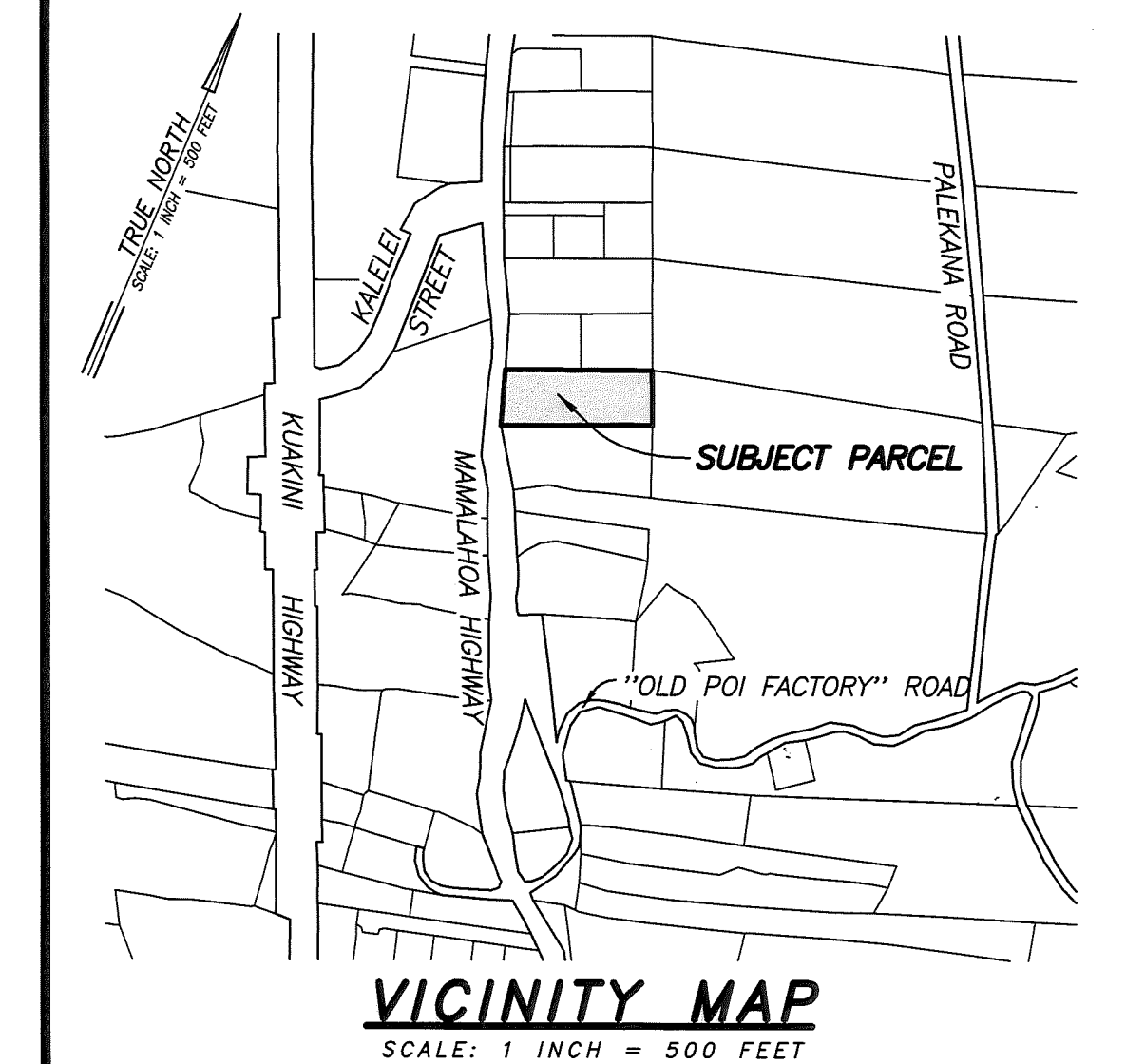
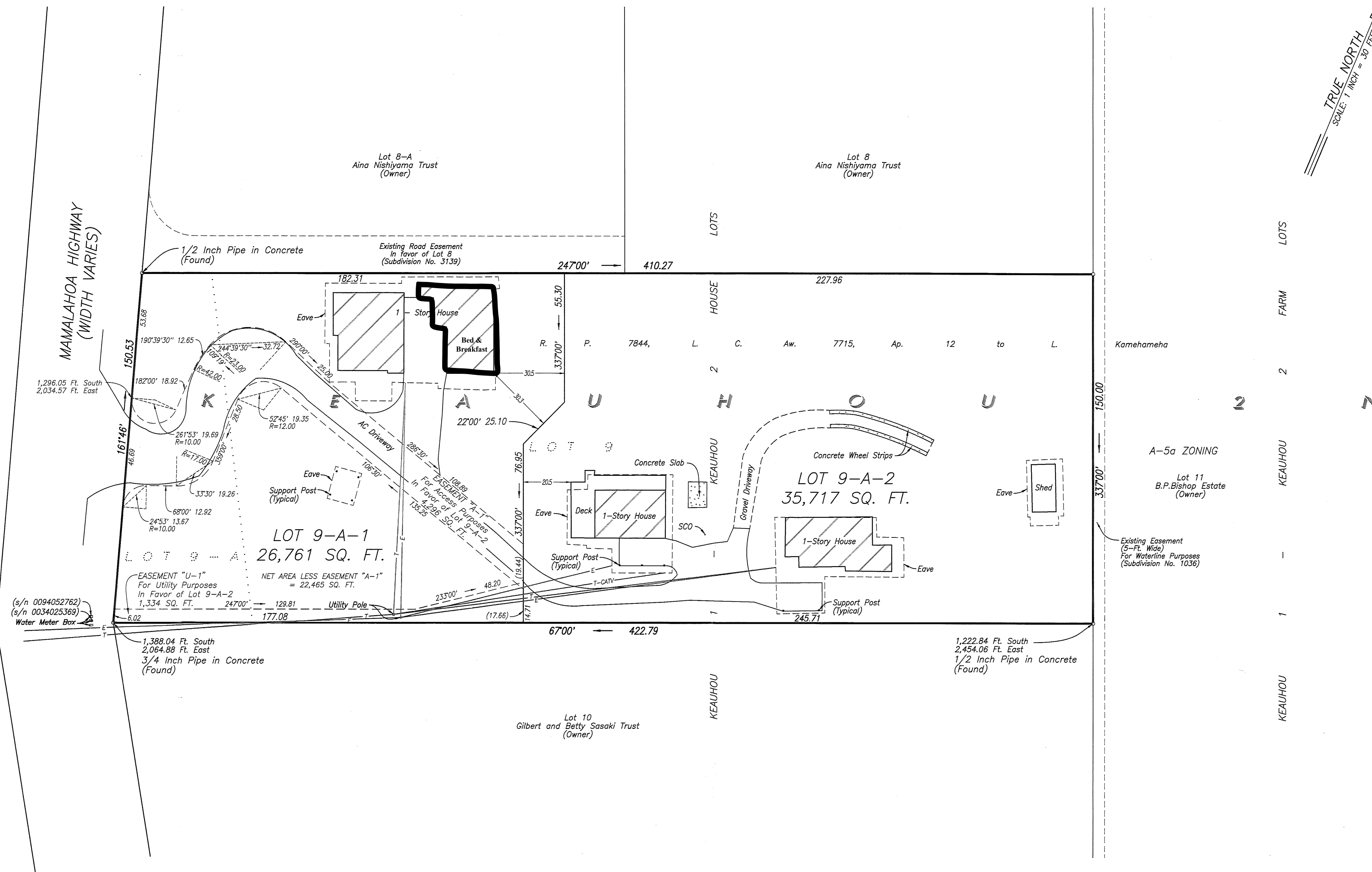
G. Unusual Conditions or Trends

In this era of eco-tourism and Edu-tourism, my proposal for a B&B permit fits this marketing niche. It is an attraction that will serve both locals and visitors who want to learn and experience more of Hawaii's agricultural industry within a residential/rural/agricultural environment.

In doing so, it indirectly provides interest and more support for the island's agricultural products. The increased demand for the product translates to greater economic return for an important agricultural activity. It also encourages its expansion.

Relative to the B&B, in this era of eco-tourism, places like ours are greatly needed. These unique types of accommodation rather than resorts or hotels, provide travelers who prefer to make their own plans, a home away from home feeling.

B&Bs should be considered complementary instead of being regarded as a "threat" to existing resorts. It should be noted that many operators of B&Bs provide information and island guides to their guests. A lot of the information provided to the guests are located by the resort areas, providing more economic benefits for these resorts and hotels.



NOTES:

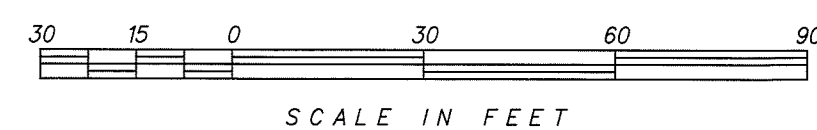
1. Azimuths and coordinates are referred to Government Survey Triangulation Station "KEAUHOU COAST".
2. Names of owners of adjoining parcels are from available Tax Map records.
3. The features, shown hereon, were located by an actual survey on the ground done on September 19, 2018.
4. Subject Parcel is located in Zone X (areas determined to be outside the 0.2% annual chance floodplain) as per Flood Insurance Rate Map (F.I.R.M.) Community-Panel Number 155166 0966 F, revised September 29, 2017.
5. Gross Lot Area = 1.434 Acres
Number of Existing Lots = 2
Number of New Lots = 2
Number of Road Lots = 0
6. Zoning designation of Subject and Adjoining Parcels = RA-.5a, unless otherwise noted.
7. Agricultural Zoned Parcels may be used for agricultural activities and/or farm dwellings.
8. Existing Use = Residential

MAP SHOWING CONSOLIDATION OF LOTS 9 AND 9-A OF KEAUHOU 1 - KEAUHOU 2 HOUSE LOTS

Being Portions of R.P. 7844, L.C. Aw. 7715, Ap. 12 to L. Kamehameha

AND RESUBDIVISION INTO LOTS 9-A-1 AND 9-A-2

At Keauhou 2nd, North Kona
Island and County of Hawaii, State of Hawaii

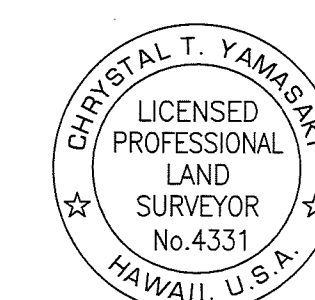


Prepared For:
GREGORY J. AND JOY E. HUFFMAN (OWNERS)
78-6972 Waiua Road
Kailua-Kona, Hawaii 96740

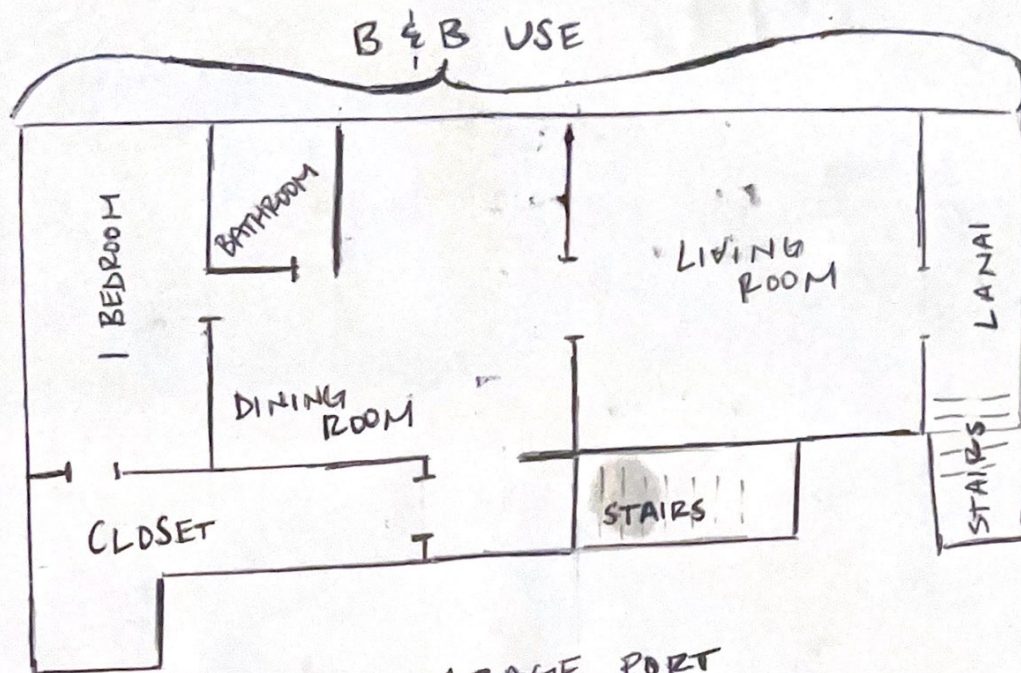
Prepared By:
WES THOMAS ASSOCIATES
-- Land Surveyors --
75-5749 Kalawa Street
Kailua-Kona, Hawaii 96740-1817
TEL. (808) 329-2353
FAX (808) 329-5334 EMAIL: surveys@wtahawaii.com

PROJECT NO.:19213
DATE:NOVEMBER 7, 2018
FIELD BOOK NO.:...1363
TAX MAP KEY:7-8-004:041 (3RD DIVISION)
REVISED: NOVEMBER 28, 2018 (FINAL PLAT MAP)
REVISED: JUNE 4, 2020 (EASEMENTS "A-1" AND "U-1")

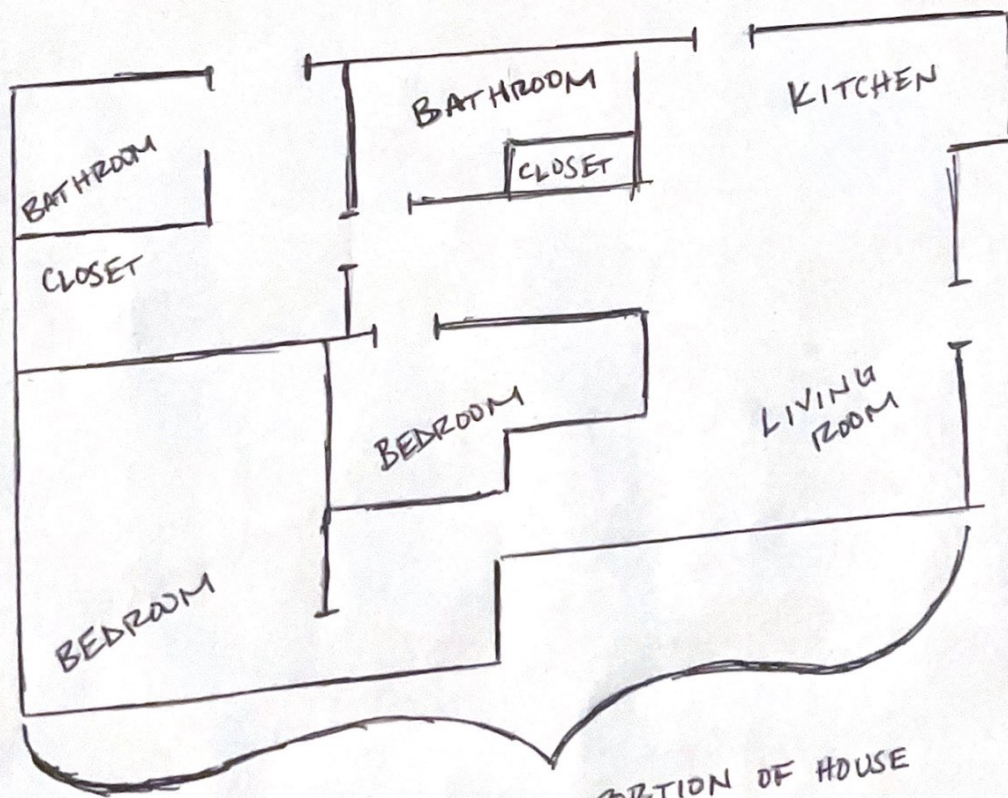
SUB-19-001869
SUBDIVISION NUMBER
APPROVED FOR RECORDATION with the Bureau of
Conveyances, State of Hawaii
Planning Director, County of Hawaii
Date: AUG 31 2020



WES THOMAS ASSOCIATES
Land Surveyors
This work was prepared by me or
under my direct supervision.
Christal Thomas Yamasaki
Licensed Professional Land Surveyor
State of Hawaii Certificate Number LS-4331
Expiration Date: April 2022



GARAGE PORT



FRONT PORTION OF HOUSE

DeVera, Ashley

From: Kala, Alukahe
Sent: Friday, March 8, 2024 11:23 AM
To: DeVera, Ashley
Subject: FW: Request for additional information, Special Permit Application PL-SPP-2023-000051
Attachments: B&B Floor Plan Resubmission.pdf; Cesspool description.pdf

Good Morning Ash,

Can you please intake and upload into EPIC?

Mahalo,
Alu

From: Margaret iliev <kaiviewproperties@gmail.com>
Sent: Wednesday, March 6, 2024 10:05 AM
To: Kala, Alukahe <Alukahe.Kala@hawaiiicounty.gov>
Subject: Re: Request for additional information, Special Permit Application PL-SPP-2023-000051

Mahalo for your feedback. I have attached the resubmission of the B&B Floor plan. I should not have put the second kitchen on the floor plan. We do not have a stove in the dining room area so it should not be considered a kitchen. I have also attached the cesspool description. We have a cesspool. Thank you so much! Let me know if I need anything else!

-Margaret iliev
845-263-5721

On Thu, Feb 15, 2024 at 4:49 PM Kala, Alukahe <Alukahe.Kala@hawaiiicounty.gov> wrote:

Aloha Margaret,

Thank you for re-submitting your special permit application for a bed & breakfast establishment. Your submittal did address most of the previous issues. However, there are a few more things that need to be addressed prior to accepting the application as complete.

- Your application shows two (2) kitchens within your Dwelling Unit, which is inconsistent with the Zoning Code (Chapter 25). A Dwelling Unit is defined in the Zoning Code as “... *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.*” If you have an approved permit allowing two kitchens, please submit a copy of

the permit(s). This issue will need to be addressed if you do not have an approved permit(s) for the second kitchen.

- A revised floor plan will need to be submitted after the second kitchen is resolved.
- The application states that there was a cesspool conversion, but it does not state whether your dwelling is served by a cesspool or a septic tank. Please clarify if your dwelling is served by a cesspool or a septic system.

Please feel free to contact me should you have any further questions or concerns.

Mahalo,

Alukahe M.W. Kala

Planning Department

101 Pauahi St. Suite 3

Hilo, Hawai'i 96720

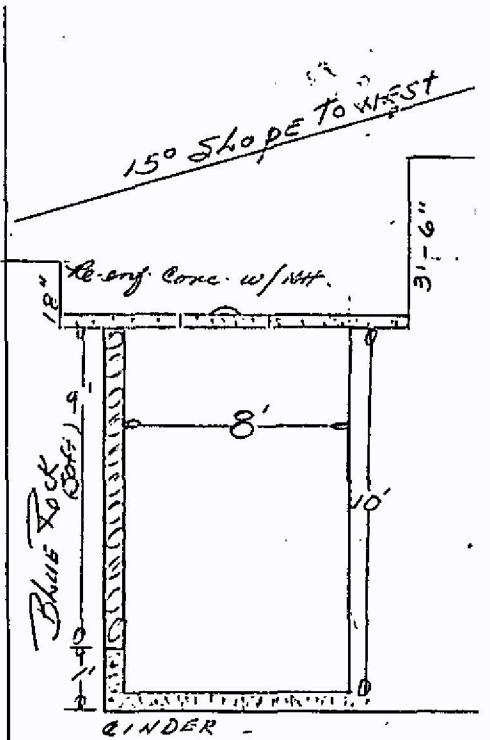
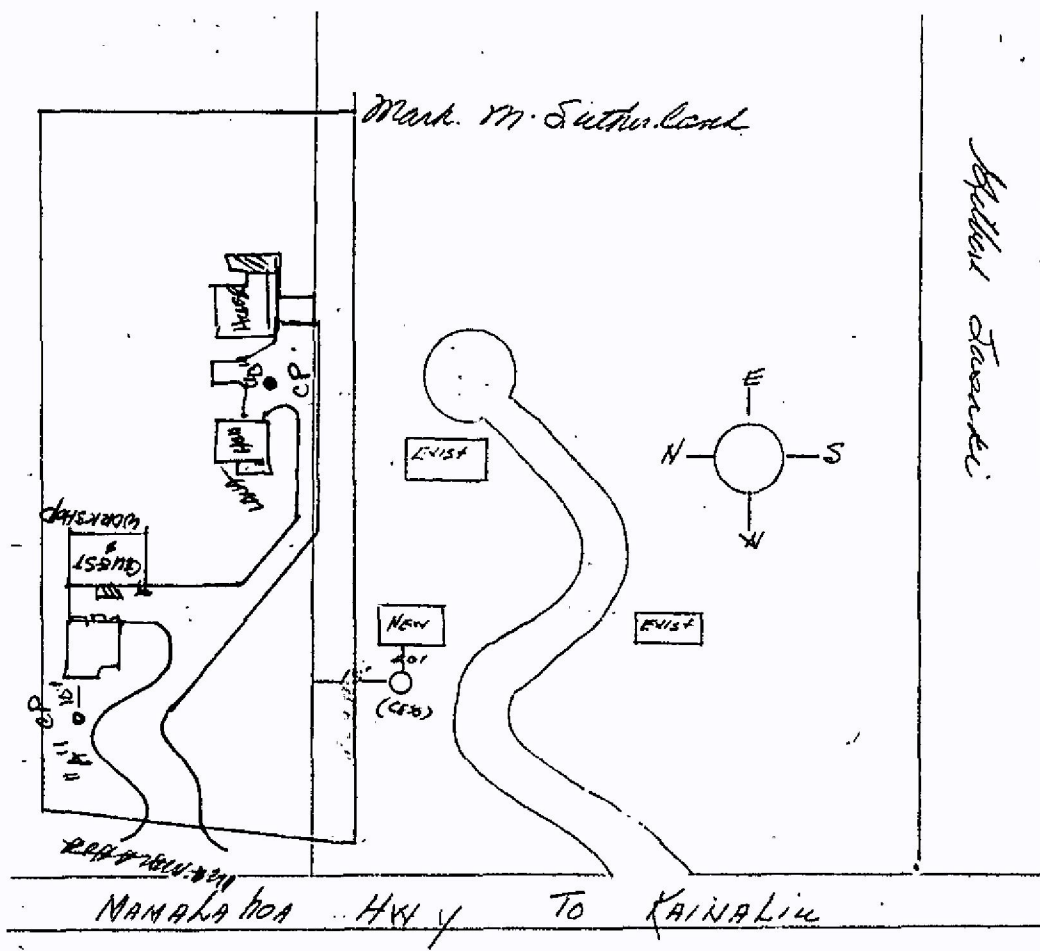
(808) 961-8170

Confidentiality Notice: This e-mail message, including any attachments, is for the sole use of the intended recipient(s) and may contain confidential and/or privileged information. Any review, use, disclosure, or distribution by unintended recipients is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

7-8-4:41

San. Form 40

TERRITORY OF HAWAII — DEPARTMENT OF HEALTH
DIVISION OF SANITATIONDist. North Kona **SANITARY INSPECTOR'S REPORT OF CESSPOOLS**Date July 30, 1963Property Owner Mark M. Guthrie Address Beauhau, KonaNew Construction yes Intended for DwellingBuilder or Contractor M. Awashita TRK 7-8-4-41Distance from building 20' Boundary 15' Stream or well NoneDiameter (clear) - ft. 8' Depth - ft. 10' No. ft. down to water if any NoneCapacity (Gallons) 3760 Ground slope 15° slope to westState soil or rock formation starting from surface Blue Rock (saps) Top to 9 feet - 9 feet* Bottom red sandKind of wall or curb None Kind of cover Re. reinforced concreteDistance from surface of ground to top of cover - ft. 1 1/2'Approved July 30 19 63 Inspector INSPECTOR



TERRITORY OF HAWAII - DEPARTMENT OF HEALTH
DIVISION OF SANITATION
SANITARY INSPECTOR'S REPORT OF CESSPOOLS

San Form 14

Dist. 11 Prec't. 11

Cert. No.

Date 7/30/63

Property Owner Mark S. Sulphans Address Honolulu

Island Kauai City — District North Kona

New Construction Yes Intended for Water

Builder or Contractor M. B. Smith

Distance from building 20' Boundary 15' Stream or well —

Diameter (clear) - ft. 8' Depth - ft. 10' No. ft. down to water if any —

Capacity (Gallons) Ground slope 15° slope

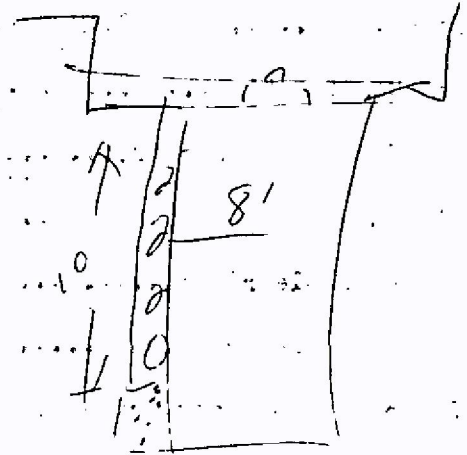
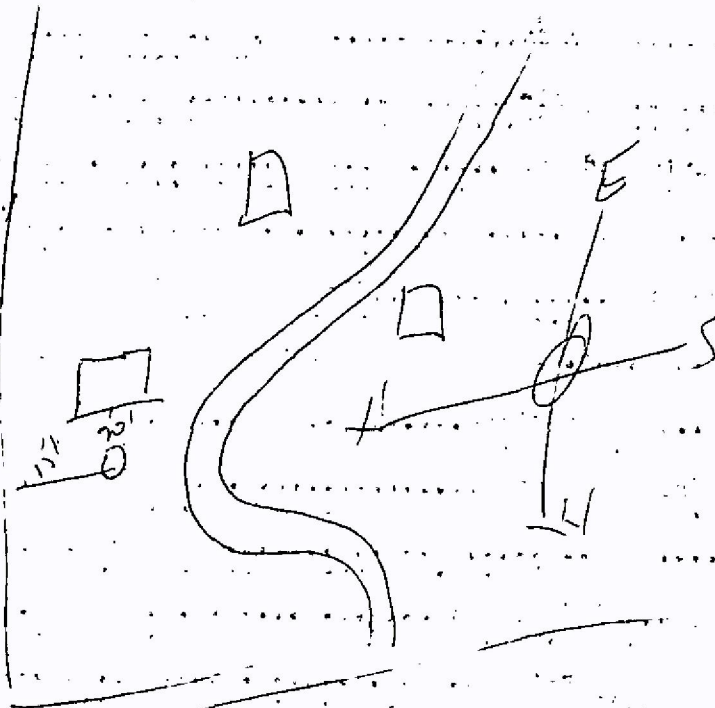
State soil or rock formation starting from surface

Blue rock topt 9' - 1' x Bottom under

Kind of wall or curb mm Kind of cover ceiling

Distance from surface of ground to top of cover - ft. 11 1/2'

Approved 7/30 1962



N. Kona
Dist.....Prec't.....

TERRITORY OF HAWAII - DEPARTMENT OF HEALTH

DIVISION OF SANITATION

SANITARY INSPECTOR'S REPORT OF CESSPOOLS

Cert.No.....

7-8-4:41

Date: October 8, 1957

Property owner..Mr. Mark M. Sutherland..... Address...Keauhou, Hawaii.....

Island.....Hawaii.....City.....District..North Kona.....

New Construction....X..... Intended for..Dwelling being completed..

Builder or Contractor...Ideal Builders and Owner.....

Distance from building...40.....Boundary....30.....Stream or well.....

Diameter(clear)-ft...6..... Depth-ft..12... No. ft. down to water if any.....

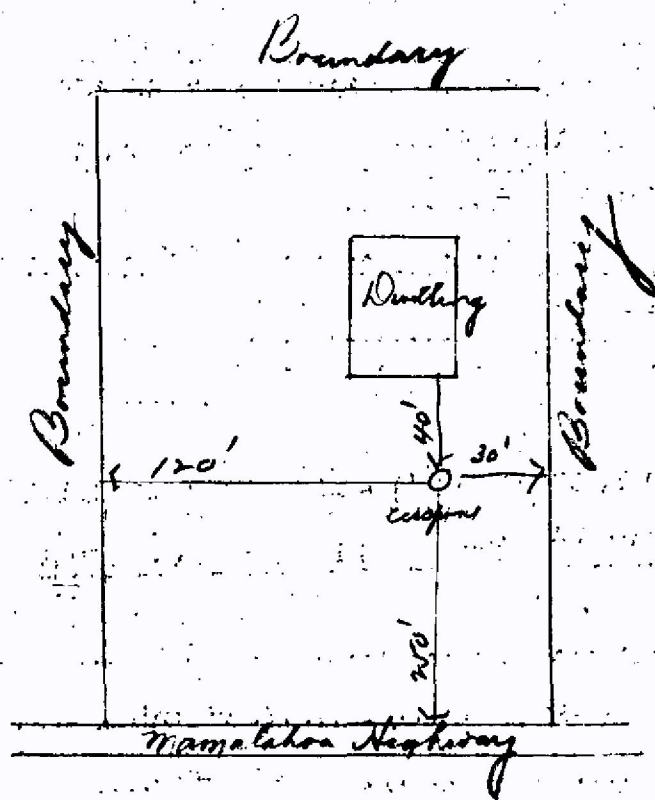
Capacity (Gallons)...2538..... Ground slope...4' drop.....

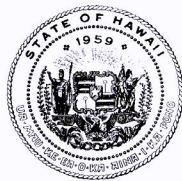
State soil or rock formation starting from surface..Rocky.10'...Gravel.2'.....

Kind of wall or curb....Rock..... Kind of cover.....Concrete.....

Distance from surface of ground to top of cover-ft...1-.....

Approved..By owner.....19.... *A. Richardson*.....





STATE OF HAWAII
DEPARTMENT OF HEALTH
P.O. BOX 916
HILO, HAWAII 96721-0916

MEMORANDUM

DATE: April 2, 2024

TO: Mr. Zendo Kern
Planning Director, County of Hawaii

FROM: Eric Honda
District Environmental Health Program Chief

SUBJECT: Special Permit Application (PL-SPP-2023-000051)
Applicant: Margaret Iliev
Request: To Allow a One (1)-Bedroom Bed and Breakfast Establishment
Tax Map Key: (3) 7-8-004:041, North Kona District, Hawai'i

In most cases, the District Health Office will no longer provide individual comments to agencies or project owners to expedite the land use review and process.

Agencies, project owners, and their agents should apply Department of Health "Standard Comments" regarding land use to their standard project comments in their submittal. Standard comments can be found on the Land Use Planning Review section of the Department of Health website: <https://health.hawaii.gov/epo/landuse/>. Contact information for each Branch/Office is available on that website.

Note: Agencies and project owners are responsible for adhering to all applicable standard comments and obtaining proper and necessary permits before the commencement of any work.

General summary comments have been included for your convenience. However, these comments are not all-inclusive and do not substitute for review of and compliance with all applicable standard comments for the various DOH individual programs.

Clean Air Branch

1. All project activities shall comply with the Hawaii Administrative Rules (HAR), Chapters 11-59 and 11-60.1.
2. Control of Fugitive Dust: You must reasonably control the generation of all

airborne, visible fugitive dust and comply with the fugitive dust provisions of HAR §11-60.1-33. Note that activities that occur near existing residences, businesses, public areas, and major thoroughfares exacerbate potential dust concerns. It is recommended that a dust control management plan be developed which identifies and mitigates all activities that may generate airborne and visible fugitive dust and that buffer zones be established wherever possible.

3. Standard comments for the Clean Air Branch are at: <https://health.hawaii.gov/epo/landuse/>

Clean Water Branch

1. All project activities shall comply with the HAR, Chapters 11-53, 11-54, and 11-55.
 1. The following Clean Water Branch website contains information for agencies and/or project owners who are seeking comments regarding environmental compliance for their projects with HAR, Chapters 11-53, 11-54, and 11-55: <https://health.hawaii.gov/cwb/clean-water-branch-home-page/cwb-standard-comments/>.

Hazard Evaluation & Emergency Response Office

1. A Phase I Environmental Site Assessment (ESA) and Phase II Site Investigation should be conducted for projects wherever current or former activities on site may have resulted in releases of hazardous substances, including oil or chemicals. Areas of concern include current and former industrial areas, harbors, airports, and formerly and currently zoned agricultural lands used for growing sugar, pineapple or other agricultural products.
2. Standard comments for the Hazard Evaluation & Emergency Response Office are at: <https://health.hawaii.gov/epo/landuse/>.

Indoor and Radiological Health Branch

1. Project activities shall comply with HAR Chapters 11-39, 11-45, 11-46, 11-501, 11-502, 11-503, and 11-504.
2. Noise may be generated during demolition and/or construction. The applicable maximum permissible sound levels, as stated in Title 11, HAR, Chapter 11-46, "Community Noise Control," shall not be exceeded unless a noise permit is obtained from the Department of Health.
3. Construction/Demolition Involving Asbestos: If the proposed project includes renovation/demolition activities that may involve asbestos, the applicant should contact the Asbestos and Lead Section of the Branch at <https://health.hawaii.gov/irhb/asbestos/>.

Safe Drinking Water Branch

1. Agencies and/or project owners are responsible for ensuring environmental

compliance for their projects in the areas of 1) Public Water Systems; 2) Underground Injection Control; and 3) Groundwater and Source Water Protection in accordance with HAR Chapters 11-19, 11-20, 11-21, 11-23, 11-23A, and 11-25. They may be responsible for fulfilling additional requirements related to the Safe Drinking Water program: <https://health.hawaii.gov/sdwb/>.

2. Standard comments for the Safe Drinking Water Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Solid & Hazardous Waste Branch

1. Hazardous Waste Program - The state regulations for hazardous waste and used oil are in HAR Chapters 11-260.1 to 11-279.1. These rules apply to the identification, handling, transportation, storage, and disposal of regulated hazardous waste and used oil.
2. Solid Waste Programs - The laws and regulations are contained in HRS Chapters 339D, 342G, 342H, and 342I, and HAR Chapters 11-58.1 and 11-282. Generators and handlers of solid waste shall ensure proper recycling or disposal at DOH-permitted solid waste management facilities. If possible, waste prevention, reuse, and recycling are preferred options over disposal. The Office of Solid Waste Management also oversees the electronic device recycling and recovery law, the glass advanced disposal fee program, and the deposit beverage container program.
3. Underground Storage Tank Program – The state regulations for underground storage tanks are in HAR Chapter 11-280.1. These rules apply to the design, operation, closure, and release response requirements for underground storage tank systems, including unknown underground tanks identified during construction.
4. Standard comments for the Solid & Hazardous Waste Branch can be found at: <https://health.hawaii.gov/epo/landuse/>.

Wastewater Branch

For comments, please email the Wastewater Branch at doh.wwb@doh.hawaii.gov.

Sanitation / Local DOH Comments:

1. “Bed and Breakfast establishment” means a single-family dwelling, including a single guest house, in which overnight accommodations and only breakfast meals are provided, and the number of guests does not exceed six(6).
2. “Potentially hazardous food” means any food that consists, in whole or in part, of milk or milk products, eggs, meat, poultry, fish, shellfish, edible crustacea or other ingredients, including synthetic ingredients in a form capable of supporting rapid and progressive growth of infectious or toxigenic microorganisms. The term does not include foods that have a pH level of four and six-tenths or below or a water activity (aw) value of eighty-five hundredths or less.

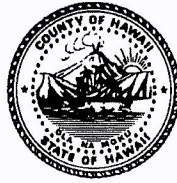
3. When required by the County Planning Department, Bed and Breakfast establishments may request documentation from the Department of Health. The Department of Health will provide documentation to the Planning Department once written communication from the Bed and Breakfast operators are received regarding their food service operations.
4. If the proposed Bed and Breakfast meal consists of commercial cereal, pastries (except custards or cream filled), breads, fruits, coffee, tea, and juice, a food establishment permit will not be required from the Department of Health at this time. This limited menu must be documented in a letter to the Department of Health. The guests shall be informed by statements contained in published advertisements, mailed brochures, and placards posted at the registration area that the food is prepared in a kitchen that is not regulated and inspected by the Department of Health.
5. For Bed and Breakfast operations that provide meals which include potentially hazardous foods, a food establishment permit will be required to operate. County landuse approval for operating a food establishment may also be required. A kitchen used to prepare foods for individual family consumption will not be allowed to be permitted. A separate commercial kitchen will need to be constructed.
6. If you have any questions regarding this guideline, please feel free to call the Food Safety Program at 933-0917.

Other

1. [CDC - Healthy Places - Healthy Community Design Checklist Toolkit](#) recommends that state and county planning departments, developers, planners, engineers, and other interested parties apply these principles when planning or reviewing new developments or redevelopment projects.
2. If new information is found or changes are made to your submittal, DOH reserves the right to implement appropriate environmental health restrictions as required. Should there be any questions on this matter, please contact the Department of Health, Hawaii District Health Office, at (808) 933-0917.

Mitchell D. Roth
Mayor

Deanna S. Sako
Managing Director



Ramzi I. Mansour
Director

Brenda Iokepa-Moses
Deputy Director

County of Hawai'i

DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

345 Kekūanāʻo Street, Suite 41 · Hilo, Hawai'i 96720 · cohdem@hawaiiicounty.gov

Ph: (808) 961-8083 · Fax: (808) 961-8086

MEMORANDUM

TO: Zendo Kern, Director
Planning Department

FROM: Ramzi I. Mansour, Director *Brenda Iokepa-Moses*
Department of Environmental Management

DATE: April 3, 2024

SUBJECT: Special Permit Application (PL-SPP-2023-000051)
Applicant: Margaret Iliev
Request: To Allow a One (1)-Bedroom Bed and Breakfast Establishment
Tax Map Key: (3) 7-8-004:041, North Kona District, Hawai'i

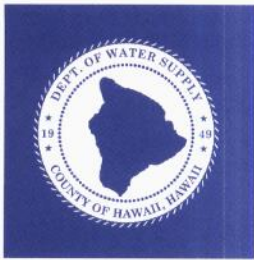
The Solid Waste Division has reviewed the subject application and provides the following comments (Contact the Solid Waste Division for details).

- Commercial operations, State and Federal agencies, religious entities and non-profit organizations may not use transfer stations for disposal.
- Ample room should be provided for rubbish and recycling.
- Green waste may be transported to the green waste sites located at the West Hawai'i Organics Facility and East Hawai'i Organics Facility, or other suitable diversion programs.
- Construction and demolition waste is prohibited at all County Transfer Stations.

The Wastewater Division has reviewed the subject application and provides the following comments (contact the Wastewater Division for details):

- No County sewer system in area. Applicant shall follow Hawai'i Department of Health, and all other applicable federal, state, and county regulations.

Planning Dept.
Exhibit 3



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

345 KEKŪANAO'A STREET, SUITE 20 • HILO, HAWAII 96720

TELEPHONE (808) 961-8050 • FAX (808) 961-8657

April 29, 2024

COH PLANNING DEPT
APR 30 2024 PM 3:03

REC'D HAND DELIVERED

TO: Mr. Zendo Kern, Director
Planning Department

FROM: Keith K. Okamoto, Manager-Chief Engineer

SUBJECT: **Special Permit Application (PL-SPP-2023-000051)**
Applicant: Margaret Iliev
Request: To Allow a One (1) Bedroom Bed and Breakfast Establishment
Tax Map Key 7-8-004:041

We have reviewed the subject application and have the following comments.

Please be informed that the subject parcel is currently served by an existing 5/8-inch meter (Account No. 890-76435), located on Māmalahoa Highway. We have no objection to the establishment of a 1-bedroom bed and breakfast on the subject parcel.

The applicant shall be informed, through a copy of this letter, that the existing 5/8-inch meter is limited to an average daily usage of 400 gallons, and the Department may install a flow-reducing device on the meter should the consumption through the existing meter exceed its rated capacity.

Should there be any questions, please contact Mr. Ryan Quitarano of our Water Resources and Planning Branch at (808) 961-8070, extension 256.

Sincerely yours,

Keith K. Okamoto, P.E.
Manager-Chief Engineer

RQ:dfg

copy – Ms. Margaret Iliev

Planning Dept. Exhibit <u>4</u>

... Water, Our Most Precious Resource ... Ka Wai A Kāne ...

The Department of Water Supply is an Equal Opportunity provider and employer.

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

DATE: April 29, 2024

Memorandum

TO: Zendo Kern, Planning Director

FROM: Department of Public Works, Engineering Division



SUBJECT: Special Permit Application (PL-SPP-2023-000051)

Applicant: Margaret Iliev

Request: To Allow a One (1)-Bedroom Bed and Breakfast Establishment

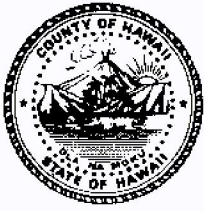
TMK: 7-8-004:041

We have reviewed the subject request and provide the following comments:

1. 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.

We have no other comments since the request is to use an existing dwelling that takes access from Mamalahoa Highway, a County owned road and there are no open violations associated with this property. Questions may be referred to Robyn Matsumoto at 961-8924.

Planning Dept.
Exhibit <u>5</u>



BUILDING DIVISION – DPW

COUNTY OF HAWAII – 101 Pauahi Street, Suite 7 – Hilo, Hawai'i 96720
Hilo Office (808) 961-8331 • Fax (808) 961-8410 Kona Office (808) 323-4720 • Fax (808) 327-3509

April 30, 2024

TO:

Jessica Andrews - County of Hawaii – Planning Dept.
County Of Hawaii Planning Department
101 Pauahi St. Ste. #3
Hilo, HI. 96720

SUBJECT:

Special Permit Application PL-SPP- 2023-000051
Applicant: Margret Ilie
Request: To Allow a 1 Bedroom Bed and Breakfast
TMK: (3) 7-8-004:041 N. Kona, Hawaii

This is to inform you that our records on file, relative to the status of the subject discloses that:

- ☐ No Building permit was issued for work done on the premises.
- ☐ No building permit was issued for the change of occupancy.
- ☐ At the time of completion, the subject complied with all Building Code regulations that were in effect.
- ☐ Variance from any building regulation (Building, Electrical, Plumbing, or Sign) was/was not granted.
- ☒ The following violations(s) still outstanding: See complaint CE2023-00104
 - ☒ Building ☐ Electrical ☐ Plumbing ☐ Sign
- ☒ Others: No records of permitting second kitchen for Bed and Breakfast structure. There is also multiple structures without permit records, appear to be dwellings.

This status report reflects Building Division records only and does not include information from other agencies.

Should you have any questions regarding matters contained herein, please feel free to contact Chris Domino at phone no. (808) 323-4720