

DEPARTMENT OF LAND UTILIZATION  
**CITY AND COUNTY OF HONOLULU**  
650 SOUTH KING STREET  
HONOLULU, HAWAII 96813 • (808) 523-4432

RECEIVED

95 JUL 13 P1:36

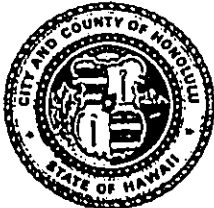
PATRICK T. ONISHI  
DIRECTOR

OFFICE OF ENVIRONMENTAL  
QUALITY CONTROL

LORETTA K.C. CHEE  
DEPUTY DIRECTOR

95/SV-004 (JT)

JEREMY HARRIS  
MAYOR



June 29, 1995

The Honorable Gary Gill, Director  
Office of Environmental Quality Control  
220 S. King Street, 4th Floor  
State of Hawaii  
Honolulu, Hawaii 96813

Dear Mr. Gill:

CHAPTER 343, HRS  
Environmental Assessment/Determination  
Negative Declaration

Owner/Applicant: James Chock  
Location : 47-101 Kamehameha Highway, Kaneohe, Oahu  
Tax Map Key : 4-7-19: 64  
Request : Shoreline Setback Variance  
Proposal : Construct a new single-family dwelling to encroach 20 feet within the 40-foot shoreline setback area  
Determination : A Negative Declaration Is Issued

The Draft Environmental Assessment (DEA) submitted for the above-referenced project identified the proposed new dwelling as an "ohana" dwelling. In our department's review of the proposal, we determined that an ohana dwelling (a second dwelling unit which contains a second kitchen) is not permitted on the applicant's lot because it lacks the minimum lot size required for the R-10 Residential District. A single-family dwelling which houses all of the related persons identified in the DEA is permitted. The applicant has revised his proposal accordingly.

We have received comments on the DEA from various governmental agencies. The following is a summary of the submittals and responses where appropriate:

1. City and County of Honolulu

- a. Department of Public Works: Address best management practices (BMPs) to minimize discharge of pollutants into Kaneohe Bay during construction.

If the request is approved, BMPs during construction will be made a condition of approval.

106

The Honorable Gary Gill, Director  
Page 2  
June 29, 1995

- b. Department of Parks and Recreation: No comment.
- c. Department of Transportation Services: 5-foot road widening setback along Kamehameha Highway.  
  
The 5-foot road widening setback will be taken in account in determining the setbacks applied to the property.
- d. Board of Water Supply: No comment.
- e. Department of Wastewater Management: Due to capacity limitations, ohana dwellings cannot be allowed on the property.

The project has been revised; no ohana dwelling is proposed.

2. State of Hawaii

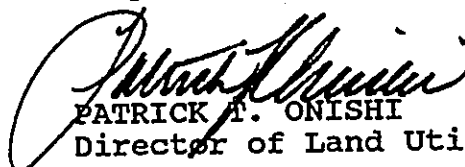
- a. Department of Health: There is no sewer service in the area; an individual wastewater system is recommended.

The City Department of Wastewater Management has confirmed that the project area is served by the City sewer system and that it is adequate to serve a single-family dwelling on the site.

Based on the significance criteria outlined in Chapter 200, State Administrative Rules, we have determined that preparation of an Environmental Impact Statement (EIS) is not required.

If you have any questions, please contact Joan Takano of our staff at 527-5038.

Very truly yours,



PATRICK T. ONISHI

Director of Land Utilization

PTO:am  
Enclosures

.g:chockndo.jht

cc: C&C of Honolulu, Public Works  
C&C of Honolulu, Parks & Recreation  
C&C of Honolulu, Transportation Services  
C&C of Honolulu, Board of Water Supply  
C&C of Honolulu, Wastewater Management  
State of Hawaii, Department of Health

1995-07-23-0A-FEA-Chock single family residence shoreline  
(at back Variance)

JUL 23 1995

FINAL

## ENVIRONMENTAL ASSESSMENT

### I. GENERAL INFORMATION

- A. Applicant: James G.G. Chock  
47-101 Kamehameha Highway  
Kaneohe, HI 96744  
PH: 595-4552
- B. Fee Owner: James G.G. Chock.
- C. Agent: Same as Fee Owner.
- D. Tax Map Key: 4-7-19:64
- E. Lot Area: 7491 square feet
- F. Agencies Consulted: City & County of Honolulu  
Dept. of Land Utilization  
Environmental Affairs Branch

95 PMR 2 PM 12:08  
DEPT OF LAND UTILIZATION  
CITY & COUNTY OF HONOLULU

### II. DESCRIPTION OF THE PROPOSED ACTION

#### A. General Description:

1. Replacing the existing 2-bedroom dilapidated and leaking home built on a downward slope with a new home with a 20-foot shoreline setback instead of the certified 40-foot shoreline setback.
2. The subject parcel has approximately 50% of its total area within the required 40 foot shoreline setback because of the property's irregular shape. (see attached Figure "1")
3. The architect's floor plans, based on the 40 foot shoreline setback, show the home's maximum depth as only 33 feet which is unsuitable for making the home suitable for two families and wheelchair accessible.
4. Approval of Variance from 40 foot setback to 20 foot setback is requested.

#### B. Technical Characteristics.

1. Use is a family residence. One dwelling area (the ground floor) must be wheelchair accessible because my sister and mother-in-law (who currently resides with us) are both confined to wheelchairs. Additionally, my wife and I are 56 and 62 respectively this year and my wife has

undergone 3 major operations; we want to assure that the house is easily accessible for our anticipated disabilities. The second dwelling area will be on the second floor where my daughter's family will live.

2. Schematic Design Variance Drawing are attached.

### III. AFFECTED ENVIRONMENT.

- A. The subject site abuts the ocean and is located on Kaneohe Bay, about one mile from Heeia Boat ramp (heading toward Kualoa) and has a fairly steep downward grade.
- B. There are no known geologically hazardous land conditions.
- C. Coastal views provided by photographs are attached.
- D. There are no beaches or beach parks near the project site.
- E. Location and site map attached.

### IV. IMPACTS.

#### A. Environment:

The proposed project with a 20 foot shoreline setback will have no detrimental effect on the environment.

#### B. Neighbors.

The proposed project will not interfere with our neighbors' views because the neighboring homes already infringe on the 40 foot setback.

#### C. Public:

Allowing the variance to a 20-foot setback will not negatively affect the public since there are no nearby parks or beaches. The new residence will not affect public access to Kaneohe Bay.

#### D. Social/Economic Effects on the Local Community:

The proposed project will only positively increase the property values of the adjacent home owners properties, since we are replacing the existing deteriorating residence with a new residence. Furthermore, allowing the variance will not destroy the existing beauty of the area since existing homes are already situated in the setback area.

V. MITIGATION AND ALTERNATIVES.

Building a new residence within the limited area the present shoreline setback requires diminishes the area upon which the dwelling could be built and will not meet the needs of the Owner and his family to build a Home which will be wheelchair accessible for family residents and guests.

If the variance is not granted, the only alternative is to build the home within the required setback and install a wheelchair elevator so that family who can no longer climb stairs and/or who are confined to a wheelchair will be able to use the home. Unfortunately, the cost of installing such elevator would render the estimated cost of the dwelling's construction at a cost prohibitive \$1 million. And if the variance is not granted, the owner and his family will have to reevaluate whether the dwelling's size would be sufficient for two families to live in.

VI. OWNER'S CLOSING STATEMENT.

The Owner's needs for the proposed project site are two-fold: 1) to provide a home for his family and his daughter's family; and 2) allow one floor to be wheelchair accessible and large enough to house one family.

The new house, if built would not alter the character of the neighborhood or challenge the reasonableness of the Zoning Code. Virtually, all the adjacent neighbors residence substantially encroach within the required Forty (40) foot shoreline setback.

## VARIANCE REQUEST SUPPLEMENTAL INFORMATION

### I. GENERAL INFORMATION

- A. Applicant & Fee Owner:  
James G.G. Chock  
47-101 Kamehameha Highway  
Kaneohe, HI 96744  
PH: 595-4552
- B. Tax Map Key: 4-7-19:64
- C. Lot Area: 7491 square feet

### II. WRITTEN INFORMATION.

- A. Variance Requested: Chapter 23 ROH, section 23-1.4  
(shoreline setback line)
- B. Hardship:

The Owner's needs for the proposed project site are two-fold. First, the proposed two-story dwelling home would house the owner's family on one floor. The owner's daughter's family would reside on the second floor. Second, the owner's mother-in-law who currently lives with the family, is confined to a wheelchair, as is the owner's sister. The plan is to have one area which is both wheelchair accessible and large enough to house the Owner's family who are currently living together (owner, wife, 3 children, and mother-in-law).

If the variance is not granted, the only alternative is to build the home within the required setback and install a wheel chair elevator so that family members who can no longer climb stairs and/or who are confined to a wheel chair will be able to use the home. Unfortunately, the cost of installing such elevator would render the cost of the dwelling's construction at a cost prohibitive \$1 million. And if the variance is not granted, the owner and his family will have to reevaluate whether the dwelling's size would be sufficient for two families to live in.

### C. Drawings and Plans

Enclosed are the following documents:

1. certified setback line prepared by a registered land surveyor;
2. Site plan;

The new house, if built would not alter the character of the neighborhood or challenge the reasonableness of the Zoning Code. Virtually, all the adjacent neighbors residence substantially encroach within the required Forty (40) foot shoreline setback.

JOHN WAIHEE  
GOVERNOR OF HAWAII



STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
DIVISION OF LAND MANAGEMENT  
PO BOX 621  
HONOLULU, HAWAII 96809

AQUACULTURE DEVELOPMENT  
PROGRAM  
AQUATIC RESOURCES  
CONSERVATION AND  
ENVIRONMENTAL AFFAIRS  
CONSERVATION AND  
RESOURCES ENFORCEMENT  
CONVEYANCES  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
PROGRAM  
LAND MANAGEMENT  
STATE PARKS  
WATER AND LAND DEVELOPMENT

DEC 8 1984

Ref.: LM-LY

Land Mgmt. Case No. OA-441

John S. Terada  
Engineers Surveyors Hawaii, Inc.  
1020 Auahi St., Bldg. 6, -Rm. 1  
Honolulu, HI 96814

Dear Mr. Terada :

Subject: Shoreline Certification Request  
Applicant: Engineers Surveyors Hawaii  
Property Owner: James Chock  
Location - Island: Oahu District: Kahaluu  
Tax Map Key: 4-7-19:64  
Property Description: Parcel 6 of "filled area of  
Kaneohe Bay" and Lots 82-A and 82-B of Ld. Ct. App.  
979  
Land Management Case No.: OA-441

This is to inform you that the subject shoreline certification request has been certified and no appeal has been received. Five (5) certified copies of the map are enclosed herewith.

Should you have any questions regarding this matter, please feel free to contact our Land Management Division at 587-0439.

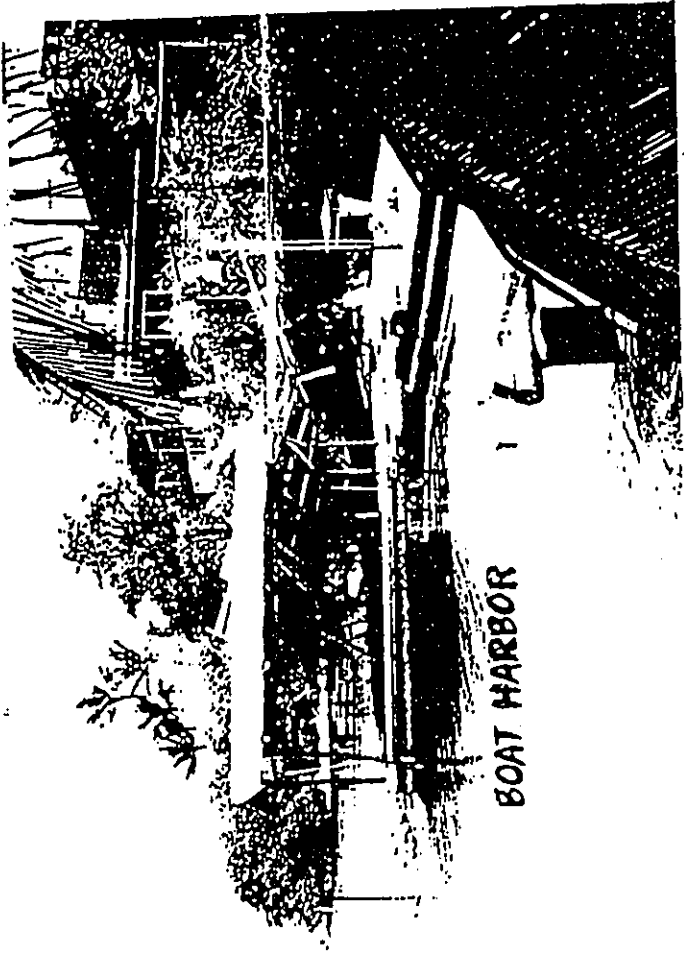
Very truly yours,

W. MASON YOUNG  
Land Management Administrator

Enclosure

cc: Oahu Land Board Member  
Survey Div., DAGS w/map





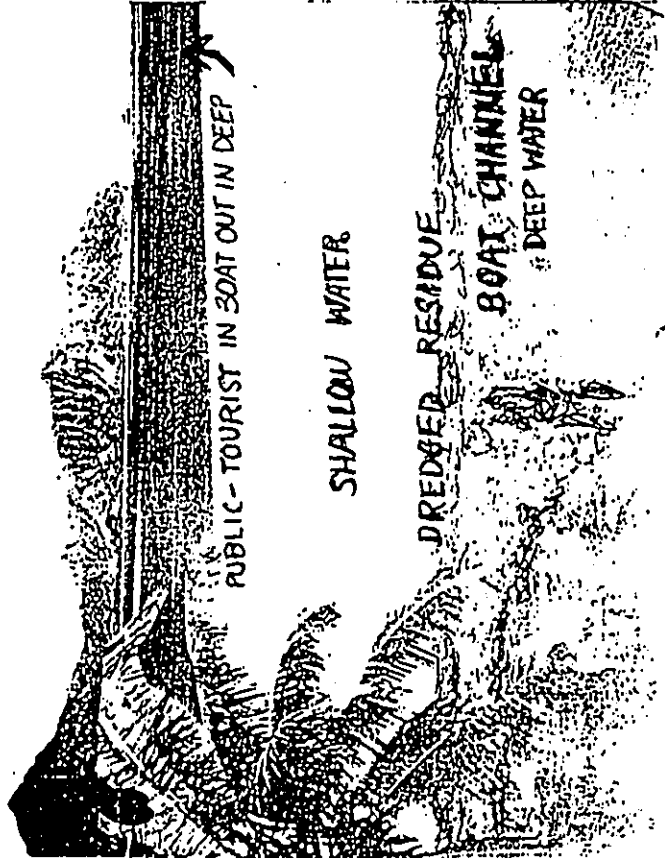
BOAT HARBOR

# 1 2-3-95  
8:00 A.M.



DEEP WATER CHANNEL

# 2 2-3-95  
8:00 A.M. ↑



PUBLIC-TOURIST IN BOAT OUT IN DEEP

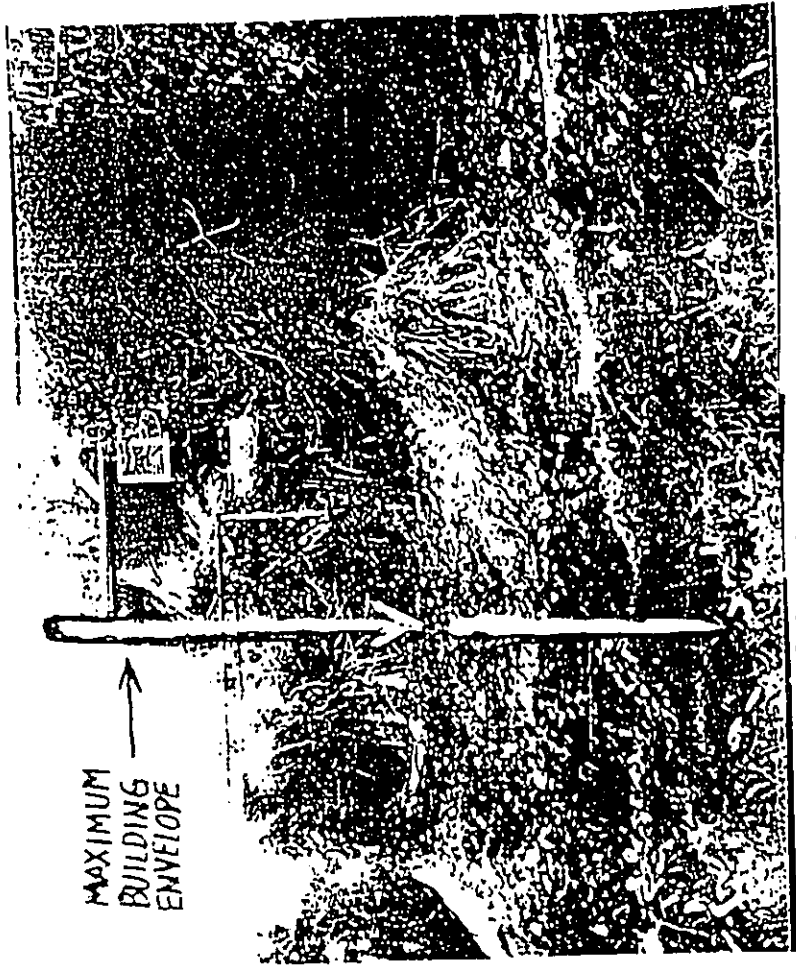
SHALLOW WATER

DREDGED RESIDUE

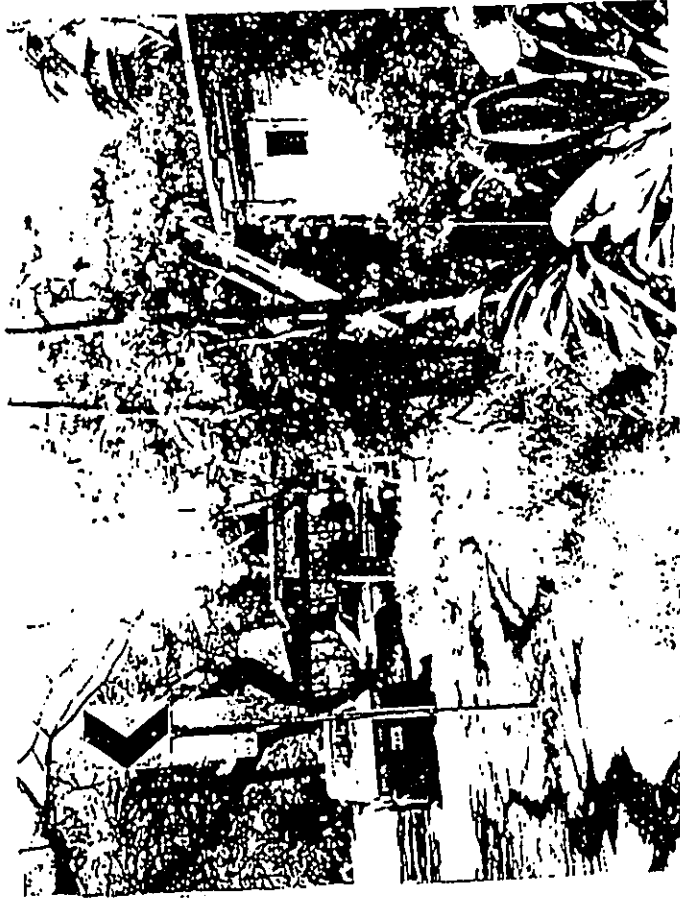
BOAT CHANNEL

DEEP WATER

# 3 2-3-95  
8:00 A.M.



# 4 2-3-95 8:00 A.M.

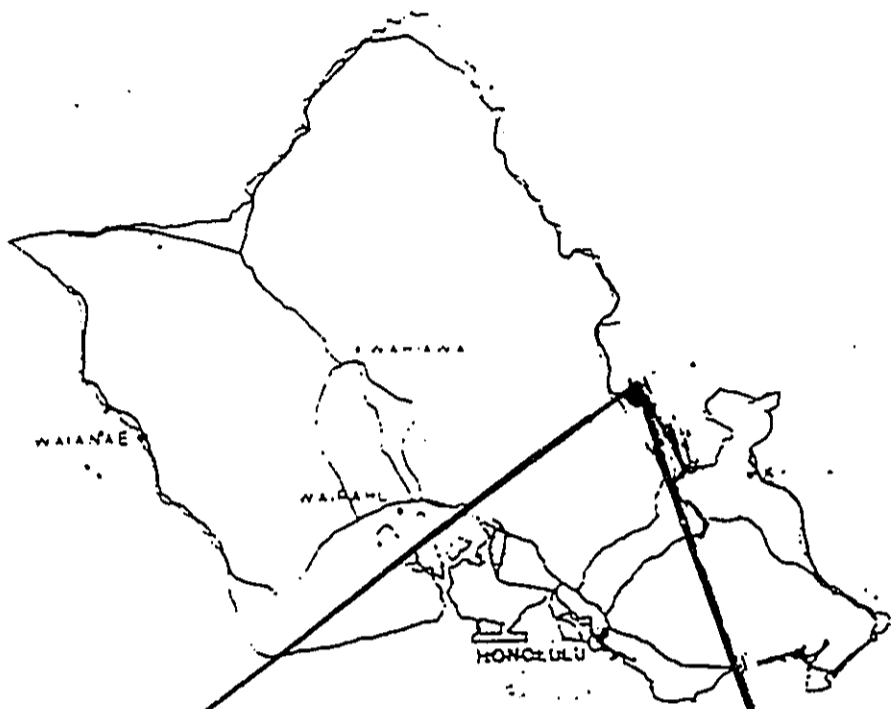


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# 6 2-3-95 8:00 A.M.

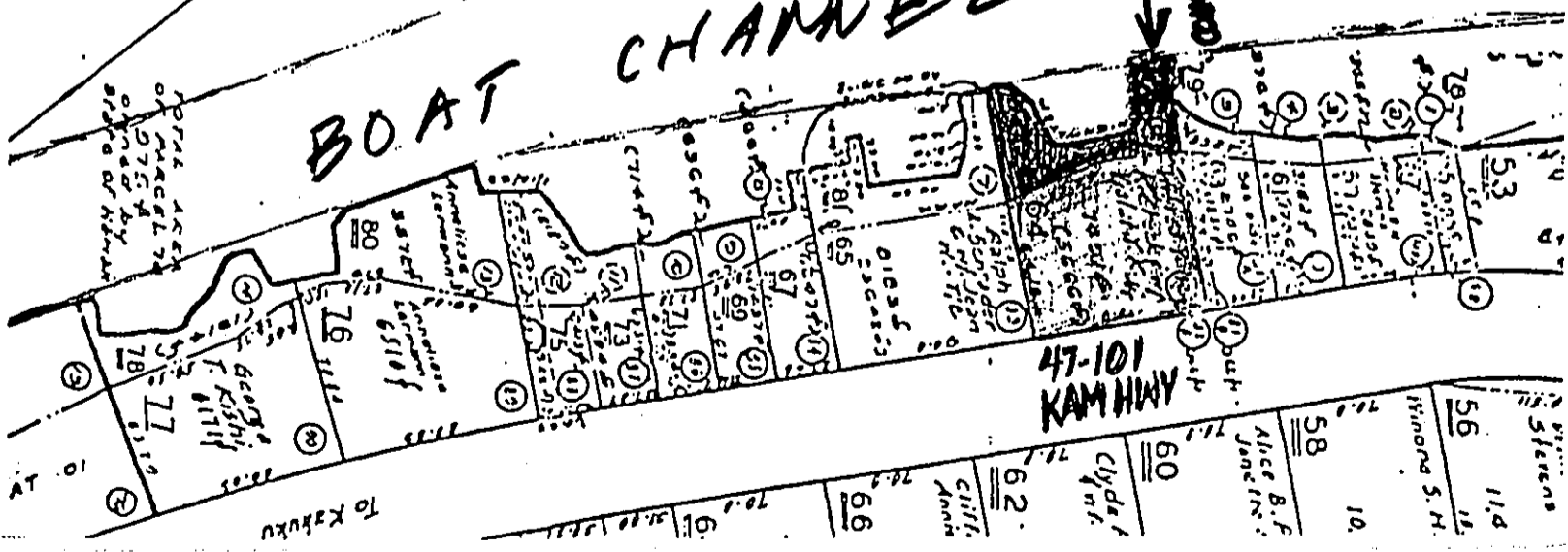
LOCATION ON OAHU



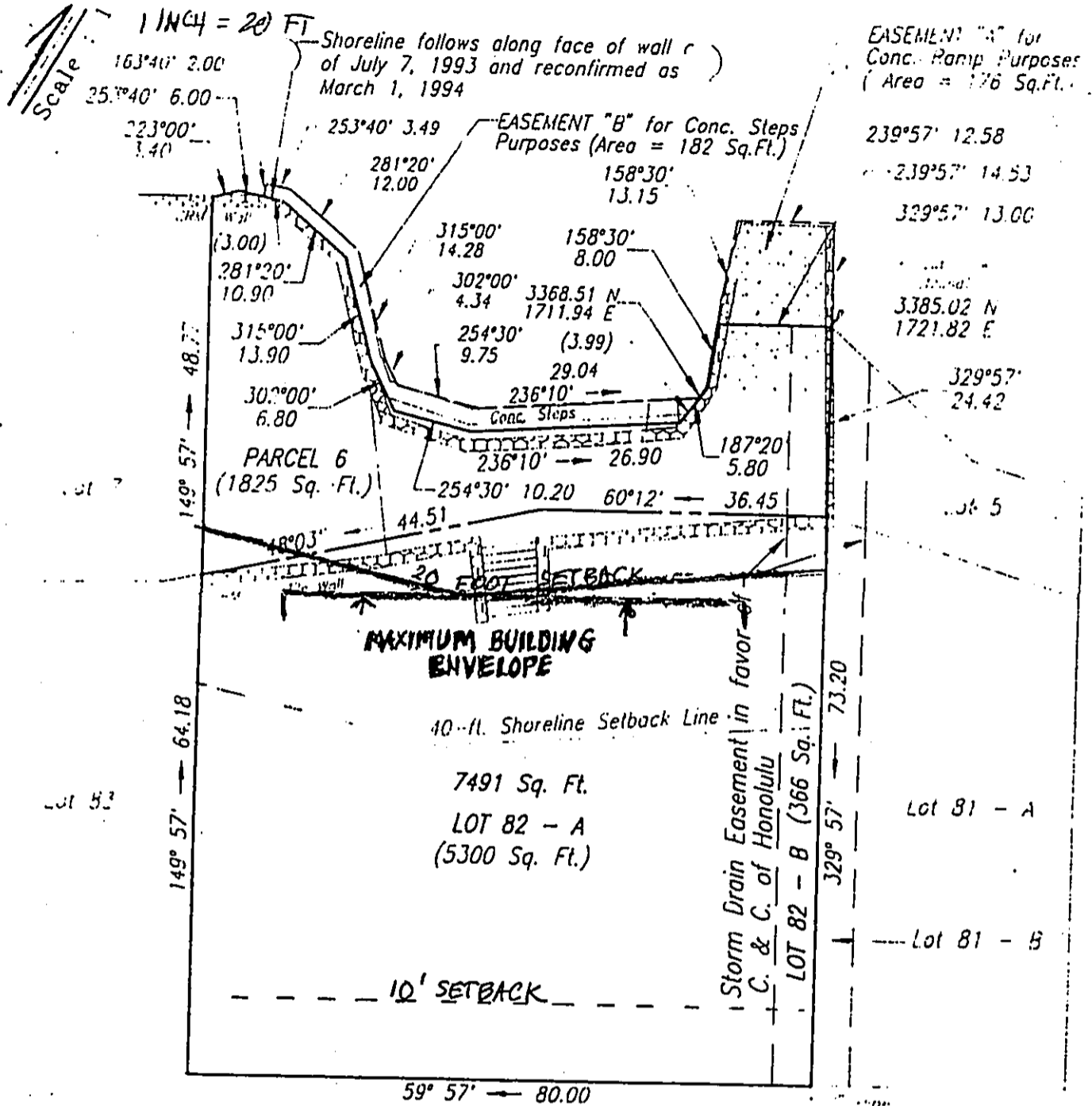
↑  
TO THE DEEP

BOAT CHANNEL

ENCRICHMENT  
CONCRETE BOAT RAMP

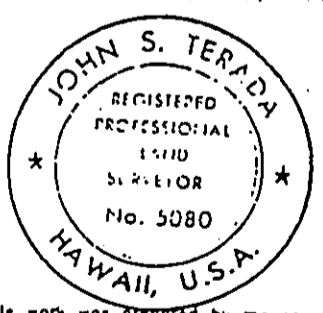


SCALE 1 INCH = 20 FT



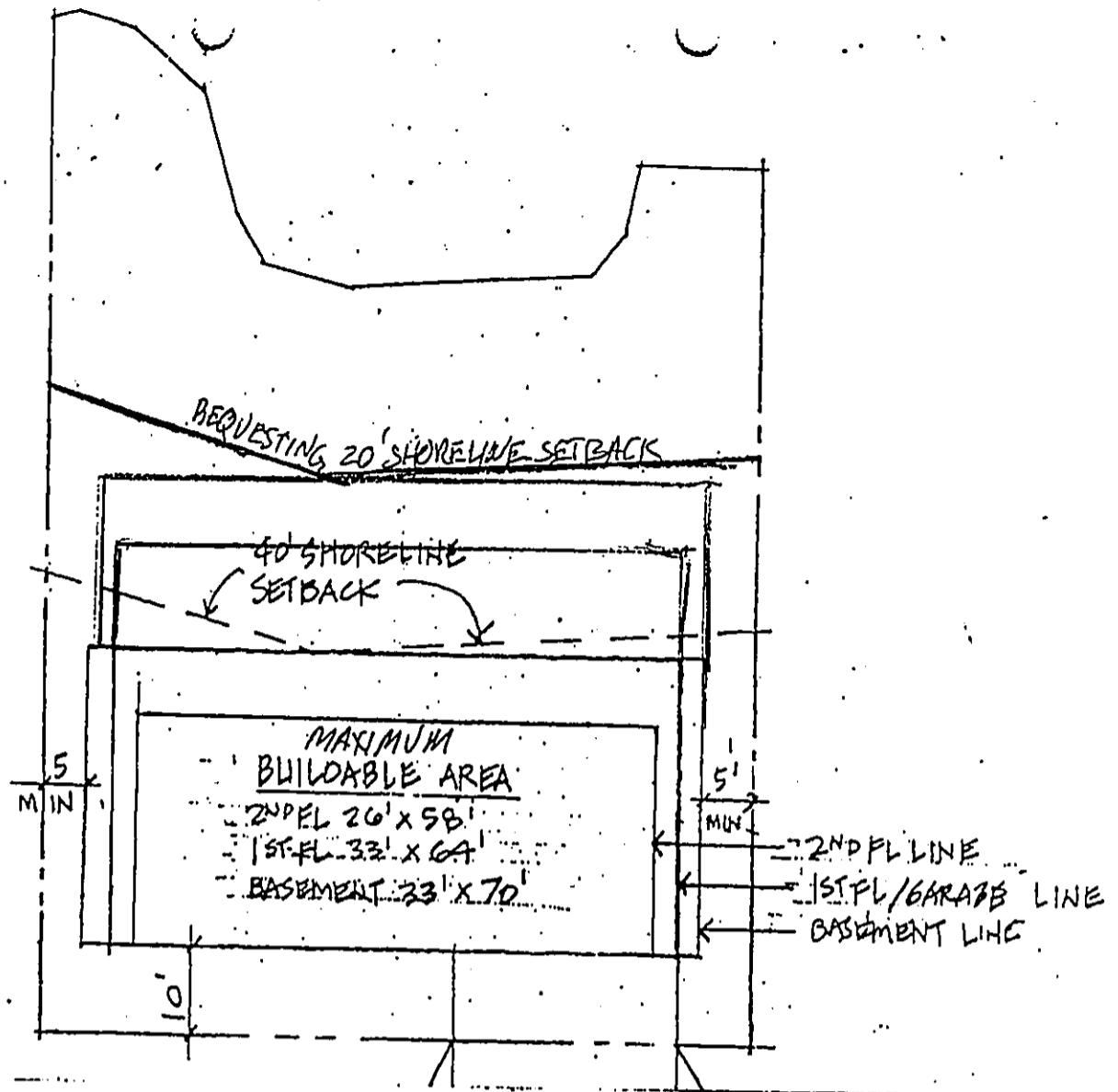
To Kahuku

# KAMEHAMEHA HIGHWAY

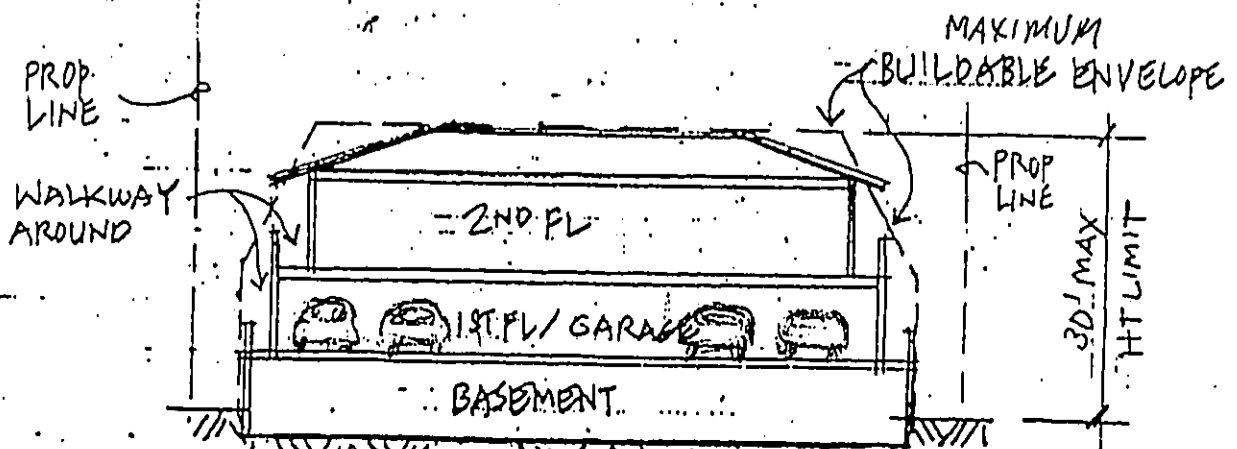
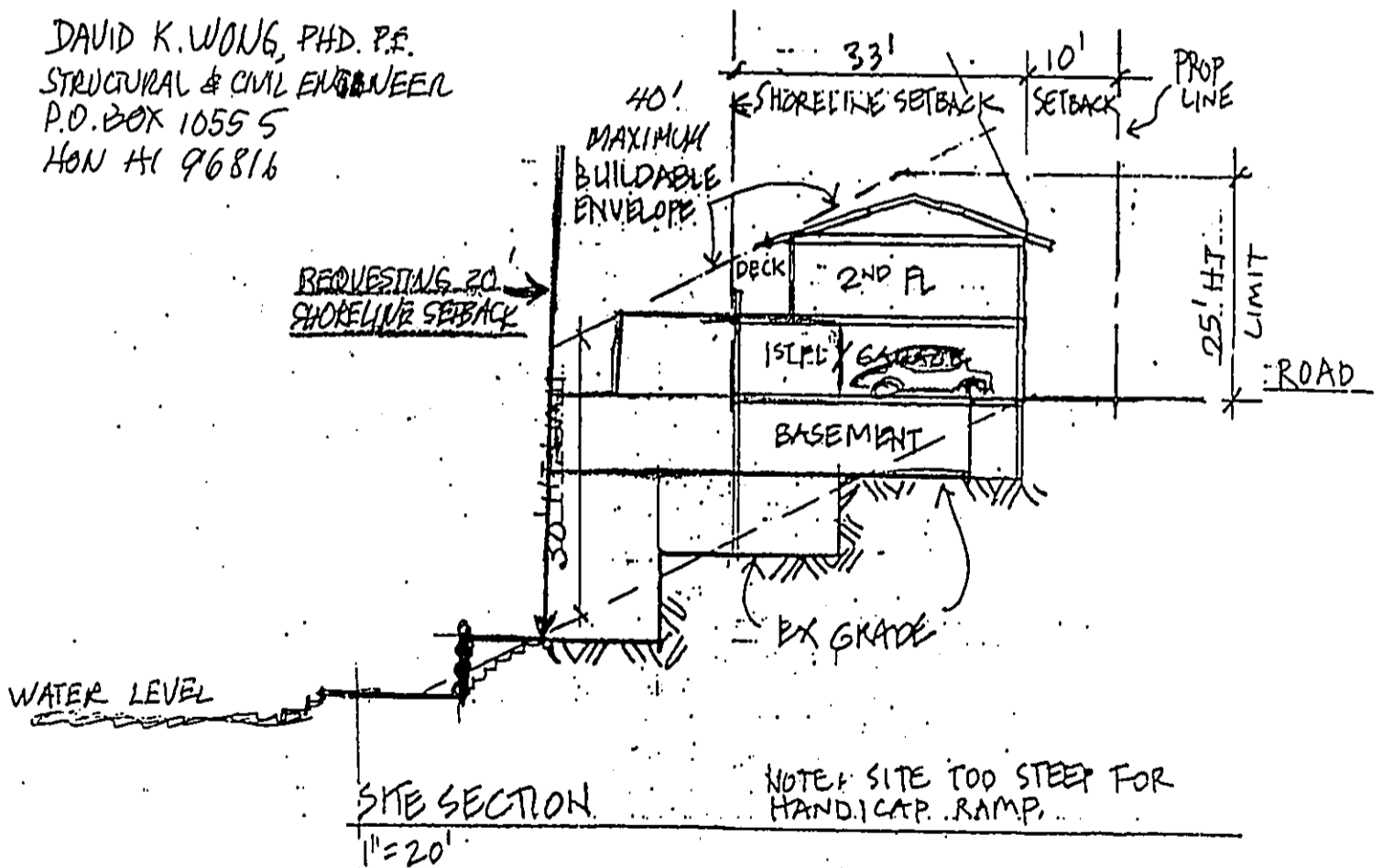


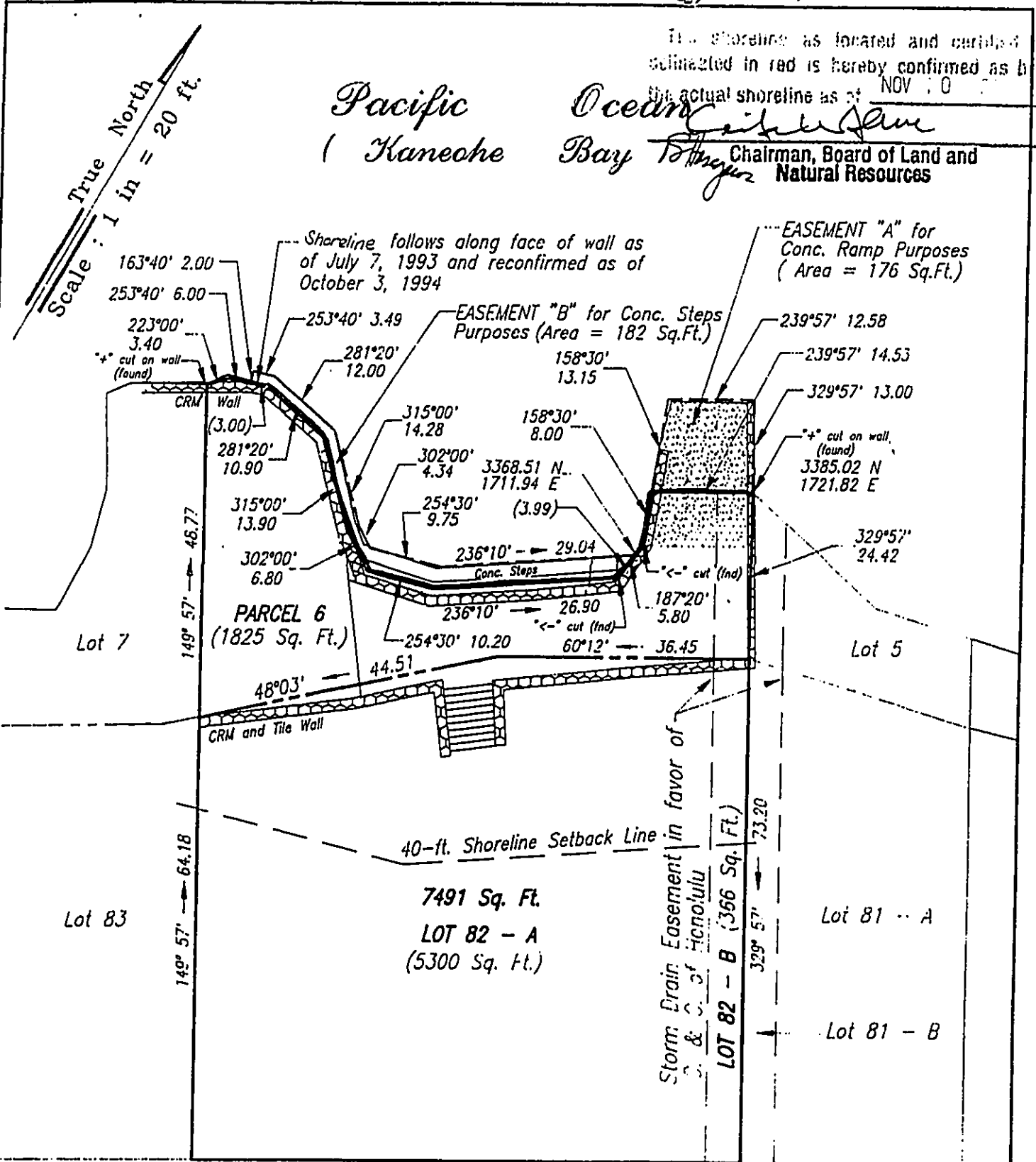
This work was prepared by me or under my direct supervision  
 By *John S. Terada*  
 Registered Professional Land Surveyor  
 Certificate Number 5080

PLAN SHOWING  
 PARCEL 6 ( C.S.F. NO. 14,239 )  
 OF THE "FILLED AREA OF KANEOHE BAY"  
 AND LOTS 82-A AND 82-B ( MAP 7 )  
 OF LAND COURT APPLICATION 979  
 AT KAHALUU, KOOLAUPOKO, OAHU, HAWAII  
 TAX MAP KEY : 4-7-19 : 64  
 Owner: James Chock  
 47-101 Kamehameha Hwy.



DAVID K. WONG, PH.D. P.E.  
 STRUCTURAL & CIVIL ENGINEER  
 P.O. BOX 10555  
 HON HI 96816





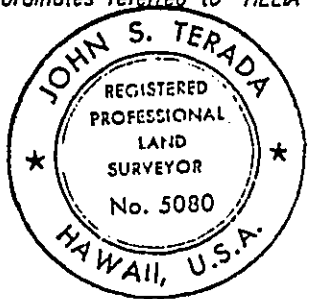
The shoreline as located and certified delineated in red is hereby confirmed as being the actual shoreline as of NOV 10 1994

*John S. Terada*  
Chairman, Board of Land and Natural Resources

----- To Kahuku

**KAMEHAMEHA HIGHWAY**

NOTE:  
Coordinates referred to "HEEIA" &



This work was prepared by me or under my direct supervision.  
By: *John S. Terada*  
Registered Professional Land Surveyor  
Certificate Number 5080

PLAN SHOWING  
PARCEL 6 ( C.S.F. NO. 14,239 )  
OF THE "FILLED AREA OF KANEOHE BAY"  
AND LOTS 82-A AND 82-B ( MAP 7 )  
OF LAND COURT APPLICATION 979  
AT KAHALUU, KOOLAUPOKO, OAHU, HAWAII  
TAX MAP KEY : 4-7-19 : 64

Owner: James Chock  
47-101 Kamehameha Hwy.

95-02434

DEPARTMENT OF PUBLIC WORKS  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813

JEREMY HARRIS  
MAYOR



KENNETH E. SPRAGUE  
DIRECTOR AND CHIEF ENGINEER

DARWIN J. HAMAMOTO  
DEPUTY DIRECTOR

ENV 95-147

April 28, 1995

MEMORANDUM

TO: PATRICK T. ONISHI, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: *for* KENNETH E. SPRAGUE  
DIRECTOR AND CHIEF ENGINEER *Ken Th*

SUBJECT: DRAFT ENVIRONMENTAL ASSESSMENT (DEA)  
J. CHOCK TWO-STORY OHANA DWELLING  
TMK: 4-7-19: 64

95 APR 28 PM 10 14  
DEPARTMENT OF LAND UTILIZATION  
CITY AND COUNTY OF HONOLULU

We have reviewed the subject DEA and have the following comment:

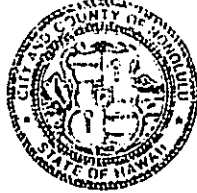
The DEA should address the implementation of best management practices (BMPs) during construction to control and minimize discharge of pollutants into receiving waters (Kaneohe Bay).

Should you have any questions, please contact Mr. Alex Ho, Environmental Engineer, at Local 4150.

DEPARTMENT OF PARKS AND RECREATION  
CITY AND COUNTY OF HONOLULU

650 SOUTH KING STREET  
HONOLULU, HAWAII 96813

JEREMY HARRIS  
MAYOR



DONA L. HANAIKE  
DIRECTOR

ALVIN K. C. AU  
DEPUTY DIRECTOR

May 8, 1995

TO: PATRICK T. ONISHI, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: DONA L. HANAIKE, DIRECTOR

SUBJECT: ENVIRONMENTAL ASSESSMENT, CHAPTER 343, HRS  
PROJECTS WITHIN THE SHORELINE SETBACK  
TWO-STORY OHANA DWELLING  
47-101 KAMEHAMEHA HIGHWAY, KANEOHE, OAHU, HAWAII  
TAX MAP KEY 4-7-19:64  
PROJ. REF. NO. 95/SV-4

RECEIVED  
MAY 11 1995  
MAY 11 4 34 PM '95

We have reviewed the environmental assessment for the above-described project and have no comment to offer at the present time.

Thank you for the opportunity to review this project.

If there are any questions, please contact Lester Lai of our Advance Planning Branch at extension 4696.

A handwritten signature in black ink, appearing to read "Dona L. Hanaike".

For DONA L. HANAIKE  
Director

DLH:ei

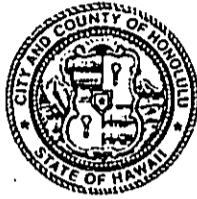


95-0001

DEPARTMENT OF TRANSPORTATION SERVICES  
**CITY AND COUNTY OF HONOLULU**

PACIFIC PARK PLAZA  
711 KAPIOLANI BOULEVARD, SUITE 1200  
HONOLULU, HAWAII 96813

JEREMY HARRIS  
~~FRANK F. FAGE~~  
MAYOR



CHARLES O. SWANSON  
~~JOSEPH M. MAGALDI, JR.~~  
DIRECTOR

~~AMAR GAFFRE~~  
TE-2112  
PL95.1.129

May 23, 1995

MEMORANDUM

TO: PATRICK ONISHI, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: CHARLES O. SWANSON, DIRECTOR

SUBJECT: CHOCK OHANA DWELLING - KAHALUU  
ENVIRONMENTAL ASSESSMENT  
TMK: 4-7-19: 64

95 MAY 23 PM 2 51  
DEPT. OF LAND UTILIZATION  
HONOLULU, HAWAII

This is in response to your memorandum 95/SV-004(DT) dated April 26, 1995 requesting our comments on the subject project.

There is a 5-foot road widening setback along Kamehameha Highway fronting this property that should be respected in the design of the dwelling.

Should you have any questions, please contact Wayne Nakamoto of my staff at local 4190.

*for* Charles O. Swanson  
CHARLES O. SWANSON

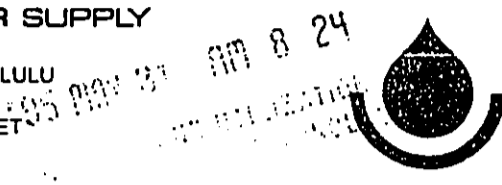
95-03189

**BOARD OF WATER SUPPLY**

CITY AND COUNTY OF HONOLULU

630 SOUTH BERETANIA STREET

HONOLULU, HAWAII 96843



JEREMY HARRIS, Mayor

WALTER O. WATSON, JR., Chairman  
 MAURICE H. YAMASATO, Vice Chairman  
 SISTER M. DAVILYN ALI CHICK, O.S.F.  
 KAZU HAYASHIDA  
 MELISSA Y. J. LUM  
 FORREST C. MURPHY  
 KENNETH E. SPRAGUE

RAYMOND H. SATO  
 Manager and Chief Engineer

May 26, 1995

TO: PATRICK T. ONISHI, DIRECTOR  
 DEPARTMENT OF LAND UTILIZATION

FROM: *Raymond H. Sato*  
 RAYMOND H. SATO, MANAGER AND CHIEF ENGINEER  
 BOARD OF WATER SUPPLY

SUBJECT: YOUR LETTER OF APRIL 26, 1995 ON THE ENVIRONMENTAL  
 ASSESSMENT (EA) FOR THE J. CHOCK TWO-STORY OHANA  
 DWELLING, TMK: 4-7-19: 64, KAMEHAMEHA HIGHWAY, KANEOHE

Thank you for the opportunity to review and comment on the J. Chock two-story dwelling.

The existing water meter (S/N 652-16975) serving the property was ordered off on November 20, 1992. Water service must be ordered on or before November 20, 1997 to receive full credit for water system facilities charges.

If you have any questions, please contact Barry Usagawa at 527-5235.

95-03598

DEPARTMENT OF WASTEWATER MANAGEMENT  
CITY AND COUNTY OF HONOLULU  
650 SOUTH KING STREET  
HONOLULU, HAWAII 96813

JUN 15 1995

JEREMY HARRIS  
MAYOR

COMMUNITY DEVELOPMENT  
COUNCIL



FELIX B. LIMTIACO  
DIRECTOR

CHERYL K. OKUMA-SEPE  
DEPUTY DIRECTOR

June 15, 1995

WPP 95-225

MEMORANDUM

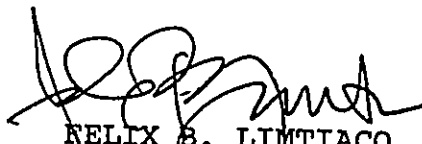
TO: MR. PATRICK T. ONISHI, DIRECTOR  
DEPARTMENT OF LAND UTILIZATION

FROM: FELIX B. LIMTIACO, DIRECTOR  
DEPARTMENT OF WASTEWATER MANAGEMENT

SUBJECT: J. CHOCK TWO-STORY OHANA DWELLING EA (TMK: 4-7-19:64)

We have reviewed the subject Environmental Assessment. Due to capacity limitations at the Kaneohe Wastewater Pump Station, Ohana zoning cannot be allowed. However, we are making the necessary improvements and anticipate that Ohana zoning may be allowed in the early part of 1999.

If you have any questions, please contact Ms. Tessa Yuen of the Division of Planning and Service Control at 527-6732.

  
FELIX B. LIMTIACO  
Director

BENJAMIN J. CAYETANO  
GOVERNOR OF HAWAII



LAWRENCE MIKE  
DIRECTOR OF HEALTH

'95 MAY 12 PM 2 28

STATE OF HAWAII  
DEPARTMENT OF HEALTH  
P.O. BOX 3378  
HONOLULU, HAWAII 96801

In reply, please refer to:  
EMD / WVB

A:04-07-19.64 P5

F:\... \CHOCKL  
950393

May 4, 1995

Mr. Patrick Onishi, Director  
Department of Land Utilization  
City and County of Honolulu  
650 South King Street 7th Floor  
Honolulu, HI 96813

Dear Mr. Onishi:

Subject: Environmental Assessment, Chapter 343, HRS  
Projects within the Shoreline Setback  
J. Chock Two-Story Ohana Dwelling  
47-1010 Kamehameha Highway, Kaneohe, Oahu  
7491 Square Feet  
TMK: (1) 4-7-19: 64

We have reviewed the material on the subject project submitted by your office. We have the following comments:

1. The subject project is located in the Pass Zone, below the Underground Injection Control (UIC) Line and in the critical wastewater disposal area as determined by the Oahu Wastewater Advisory Committee. No new cesspools will be allowed in the subject area.
2. Wastewater treatment and disposal have not been adequately addressed in the subject document. Therefore, as infrastructure improvements will not be constructed in the near future and there is no existing sewer service system in the area, the Department of Health (DOH) recommends at the minimum the use of a treatment individual wastewater system to be constructed on-site in place of any existing cesspool.
3. As noted on the environmental assessment, under General Information, the lot area is 7491 square feet. Under the provisions of our Administrative Rule, Chapter 11-62, entitled "Wastewater Systems", only a single individual wastewater system can be utilized on this lot and no more than 5 bedrooms will be allowed between the primary and ohana dwellings.

Mr. Patrick Onishi  
May 4, 1995  
Page 2

As no details of the dwellings or house plans were enclosed with the application, we are unable to determine if the proposed project conforms to the above.

4. All wastewater plans must conform to applicable provisions of the DOH's Administrative Rules, Chapter 11-62, "Wastewater Systems." However, we do reserve the right to review the detailed wastewater plans for conformance to applicable rules.

Should you have any further questions, please contact Mr. Harold Yee of the Wastewater Branch at telephone 586-4294.

Sincerely,



BRUCE S. ANDERSON, Ph.D.  
Deputy Director for Environmental Health

LK:bhm