

Oda, Michelle

From: [REDACTED]
Sent: Thursday, January 8, 2026 7:57 AM
To: Planning Internet Mail
Subject: Complaint form
Attachments: County complaint letter.docx; County Complaint form White Rabbit.pdf

Good morning,
Attached are the complaint form and additional narrative to explain the alleged violation.
Could you please confirm receipt?
Thanks much

[REDACTED]



County of Hawai`i Planning Department

(January 20, 2022)

Zoning^①, Land Use, and SMA Violation Complaint Form

Hilo (Volcano to Waimea) 101 Pauahi Street, Suite 3 Hilo, HI 96720-4224 / (808) 961-8288 / Fax (808) 961-8742 / Email planning@hawaiicounty.gov
Kona (Pahala to Hawi) 74-5044 Ane Keohokalole Hwy, Bldg E, 2nd Floor, Kailua-Kona, HI 96740 / (808) 323-4770 / Fax (808) 327-3563

Complainant Information: ^②

Compl		
Mailing		
Phone		Work:
E-mail		
Note: Information above is required.		

Describe Alleged Zoning Violation (refer to Note 1 below):

Re: Permit PW.B2025-004330; located at 99-1945 Pukeawe Circle, Volcano Golf Course
I wish to bring to your attention issues with the above permitting application. The applicant's public facing mission, per The White Rabbit Foundation website, involves "transient"

If no property address, what distinguishing feature is seen from the street that identifies the property?

Have you tried to resolve this problem with the violator before asking for our help? Yes No

If Yes, Please explain why it didn't work:

Have you filed this complaint with another government agency? Yes No If Yes, Date of Contact: 1/6/26

Person Contacted: cohbuild@hawaiicounty.gov Results of Contact: nothing yet

Enter the following information for the alleged violator:

Property Tax Map Key (TMK) #: 990090900000 Community Volcano Golf Course

Property Street Address: 99-1945 Pukeawe Cir

Violator (s) Full Name (if known): Terrance Lade

Violator (s) Mailing Address (if known): _____

Would you like to be blind copied on letters? Yes: No:

Signature: _____ Date: _____

- Notes:** 1) Construction of any structure without a building permit is a Building Code Violation and should be referred to the Department of Public Works, Hilo Building Division (961-8331) or Kailua-Kona Building Division (323-4720). This includes people living in tents, buses, shacks, sheds, etc. See back page for information on Zoning Code Violations.
- 2) a. Per Planning Department Rules of Practice and Procedures 9-2(a)(1): All information and records acquired by the Planning Department under this part shall be confidential. However, it is possible that if court proceedings occur that this information could be subpoenaed and made known to all involved parties.
- b. 9-2(b) All complaints shall be given to the zoning inspector. Anonymous complaints will not be investigated by the zoning inspector and/or other Planning Department personnel assigned.

Department Use Only

State Land Use: ____ / County Zoning: ____ / In SMA Zone? Yes: ____ No: ____ / Parcel Size: _____

Land Owner: _____ Address: _____

Complaint Form received by: Mail: ____ / Fax: ____ / Counter: ____ / Email: ____ / Docket #: _____

Notes:

Zoning Violations

Zoning is covered under Hawai'i County Code Chapter 25. Access to the code can be found at:

<https://www.hawaiicounty.gov/our-county/legislative/office-of-the-county-clerk/county-code>

Zoning inspectors are required to enforce the code through the complaint process. (*Planning Department Rules of Practice and Procedure 9-2*)

To determine if an owner is in violation of the zoning code you first must determine the zoning of the property (residential, agricultural, industrial, commercial, etc...) and then check what is permitted in that zoning or requires a permit. If you are not sure or need help to better understand the code, please do not hesitate to call the Planning Department.

The list below, which is not all inclusive, shows the different types of Planning Department violations that we investigate:

Coastal Issues – Unpermitted / Unapproved

Development or Activity:

- Special Management Area / Shoreline Setback

Non-compliance of:

- Special and Use Permits
- Change of Zone Ordinance Conditions
- Plan Approval Conditions

Illegal / Unpermitted:

- Operation of a Junkyard (more than two unregistered vehicles or more than 200 sf of junk)
- Recreational Vehicles; Courses and Tracks
- Auto Repair
- Base Yard
- Bed & Breakfast
- Commercial
- Equipment Storage
- Retreats and resorts
- Short Term Vacation Rentals (STVR)

Encroachment:

- Intrusion of Setbacks
- Exceeding Height Requirements

Dwellings – Illegal or improper use of:

- Additional Farm Dwelling
- Duplex
- Mobile Homes
- Multiple Units
- Ohana Home
- More than five unrelated people

Livestock – Maintaining, Raising or Keeping of:

- Apiaries
- Kennels (*commercial kennel, where one is boarding or keeping dogs belonging to other people*)
- Piggeries (*more than four pigs on an agricultural property requires approval. A brochure on piggeries is available at the Planning Department.*)
- Roosters or chickens (*on a non-agricultural zoned property*)

The purpose of the Zoning Code is to promote health, safety, morals, or the general welfare of the County by regulating and restricting the height, size of buildings, and other structures, the percentage of a building site that may be occupied, off-street parking, setbacks, size of yards, courts, and other open spaces, the density of population, and the location and use of buildings, structures, and land for trade, industry, residence, or other purposes. (Section 25-1-2(b))

So if you have any questions come in and see us. We are here to assist you.

Re: Permit PW.B2025-004330; located at 99-1945 Pukeawe Circle, Volcano Golf Course

I wish to bring to your attention issues with the above permitting application. The applicant's public facing mission, per The White Rabbit Foundation website, involves "transient accommodations" (short term stays) which violate the zoning for a residential area and is not in compliance with Ordinance 2018-114 Bill 108. I request the permit be denied for the following reasons:

Point A: Inconsistency with Residential Zoning

The applicant, The White Rabbit Foundation, explicitly states on their public website that their mission involves providing short-term/transient stays at 99-1945 Pukeawe Circle, Volcano, HI 96785. This property is located in a Residential [RS/RD] zone. Under Hawaii County Code Chapter 25 (Zoning), transient vacation rentals are not a permitted use in this district. Granting a building permit for a structure intended for illegal use is a violation of the General Plan's intent to preserve residential character.

Point B: "Transient Accommodation" vs. "Residential Dwelling"

While the plans may appear to be for a single-family dwelling, the intended operation is a 'Transient Accommodation Unit.' Per Hawaii County Ordinance 2018-114, such use requires specific permits that are not available for new construction in this zone. We request that the Planning Department deny the Land Use clearance for PW.B2025-004330 based on the applicant's declared intent to operate a commercial-style lodging facility. I therefore request a Review for Compliance with Ordinance 2018-1104 (Bill 108).

Point C: Infrastructure and Neighborhood Impact

The proposed project, operated as a non-profit "guest house," will generate traffic, noise, and safety concerns inconsistent with a quiet residential neighborhood. Unlike a standard residential home, the transient nature of the foundation's guests will create a "revolving door" effect, straining local infrastructure and violating the "Good Neighbor" standards set forth in the County's STVR regulations.

Point D: Non-Profit Status Does Not Grant Zoning Immunity

The applicant's status as a 501(c)(3) non-profit does not exempt them from County Zoning or Building Codes. Whether the stay is "free" or "for-fee," the Hawaii County Code defines Transient use based on the duration of stay (less than 180 days). The Foundation's own materials confirm their intent to use the building for transient purposes, which is prohibited in this zone.

TO: DPW Building Division, Hawaii County Planning Department

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 of the Volcano Golf Course and appreciate your attention to this request.

Regards,

