

BOARD OF APPEALS
COUNTY OF HAWAII

HEARING TRANSCRIPT
OCTOBER 12, 2007

The following is a public statement provided by REX RAMSEY regarding the appeal of **REX A. RAMSEY (BOA 07-000044)** at 10:55 a.m. in the County of Hawaii, Aupuni Center Conference Room, 101 Pauahi Street, Hilo, Hawai‘i, with Chairman Valta A. Cook presiding.

PRESENT: Valta A. Cook ABSENT & EXCUSED: Kelly Ann Soo
David Drury
Peter Hendricks
Joel Gimpel
Diane Gentry
Kim Tavares

Brooks Bancroft, Counsel to the Board
Alice Kawaha, Staff to the Board

And approximately 21 people from the public in attendance

PETITIONER: REX A. RAMSEY (BOA 07-000044) - Appeal of Decision by the Planning Director dated March 8, 2007, Denied Variance Application (VAR07-004) from minimum yards requirements of Chapter 25, Zoning Code. The property consists of approximately 8,662 square feet and is located on the north side of Welea Street, Hawaiian Beaches Subdivision, Puna, Hawai‘i, TMK: (3) 1-5-87:12.

COOK: Okay, the next item on the agenda is petitioner Rex Ramsey, Board of Appeals 7-44; and I would ask Mr. Lim and the Corp. Counsel to come forward. The appellant in that case, Mr. Ramsey, we are not going to take further testimony here today but he has asked to make, I believe what he’s asking is that he wants to make public comments. This will not be in the form of testimony but merely public comments because we closed this hearing. It’s very unusual, Mr. Lim, but I’m going to allow Mr. Ramsey to speak. But no more than three minutes, Mr. Ramsey. We, you know, we have full calendar today and we’re accommodating to allow you to make these public comments. So please identify yourself and your address, and then you can make your comments.

BRILHANTE: Mr. Chair, for the record, I’d just like to place the Director’s objection on the record.

COOK: I’m sorry, what are you doing?

BRILHANTE: I'd like to place the Director's objection to the Board allowing public comment by Mr. Ramsey on the record.

COOK: Okay, well, you know, we're pretty liberal with allowing public comment. And it's very inventive I think on the part of Mr. Lim and his client, but I think we'll hear it any way. Okay, go ahead. Thanks, we'll note your objection. Go ahead.

RAMSEY: Yeah. I'm a little bit of a loss here as to how to deal with this, but I would like to -. My name is Rex Ramsey and my address is 38101 Covelu Road, Willits, California 95490. I basically consider myself a resident of Hawaii, but I've been in California for medical reasons. We recently had a hearing on a variance; and to be honest with the Board this finding is about to wipe me out financially. And we have been working diligently over the weekend after I last saw you, got a hold of the architect, we drew up some plans that would try to accommodate the Planning Department. We submitted them. I had to make an airplane, the assistant Planning Director was unavailable on Monday so I left a letter, never heard any response from it. Sent the architect in again and he worked with the County for a while and basically couldn't get any kind of a resolution that I could afford to do. I can't turn the house back to the bank without ruining my credit; and also forgiveness of debt is a taxable event.

And I'd like to point out that the Planning Department asked us to comply with four items. One being the variance, we complied with three; and then Sheryl Fletcher, my assistant, went in, talked to the person on duty of the day and we recently were able to get his name. And basically you guys are my last resort. I mean this is about to take me under. And I'd like to reopen and try and figure out a way that I can solve this and would allow it to work for everyone. We never maliciously tried to avoid anybody. I first heard about this in January of this year; and then we had to get an extension so we could have a meeting with you folks. Thank you.

COOK: Okay, Mr. Ramsey.

The statement ended at 11:00 a.m.

Respectfully submitted,

Sharon M. Nomura, East Hawai'i Secretary

A T T E S T:

Noriko Sauer, West Hawai'i Secretary