

Notice to Owners Applying for a Building Permit within Subdivisions

Aloha, please be aware that Building Permits are issued by the Department of Public Works, Building Division, NOT the Planning Department. This notice is posted as a courtesy to community association homeowners and the Building Division to clarify the Planning Department's role in the building permit process.

If you have questions about applying for a Building Permit, or about an existing Permit, please contact the Building Division at 808-961-8331 in East Hawai'i and 808-323-4720 in West Hawai'i.

If you are building on a lot that is located in a subdivision, it may be subject to Covenants, Conditions, and Restrictions (CC&Rs) and Association By-laws that set standards for your buildable area, setbacks, unit size, building height limits, types of materials, accessory structures, design guidelines, and more, which can vary among Associations. **These CC&Rs and By-laws may be more restrictive than the requirements of the Hawai'i County Code.**

Please be informed that the County of Hawai'i **will not advise you** of more restrictive CC&Rs or Association By-laws. A building permit application that meets Hawai'i County Code may not necessarily meet the requirements of CC&Rs and Association By-laws.

To avoid costly litigation with your Association and possible reconstruction, it is your responsibility to check with your Community Association's architect or design review organization, and review your deed to make sure your plans are compliant with CC&Rs and Association By-laws before you apply for a building permit.

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