

APPLICATION FORM

**SURFACE ENCROACHMENT VARIANCE FOR PLANTING STRIP**

A. LOCATION OF PLANTING STRIP (fronting): \_\_\_\_\_

TMK: \_\_\_\_\_

B. SUBSTITUTE MATERIAL (check appropriate boxes)

- Pre-Approved Material level with surface of concrete curb and sidewalk
  - Precast Masonry Units with non-slip finish (e.g. brick, paver, grasscrete, etc.)
  - Concrete minimum 4" thick with broom finish
  - Loose Aggregates maximum 1" diameter (gravel or coral chips)

Other Material (describe) \_\_\_\_\_

C. As a condition for the approval of this surface encroachment variance application to allow the installation of material described above ("substitute material"), I/we agree to the following:

1. All work shall be limited to the planting strip area only. At the request of the City and County of Honolulu ("City") and at my/our own expense, I/we shall remove all substitute material and restore the planting strip to its original condition.
2. The substitute material shall be maintained in good condition and completely within the limits of the planting strip at all times. Any damaged, missing, or loosened substitute material shall be repaired, replaced, and/or restored immediately at my/our own expense.
3. If the City or anyone authorized by the City does work in the planting strip, at my/our own expense I/we agree to immediately repair, replace, and/or restore the substitute material, or restore the planting strip to its original condition.
4. Any repair, replacement, and/or restoration work shall be consistent with the substitute material approved by this variance.
5. I/we shall indemnify, hold harmless, and defend the City from and against any claims, damages, liabilities, losses, claims for personal or bodily injury, death, property damage, harm to the environment, and expenses including attorneys' fees, arising out of or resulting from the use of the substitute material or the approval of this application.
6. This approval runs with the land and shall bind my/our successors, assigns and legal representatives. I/we are responsible for the disclosure of this agreement by providing the City with an executed acknowledgement and acceptance by my/our successor or assign.
7. I/we shall comply with all other applicable codes, rules, regulations and/or permits including, but not limited to, approval from the Department of Parks & Recreation, Division of Urban Forestry (971-7151), for the removal of any City street trees.
8. I/we understand that failure to comply with these conditions may result in the termination of this variance and the restoration of the planting strip to its original condition at my/our expense.

D. I/we have included with this application a detailed description of the substitute material, plan of area with dimensions, photographs of the area, and the filing fee of \$100.00.

E. I/we are the owner(s) of the property described in Paragraph A. above and agree to, and accept, the conditions and covenants contained herein, including any additional special conditions as described below.

Very truly yours,

OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_ OWNER'S SIGNATURE \_\_\_\_\_ DATE \_\_\_\_\_

PRINT NAME OF OWNER \_\_\_\_\_ PHONE NO. \_\_\_\_\_ PRINT NAME OF OWNER \_\_\_\_\_ PHONE NO. \_\_\_\_\_

**FOR OFFICE USE ONLY**       Receipt for application is attached.      Application No.: SEV200 \_\_ - \_\_ - \_\_

Approved - Special Conditions: \_\_\_\_\_

Requires Bldg Permit: \_\_\_\_\_

Denied: \_\_\_\_\_

FOR DIRECTOR \_\_\_\_\_ DATE \_\_\_\_\_