

PLANNING DEPARTMENT - PLANNING COMMISSION
COUNTY OF HAWAII
Hilo, Hawaii

PERMIT NO. 88-24

SPECIAL MANAGEMENT AREA MINOR USE PERMIT

The Planning Director completed on December 21, 1988, an assessment on the application of Ronald and Wanda Gambrell for a Special Management Area (SMA) Minor Use Permit pursuant to Section 9.7.C., Rule 9 of the Planning Commission Rules Relating to Administrative Procedures, as amended. The permit request is for: Erecting a 9x10 foot metal shed on their vacant residential lot for the purpose of storing yard maintenance tools. The cost of the pre-fabricated shed is \$189. The 14,157 square foot lot lies just makai of the Belt Road on Block "B" of Honoli'i Pali Tract 2, Pauka'a, South Hilo, TMK: 2-7-20:23.

As indicated on the attached report, the Director finds that the proposed development is:

- 1) not in excess of \$65,000; and
- 2) will not significantly affect the SMA.

Therefore, with concurrence of the Chief Engineer, the Director hereby grants to the applicant a minor use permit under the authority vested in him by Section 9.7.C of said Rules, with the following condition(s) that:

See attached sheet

Herbert Hayami
Chief Engineer, DPW

(Signature)
Planning Director

Attachment

Attachment to SMA Minor Use Permit No. 88-24

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. The applicant shall complete the construction within one year.
4. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).

BACKGROUND

Ronald and Wanda Gambrell are requesting a Special Management Area (SMA) Permit to allow them to erect a 9x10 foot metal shed on their vacant residential lot for the purpose of storing yard maintenance tools. The cost of the pre-fabricated shed is \$189. The 14,157 square foot lot lies just makai of the Belt Road on Block "B" of Honoli'i Pali Tract 2, Pauka'a, South Hilo, TMK: 2-7-20:23.

The State Land Use Commission classification for the property is Urban. The General Plan Land Use Plan Allocation Guide (LUPAG) map designates the area for Low Density Urban uses. County Zoning for the property is Residential with a minimum lot size of 20,000 square feet.

The subject property is presently vacant, but has been zoned and subdivided for residential purposes, as have the properties near it.

The Flood Insurance Rate Map (FIRM), prepared by the U.S. Army Corps of Engineers (September 16, 1988, edition) does not cover the subject parcel.

The property currently does not have any structures on it, and supports various trees, shrubbery and weeds according to the applicants.

The neighborhood reflects considerable recent historic development for residential purposes, consequently it is highly unlikely that either endangered species or historical sites remain

on the subject parcel.

RECOMMENDATION

An SMA Minor Use Permit is issued based on the following findings:

1. The total valuation of the proposal will not exceed \$65,000; and
2. The proposal will not result in a significant adverse effect on the Special Management Area.

The proposed construction is not anticipated to have any adverse environmental or ecological effects.

The proposed action is consistent with the Special Management Area objectives, policies, and guidelines. These were established to provide guidance for the preservation, protection and development of the coastal resources of the State and County. The guidelines identify several areas of management concerns including recreational, historic, scenic and open space resources, coastal ecosystems, economic uses, and coastal hazards. Due to the limited nature of the project, it is determined that the granting of this request will not impact on the identified resources.

The proposed construction is consistent with the present Urban district and Residential zoning.

Based on the above, it is determined that the granting of the request will not create a significant adverse effect on the environment and, therefore, will not be contrary to the purpose and intent of Chapter 205-A, HRS, relating to Coastal Zone Management; Rule 9 of the Planning Commission relating to the Special Management Area; the Hawaii County Zoning Code; or the General Plan.

A Special Management Area Minor Use Permit is approved subject to the following conditions:

1. The applicant, its successors or assigns shall be responsible for complying with all conditions of approval.
2. The applicant shall comply with all other applicable laws, rules, regulations, and requirements.
3. The applicant shall complete the construction within one year.
4. An initial extension of time for the performance of conditions within the permit may be granted by the Planning Director upon the following circumstances: 1) the non-performance is the result of conditions that could not have been foreseen or are beyond the control of the applicant, successors, or assigns, and that are not the result of their fault or negligence; 2) granting of the time extension would not be contrary to the general plan or zoning code; 3) granting of the time extension would not be contrary to the original reasons for the granting of the permit; and 4) the time extension granted shall be for a period not to exceed the period originally granted for performance (i.e., a condition to be performed within one year may be extended for up to one additional year).