

March 29, 1972

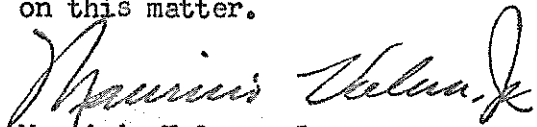
Mrs. Ruth Thompson  
Star Route 7-A  
Capt. Cook, Hawaii 96704

The County Planning Commission at a duly advertised public hearing on February 25, 1972, discussed your request for a Special Permit from Section 98H-5 of Act 205, Land Use Regulation of the State of Hawaii to allow the use of a portion of an existing dwelling located within the Papa Bay Estates subdivision, South Kona, as a real estate office.

At its meeting of March 24, 1972, the Commission voted to deny the Special Permit as it was determined that public interest and general welfare will not be served nor will the above request be in accord with the purpose and intent of the Land Use Law as set forth in Section 98H-5 thereof as it was found that the proposed sales office use would alter the character of surrounding properties by introducing an urban type commercial activity within an area characterized as a residential-agricultural area. It was further found that a request to establish a real estate sales operation to service an area as broad as the Kona district is not a reasonable use within an agricultural district. Such an activity would be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations and would not result in the highest and best use of land that is designated as an agricultural district.

A denial by the Commission of the desired use shall be appealable to the Circuit Court in which the land is situated and shall be made pursuant to the Hawaii Rules of Civil Procedure.

Please do not hesitate to call or write us should there be further questions on this matter.



Mauricio Valera, Jr.  
Vice Chairman  
For  
O. W. Efurud, Jr.  
Chairman

cc: Land Use Commission

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