

STATE OF
HAWAII

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT
LAND USE COMMISSION

P. O. BOX 2359 • HONOLULU, HAWAII 96804

September 21, 1972

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Development

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Hawaii County Planning Commission
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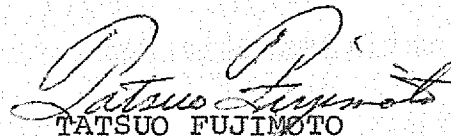
Attention: Mr. Raymond Suefuji
Planning Director

Gentlemen:

At its meeting on September 20, 1972, the Land Use Commission voted to approve a special permit to Samuel K. Shimizu (SP72-135) to allow expansion of an existing fish market on approximately 10,000 square feet described as Tax Map Key 8-3-10: 25, situated at Keeki 2nd, South Kona, Hawaii, subject to the conditions set forth by the Hawaii County Planning Commission, and with the added conditions that no further urban type uses be allowed on property under consideration, nor shall any existing use be further expanded or enlarged.

A copy of the staff report is enclosed for your information.

Very truly yours,


TATSUO FUJIMOTO
Executive Officer

Encls.

cc: Samuel K. Shimizu
Hawaii District Office, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Tax Maps Recorder, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation

#220

STATE OF HAWAII
LAND USE COMMISSION

Kona Hilton Hotel
Kailua, Kona, Hawaii

September 20, 1972
1:00 p.m.

STAFF REPORT

SP72-135 - SAMUEL K. SHIMIZU

The Hawaii County Planning Commission has forwarded the records and findings of a special permit request by Samuel K. Shimizu to expand an existing fish market situated within the Agricultural District at Keei 2nd, South Kona, Hawaii. The store is situated on a 10,000 square foot parcel described as TMK 8-3-10: 25.

The property under consideration lies on the makai side of the Belt Road approximately 2,000 feet south of Honaunau School. The nearest Urban District lies 3 miles to the north of the property in question. There are no Urban Districts along the Belt Road in the southerly direction until Waiohinu in the Ka'u District. Land uses in the surrounding area are typical of the Kona coffee belt--low density residential uses, coffee farms, and vacant lands and an occasional non-conforming use, such as the one being considered, strung out along the highway.

The existing structure contains a floor area of approximately 1,750 square feet. It is a single story wooden frame building containing a general merchandising, retail liquor operation and fish market. Mr. Shimizu proposes a 12' x 28'

addition to the fish market, thus adding 336 square feet to the existing building.

Mr. Shimizu submits that:

"The existing fish market area is inadequate for us to conduct our daily activities with comfort or ease, and to make certain improvements as required by the State Health Department. Also, with the reefer occupying the rear half-section of the market, it is impossible to provide the necessary space to install the required facilities as indicated on the drawings.

"Because of the lack of working area, we are temporarily conducting our dressing and cleaning process under strict supervision by the Health Department in a makeshift manner. These conditions are not only inconvenient but at time hazardous to us as well as to our customers. The proposed additions will solve these conditions, and place us to provide better working conditions and offer best service to our community with proper sanitary facilities."

County Recommendation

On August 24, 1972, the Hawaii County Planning Commission voted to recommend approval of this request based on the following:

- "1. That the requested use would not adversely affect surrounding properties and would not substantially alter or change the essential character of the land and the present use. The property is presently used for commercial purposes (general - retail and fishery) which the requested use would expand.
- "2. Such use would not unreasonably burden public agencies to provide essential services inasmuch as all essential services are available to the property.
- "3. That the subject property is unsuited for the uses permitted within the district inasmuch as the property is presently used for commercial purposes.

"The favorable recommendation was also contingent upon the condition that the owner or lessee of the subject property be responsible for securing a building permit conforming substantially to that as submitted and starting construction within one (1) year of the date of approval by the State Land Use Commission should such be granted."

The request essentially meets the "unusual and reasonable" use guidelines established in Section 2.24 of the Land Use District Regulations since:

1. The proposed use would not adversely affect surrounding properties as the present use is commercial and will remain the same under the proposal.
2. The use will not unreasonably burden public agencies since all necessary facilities and services are presently available.
3. The land upon which the proposed use is sought is unsuited for the uses permitted within the district.
4. The use would not substantially alter the essential character of the land and its present use.
5. Strict enforcement of the regulations would result in unnecessary hardship which is inconsistent with the intents and purposes of the Land Use Law, as there are no facilities within a reasonable distance that provide the services proposed. It is noted that the nearest Urban District where these services are normally located lies over 3 miles from the area under consideration.

Therefore, on the bases of the above findings, the staff recommends that this special permit be approved subject to the County's condition with the added condition that no further urban type uses be allowed on the property under consideration, nor shall any existing use be further expanded or enlarged.