

CERTIFIED MAIL

March 27, 1984

Ms. Jacqueline Lewis
P. O. Box 344
Volcano, HI 96785

Dear Ms. Lewis:

Special Permit Application (SP84-5)
TMK: 1-1-44:143

The Planning Commission at its duly held public hearing on March 22, 1984, voted to approve your application, Special Permit No. 548, Kaaau, Puna, Hawaii.

Approval of this request is based on the following:

The proposed use will not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations. The purpose of the Land Use Law and Regulations is to protect, preserve, and encourage the development of lands in the State for the public health and welfare of the people of the State of Hawaii. The area under consideration is classified as Agricultural by the State Land Use Commission. The Agricultural District not only includes lands with a high capacity or potential for agricultural uses, but also lands which are surrounded by or contiguous to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The property, which is 10,000 square feet in size, is a part of the non-conforming Hawaiian Orchid Estates Subdivision which was initially subdivided in 1959. Although it is possible that some agricultural activities may be conducted on the subject property, it is determined that approval of the subject request would not be contrary to the objectives of the State Land Use Law and Regulations given the size of the lot and the above-cited criterion for determining the Agricultural District.

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It should be further noted that the subject property is situated within the County's Agricultural 1-acre (A-1a) zoned district which allows churches as a "conditionally permitted use." As such it is determined that approval of the subject request would not be contrary to the County General Plan nor circumvent the County's planning efforts for this particular area.

The proposed use will not adversely affect the surrounding properties and their improvements. The proposed church structure will be 1,152+ square feet in size. This is similar to the size of a standard single family dwelling. The property is of sufficient size to enable adequate setbacks, landscaping and parking. Further, these concerns can be addressed through conditions of approval and the "Plan Approval" process established in the Zoning Code. Therefore, the size, bulk, architecture, function and placement of the proposed structure and the impacts resulting therefrom are not anticipated to adversely affect the surrounding lands or properties nor significantly affect the character of the area.

The proposed use will not unreasonably burden public agencies to provide roads and other similar infrastructure or services. Further, since there is no public water system within the Volcano area, like any other uses in the area, the petitioner would have to provide its own roof catchment system. All other essential services and facilities are available to the property.

Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. The 1980 Census figures indicated that the Puna District was one of the fastest growing districts in the County as well as the State. As such, the proposed use will help to meet the spiritual needs of the expanding population in this area.

Based on the foregoing findings, it is determined that the proposed church use is an unusual and reasonable use of land within the State Land Use Agricultural district. As such, it is further determined that approval of the request would promote the effectiveness and objectives of Chapter 205, HRS, as amended.

Approval of this special permit request is subject to the following conditions:

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- a. The petitioner, its successors or assigns, shall be responsible for complying with all conditions of approval.
- b. The plans for the church and parking area, including a detailed landscaping plan, shall be submitted to the Planning Department for "Plan Approval" within one year from the effective date of approval of the Special Permit.
- c. The construction of the church and paved parking area shall commence within one year from the receipt of Final "Plan Approval" and be completed within two years thereafter.
- d. A water tank capable of meeting domestic and other water requirements of the church shall be constructed prior to issuance of an occupancy permit.
- e. The temporary structure on the property shall be removed within one month from the effective date of the Special Permit.
- f. All other applicable rules, regulations, and requirements, including those of the State Department of Health, shall be complied with.
- g. Should the Planning Department determine that any of the foregoing conditions have not been met, the Special Permit shall be void.

Please feel free to contact the Planning Department if there are any questions on this matter.

Sincerely,



Roy Kagawa

Chairman, Planning Commission

cc: Chief Engineer
Building Section, Public Works Dept.
Dept. of Water Supply
Real Property Tax Division

bcc: Plan Approval Section