

CERTIFIED MAIL

April 27, 1984

Ms. Harrilyn Wong  
112 Kalo Street  
Hilo, Hawaii 96720

Dear Ms. Wong:

Special Permit Application (84-9)  
TMK: 2-2-56:12

The Planning Commission at its duly held public hearing on April 25, 1984, voted to approve your application, Special Permit No. 550, Waiakea, South Hilo, 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. Although the Land Study Bureau's overall master productivity rating for agricultural use is Class "E" or Very Poor, portion of the property is utilized for anthurium growing. Since the proposed use will be conducted within an existing building, the granting of this request will not negate the current agricultural use of the land. It is therefore determined that approval of the subject request would not be contrary to the objectives of the State Land Use Law and Regulations. Approval of the subject request also will not have any impact on the future agricultural potential of the subject

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property or the surrounding area. From a policy analysis standpoint, therefore, it is determined that approval of the subject request also will not be inconsistent with the General Plan.

The proposed use will not adversely affect the surrounding properties and their improvements. Although the proposed use will not be situated within the existing dwelling on the property, the nature and scale of the limited bakery-type operation is compatible with the County's Zoning Code definition of a "home occupation." Therefore, the primary use of the structures on the property remain residential in character and the impacts resulting therefrom are anticipated to remain the same.

The proposed use will not unreasonably burden public agencies to provide roads, water and other similar infrastructure or services. Again, the limited nature of the proposed use will not require any additional demands or expansion to those services and facilities already available to the subject property.

Based on the foregoing findings, it is determined that the proposed limited bakery-type home operation 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 subject 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:

1. The petitioner, its successors or assigns, shall be responsible for complying with all conditions of approval.
2. The proposed use shall be restricted to only the individual(s) residing in the single family dwelling on the property.
3. Plans for the proposed use shall be submitted for Plan Approval within one year from the effective date of the Special Permit.
4. The proposed use shall be in operation within one year from the date of receipt of Final Plan Approval.

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5. There shall be no visible sign or display on the premises advertising the limited bakery-type operation.
6. The use shall be restricted to a "home occupation" as defined under Section 25-4, Division 1, Article 1 of Chapter 25 (Zoning Code), Hawaii County Code 1983, as amended.
7. All other applicable rules, regulations, and requirements shall be complied with.
8. 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: Real Property Tax Division  
Chief Engineer  
Building Section, Public Works  
Dept. of Water Supply

bcc: Plan Approval Section