

CERTIFIED MAIL

June 13, 1985

Mr. Glenn Odani  
Hilo South Congregation of  
Jehovah's Witnesses  
P. O. Box 849  
Keaau, HI 96749

Dear Mr. Odani:

Special Permit Application  
TMK: 1-5-40:228

The Planning Commission at its duly held public hearing on June 6, 1985, voted to approve your application, Special Permit No. 589, to allow the establishment of a church on 1 acre of land situated within the State Land Use Agricultural District at Hawaiian Paradise Park Subdivision, Keaau, 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 our contiguous to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The subject area's dominant soil type is pahoehoe lava. This soil type is rated low for agricultural activities. 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 low agricultural potential for the subject area and the above-cited criterion for determining the Agricultural District.

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The proposed use will not adversely affect the surrounding properties and their improvements. The proposed church structure will be a one-story building. The subject property is of sufficient size, 1.0 acre, to enable adequate setbacks and buffers to be established. 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 be adversely affecting the surrounding lands or properties nor significantly affecting the character of the area.

The proposed use will not unreasonably burden public agencies to provide roads and other similar infrastructure or services. The current roadway conditions are adequate given the 20-foot wide pavement on Paradise Drive. Water supplies, as required by the Department of Health and the Fire Department, will also be required as conditions of approval.

Based on the foregoing findings, it is determined that the proposed church and related uses 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:

- a. The petitioner, its successors or assigns, shall be responsible for complying with all conditions of approval.
- b. The plans for the church complex 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. Grading and drainage plans meeting the requirements of the Department of Public Works shall be submitted along with plans for Final Plan Approval.
- d. The construction of the church and parking area shall commence within one year from the receipt of Final "Plan Approval" and be completed within two years thereafter.



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- e. All other applicable rules, regulations, and requirements, including those of the State Department of Health and the Fire Department shall be complied with.
- f. Should the Planning Department determine that any of the foregoing conditions have not been met or substantially complied with in a timely fashion, the Special Permit shall be void.

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

Sincerely,



Donald Thompson  
Chairman, Planning Commission

cc: State Land Use Commission  
William Greig  
Department of Public Works  
Department of Water Supply  
County Real Property Tax Division

bcc: Plan Approval Section