

CERTIFIED MAIL

June 13, 1985

Ms. Gwen K.M. Roldan
Star Route Box 73
Pahoa, HI 96778

Dear Ms. Roldan:

Special Permit Application(85-14)
TMK: 1-6-96:75

The Planning Commission at its duly held public hearing on June 6, 1985, voted to approve your application, Special Permit No. 588, to allow the establishment of a commercial bakery facility on 12,000 square feet of land situated within the State Land Use Agricultural District at Ainaloa 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 intent of these statutory provisions is to preserve, protect and encourage the development of lands in the State for those uses to which they are best suited in the interest of the public health and welfare of the people in 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 subject property is situated within the Ainaloa Subdivision which consists of approximately 3,500 parcels ranging between 9-14 thousand square feet in size. Although the subdivision is within the State Land Use and County Agricultural zoned districts, the parcels are used primarily for single family dwellings. The subject property, which is 12,000 square feet in size, is presently developed with a single family dwelling. Based on the existing character of the Ainaloa Subdivision and the uses established therein, it is determined that approval of the subject request will not have any adverse impact on the future agricultural

JUN 13 1985

potential of the subject property or the surrounding area. As such, from a policy analysis standpoint, it is determined that approval of the subject request would not be inconsistent with the General Plan nor contrary to the objectives of the State Land Use Law and Regulations.

The proposed use will not adversely affect the surrounding properties and their improvements. Although the commercial baking facility will require an addition to the existing single family dwelling, the nature and scale of the operation shall comply with the County's Zoning Code definition of a "home occupation." Therefore, the primary use on the subject property will 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, it is determined that the subject request is an unusual and reasonable use which is not contrary to the objectives sought to be accomplished by the Land Use Law and Regulations.

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 proposed use shall be restricted to the individual(s) residing in the single family dwelling on the subject property.
- c. Plans for the proposed facility shall be submitted for Plan Approval within one year from the effective date of the Special Permit.
- d. Construction of the proposed facility, including an additional 8,000-gallon water tank for fire fighting purposes, shall commence within one year from the issuance of Final Plan Approval and completed within two years thereafter.

Ms. Gwen K.M. Roldan
Page 3
June 13, 1985

- e. There shall be no visible sign or display on the premises advertising the bakery business.
- f. 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.
- g. All other applicable rules, regulations, and requirements including those of the State Department of Health and Department of Public Works shall be complied with.
- h. Should the Planning Director 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
Department of Public Works
Department of Water Supply
County Real Property Tax Division

bcc: Plan Approval Section