

CERTIFIED MAIL

December 9, 1985

Mr. & Mrs. Francisco Galdones  
1302-A Ainaola Drive  
Hilo, HI 96720

Dear Mr. & Mrs. Galdones:

Special Permit Application(85-30)  
Tax Map Key: 2-4-35:6

The Planning Commission at its duly held public hearing on December 2, 1985, voted to approve your application, Special Permit No. 609, to allow the establishment of a Care Home (maximum of six elderly people) on 3 acres of land situated within the State Land Use Agricultural District at Waiakea Homestead 2nd Series, 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. A major portion of the property is presently in pasture use for cattle and goats. The proposed elderly care home facility will be situated within the existing single family dwelling and will not detract from the existing agricultural use on the property. Based on the foregoing, it is determined that approval of the subject request would not be contrary to the objectives of the State Land Use Law and Regulations since the agricultural use of the subject property would not be affected.

Although the proposed use will somewhat alter the essential character of the land, it is determined that the proposed project will be of such a small magnitude, that change, if any, would be minimal. As such, the limited nature of the proposed development, contained within an existing dwelling, would not preclude the vast majority of the subject property from being used for agricultural purposes. It is apparent that the requested use will not be materially detrimental to the underlying district designation, and that it is not such a large scale intrusion that would make it inappropriate for placement within the State Land Use Agricultural district.

Based on the above consideration, it is concluded that the approval of the subject request will not be contrary to the purpose and intent of the Land Use Law and Regulations.

The proposed use will not adversely affect the surrounding properties and their improvements. The surrounding properties are utilized for single family dwellings and agricultural activities. This area can be classified as rural-residential in character. The subject property is of sufficient size (3 acres) to accommodate all necessary structures and improvements as well as provide adequate buffers to surrounding properties. Additionally, due to the overall character of the area, the physical attributes of the subject property and the scale of the proposed facility, it is determined that the establishment of the proposed use can be made to be compatible with the area and would not be in conflict with the surrounding uses.

The proposed use will not unreasonably burden public agencies to provide roads and streets and other infrastructures and services. All essential services and utilities are available to the subject property.

Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established. Since the establishment of the district boundaries in the early 1960's, families where both husband and wife are working has changed the direction of care for the elderly. This can be documented through the services now being provided through the Department of Social Services and the Department of Health for care homes. As such, care of the elderly has dramatically changed since the 1960's and provisions to handle this need have to be recognized.

Based on the foregoing, it has been determined that the proposed elderly care home is an unusual and reasonable use of land situated within the Agricultural district and would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended.

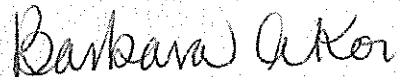
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Approval of this Special Permit request is subject to the following conditions:

1. The petitioner, its successors or assigns, shall be responsible for complying with all conditions of approval.
2. The proposed use shall be established within one year from the effective date of approval of the Special Permit.
3. All other applicable rules, regulations, and requirements including those of the State Department of Health pertaining to care home facilities shall be complied with.
4. 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,



Barbara A. Koi  
Chairman Pro Tem, Planning Commission

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

bcc: Plan Approval Section