

CERTIFIED MAIL

September 16, 1986

Mr. William J. Parks
P. O. Box 592
Kapaau, HI 96755

Dear Mr. Parks:

Special Permit Application (86-16)
Tax Map Key: 5-5-02:71

The Planning Commission at its duly held public hearing on September 10, 1986, voted to approve your application, Special Permit No. 628, to allow the establishment of a door and furniture manufacturing cabinet shop on 41,428 square feet of land situated within the State Land Use Agricultural District at Kaauhuhu Homesteads, North Kohala, 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 area are surrounded by or contiguous to agricultural and ancillary activities by reason of topography, soils, and other related characteristics. The State Department of Agriculture's Agricultural Lands of Importance to the State of Hawaii (ALISH) system designates the property as "Existing Urban Development." As a result of this classification, the Department of Agriculture stated that it "continue(s) to believe that small lots of this size in the Agricultural district do not provide a sufficient area for viable economic agricultural production. Since the property is already a nonconforming residential use in the Agricultural District, we have no objection to the Special Permit." Although it is possible that some agricultural

Mr. William J. Parks
September 16, 1986
Page 2

activities may be conducted on the 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.

The proposed use will not adversely affect the surrounding properties and their improvements. The primary use of the subject property will remain residential in character and the impacts resulting therefrom are anticipated to remain the same. The woodcraft workshop will be one story in height and will be set back a minimum of 38 and 39 feet from the side property lines and a required 30 feet from the rear property line. Further, with the imposition of landscaping along the property lines, adequate buffer will be maintained between the property and the adjacent properties.

The proposed use will not unreasonably burden public agencies to provide roads and other infrastructure or services. Further, the limited nature of the proposed use will not require any additional demands or expansions to the services and facilities already available to the property.

Based on the foregoing findings, it is determined that establishment of the proposed 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 subject request would promote the effectiveness and objectives of Chapter 205, BRS, as amended.

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

1. The petitioner shall be responsible for complying with all of the stated conditions of approval.
2. The plans for the proposed use showing a minimum 25-foot rear yard setback shall be submitted for Plan Approval within one year from the effective date of approval of the Special Permit.
3. Construction shall commence within one year from the date of receipt of final plan approval and be completed within two years thereafter.
4. No retail sales of the products shall be conducted on the property.

Mr. William J. Parks
September 16, 1986
Page 3

5. The hours of operation shall be limited to 8:00 a.m. and 4:00 p.m., Tuesday through Saturday.
6. All other applicable rules, regulations and requirements, including those of the Department of Public Works, shall be complied with.
7. The Planning Director may administratively grant extensions to the foregoing conditions. Further, should the Director determine that any of the conditions have not been met or substantially complied with, the Director shall initiate procedures to nullify the permit.

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

Sincerely,



Barbara A. Koi
Chairperson, Planning Commission

cc: Albert Medeiros
State Land Use Commission
Department of Public Works
Department of Water Supply
County Real Property Tax Division
Hawaii County Services, Deputy Managing Director's Office

bcc: Plan Approval Section