

CERTIFIED MAIL

March 13, 1989

Igmedio & Estela Ellazar
P.O. Box 834
Keaau, HI 96749

Dear Mr. and Mrs. Ellazar:

Special Permit Application (88-24)
TMK: 1-6-10:232

The Planning Commission at a duly advertised public hearing on Tuesday, March 7, 1989, considered your request for a Special Permit in accordance with Chapter 205-6, Hawaii Revised Statutes, and Rule 6 of the Planning Commission, to allow the establishment of a care home within an existing single family dwelling on one acre of land situated within the State Land Use Agricultural District at Hawaiian Paradise Park, Keaau, Puna, Hawaii.

A motion for denial of the Special Permit was made but did not carry with two ayes and four noes. A subsequent motion for approval based upon the Planning Department's recommendation was then made but it also did not carry with four ayes and two noes. In accordance with a prior legal opinion from the Corporation Counsel's office, your Special Permit is, therefore, deemed denied.

A denial by the Commission of the desired use shall be appealable to the Circuit Court in which the land is situated and shall be made pursuant to the Hawaii Rules of Civil Procedure.

Should there be further questions on this matter, please feel free to contact the Planning Department at 961-8288.

Sincerely,



Gary Mizuno
Chairman, Planning Commission

cc: State Land Use Commission
Corporation Counsel

bcc: Plan Approval Section