

# Planning Commission

Lorraine R. Inouye  
Mayor

25 Aupuni Street, Rm. 109 • Hilo, Hawaii 96720 • (808) 961-8288

CERTIFIED MAIL

December 30, 1991

Mr. William A. Epperson  
P. O. Box 930  
Captain Cook, HI 96704

Dear Mr. Epperson:

Special Permit Application (SP 91-22)  
Applicant: William A. Epperson  
Request: Bed and Breakfast  
Tax Map Key: 8-3-9:17

The Planning Commission at a duly advertised public hearing on December 18, 1991, 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 a bed and breakfast operation on 6.8± acres of land situated within the State Land Use Agricultural District. The property is located on the east (mauka) side of the Old Government Road approximately 0.5 mile north of the Old Government Road-Government Main Middle Road intersection, Keei 1st, South Kona, Hawaii.

The Commission voted to deny the Special Permit based on the following findings:

The desired use will unreasonably burden public agencies to provide roadway improvements. The applicant's driveway is situated approximately 2,400 feet from the end of the paved roadway. The access has a 10-foot wide pavement for a distance of 300 feet from the Keei Middle Road intersection toward the property. The remainder of the roadway is gravel. The applicant does not intend to pave the roadway. This denial recommendation is consistent with previous similar applications in which the applicant was required to widen an existing paved roadway in order to accommodate the increased use.

The establishment of a bed and breakfast with inadequate access is not consistent with the Zoning Code or the General Plan. The purpose of the Zoning Code is to regulate the use of land for the purpose of promoting the safety and general welfare

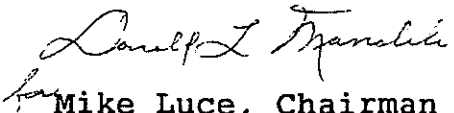
Mr. William A. Epperson  
December 30, 1991  
Page 2

of the community. In order to accommodate the proposed use, paved roadway access to the property should be provided to ensure the safety of residents and those seeking access to the establishment. A goal of the Land Use Element of the General Plan is to "Designate and allocate land uses in appropriate proportions and mix and in keeping with the social, cultural, and physical environments of the County". The proposed bed and breakfast use is not an appropriate use of property in this area because of the substandard access. The increase in traffic resulting from the bed and breakfast use of the roadway would adversely affect surrounding property owners by accelerating deterioration of the roadway and increasing traffic hazards to roadway users.

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,

  
Mike Luce, Chairman  
Planning Commission

6997d  
jdk

xc: State Land Use Commission  
Corporation Counsel  
Plan Approval Section  
Mayor  
Planning Director