



Planning Commission

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

Lorraine R. Inouye
Mayor

CERTIFIED MAIL

July 16, 1992

Ms. Lori Campbell
HCR Box 5655
Keaau, HI 96749

Dear Ms. Campbell:

Special Permit Application (SP 92-10)
Applicant: Lori Campbell
Request: Establish Bed & Breakfast Operation
Tax Map Key: 1-6-8:289

The Planning Commission at a duly advertised public hearing on July 7, 1992, 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 bed and breakfast establishment on 2.0 acres of land situated within the State Land Use Agricultural District. The property is located within the Orchidland Estates Subdivision, along the southwest side of 36th Street, approximately 750 feet southeast of Auli'i Street-36th Street intersection, Keaau, Puna, 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. Access from the Keaau-Pahoa Government Road to the project site is via gravel and cinder roadways. Auli'i Street has a surface treatment of gravel while 36th Street, which fronts the subject property, is of cinder. From the Keaau-Pahoa Government Road, guests of the bed and breakfast operation would have to traverse over approximately

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1.5 miles of unpaved roadways to the project site. While there are paved roads within Orchidland Estates Subdivision which may reduce the length of travel over unimproved roadways to some extent, the Auli'i Street-36th Street access is the most direct; and probably the most convenient route to the project site. As in previous similar applications, applicants were required to provide necessary roadway improvements to ensure a minimum pavement width of 16 feet to accommodate the increase in traffic generated by such a use. However, to require the applicant to provide such improvements over such a great distance would be financially prohibitive and unreasonable.

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 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. It should be mentioned that approval of this request may result in the proliferation of similar requests within the area which would further exacerbate what could be a regressive access situation.

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.

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

Sincerely,

Mike Luce

Mike Luce, Chairman
Planning Commission

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jdk

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