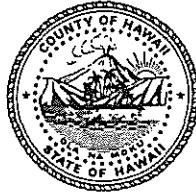


Stephen K. Yamashiro  
Mayor



## County of Hawaii

### PLANNING COMMISSION

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 Fax (808) 961-9615

#### CERTIFIED MAIL

August 5, 1994

Mr. Paul Monka  
8306 Wilshire Blvd., Suite 844  
Beverly Hills, CA 90211

Dear Mr. Monka:

Special Permit Application No. 872 (SPP 94-6)  
Applicant: Paul Monka  
Request: Establish a Satellite Quarantine Station for Cats  
TMK: 1-5-54:86

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The Planning Commission at a duly advertised public hearing on May 19, 1994, considered your request for a Special Permit in accordance with Chapter 205-6, Hawaii Revised Statutes, and Rule 6 of the Planning Commission, to establish a satellite quarantine station on approximately 1 acre of land within the State Land Use Agricultural district. The project site is located on the mauka side of Akala Avenue approximately 2700 feet from its intersection with the Kaloli Drive, Hawaiian Paradise Park Subdivision, Keaau, Puna, Hawaii.

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

- 1) The desired use will unreasonably burden public agencies to provide roadway and safety protection improvements. Access to the site is via private subdivision roads. The site is located approximately four and one-half miles from the Kea'au-Pahoa Highway, on 'Akala Avenue via either Kaloli or Paradise Drive. 'Akala Avenue is an unpaved road with a width of 12 feet. To require the applicant to provide a pavement width which could accommodate two-way traffic over

10097

Mr. Paul Monka  
Page 2

a distance of one-half mile would be financially prohibitive and unreasonable.

- 2) **The establishment of a satellite quarantine station in an area with inadequate roadway 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 in order to ensure the safety and general welfare of the community. Permitting the construction of a public quarantine facility in a remote private area, which is potentially subject to tsunami inundation, would jeopardize the County's ability to ensure the safety of the surrounding property owners, as well as the safety of the animals themselves. A stated goal 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." A satellite quarantine station is not an appropriate use of property in this area due to the lack of adequate public access to the facility.
- 3) **The desired use will adversely affect surrounding property owners.** Increased traffic generated by public visits to the quarantine facility would accelerate deterioration of the gravel roadway which accesses the site. This would unfairly burden surrounding property owners to maintain the roadway. Also, the introduction of a public facility such as a quarantine station into a private subdivision would alter the character of this primarily residential neighborhood. By permitting one such facility to be established on a private, unpaved roadway, the County would establish a precedent which does not reflect the long-term interests of its residents.

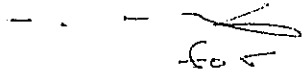
Based on these findings, the Commission determined that the establishment of a satellite quarantine station **at this location** would be contrary to the objectives of State and County land use laws. Therefore, the Commission voted to deny your request.

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.

Mr. Paul Monka  
Page 3

Should there be further questions on this matter, please feel free to contact Linda Sebesta or Rodney Nakano of the Planning Department at 961-8288.

Sincerely,



Donald L. Manalili, Chairman  
Planning Commission

RKN:smn

xc: Honorable Stephen K. Yamashiro, Mayor  
Planning Director  
State Land Use Commission  
Corporation Counsel  
Plan Approval Section