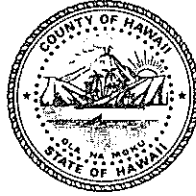


Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Russell Kokubun  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-8742

August 25, 2000

Ms. Elizabeth Chin  
PO Box 898  
Volcano, HI 96785

Dear Ms. Chin:

**Special Permit Application (SPP 00-035)**

**Applicant: Elizabeth Chin**

**Request: Establishment of a Catering Operation and Multi-Function  
Workshop and Meeting Facility and Accessory Uses  
(to be known as "Fire Mountain Cultural Retreat")**

**Tax Map Key: 1-9-19:Portion 27**

This is to acknowledge receipt of the above-captioned Special Permit Application on August 9, 2000. Enclosed is a receipt for the filing fee.

Please be informed, that in accordance with the Planning Commission's Rule 4, Contested Case Procedure, effective February 17, 1997, within (10) days after filing an application with the Planning Commission, you are required to serve notice of your application on surrounding property owners and lessees of record within 500 feet of the perimeter boundary of the building site, as required in the Hawaii County Zoning Code, Section 25-2-4.

In addition, upon notice by our department that the hearing date has been set, you are again required to notify all owners and lessees of record within 500 feet of the perimeter boundary of the building site. This second notice shall be served within (10) days after receiving notice from the Director of the date of the scheduled hearing but not less than ten (10) days prior to the date of the scheduled hearing.

AUG 28 2000  
Receipt 7738

Ms. Elizabeth Chin  
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August 25, 2000

Both notices shall include the following information:

1. Name of the applicant;
2. Precise location of the property involved, including tax map key identification, location map and site plan;
3. Nature of the application and the proposed use of the property;
4. Date on which the application was filed with the Director or the Commission;
5. Inform the landowner or lessee that they have a right to submit a written request for a contested case procedure. Should they seek to intervene as a party, they shall file a written request on the form, "Petition for Standing in Contested Case Hearing." The request shall be filed with the Planning Commission at 25 Aupuni Street, Room 109, Hilo, Hawaii 96720; and accompanied by a filing fee of \$100 payable to the Director of Finance. The required information shall be submitted no later than seven (7) calendar days, prior to the Commission's first scheduled public hearing to consider the application;
6. Inform the landowner or lessee that should they choose not to submit a written request for a contested case procedure, they may express their support/opposition in writing or by oral testimony at the Planning Commission public hearing to be scheduled;
7. Date, time, and place that the public hearing will be held to consider the application (include in second notice); and
8. Contact name and phone number should there be any questions.

As a courtesy, please also inform the surrounding landowners that the application is available at the Planning Department for public review.

Prior to the date of the hearing, the applicant is required to file with the Commission certified mail receipts, affidavits, declarations or other similar proof of mailing of both notices.

According to Planning Commission Rule 6 (Special Permits), the Commission shall conduct a public hearing on the request within a period of 90 days from the date of receipt of a properly

Ms. Elizabeth Chin  
Page 3  
August 25, 2000

filed application. The Commission shall act upon the application within thirty days after the close of the hearing or within a longer period as may be agreed upon by the applicant.

We will notify you as to the date of the hearing as soon as it has been determined.

Should you have any questions regarding the above, please do not hesitate to contact Phyllis Fujimoto or Susan Gagorik of this department at 961-8288.

Sincerely,



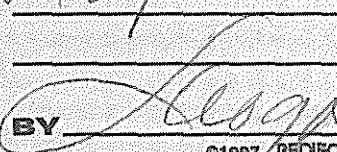
VIRGINIA GOLDSTEIN  
Planning Director

AK:pak

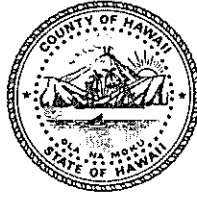
f:\wpwin60\christin\formlett\Elizabeth Chin SPP 00-035 ack.

Enclosures

cc: Steven S.C. Lim, Esq.

NOTES	<b>RECEIPT</b>	DATE	AUG 28 2000	NO.	9662
	RECEIVED FROM	Carolyn Ball			
	ADDRESS	1100 W. 1st St. One Hundred room			
	FOR	SPP 00-035 - Elizabeth Chin MK 1-9-19 PM 27			
	ACCOUNT		HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID	100.00		CHECK	15447	
BALANCE DUE			MONEY ORDER		
			BY		
				©1997 REDIFORM® 81808	

Stephen K. Yamashiro  
Mayor



Virginia Goldstein  
Director

Russell Kokubun  
Deputy Director

## County of Hawaii

### PLANNING DEPARTMENT

25 Aupuni Street, Room 109 • Hilo, Hawaii 96720-4252  
(808) 961-8288 • Fax (808) 961-8742

September 22, 2000

Steven S.C. Lim, Esq.  
Carlsmith Ball, LLP  
P.O. Box 686  
Hilo, HI 96720

Dear Mr. Lim:

**Special Permit Application (00-035)**  
**Applicant: Elizabeth Chin**  
**Subject: Withdrawal of Application**  
**TMK: 1-9-19: 27**

This is to acknowledge your letter dated September 7, 2000, requesting the withdrawal of the above-referenced application.

According to the application, a catering operation and related uses are established on the site. As the property is zoned (Agricultural) A-20a by the Hawaii County Zoning Code and situated in the State Land Use Agricultural District, a catering business, multi-function workshop and meeting facility, and accessory uses are not permitted on the property. Therefore, please cease operations upon receipt of this letter, and provide written verification that the business is no longer in operation.

Should you have any questions, please call Phyllis Fujimoto or Susan Gagorik of this department at 961-8288.

Sincerely,

  
VIRGINIA GOLDSTEIN  
Planning Director

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8646

SEP 26 2000

Steven S.C. Lim, Esq.  
Carlsmith Ball, LLP  
Page 2  
September 22, 2000

cc: Ms. Elizabeth Chin  
Planning Commission  
Corporation Counsel  
Building Division

# CARLSMITH BALL LLP

ATTORNEYS AT LAW  
A LIMITED LIABILITY LAW PARTNERSHIP

2000 SEP 7 PM 4 18

121 WAIALAUE AVENUE

P.O. BOX 686

HILO, HAWAII 96721-0686

TELEPHONE (808) 935-6644 FAX (808) 935-7975

WWW.CARLSMITH.COM

E-MAIL SLIM@CARLSMITH.COM

PLANNING DEPARTMENT  
COUNTY OF HAWAII

September 7, 2000

Virginia Goldstein  
Planning Department  
25 Aupuni Street  
Hilo, HI 96720

Re: Applicant: Elizabeth Chin  
Request: Special Permit for the establishment of a catering operation and multi-function workshop and meeting facility and accessory uses to be known as the "Fire Mountain Cultural Retreat"  
Volcano Cymbidium Acres Subdivision, Olaa, District of Puna  
TMK:(3) 1-9-19:27

Dear Ms. Goldstein:

On behalf of our client, Elizabeth Chin, we hereby withdraw the Special Permit Application filed with the Planning Department on August 8, 2000. Should you have any questions, please feel free to contact me.

Very truly yours,

  
STEVEN S.C. LIM

SSL:KYL

xc: Elizabeth Chin

Surrounding property owners w/in 500 feet

008646