

Action
Nov 13 - Dec 28

No. 842315

RECEIPT FOR CERTIFIED MAIL—30¢ (plus postage)

SENT TO ATTN: NORMAN KEANAAINA
MAUNA ZIONA CHURCH

POSTMARK
OR DATE

STREET AND NO.

RR #1, Box 378D

P.O., STATE AND ZIP CODE

Holualoa, Hawaii 96720

OPTIONAL SERVICES FOR ADDITIONAL FEES

RETURN
RECEIPT
SERVICES



- | | |
|---|-----|
| 1. Shows to whom and date delivered | 15¢ |
| With delivery to addressee only | 65¢ |
| 2. Shows to whom, date and where delivered .. | 35¢ |
| With delivery to addressee only | 85¢ |

DELIVER TO ADDRESSEE ONLY 50¢

SPECIAL DELIVERY (extra fee required)



PS Form 3800
Apr. 1971

NO INSURANCE COVERAGE PROVIDED—
NOT FOR INTERNATIONAL MAIL

(See other side)

☆ GPO : 1972 O - 460-743

**STICK POSTAGE STAMPS TO ARTICLE TO COVER POSTAGE (first class or airmail),
CERTIFIED MAIL FEE, AND CHARGES FOR ANY SELECTED OPTIONAL SERVICES. (see front)**

1. If you want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, **leaving the receipt attached**, and present the article at a post office service window or hand it to your rural carrier. (no extra charge)
2. If you do not want this receipt postmarked, stick the gummed stub on the left portion of the address side of the article, date, detach and retain the receipt, and mail the article.
3. If you want a return receipt, write the certified-mail number and your name and address on a return receipt card, Form 3811, and attach it to the back of the article by means of the gummed ends. Endorse front of article **RETURN RECEIPT REQUESTED**.
4. If you want the article delivered only to the addressee, endorse it on the front **DELIVER TO ADDRESSEE ONLY**. Place the same endorsement in line 2 of the return receipt card if that service is requested.
5. Save this receipt and present it if you make inquiry.

- SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one).

- ☒ Show to whom and date delivered..... 15¢
☐ Show to whom, date, & address of delivery.. 35¢
☐ RESTRICTED DELIVERY.
 Show to whom and date delivered..... 65¢
☐ RESTRICTED DELIVERY.
 Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

MAUNA ZIONA CHURCH
 RR #1, Box 378-D
 Holualoa, Hawaii 96720

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	842315	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent

Mauna Ziona Church
James A. Keane

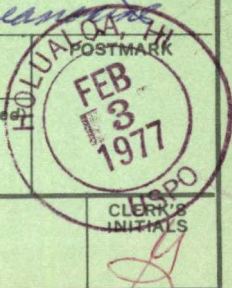
4. DATE OF DELIVERY

2-3-77

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS



UNITED STATES POSTAL SERVICE
OFFICIAL BUSINESS

SENDER INSTRUCTIONS

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, and 3 on the reverse.
- Moisten gummed ends and attach to front of article if space permits. Otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

PENALTY FOR PRIVATE
USE TO AVOID PAYMENT
OF POSTAGE, \$300



**RETURN
TO**



State of Hawaii
LAND USE COMMISSION

(Name of Sender)

190 S. King Street, Suite 1795

(Street or P.O. Box)

Honolulu, Hawaii 96813

(City, State, and ZIP Code)

January 25, 1977

MAUNA ZIONA CHURCH
RR #1, Box 378-D
Holualoa, Hawaii 96720

Attention: Mr. Norman A. Keanaaina

Gentlemen:

The original of the attached letter is on file in the office of the Hawaii Planning Department, 25 Aupuni Street, Hilo, Hawaii.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:yk
Encls.

January 25, 1977

HAWAII PLANNING COMMISSION
25 Aupuni Street
Hilo, Hawaii 96740

Attention: Mr. Raymond Suefuji, Planning Director

Gentlemen:

At its meeting on January 20, 1977, the Land Use Commission voted to approve a six-month extension on the Special Permit granted to MAUNA ZIONA CHURCH (SP75-230) to allow the construction of restroom facilities at the present Mauna Ziona Church site situated within the State Land Use Agricultural District at Kalaoa 4th, North Kona, Hawaii, Tax Map Key 7-3-04: 6; subject to the condition that all other conditions of the Special Permit be complied with.

A copy of the staff memorandum is enclosed for your information.

Sincerely,

GORDAN Y. FURUTANI
Executive Officer

GYF:yk
Encl.

cc: Mauna Ziona Church
Department of Taxation, Hawaii
Tax Maps Recorder, Dept. of Taxation
Property Technical Office, Dept. of Taxation
Real Property Tax Assessor, Dept. of Taxation
Department of Planning & Economic Development
Office of Environmental Quality Control

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Conference Room - Hilo State Building
Hilo, Hawaii

January 20, 1977 - 10:00 a.m.

APPROVED
4/26/77

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Charles Duke
Shinsei Miyasato
Mitsuo Oura
Carol Whitesell
Edward Yanai

James Carras (afternoon session only)

COMMISSIONERS ABSENT: Stanley Sakahashi, Vice Chairman
Colette Machado

STAFF PRESENT: Gordan Furutani, Executive Officer
Michael Marsh, Deputy Attorney General
Dora Horikawa, Clerk Reporter

Doris Cordova, Court Reporter

The meeting was called to order by the Chairman.

At the request of the Executive Officer, Commissioner Whitesell moved to add to the agenda 2 extension of time requests: one from Hawaii Land Corporation, SP73-157; and one from Mauna Ziona Church, SP75-230. It was seconded by Commissioner Duke and carried.

ACTION

SP76-254 - JOSEPH FILANCIA, JR.
APPLICATION FOR A SPECIAL PERMIT TO CONSTRUCT AND OPERATE A
CHURCH AT PUKALANI, MAUI

Mr. Gordan Furutani, Executive Officer, summarized the staff report prepared for the subject request and described the property on the maps.

Commissioner Whitesell commented that the County of Maui should be requested to elaborate on questions which are raised at the County hearing such as the one concerning the disposal of the storm runoff posed by the Department of Transportation. She also commented on the restrictive nature of the term "use would be limited to church activities". Commissioner Duke agreed that

the legality of the proposed use. He also felt there was a serious question as to whether the County could issue a building permit for a single-family residence on an agricultural lot where there was no agricultural activity at all. He was of the opinion that a rural category might be a more logical solution.

Chairman Tangen directed that the parties meet together to come up with a single recommendation to the Commission within 45 days.

It was Mr. Lum's recommendation that, should the petition be approved, the Land Use Commission on its own initiative seek to reclassify the 8 lots which had been excluded from the petition.

The Chair requested that the petitioner submit proposed findings of fact and conclusions of law within 30 days to the Commission and to all parties, and that the parties will have 15 days from date of service to respond.

The hearing on A76-419 was closed thereafter.

ACTION

AR&R76-6 - AMENDMENT TO THE STATE LAND USE COMMISSION RULES OF PRACTICE AND PROCEDURE

The Chair called on Mr. Benjamin Matsubara, hearing officer hired to conduct the hearings on the amendments to the Rules, to present his report.

Mr. Matsubara's summary of the hearings, responses to questions from the Commission members, and discussion, are set forth in the transcript on pages 65 to 71.

Mr. Matsubara concluded that there were no objections to the proposed amendments by the Commission (see copy on file).

Commissioner Duke moved to adopt the proposed amendments and to incorporate it into the Commission's Rules of Practice and Procedure. The motion was seconded by Commissioner Carras and passed as follows:

Ayes: Commissioners Oura, Miyasato, Carras, Duke,
Whitesell, Chairman Tangen

✓ AP75-230 - MAUNA ZIONA CHURCH EXTENSION OF TIME REQUEST

Mr. Furutani read the letter from Mr. Norman Keanaaina, representing the Mauna Ziona Church, stating that he was not advised of the Special Permit approval of December 12, 1975 until a few days ago and therefore he was requesting a time extension of at least 6 months to allow them to proceed properly.

Mr. Furutani commented that although the records indicated that notification of the approval of the Special Permit was sent to the petitioner, it was possible that he may have not received it.

It was moved by Commissioner Oura to approve the extension request, which was seconded by Commissioner Carras and unanimously carried.

SP73-157 - HAWAII LAND CORPORATION
EXTENSION OF TIME REQUEST

It was pointed out by Mr. Furutani that, rather than the actual consideration of the extension request, a legal matter was involved here over whether the procedure to be followed regarding a denial of request for extension of time for a Special Permit by the County Planning Commission was the same as that set forth in the processing of Special Permit petitions.

Mr. Marsh expanded on the procedures to be followed involving different situations on a Special Permit; i.e. extension requests approved by the Planning Commission, failure of the petitioner to perform according to condition imposed by either the County or the LUC, revocation proceedings, and modification of a condition attached to a Special Permit.

Mr. Marsh counselled that the LUC was powerless to waive the condition that "construction shall be initiated no later than October 17, 1976" which had been imposed by the County. Moreover, rather than assuming that a Special Permit was null and void upon failure to fulfill certain conditions, it was Mr. Marsh's recommendation that the Commission take an affirmative action to revoke the Special Permit for failure to perform according to conditions.

Mr. Lum wondered whether the condition imposed by the County was not merely a recommendation to the LUC, to be considered as final only upon approval by the LUC.

Commissioner Duke observed that there seemed to be a slight disagreement on the legal interpretation concerning the procedures to be followed on the subject extension request. He, therefore, recommended that the matter be deferred until there was a consensus of the legal interpretation between the County and the State.

Mr. Furutani advised that the denial of the extension request had been received in the Commission office on January 10, 1977, and that a decision would have to be rendered within 45 days.

Commissioner Duke moved to defer action on the extension request pending a legal opinion from the Attorney General's Office. It was suggested by Mr. Lum that the AG's opinion be circulated to all county attorneys for comments. The motion was seconded by Commissioner Miyasato and unanimously passed.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP75-230 - MAUNA ZIONA CHURCH
Request for Extension of Time
PLACE Conf. Room, Hilo State Bldg.
Hilo, Hawaii

DATE January 20, 1977

TIME 10:00 a.m.

NAME	YES	NO	ABSTAIN	ABSENT
MIYASATO, SHINSEI	X			
DUKE, CHARLES	X			
MACHADO, COLETTE				X
YANAI, EDWARD				X
OURA, MITSUO	X			
CARRAS, JAMES	X			
SAKAHASHI, STANLEY				X
WHITESELL, CAROL	X			
TANGEN, EDDIE	X			

Comments: I move that we approve the request for extension in time.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission
FROM: Staff
SUBJECT: Request for Extension of Time
SP75-230 - Mauna Ziona Church

January 20, 1977
10:00 a.m.

The above Special Permit was approved by the Land Use Commission on December 5, 1975 to allow the construction of restroom facilities at the present Mauna Ziona Church site. The property comprises approximately 0.75 acres of land and is situated within the State Land Use Agricultural District at Kalaoa 4th, North Kona, Hawaii, Tax Map Key 7-3-04: 6.

One of the three conditions imposed at the time of approval was the following:

"That construction of the proposed restroom facilities commence by the applicant within one (1) year from the official date of approval of the Special Permit and be completed within one (1) year thereafter."

In his November 24, 1976 letter requesting a 6-month extension until June 5, 1977, Mr. Norman Keanaaina, representing Mauna Ziona Church, states that:

"With reference to the request for construction of restrooms at Mauna Ziona Church, Kalaoa, North Kona, approved December 12, 1975, please be advised that I, as petitioner for my church, was not advised of the approval until a few days ago.

"Because of this situation, it would be extremely difficult for us to start construction within the next few days, before the deadline of the fifth (5th) of December.

"Therefore, on behalf of our church, I am requesting a time extension of at least six months to allow us to properly proceed."

With regard to Mr. Keanaaina's statement that he was not advised of the Land Use Commission's approval, the records on file at the Commission office reflect that a notification of the approval signed by Mr. Ah Sung Leong was transmitted to the applicant on December 9, 1975.

By letter dated December 27, 1976, the Hawaii County Planning Commission advised that at its December 22, 1976 meeting, it voted to recommend approval for a 6-month extension to commence construction of the proposed restroom facilities at the church site as it was found that:

"As the official notification was not sent by certified or registered mail, it is conceivable that the applicant, Norman Keanaaina, was not aware of the Land Use Commission's action. Additionally, the requested 6-month extension indicates some measure of effort on the part of the petitioner to complete his plans, secure a permit, and begin construction. These combined circumstances demonstrate the reasonableness of the applicant's request."

The Planning Commission further recommended that the requested time extension be subject to the condition that all other conditions of the Special Permit be complied with. The other two conditions imposed by the Land Use Commission at the time of approval include:

1. "That the existing outhouses be demolished after completion of the new facilities."
2. "That all other applicable rules and regulations be complied with."



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

RAYMOND H. SUEFUJI
Director

December 27, 1976

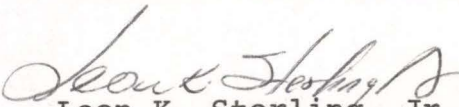
Mr. Gordan Furutani
Executive Officer
State Land Use Commission
190 S. King St., Suite 1795
Honolulu, HI 96813

Re: Extension of Time Condition
Special Permit No. SP75-230
Petitioner: Mauna Ziona Church
Tax Map Key 7-3-04:6

The Planning Commission at its meeting of December 22, 1976 considered the above request for a six-month extension to a time condition stipulated within the Special Permit granted by the State Land Use Commission to commence construction of the proposed rest-room facilities at the present Mauna Ziona Church site. The property involved is located adjacent and to the north of the former Kalaoa School, at the Old Government Mauka Road-Hawaii Belt Highway junction, Kalaoa 4th, North Kona, Hawaii.

The Commission voted to recommend approval of the request. As the official notification was not sent by certified or registered mail, it is conceivable that the applicant, Norman Keanaaina, was not aware of the Land Use Commission's action. Additionally, the requested 6-month extension indicates some measure of effort on the part of the petitioner to complete his plans, secure a permit, and begin construction. These combined circumstances demonstrate the reasonableness of the applicant's request.

It was further recommended that the requested time extension be subject to the condition that all other conditions of the Special Permit be complied with. Should the conditions not be met, the Special Permit shall be deemed null and void.


Leon K. Sterling, Jr.
Chairman, Planning Commission

lat
cc Corporation Counsel
Norman Keanaaina, Agent
Land Use Division, DPED

3542
JAN 4 10 56 AM '77
LAND USE COMMISSION
STATE OF HAWAII

EXTENSION OF EXHIBITS - MAUNA ZIONA CHURCH

1. Request by Norman Keanaaina (11/24/76)
2. Acknowledgment letter (11/30/76)
3. Letter to applicant (12/8/76)
4. Staff background
5. Staff recommendation
6. Voting sheet (12/22/76)
7. Minutes (12/22/76)

November 24, 1976.

Planning Department
Hawaii County
Aupuni Street
Hilo, Hawaii 96720

Dear Sirs:

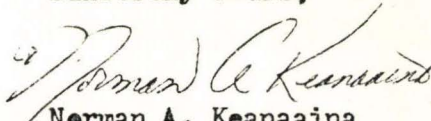
With reference to the request for Construction of Restrooms at Mauna Ziona Church, Kalaea, North Kona, approved December 12, 1975. Please be advised that I, as petitioner, for my Church was not advised of the approval until a few days ago.

Because of this situation it would be extremely difficult for us to start construction within the next few days. Before the deadline of the fifth (5th) of December.

Therefore, on behalf of our Church. I am requesting a time extension of at least six months to allow us to properly proceed.

In future correspondences, please refer a copy of reply to myself and Leon Sterling, Jr.

Sincerely Yours,


Norman A. Keanaaia
Mauna Ziona Church
R.R. #1 Box 378-D
Helualea, Hawaii 96720

*copy sent to SLUC 11/24/76
sent to Mauna Ziona Church*

EXHIBIT 1

November 30, 1976

Mr. Norman Keanaaina
RR1, Box 378-D
Holualoa, HI 96725

Re: Mauna Ziona Church - SP75-230
TMK: 7-3-04:06

This is to acknowledge receipt of your letter of November 24, 1976 requesting a six-month extension to commence construction of the proposed restroom facilities for the Mauna Ziona Church, granted under Special Permit 75-230.

Your request will be forwarded to the County Planning Commission for consideration. Should the Commission recommend favorably on your request, the matter will be forwarded to the State Land Use Commission for final action.

The Planning Commission, however, may deny your request if it is deemed that the reason presented is not justified. In this instance, the Commission's decision will be final. In accordance with the provisions of Chapter 205-6, Hawaii Revised Statutes, a denial by the Planning Commission may be appealed to the circuit court of the circuit in which the land is situated, in this case, the Third Circuit Court.

You will be informed as to the time and place of the Planning Commission meeting as soon as they have been set.

For your information, a copy of the State Land Use Commission's letter of November 9, 1975 regarding its approval of the Special Permit subject to certain conditions, was sent to the Mauna Ziona Church.

Should you have any questions, please feel free to contact either Norman Hayashi or Ilima Piianaia of this office, at 961-8288.

Sidney M. Fuji

RAYMOND SUFUIJI
Director

NH:rfd

EXHIBIT 2

DEC 1 1976

December 8, 1976

Mr. Norman Keanaaina, Agent
Mauna Ziona Church
RR #1, Box 378-D
Holualoa, HI 96725

Re: Extension of Time Condition
Special Permit No. 75-230
Tax Map Key: 7-3-04:6

This is to inform you that your request for an extension of the time condition stipulated within the Special Permit granted by the State Land Use Commission to commence construction of the proposed facilities will be discussed on Wednesday, December 22, 1976 by the Planning Commission. The meeting will be held at the Kealakehe School Cafetorium, Kealakehe, North Kona, Hawaii, and is scheduled to begin at 4:30 p.m.

The presence of a representative will be appreciated in order that all questions relative to the request may be clarified.

A copy of the agenda is enclosed for your information.

Sidney M. Fuke

Raymond Suefuji
Director

LAT:kth

EXHIBIT 3

DEC 9 1976

MAUNA ZIONA CHURCH: SPECIAL PERMIT TIME EXTENSION

Norman Keanaaina, in behalf of Mauna Ziona Church, is requesting a time extension to a Special Permit which was granted by the State Land Use Commission on December 5, 1975, to allow the construction of rest-room facilities at the present Mauna Ziona Church site. The property involved is located adjacent and to the north of the former Kalaoa School, at the Old Government Mauka Road-Hawaii Belt Highway junction, Kalaoa 4th, North Kona (TMK: 7-3-04:6).

One of the conditions of the Special Permit was "That construction of the proposed rest-room facilities commence by the applicant within one (1) year from the official date of approval of the Special Permit and be completed within one (1) year thereafter." The official date of approval was December 5, 1975; thus, construction had to commence by December 5, 1976. It should be pointed out that although the deadline has passed, the applicant has submitted his extension request prior to the expiration date. However, no improvements can be made during this interim period, and if the extension were granted, it would be retroactive to December 5.

The applicant is requesting a 6-month time extension until June 5, 1977. The following letter dated November 24, 1976 from Norman Keanaaina was received:

(Read Keanaaina's letter)

The staff would like to note that the petitioner did contact the Planning Department on November 23, 1976 and explained that he did not receive any letter informing him of the official approval of his initial request.

EXHIBIT 4

The staff would like to note further, however, that we do have a letter dated December 9, 1975, from the State Land Use Commission notifying the County Planning Commission that the Special Permit request was granted on December 5, 1975. This letter indicates that a copy was also sent to Mauna Ziona Church.

RECOMMENDATION: Mauna Ziona Church - Special Permit Time Extension

Upon review of the requested 6-month time extension to commence construction of the restroom facilities, staff is recommending that it be given favorable consideration.

As the official notification letter was not sent by certified or registered mail, it is conceivable that the applicant^{Keaton Keapapa} was not aware of the LUC action. Additionally, the requested 6-month extension indicates some measure of effort on the part of the petitioner to complete his plans, secure a permit, and begin construction. These combined circumstances demonstrate the reasonableness of the applicant's request.

It is further recommended that the requested time extension be given consideration subject to the condition that all other conditions of the Special Permit be complied with. Should the conditions not be met, the Special Permit shall be deemed null and void.

PLANNING COMMISSION
County of Hawaii

RECORD OF VOTING

For the Meeting of Dec. 22, 1976

Applicant:

Mauna Ziona Church

Action: approval, denied, deferred or other (circle)

Members	Ayes	Noes	Excused (Absent)	Abstained from Voting
ASAI, Scott H.	✓			
JITCHAKU, Lorraine	✓			
MARTIN, Arthur W.	✓			
MIELCKE, William F.	✓			
MURAKAMI, Haruo	✓			
SAKAMOTO, Charles	✓			
STERLING, Leon K., Jr.	-			✓

EXHIBIT 6

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
December 22, 1976

The Planning Commission met in regular session at 4:10 p.m. at the Kealahou Elementary School Cafetorium, Kealahou, North Kona, with Chairman Sterling presiding.

PRESENT: Leon K. Sterling, Jr. ABSENT: Akira Fujimoto, Ex-officio Member
Scott H. Asai
Lorraine R. Jitchaku
Arthur W. Martin
William F. Mielcke
Haruo Murakami
Charles H. Sakamoto, Jr.

Raymond H. Suefuji, Planning Director (evening session)
Sidney M. Fuke, Deputy Planning Director (afternoon session)
Norman K. Hayashi, Planner
Ilima A. Piianaia, Planner

Clifford H. F. Lum, Corporation Counsel
David H. Murakami, representing Ex-officio Member Edward Harada

and about 15 people in attendance at 4:00 p.m. and about 20 people at 6:00 p.m.

MINUTES

Minutes of December 16, 1976 were not circulated and action was deferred.

(All those testifying were duly sworn in.)

TIME EXTENSION

LAND USE COMMISSION

SPECIAL PERMIT NO. 75-230

MAUNA ZIONA CHURCH

KALAOA, NORTH KONA

Request for a six-month extension to a time condition stipulated within the Special Permit granted by the State Land Use Commission to Commence construction of the proposed rest-room facilities at the present Mauna Ziona Church site. The property involved is located

adjacent and to the north of the former Kalaoa School, at the Old Government Mauka Road-Hawaii Belt Highway junction, Kalaoa 4th, North Kona, TMK: 7-3-04:6.

Chairman excused himself and vacated the chair because Mauna Ziona Church is where he presides as its lay minister. Vice Chairman Jitchaku presided on this matter.

Staff presented background information with recommendation for a six-month extension based on the findings and with conditions, on file.

Representative Norman Keanaaina, Moderator of Mauna Ziona Church, stated that he had not received any official word of the SLUC action on his application

until he inquired at the County's Building Department in November. He mentioned that should the time extension be granted by the SLUC, they should be able to start construction in about a week's time as they are ready to go ahead. He requested that the notification of the action be sent to his address.

Mr. Mielcke moved to send a favorable recommendation to the SLUC for a six-month extension based on the staff's recommendation; seconded by Mr. Sakamoto; carried with six ayes and one abstention.

PERMANENT RECORD

SOUTHWORTH CO. U.S.A.

75% COTTON FIBER CONTENT

December 9, 1975

Mauna Ziona Church
c/o Mr. Norman Keanaaina
RR #1, Box 378-D
Holualoa, Hawaii 96725

Gentlemen:

The original of the attached letter is on file
in the office of the Hawaii Planning Department,
25 Aupuni Street, Hilo, Hawaii.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Encls.

December 9, 1975

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji
Planning Director

Gentlemen:

At its meeting on December 5, 1975, the Land Use Commission voted to approve a Special Permit to the Mauna Ziona Church (SP75-230) for the construction of restroom facilities for an existing church within the State Land Use Agricultural District, located at North Kona, Hawaii, identified by Tax Map Key 7-3-04: 6; subject to the conditions imposed by the Hawaii County Planning Commission.

A copy of the staff memorandum is enclosed for your information.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Encls.

cc: Mauna Ziona Church
Dept. of Taxation, Hawaii
Tax Maps Recorder, Dept. of Tax.
Property Technical Office, Dept. of Tax.
Real Property Tax Assessor, Dept. of Tax.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

December 5, 1975 - 1:30 p.m.

DOE Board Room #404
Queen Liliuokalani Building
Honolulu, Hawaii

Approved
February 13, 1976

COMMISSIONERS PRESENT: Eddie Tangen, Chairman
Stanley Sakahashi, Vice Chairman
James Carras
Charles Duke
Mitsuo Oura
Carol Whitesell
Tanji Yamamura
Edward Yanai

COMMISSIONER ABSENT: Colette Machado

STAFF PRESENT: Ah Sung Leong, Acting Executive Officer
Gordan Furutani, Planner
Michael Marsh, Deputy Attorney General
Benjamin Matsubara, Consultant
Dora Horikawa, Clerk Reporter

Ray Russell, Court Reporter

The meeting was called to order by the Chairman.

Mr. Leong, Acting Executive Officer, requested the Commission's permission to add two items to the agenda for consideration. He elaborated that one item related to the hiring of a consultant to assist the Commission in the administration and implementation of Act 193; and the other concerned the boundary change petitions pending before the Land Use Commission which would fall under the procedures contained in the newly adopted Rules and Regulations.

Commissioner Duke moved to add the two items to the agenda, which was seconded by Commissioner Yamamura and unanimously carried.

Chairman Tangen announced that a question had been raised by some of the people present today on one of the items on the agenda

Nays: Commissioners Yamamura, Sakahashi, Carras, Yanai

Absent: Commissioners Duke, Machado

The second motion also failed to pass.

At this point, Chairman Tangen directed that Commissioner Duke be requested to rejoin the proceedings.

REQUEST BY THE SPIRITUAL ASSEMBLY OF THE BAHAI'S OF PUNA (SP75-229)
TO ESTABLISH A COMMUNITY CENTER AT PUNA, HAWAII

Chairman Tangen called on Mr. Gordan Furutani to present the staff memo (see copy on file).

Commissioner Duke moved to approve the application as recommended by the City and subject to the conditions imposed by the City Planning Commission. It was seconded by Commissioner Carras and carried with the following votes:

Ayes: Commissioners Oura, Yamamura, Carras, Duke, Yanai
Whitesell, Chairman Tangen

Nay: Vice Chairman Sakahashi

Absent: Commissioner Machado

✓ REQUEST BY MAUNA ZIONA CHURCH (SP75-230) TO ESTABLISH RESTROOM
FACILITIES FOR AN EXISTING CHURCH AT N. KONA, HAWAII

The staff memo was presented by Mr. Leong.

Upon Commissioner Oura's motion, seconded by Commissioner Yamamura, the Special Permit was unanimously approved, subject to the conditions imposed by the Hawaii Planning Commission.

MISCELLANEOUS

EXTENSION OF TIME REQUEST BY VALLEY ISLE THEATERS, INC. ON CONDITION
IMPOSED ON SP74-190

Mr. Leong read the staff memo relative to the extension request by Valley Isle Theaters, Inc. (see copy on file).

Commissioner Yamamura moved to approve the extension request, subject to the conditions imposed by the Maui Planning Commission. It was seconded by Vice Chairman Sakahashi and unanimously passed.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP75-230 - MAUNA ZIONA CHURCH

DATE December 5, 1975

PLACE DOE Board Room #404
Honolulu, Hawaii

TIME 1:30 p.m.

NAME	YES	NO	ABSTAIN	ABSENT
MACHADO, COLETTE				✓
WHITESELL, CAROL	✓			
DUKE, CHARLES	✓			
5 YAMAMURA, TANJI	✓			
CARRAS, JAMES	✓			
SAKAHASHI, STANLEY	✓			
M OURA, MITSUO	✓			
YANAI, EDWARD	✓			
TANGEN, EDDIE	✓			

Comments: I move for approval of the Special Permit, including the conditions imposed by the County of Hawaii.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

TO: Land Use Commission

FROM: Staff

SUBJECT: SP75-230 - Mauna Ziona Church

December 5, 1975
1:30 p.m.

The Hawaii County Planning Commission has transmitted a Special Permit request by the Mauna Ziona Church for the construction of restroom facilities for an existing church situated within the Agricultural District. The subject property is the present Mauna Ziona Church site located adjacent and to the north of the former Kalaoa School, at the Old Government Mauka Road - Hawaii Belt Highway junction, Kalaoa 4th, North Kona, Hawaii (TMK: 7-3-04:6).

According to the applicant, the existing church and hall on the 0.75 acre property were constructed in the 1800's. These buildings presently exist under the non-conforming provisions of the State Land Use District Regulations. The existing outhouse facilities containing an area of 128 sq. ft. will be replaced by the proposed restroom facilities containing an area of approximately 540 sq. ft. and will be located on another portion of the church property.

The General Plan land use pattern allocation guide map designates the area for Extension Agricultural uses (pasture and range lands) and Alternate Urban Expansion. The County zoning is Agricultural 20-acres (A-20a).

Surrounding land uses include the former Kalaoa School, scattered single-family dwellings, and vacant lands. The Kona Palisades Subdivision is located to the west of the area in question, across from the Hawaii Belt Highway.

The Old Government Mauka Road, which provides direct access to the property, has a right-of-way width that varies between 40 to 50 feet. The pavement width is eight (8) feet. The Hawaii Belt Highway has a right-of-way width of eight (80) feet. All essential utilities are available to the subject property."

Comments received on the application are as follows:

Department of Water Supply

"We have no adverse objections to this Special Permit request. For your information, this church has been provided with public water through a 5/8 inch service connection installed in October 1973. Inasmuch as this permit is for the relocation and construction of new restroom facilities, we do not anticipate any increased in water usage."

All other cooperating agencies had no comments to or objections on the request."

County Recommendation:

The Hawaii County Planning Commission held a duly advertised public hearing on the request on October 16, 1975.

On November 6, 1975, the Planning Commission voted to recommend approval of the Special Permit on the following basis:

1. "That the requested restroom facilities will not alter or change the essential character of the land and its present use. The property is and has been used for a church since the early 1800's. Existing on the 0.75-acre parcel are a church, church hall, and two (2) outhouses. The request is to allow the construction of a 12' 8" by 16' 8" building for restrooms which would merely replace the existing outhouses.
2. "Immediately adjacent and to the north of the property is the former Kalaoa School site on which structures are already existing. Other surrounding land uses include scattered single-family dwellings and vacant lands. There are no agricultural activities being conducted in the immediate area. As such, it is determined that approval of the proposed facilities on the subject property will not have any adverse effects on the surrounding properties. It is further determined that the use of the property for nonagricultural purposes is not expected to have any adverse effects on the overall agricultural potential of the area.
3. "Furthermore, the proposed use will not unreasonably burden public agencies to provide or improve the existing public facilities and utilities. The granting

of the Special Permit for the construction of restroom facilities will not generate additional traffic to the existing church; thus, the present access to the site is deemed adequate. All essential utilities, including public water, are available to the property.

- 25% COMPLIANCE
EXCEL
FOX
4. "One of the standards of the General Plan is that there shall be minimum of visual and odor pollution. The construction of the new restroom facilities will, in essence, complement this particular standard as it will, in fact, improve the existing situation. In addition, churches and accessory facilities of a religious nature are 'conditionally permitted uses' within the County's Agricultural zoned district. Thus, it will not violate the spirit and intent of the Zoning Code. It is therefore determined that granting of this Special Permit to allow the construction of the restroom facilities to replace the existing outhouses would be in the best public interest; and in this particular case, for the health and welfare of the members of the congregation."

The favorable recommendation was made subject to the following conditions:

- "1. That construction of the proposed restroom facilities commence by the applicant within one (1) year from the official date of approval of the Special Permit and be completed within one (1) year thereafter.
2. That the existing outhouses be demolished after completion of the new facilities.
3. That all other applicable rules and regulations be complied with."

"Should any of the foregoing conditions not be met, the Special Permit shall be deemed null and void."

STATE OF HAWAII
LAND USE COMMISSION
Suite 1795
Pacific Trade Center
190 S. King Street
Honolulu, Hawaii 96813

November 21, 1975

Mr. Norman Keanaa'ina
RR #1, Box 378-D
Holualoa, Hawaii 96725

Dear Mr. Keanaa'ina:

The Land Use Commission next meets on December 5, 1975
at 1:30 p.m., in the Queen Liliuokalani
Building, 4th Floor, Board Room #404.

At that time the Special Permit application by Mauna Ziona
Church (SP 75-230) to establish
restroom facilities for an existing Church
in the Agricultural District at N. Kona, Hawaii
will be considered.

Should you have any questions regarding this matter, please
feel free to contact us.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

Enclosure - Agenda

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES

November 6, 1975

The Planning Commission met in regular session at 2:00 p.m., in the Sergeant Yano Memorial Hall in Captain Cook, South Kona, Hawaii, with Chairman Martin presiding.

PRESENT: Arthur W. Martin
Scott H. Asai
Lorraine Jitchaku
Haruo Murakami
Charles Sakamoto

ABSENT: Akira Fujimoto, Ex-officio Member
Edward Harada, Ex-officio Member
Takashi Domingo

Leon K. Sterling, Jr (from 2:07 p.m., start of second item of Unfinished Business)

Sidney Fuke
Norman Hayashi
William Moore

David Murakami, Public Works
Quirino Antonio, Water Supply

and about 11 to 20 people in attendance from time to time.

AGENDA & MINUTES

The agenda was accepted with one change:
Under NEW BUSINESS, Item 5 was deferred

at the request of the applicant to the next meeting of the Commission. The Minutes of the October 16, 1975 meeting were approved as circulated and placed on file.

UNFINISHED BUSINESS

✓ LAND USE COMMISSION
SPECIAL PERMIT
MAUNA ZIONA CHURCH
KALAOA 4th, NORTH KONA

Special Permit to allow the construction of restroom facilities for the existing church situated within the State Land Use Agricultural District. Property is the present Mauna Ziona Church site located

adjacent and to the north of the former Kalaoa School, mauk of the Old Government Mauka Road, Kalaoa 4th, North Kona, TMK: 7-3-04:06.

As the required fifteen-day delay had elapsed since the public hearing on this application, Commission began deliberation on its disposition. Staff again presented background and recommended favorable consideration with certain conditions for approval.

Neither the applicant nor a representative was present. On Commissioner Murakami's motion, seconded by Commissioner Jitchaku, it was decided to forward a favorable recommendation to the State Land Use Commission with the conditions for approval as outlined by staff.



COUNTY OF
HAWAII

PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 98720

HERBERT T. MATAYOSHI
Mayor

RAYMOND H. SUEFUJI
Director

November 7, 1975

Mr. Ah Sung Leong
Acting Executive Officer
State Land Use Commission
P. O. Box 2359
Honolulu, HI 96804

RECEIVED
NOV 13 1975

State of Hawaii
LAND USE COMMISSION

Re: Special Permit Application
Mauna Ziona Church
TMK: 7-3-04:06

SP 75-230

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, we are transmitting the findings and decision of the County Planning Commission on the above application.

The special permit request was to allow the construction of restroom facilities for the existing church situated within the State Land Use Agricultural District. The property is the present Mauna Ziona Church site located adjacent and to the north of the former Kalaoa School, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona, Hawaii.

The Planning Commission at a duly advertised public hearing held on October 16, 1975 in the Council Room of the Hawaii County Building in South Hilo, Hawaii, discussed the subject request. The Commission voted on November 6, 1975 to recommend approval of the special permit to the Land Use Commission as it was found:

That the requested restroom facilities will not alter or change the essential character of the land and its present use. The property is and has been used for a church since the early 1800's. Existing on the 0.75-acre parcel are a church, church hall, and two (2) outhouses. The request is to allow the construction of a 12' - 8" by 16' - 8" building for restrooms which would merely replace the existing outhouses.

Immediately adjacent and to the north of the property is the former Kalaoa School site on which structures are already existing. Other surrounding land uses include scattered single-family dwellings and vacant lands. There are no agricultural activities being conducted in the immediate area. As such, it

Mr. Ah Sung Leong
Page 2
November 7, 1975

is determined that approval of the proposed facilities on the subject property will not have any adverse effects on the surrounding properties. It is further determined that the use of the property for nonagricultural purposes is not expected to have any adverse effects on the overall agricultural potential of the area.

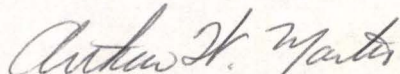
Furthermore, the proposed use will not unreasonably burden public agencies to provide or improve the existing public facilities and utilities. The granting of the Special Permit for the construction of restroom facilities will not generate additional traffic to the existing church; thus, the present access to the site is deemed adequate. All essential utilities, including public water, are available to the property.

One of the standards of the General Plan is that there shall be a minimum of visual and odor pollution. The construction of the new restroom facilities will, in essence, complement this particular standard as it will, in fact, improve the existing situation. In addition, churches and accessory facilities of a religious nature are "conditionally permitted uses" within the County's Agricultural zoned district. Thus, it will not violate the spirit and intent of the Zoning Code. It is therefore determined that granting of this Special Permit to allow the construction of the restroom facilities to replace the existing outhouses would be in the best public interest; and in this particular case, for the health and welfare of the members of the congregation.

The favorable recommendation was also subject to the following conditions:

1. That construction of the proposed restroom facilities commence by the applicant within one (1) year from the official date of approval of the Special Permit and be completed within one (1) year thereafter.
2. That the existing outhouses be demolished after completion of the new facilities.
3. That all other applicable rules and regulations be complied with.

Should any of the foregoing conditions not be met, the Special Permit shall be deemed null and void.



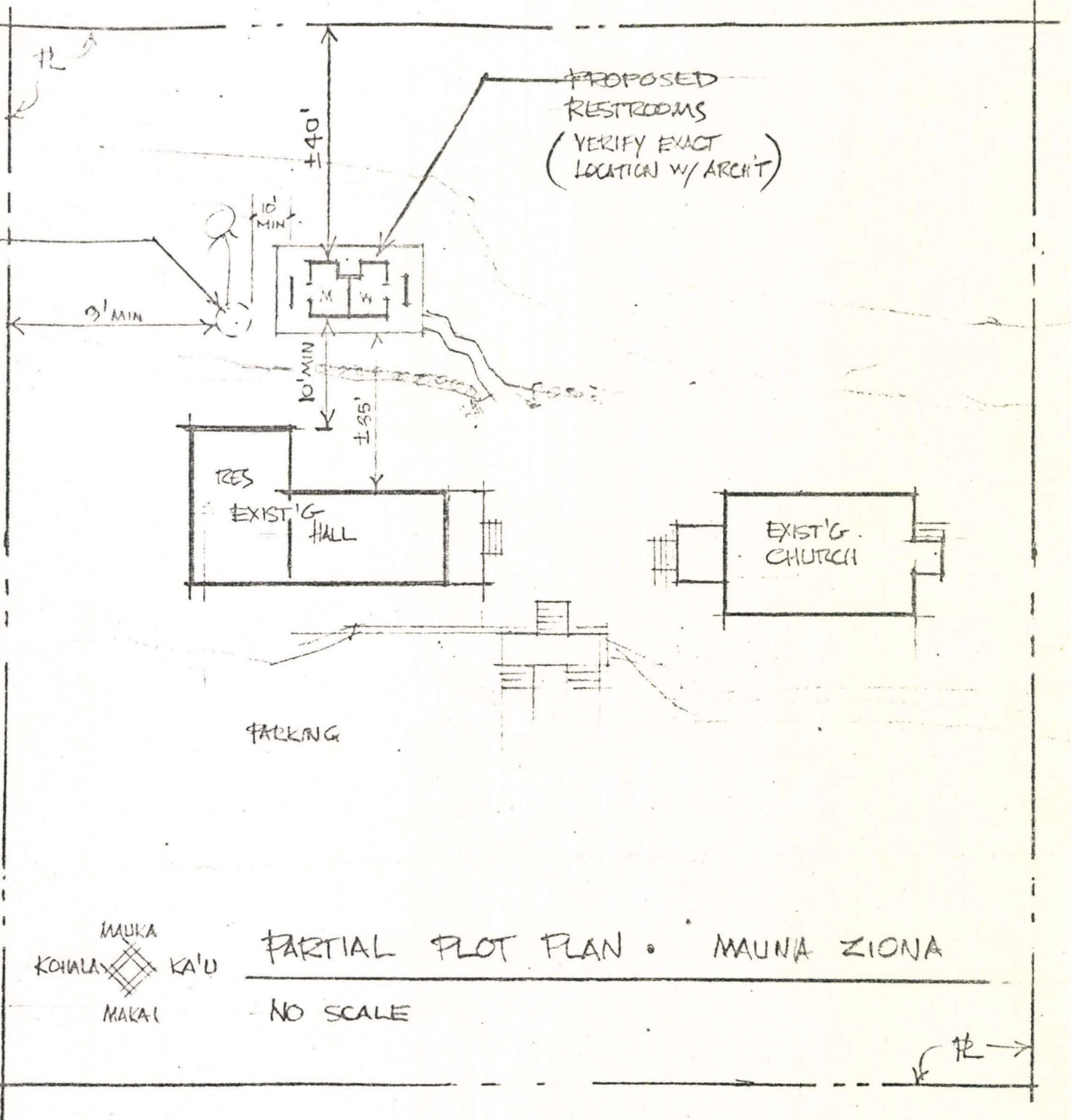
Arthur W. Martin, Chairman
Planning Commission

NH:rfd
Enclosures

cc: Mr. Keanaaina; Chief Engineer, DPW

LIST OF EXHIBITS - MAUNA ZIONA CHURCH APPLICATION

- A. Application form and maps
- B. Departmental letter to SLUC (9/16/75)
- C. SLUC response (9/24/75)
- D. Departmental acknowledgment letter (9/16/75)
- E. Filing fee receipt
- F. Department's letter for comments (9/16/75)
- G. Fire Department (9/19/75)
- H. Department of Agriculture (9/22/75)
- I. Department of Public Works (9/30/75)
- J. Department of Health (9/25/75)
- K. Department of Water Supply (10/1/75)
- L. List of surrounding property owners
- M. Location map
- N. Letter to surrounding property owners (10/3/75)
- O. Public hearing notice
- P. Letter to applicant (10/3/75)
- Q. Public hearing transcript
- R. Letter to applicant (10/31/75)
- S. Staff background report
- T. Staff Recommendation
- U. Location map for presentation (please return)
- V. Site map for presentation (please return)
- W. Voting sheet
- X. Minutes (10/16/75)
- Y. Minutes (11/6/75)



9' RAFTERS @ CENTETZ

RIDGE EM

Ag. Lease to Neil Carmichael

GRANT 990 TO KAPAIKI
AREA: 71.16 ACRES

COUNTY
WATER
TANK
SITE . . .

14

State of
Hawaii.
(Cemetery)

License Area;
Relocation of Rest Room
(exist Rest Rm)
(Cemeter)

HALL

4 Church

6

KALAOA SCHOOL
STATE OF HAWAII
SITE . . .
1.44 AC.

5

16-

MAUNA ZIONA CHURCH APPX. .75 AC.

LAND ENTRUSTED BY: HAWAII CONFERENCE FOUNDATION,
HAWAIIAN EVANGELICAL ASSOCIATION.
BENEFICIARY: MAUNA ZIONA CHURCH (KEKAHA)
at KALAOA 4th NORTH KONA HAWAII.

TRK 7-3-04- 6& 14.

H. KEANAAWA

Note: Infmation From Tax Map & Deed....

4-10-75

APPLICATION FOR SPECIAL PERMIT

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: MAUNA ZIONA CHURCH--HAWAIIAN EVANGELICAL ASSOCIATION.

APPLICANT'S SIGNATURE: *Ipman A. Kanaoia*

ADDRESS: R.R. #1 BOX 378-D HOLUALOA, HAWAII 96725.

TELEPHONE: 325-7377.

TAX MAP KEY: 7-3-04-6

AREA: 3/4 ac.

(Size of Parcel)

OWNER: MAUNA ZIONA CHURCH--HAWAII CONFERENCE FOUNDATION, HON. HI.

OWNER'S SIGNATURE: *Ipman A. Kanaoia* (church moderator)

APPLICANT'S INTEREST, IF NOT OWNER: CHURCH OFFICIAL MODERATOR.

REQUESTED USE: RELOCATION OF A NEW RESTROOM. (Since the year of
1821. Sept. the above named church has been using an out house.
It is due to health reasons that this new restroom be built.

APPLICANT'S REASON(S) FOR REQUESTING SPECIAL PERMIT: *(Please attach)*

NOTE: The applicant must show that:

- (a) such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;
- (b) the desired use shall not adversely affect surrounding properties;
- (c) such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
- (d) unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;
- (e) the land upon which the proposed use is sought is unsuited for the uses permitted within the district;
- (f) the proposed use will not substantially alter or change the essential character of the land and the present use; and
- (g) the proposed use will make the highest and best use of the land involved for the public welfare.

THIS APPLICATION MUST BE ACCOMPANIED BY:

- (a) 16 copies of the completed application form with attachments.
- (b) 16 copies of a location map.
- (c) 16 copies of a site plan with existing and proposed uses.
- (d) any additional information.
- (e) \$100.00 processing fee.

For Official Use:

Date received _____
120th day _____
Public Hearing date _____
Action date _____
To Land Use Commission _____

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
November 6, 1975

The Planning Commission met in regular session at 2:00 p.m., in the Sergeant Yano Memorial Hall in Captain Cook, South Kona, Hawaii, with Chairman Martin presiding.

PRESENT: Arthur W. Martin
Scott H. Asai
Lorraine Jitchaku
Haruo Murakami
Charles Sakamoto
Leon K. Sterling, Jr (from 2:07 p.m., start of second item of

ABSENT: Akira Fujimoto, Ex-officio Member
Edward Harada, Ex-officio Member
Takashi Domingo

Unfinished Business)

Sidney Fuke
Norman Hayashi
William Moore

David Murakami, Public Works
Quirino Antonio, Water Supply

and about 11 to 20 people in attendance from time to time.

AGENDA & MINUTES

The agenda was accepted with one change:
Under NEW BUSINESS, Item 5 was deferred

at the request of the applicant to the next meeting of the Commission. The Minutes of the October 16, 1975 meeting were approved as circulated and placed on file.

UNFINISHED BUSINESS

LAND USE COMMISSION
SPECIAL PERMIT
MAUNA ZIONA CHURCH
KALAOA 4th, NORTH KONA

Special Permit to allow the construction of restroom facilities for the existing church situated within the State Land Use Agricultural District. Property is the present Mauna Ziona Church site located

adjacent and to the north of the former Kalaoa School, mauk of the Old Government Mauka Road, Kalaoa 4th, North Kona, TMK: 7-3-04:06.

As the required fifteen-day delay had elapsed since the public hearing on this application, Commission began deliberation on its disposition. Staff again presented background and recommended favorable consideration with certain conditions for approval.

Neither the applicant nor a representative was present. On Commissioner Murakami's motion, seconded by Commissioner Jitchaku, it was decided to forward a favorable recommendation to the State Land Use Commission with the conditions for approval as outlined by staff.

Exhibit 7

LAND USE COMMISSION
SPECIAL PERMIT
LOCAL SPIRITUAL ASSEMBLY
OF THE BAHA'IS OF PUNA, INC.
KEAAU, PUNA

Special Permit to allow establishment of a Baha'i Community Center within the State Land Use Agricultural District. Property is situated along 34th Avenue, approximately 500 feet from the Aulii Drive - 34th Avenue intersection and

1,600 feet southeast of the Pahoa Government Road, within the Orchid Land Estates Subdivision, Keaau, Puna, TMK: 1-6-09:347.

As the required fifteen days had elapsed since the public hearing on this application, Commission began deliberation on its disposition. Staff gave its recommendation for a favorable consideration, outlining certain conditions for approval.

There being no further testimony, Commissioner Sterling moved and Commissioner Sakamoto seconded to forward a favorable recommendation to the State Land Use Commission with the conditions for approval as set forth by staff. Motion carried unanimously.

NEW BUSINESS

PRELIMINARY HEARING
CHANGE OF ZONE
GEORGE BAKER
PIIHONUA, SOUTH HILO

Change of Zone request in accordance with Chapter 8 (Zoning Code) Article 1, Section 6, Hawaii County Code, as amended, for 15,381 sq ft of land from an Office Commercial - 20,000 sq ft (CO-20) to a

General Commercial - 7,500 sq ft (CG-7.5) zoned district. Property is the present Dairy Queen Drive-In site located along Waiianuenue Avenue and Kinooles Street, adjacent to the Phillip's 66 Service Station, Piihonua, South Hilo, TMK: 2-3-13:25.

It was brought out that there was a similar request from adjacent property owner Maude Chang, but it was confirmed that this is not contiguous to any similar businesses. Dairy Queen is one of several losing its lease in this area at end of the year; however, Baker desires to continue operation with quick meals.

Commissioner Jitchaku moved to set this application up for a public hearing. Seconded by Commissioner Murakami, motion carried.

PRELIMINARY HEARING
CHANGE OF ZONE
DANIEL HATA
KURTISTOWN, PUNA

Change of zone request in accordance with Chapter 8 (Zoning Code) Article 1, Section 6, Hawaii County Code, as amended, for 1.3 acres of land from an Agricultural 10-acre (A-10a) to a Single Family Resi-

dential - 10,000 sq ft (RS-10) zoned district. Property is located along the east side of Volcano Highway, about 1,700 feet Hilo side of the Kurtistown Post Office and the Sako Store, Olaa Homestead Reservation Lots, Kurtistown, Puna, TMK: 1-7-01:Portion of 21.

Staff presented background report and stated applicant was unable to be present. Staff clarified that owner will be intensifying front portion by creating four additional lots.

Commissioner Jitchaku moved and Commissioner Asai seconded to set application up for a public hearing. Carried.

PRELIMINARY HEARING
CHANGE OF ZONE
FOREMOST HOMES HAWAII, LTD
KAUMANA, SOUTH HILO

Change of zone request in accordance with Chapter 8 (Zoning Code) Article 1, Section 6, Hawaii County Code, as amended, for 137 acres of land from Multiple Residential - 4,000 sq ft (RM-4), Single

Family Residential - 10,000 sq ft (RS-10) and Agricultural 20-acre (A-20a) zoned districts to Single Family Residential - 7,500 sq ft and Multiple Residential - 4,000 sq ft (RM-4) zoned districts. The area involved, referred to as Park Hokulani, is located adjacent to the 100-lot Hilo Country Club Estates Subdivision, about half a mile from Kaumana Drive, Kukuau 2nd, Kaumana, South Hilo, TMK: 2-5-46:Portions of 01 and 03.

Staff presented background report and several petitions from residents in and around subject area. Park Hokulani was originally referred to as Gentry Hawaiiana and, according to Harvey Gerwig, other than the change in name no other detail has been altered. Change was made last January and every agency on all islands was so notified.

Replying to the petitions, Gerwig asserted that swimming pools, etc., were understood from the start to be under the homeowners association. Although understood to come under the "umbrella of the Hilo Country Club, no such promises were made," he said, adding, "nor any advertising."

Gerwig stated this project has always been proposed as incremental low-cost housing but should not be construed as substandard homes. Under the Hawaiian Housing Authority plan, sale will be in the "very low \$40,000 but comparable housing under regular construction to about \$45,000."

With regard to comments about the passive park area being in the flood inundation area, Gerwig said there is only a two-foot slope and land is very flat with a stream going through it, minimizing the hazards.

In direct reply to a staff query, Gerwig declared "to the best of my knowledge," the Association will assist in developing the interim park area. He also said the five-acre natural park area will not cross the Saddle Road at any point. He observed that with the change of zone, the number of lots will not exceed 953; total allowable is 994. It was pointed out that the water supply is limited to 953 units.

Commissioner Sterling moved to set this up for a public hearing. Seconded by Commissioner Sakamoto, carried.

PRELIMINARY HEARING
CHANGE OF ZONE
DWIGHT MITSUNAGA
KAUMANA, SOUTH HILO

Change of zone request in accordance with Chapter 8 (Zoning Code), Article 1, Section 6, Hawaii County Code as amended, for 2.75 acres of land from a Single Family Residential - 15,000 sq ft (RS-15)

to a Single Family Residential - 10,000 sq ft (RS-10) zoned district. The property is located on the Puna side of Kaumana Drive, approximately 1,500 feet mauka of the Chong Road and Kaumana Drive junction, Ponahawai, Kaumana, South Hilo, TMK: 2-5-27:01.

Staff presented background report. It was clarified that all dwellings will be single-family, detached structures with three bedrooms, two full baths and two-car carports. Because of the proposal for twelve units, it was pointed out that a variance will be required also to cover the 210-foot shortage at one of the end lots.

Commissioner Jitchaku moved to set up for a public hearing and Commissioner Asai seconded. Motion carried.

PRELIMINARY HEARING
CHANGE OF ZONE
THE KONA COAST COMPANY
KALOKO, NORTH KONA

Change of zone request in accordance with Chapter 8 (Zoning Code) Article 1, Section 6, Hawaii County Code as amended, for 33.8 acres of land from an Agricultural 20-acre (A-20a) to an Agricultural

3-acre (A-3a) zoned district. Property is located about one mile mauka of the Mamalahoa Highway in the Kaloko Mauka Subdivision, Kaloko, North Kona, TMK: 7-3-24:13.

Staff presented background report.

Appearing as agent for the company, Dennis Haserot, disagreed with the Department of Agriculture comment that the lot sizes would mean agricultural use may be considered nothing more than a "hobby," contributing little or nothing to the overall production goals of the State. He said none of the lots have been sold to people with agricultural purposes, but with intentions to put them to orchards which depend on rainfall instead of any water system. Water Supply staff pointed out that, due to the Kona situation, if any subdivision is proposed for the area it will have to be held up until the Kahaluu shaft is completed in 1977.

Commissioner Sterling moved and Commissioner Jitchaku seconded to set this up for a public hearing. Motion carried.

RECESS

Chairman called for a recess at 4:00 p.m. until scheduled public hearings at 7:00 p.m.

* * * * *

RECONVENED FOR
PUBLIC HEARINGS

Meeting was reconvened at 7:00 p.m., to continue with following public hearings.

CHANGE OF ZONE
GILBERT McCONNELL
KAAUHUU HOMESTEADS, N. KOHALA

A duly advertised public hearing was held for a change of zone request for 15.1 acres of land from an Agricultural 20-acre (A-20a) to an Agricultural 5-acre

(A-5a) zoned district. The property is located between Cambra and Hoea Roads, about 1,600 feet makai of the Hawi-Niulii Roads, Kaauhuhu Homesteads, North Kohala, TMK: 5-5-08:03.

Staff gave the background report again and recommended favorable forwarding to the County Council with certain conditions of approval stipulated.

There was some discussion on the provision of a proper access to the back portion to preclude later problems when McConnell or any subsequent owners wish to subdivide the ten acres.

Kimball Smith testified Hoea Road, County-owned, is all dirt with a nearby gulch, precluding any adequate space for residential purposes. Farm acreage, he said, is on the other improved Cambra Road side.

Commissioner Sterling moved, seconded by Commissioner Jitchaku, to close the public hearing. Carried.

VARIANCE
WALTER FRUTIGER
HALAULA, NORTH KOHALA

A duly advertised public hearing was held for a variance to allow the creation of a 14,092 sq ft lot in lieu of the minimum building site area requirement of 15,000

sq ft as stipulated in the Single Family Residential - 15,000 sq ft (RS-15) zoned district. Property is located northwest side of Halaula Mill Road,

approximately 950 feet makai of the Mill Road and Mahukona-Niulii Road junction, Halaula, North Kohala, TMK: 5-3-06:07.

Staff gave the background report again and recommended approval with certain conditions stipulated.

It was clarified by the applicant that it would be a flag lot situation instead of an easement and whoever purchases the front parcel will have to provide a new access.

It was moved by Commissioner Sterling and seconded by Commissioner Asai that the public hearing be closed. Carried.

USE PERMIT
KAMEHAMEHA DEVELOPMENT
CORPORATION

KEAUHOU 2nd, NORTH KONA

A duly advertised public hearing was held for a Use Permit to allow the construction of a championship tennis complex as Phase Ia of a residential condominium project located within the Multiple Family

Residential - 2,000 sq ft (RM-2) zoned district. Property is located in the area surrounded by the Keauhou Golf and Country Club, Keauhou 2nd, North Kona, TMK: 7-8-10:portion of 34. More specifically, it is bordered by the 2nd and 8th fairways and the number 4 green.

Staff presented background report and recommended favorable consideration with certain conditions for approval.

Guido Giacometti, vice president of the corporation, spoke briefly, requesting favorable consideration.

Anum Kealamakia raised question about access to his property. Giacometti clarified that the proposed tennis courts will be located on property that has no bearing on the rights-of-way under question.

Commissioner Sterling moved and Commissioner Jitchaku seconded to close the public hearing. Motion carried.

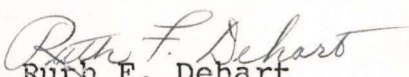
NEXT MEETING

Next meeting was announced to be held in South Hilo on November 20.

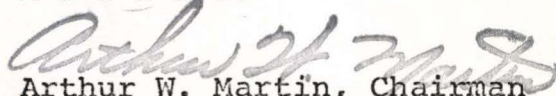
ADJOURNMENT

Meeting was adjourned at 8:20 p.m.

Respectfully submitted,


Ruth F. Dehart
Secretary Pro Tem

A T T E S T:


Arthur W. Martin, Chairman
Planning Commission

October 31, 1975

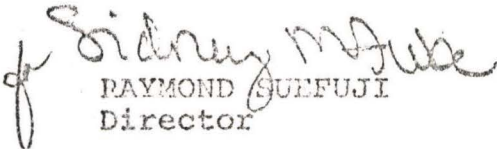
Mr. Norman Keanaaina
RR #1, Box 378-D
Holualoa, HI 96725

Re: Special Permit Application
Mauna Ziona Church
TMK: 7-3-04:06

This is to inform you that your abovedescribed application will be considered by the Planning Commission on Thursday, November 6. The meeting will be held at the Sergeant Yano Memorial Hall in Captain Cook, South Kona, Hawaii. It is scheduled to begin at 2:00 p.m.

We shall notify you of the Commission's action.

A copy of the agenda is enclosed for your information.


RAYMOND SUEFUJI
Director

rfd
Enclosure

cc: State Land Use Commission

Exhibit R

OCT 31 1975

SPECIAL PERMIT: MAUNA ZIONA CHURCH

The applicant, Mauna Ziona Church, is requesting a Special Permit to allow the construction of restroom facilities for the existing church situated within the State Land Use Agricultural District. The property is the present Mauna Ziona Church site located adjacent and to the north of the former Kalaoa School, at the Old Government Mauka Road - Hawaii Belt Highway junction, Kalaoa 4th, North Kona (Tmk; 5-3-04:6).

The proposed 12' 8" by 16' 8" restroom facilities will merely replace the existing outhouses.

According to the applicant, the existing church and hall were constructed in the 1800's. These buildings presently exist under the non-conforming provisions of the State Land Use District Regulations.

The property is 0.75 acre in size, and is relatively level.

The General Plan land use pattern allocation guide map designates the area for Extensive Agricultural uses (pasture and range lands) and Alternate Urban Expansion. The County zoning is Agricultural 20-acres (A-20a). Churches and institutions of a religious nature are "conditionally permitted uses" within this zoned district.

Surrounding land uses include the former Kalaoa School, scattered single family dwellings, and vacant lands. The Kona Palasades Subdivision is located to the west of the area in question, across from the Hawaii Belt Highway.

The Old Government Mauka Road, which provides direct access to the property, has a right-of-way width that varies between 40 to 50 feet. The pavement width is eight (8) feet. The Hawaii Belt Highway has a right-of-way width of eighty (80) feet.

Special Permit: Mauna Ziona Church
Page 2

All essential utilities are available to the subject property.

Upon review of the request, the Department of Water Supply had the following comments:

"We have no adverse objections to this Special Permit request. For your information, this church has been provided with public water through a 5/8-inch service connection installed in October 1973. Inasmuch as this permit is for the relocation and construction of new restroom facilities, we do not anticipate any increase in water usage."

All other cooperating agencies had no comments to or objections on the request.

RECOMMENDATION: MAUNA ZIONA CHURCH

It is recommended that the Special Permit request be given a favorable consideration based on the following findings:

That the requested restroom facilities will not alter or change the essential character of the land and its present use. The property is and has been used for a church since the early 1800's. Existing on the 0.75-acre parcel are a church, church hall, and two (2) outhouses. The request is to allow the construction of a 12' - 8" by 16' - 8" buildings for restrooms ^{which will} merely ~~to~~ replace the existing outhouses.

Immediately adjacent and to the north of the property is the former Kalaoa School site on which structures are already existing. Other surrounding land uses include scattered single-family dwellings and vacant lands. There are no agricultural activities being conducted in the immediate area. As such, it is determined that approval of the proposed facilities on the subject property will not have any adverse effects on the surrounding properties. It is further determined that the use of the property for nonagricultural purposes is not expected to have any adverse effects on the overall agricultural potential of the area.

Furthermore, the proposed use will not unreasonably burden public agencies to provide or improve the existing public facilities and utilities. The granting of the Special Permit for the construction of restroom facilities will not generate additional traffic to the existing church; thus, the present access to the site is deemed adequate. All essential utilities, including public water, are available to the property.

One of the standards of the General Plan is that there shall be a minimum of visual and odor pollution. The construction of the new restroom facilities will, in essence, complement this particular standard as it will, in fact, improve the existing situation. In addition, churches and accessory facilities of a religious nature are "conditionally permitted uses" within the County's Agricultural zoned district. Thus, it will not violate the spirit and intent of the Zoning Code. It is therefore determined that granting of this Special Permit to allow the construction of the restroom facilities to replace the existing outhouses would be in the best public interest; and in this particular case, for the health and welfare of the members of the congregation.

It is further recommended that the request be given favorable consideration subject to the following conditions:

1. That construction of the proposed restroom facilities ^{commence} ~~be started~~ by the applicant within one (1) year from the official date of approval of the Special Permit and be completed within one (1) year thereafter.
2. That the existing outhouses be demolished after completion of the new facilities.
3. That all other applicable rules and regulations be complied with.

Should any of the foregoing conditions not be met, the Special Permit shall be deemed null and void.

PLANNING COMMISSION

Planning Department
County of Hawaii

MINUTES
October 16, 1975

The Planning Commission met in regular session at 3:05 p.m., in the State Conference Room, State Building, and held a duly advertised public hearing in the Council Room, Hawaii County Building, in South Hilo with Chairman Martin presiding.

PRESENT: Arthur W. Martin ABSENT: Akira Fujimoto, Ex-officio Member
Scott Asai Edward Harada, Ex-officio Member
Takashi Domingo
Lorraine Jitchaku
Haruo Murakami
Charles Sakamoto, Jr.
Leon K. Sterling, Jr.
Ed C. Watt

Sidney Fuke
Norman Hayashi
Ilima Piianaia
Duane Kanuha
William Moore

Katsuya Yamada, Corporation Counsel
David Murakami, Public Works

and about 52 people in attendance at 3:00 p.m.; and about 20 people at 7:40 p.m.

AGENDA & MINUTES

The agenda was accepted with one change:
Under "Unfinished Business," Item 5 was advanced to be taken up after Item 3 and before Item 4. Minutes of the October 2, 1975 meeting were received and placed on file as circulated.

UNFINISHED BUSINESS

LAND USE COMMISSION
SPECIAL PERMIT
HPM DEVELOPMENT CORPORATION
KEOPU 3rd, NORTH KONA

Special permit to allow the establishment of an LDS Church on seven (7) acres of land situated within the State Land Use Agricultural District. The property is located adjacent to and immediately mauka of the Lono-Kona Subdivision, approximately 750 feet east of the Kalani Street - Lamokeola Street intersection, Keopu 3rd, North Kona, TMK 7-5-03: portion of 02.

Staff again presented background information and recommended favorable consideration with certain conditions for approval set forth.

There being no further discussion, Commissioner Sterling moved to forward this application to the State Land Use Commission with a favorable recommendation, based on staff findings and conditions for approval. Seconded by Commissioner Jitchaku, motion carried unanimously.

Exhibit X

LAND USE COMMISSION
SPECIAL PERMIT
EPISCOPAL CHURCH IN HAWAII
KALAOA 4th, NORTH KONA

Special permit to allow the establishment of a Kona Christian School on 1.44 acres of land situated within the State Land Use Agricultural District. The school will be on the former Kalaoa School site

located adjacent and to the south of the Mauna Ziona Church, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona, TMK: 7-3-04:05.

Pursuant to the Diocesan Treasurer's request of October 10 to remove application from the agenda, Commissioners voted to defer action pending word of the election of a new Bishop by the Episcopal Church in Hawaii.

LAND USE COMMISSION
SPECIAL PERMIT
NOBUE OKADA
LALAMILO, SOUTH KOHALA

Special permit to allow the establishment of a vegetable processing plant on a 24.9-acre parcel situated within the State Land Use Agricultural District. The property is located approximately 1.1 miles

west of Mamalahoa Highway and the Parker Ranch Race Track, Lalamilo Farm Lots, Lalamilo, South Kohala, TMK: 6-6-05:13

Staff again gave background information and recommended favorable recommendation subject to certain conditions for approval.

There being no further discussion Commissioner Watt moved to forward this application to the State Land Use Commission with a favorable recommendation, based on staff findings and with the conditions for approval as stipulated. Seconded by Commissioner Murakami, motion carried unanimously.

DRAFT RULES & REGULATIONS
INTERIM SHORELINE
PROTECTION (ACT 176)

Draft rules and regulations to establish special interim management procedures of developments within an area along the shoreline while a coastal zone management

program is being developed.

Staff presented the final changes to the draft rules and regulations being brought up for consideration, further to those made at the last meeting.

Commissioner Sterling expressed concern over the absence of any representatives from the Board of Harbor Commissioners, State Parks, or Planning and Economic Development as well as small boat owners, commercial and others, at any of the public hearings. There was some discussion centered mainly on the "several layers" of government responsibility in carrying out the legislative mandate outlined in Act 176.

Commissioner Murakami moved for the adoption of the draft rules and regulations with the proposed amendments as outlined by staff and Commissioner Jitchaku seconded.

Commissioner Sterling voiced opinion that this seemed to be another case, like the flood control program, of bypassing State and elected officials to place undue responsibility on this Commission to implement what seems to be a good statute. With the observation that this may be creating a rather expensive government which may well stifle future building, Commissioner Sterling called for a vote. Motion carried with six ayes and two abstentions.

EXTENSION OF TIME
LAND USE COMMISSION
SPECIAL PERMIT
HAWAII LAND CORPORATION
KUPAHUA, PUNA

Request for an extension of the time condition stipulated within the Special Permit granted by the State Land Use Commission to commence construction of a resort/residential complex in Kupahua, Puna, TMK: 1-2-02:09, 20, 29, and 31.

Staff gave background information leading up to this second request for an extension. Read into record were letters from eight organizations and individuals as well as two petitions. Staff recommended favorable consideration of the request for another year's extension with certain conditions for approval.

Recognizing that there were many people in the gallery expressing interest, Chairman Martin decided, with no objections from Commissioners, to open the meeting for public testimony although there was no such requirement. Speakers were cautioned to discuss the extension question, not the merits or otherwise of the rezoning itself. Speaking for the extension was just one; against were the eight other testifiers.

The request for a year's extension was approved with a vote of six ayes and two noes.

NEW BUSINESS

PRELIMINARY HEARING
USE PERMIT
KAMEHAMEHA DEVELOPMENT CORP.
KEAUAHOU 2nd, NORTH KONA

Use Permit to allow the construction of a championship tennis complex as Phase Ia of a residential condominium project located within the Multiple Family Residential - 2,000 square foot (RM-2) zoned

district. The property is located within the area surrounded by the Keauhou Golf and Country Club, Keauhou 2nd, North Kona, TMK: 7-8-10:portion of 34. More specifically, it is bordered by the 2nd and 8th fairways and the No. 4 green.

Staff presented background information and recommended that this application be set up for a public hearing.

Speaking as an officer of the Corporation, Guido Giacometti stated that this proposal is one that is being envisioned as a promotional program, and sure to be beneficial not only to the company but also for the whole State of Hawaii. He confirmed that every precaution will be taken to safeguard the two petroglyph sites, from the time of construction to the limited public viewing that will be permitted.

Commissioner Sterling moved to set this up for a public hearing. Seconded by Commissioner Jitchaku, motion carried unanimously.

RECESS

Chairman called for a recess at 6:30 p.m., until the scheduled public hearing at 7:15 p.m.

* * * * *

RECONVENED FOR PUBLIC HEARINGS

Meeting was reconvened at 7:40 p.m., to continue with the following public hearings.

LAND USE COMMISSION
SPECIAL PERMIT
MAUNA ZIONA CHURCH
KALAOA 4th, NORTH KONA

A duly advertised public hearing was held for a Special Permit to allow construction of restroom facilities for the existing church situated within the State Land Use Agricultural District. Property is the

present Mauna Ziona Church site adjacent and to the north of the former Kalaoa School, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona, TMK: 7-3-04:06.

Staff presented background data.

Norman Keeanaaina, representative, pointed out that approval would greatly help the health and welfare of the church and community. Restroom facility must be housed in separate building because of a retaining wall in the back of the existing building which would necessitate expensive supportive measures before any kind of renovation may be made on the building.

Commissioner Domingo moved and Commissioner Sakamoto seconded to close the public hearing. Chairman explained that since this is a Special Permit, the Commission is required by law to wait fifteen days before coming to any decision. Motion was passed with all ayes except for Commissioner Sterling who had asked to be excused because of any possibility of conflict of interest.

LAND USE COMMISSION
SPECIAL PERMIT
LOCAL SPIRITUAL ASSEMBLY
OF THE BAHAI'S OF PUNA, INC.

A duly advertised public hearing was held for a Special Permit to allow establishment of a Baha'i Community Center within the State Land Use Agricultural District.

The property is situated along 34th Avenue, approximately 500 feet from the Aulii Drive - 34th Avenue intersection and 1,600 feet southeast of the Pahoa Government Road, within the Orchid Land Estates Subdivision, Keaau, Puna, TMK: 1-6-09:347.

Staff presented background information and read into record a letter of protest from Mrs. M. Bailey Jacobs of Honolulu whose reason that it might tend to raise tax assessment on surrounding properties generated some discussion.

James Sadelik testified for the Assembly briefly, then, at the suggestion of staff, conferred with another member of the Assembly, then returned to ask that the request be changed to say "intends to construct ... building of approximately 3,000 square feet ..." instead of the 1,050 square feet now specified.

Mrs. Evelyn Musacchia was the only other person presenting testimony, and it was in support of the request.

Commissioner Sterling moved to close the public hearing. Seconded by Commissioner Watt, motion carried unanimously.

NEXT MEETING

The next meeting will be held in Kona on November 6.

ADJOURNMENT

Meeting was adjourned at 8:30 p.m.

Respectfully submitted,


Ruth F. Dehart
Secretary Pro Tem

A T T E S T:

Arthur W. Martin, Chairman
Planning Commission

PLANNING COMMISSION
County of Hawaii

RECORD OF VOTING

For the Meeting of 11/6, 19 75

Applicant: Mama Ziona Church

Action: approval, denied, deferred or other (circle)

Members	Ayes	Noes	Excused (Absent)	Abstained from Voting
ASAI, Scott H.	✓			
DOMINGO, Takashi			✓	✓
JITCHAKU, Lorraine	✓			
MARTIN, Arthur W.	✓			
MURAKAMI, Haruo	✓			
SAKAMOTO, Charles	✓			
STERLING, Leon K., Jr.			✓	✓
WATT, Ed C.			✓	✓

Exhibit W

PLANNING COMMISSION

Planning Department
County of Hawaii

HEARING TRANSCRIPT
October 16, 1975

A regularly advertised public hearing on the application of the Mauna Ziona Church was called to order at 7:40 p.m., at the County Council Room of the County Building, South Hilo, by Chairman Martin.

PRESENT: Arthur W. Martin
Scott H. Asai
Takashi Domingo
Lorraine Jitchaku
Haruo Murakami
Charles Sakamoto, Jr.
Ed C. Watt

ABSENT: Akira Fujimoto, Ex-officio Member
Edward Harada, Ex-officio Member

Sidney Fuke
Norman Hayashi

Katsuya Yamada, Corporation Counsel
David Murakami, Public Works

and about 20 people in attendance.

CHAIRMAN: The first item on the agenda tonight is a special permit request by Mauna Ziona Church to allow the construction of restroom facilities for the existing church situated within the State Land Use Agricultural District. The property is the present Mauna Ziona Church site located adjacent and to the north of the former Kalaoa School, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona, TMK: 7-3-04:06. Staff?

STERLING: Before you go any further, may I be excused from this public hearing because I'm minister of services at this church and I don't want any question of conflict of interest.

CHAIRMAN: You may be excused.

HAYASHI: (Presented background information.)

CHAIRMAN: Thank you. Any questions you wish to raise of the staff? Is the applicant or representative of the applicant here?

KEANAAINA: Norman Keanaaina.

CHAIRMAN: Would you like to say anything about the staff presentation?

KEANAAINA: No, not right now. I would only like to say that it would greatly help the health and welfare of the church and the community there that we do put in the new facility because the old facility is a regular old outhouse, and I do believe the Board of Health recommends a modern facility.

CHAIRMAN: This will be a modern, flush toilet. I notice it's a separate building, by the drawing.

KEANAAINA: Yes.

JITCHAKU: Was there a reason why the new addition is separate from the existing hall?

KEANAAINA: Yes, it is.

CHAIRMAN: I think the question is why is it separate rather than attached onto the existing hall.

KEANAAINA: Because about eleven feet back of the hall there is a retaining wall and it goes up about four to five feet and it is too close to the hall. We have to get up on a better support.

CHAIRMAN: Could you point out on the map where the retaining wall is? It must be between the existing hall and the proposed restroom.

KEANAAINA: No, I don't think I can. I believe the map there doesn't show the exact location of the church and the church hall.

CHAIRMAN: No, on that big drawing there.

KEANAAINA: Oh, I see. This portion is about three feet from the retaining wall and goes about three-fourths of the hall and here is a pathway. The other restroom is up here and on the hilltop. Evidently this restroom is outside of the three-quarter of the acre.

CHAIRMAN: Then that's not on your property.

KEANAAINA: No, but it belongs to the church also. It runs up about 63 acres.

CHAIRMAN: Any further questions?

JITCHAKU: Why I asked that question is that it might be little less expensive to put it in the existing hall.

KEANAAINA: Yes, that's right.

CHAIRMAN: Any further questions? Thank you, Mr. Keanaaina. Is there anyone present who would like to give testimony on this application either in favor or opposed to it? No one? Chair will then entertain a motion to close the public hearing.

DOMINGO: I move to close the hearing.

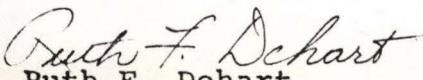
SAKAMOTO: Second.

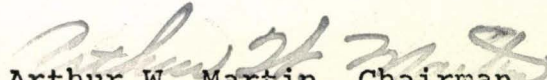
CHAIRMAN: It has been moved and seconded that we close the public hearing. Since this is a special permit application we are required by law to wait fifteen days before coming to a decision. We will let you know when we have made our decision. Will you please ask Commissioner Sterling to return?

Public hearing closed at 7:58 p.m.

Respectfully submitted,

A T T E S T:


Ruth F. Dehart
Secretary Pro Tem


Arthur W. Martin, Chairman
Planning Commission



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

RAYMOND H. SUEFUJI
Director

COUNTY OF
HAWAII

October 3, 1975

Dear Property Owner: (TMK:

Re: Special Permit Application - Kalaoa 4th, North Kona, Hawaii
Tax Map Key 7-3-04:6

You are hereby notified that a request for a special permit to allow the construction of restroom facilities for the existing church situated within the State Land Use Agricultural District has been submitted by the Mauna Ziona Church.

The proposed construction is to be located on the present Mauna Ziona Church site situated adjacent and to the north of the former Kalaoa School, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona, Hawaii.

A public hearing on the subject among others will be held beginning at 7:00 p.m. on Thursday, October 16, 1975 in the Council Room, County Building, South Hilo, Hawaii.

You are invited to comment on the application at the hearing or submit written comments prior to the hearing.

Raymond Suefuji
Director

lat

Enclosure

Exhibit N

PUBLIC HEARINGS
PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii.

PLACE: Councilroom, County Building, South Hilo, Hawaii

DATE: Thursday, October 16, 1975

TIME: 7:00 p.m.

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. APPLICANT: MAUNA ZIONA CHURCH

LOCATION: Present Mauna Ziona Church site located adjacent and to the north of the former Kalaoa School, mauka of the Old Government Mauka Road, Kalaoa 4th, North Kona.

TMK: 7-3-04:6

PURPOSE: Special permit request to allow the construction of restroom facilities for the existing church situated within the State Land Use Agricultural District.

2. APPLICANT: THE LOCAL SPIRITUAL ASSEMBLY OF THE BAHAI'S OF PUNA, INC.

LOCATION: Along 34th Avenue, approximately 500 feet from the Aulii Drive-34th Avenue intersection and 1,600 feet southeast of the Pahoa Government Road, within the Orchid Land Estates Subdivision, Keaau, Puna.

TMK: 1-6-09:347

PURPOSE: Special permit request to allow the establishment of a Bahai Community Center within the State Land Use Agricultural District.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date, or in person at the public hearing.

PLANNING COMMISSION
ARTHUR W. MARTIN, Chairman
By RAYMOND SUEFUJI
Planning Director

(Hawaii Tribune-Herald: October 6 and 14, 1975)

October 3, 1975

Mauna Ziona Church -
Hawaiian Evangelical Assn.
c/o Mr. Norman Keanaaina
RR #1, Box 378-D
Holualoa, HI 96725

Re: Notice of a Public Hearing
Special Permit Application
Tax Map Key 7-3-04:6

This is to inform you that your request has been scheduled for a public hearing. Said hearing among others will be held beginning at 7:00 p.m. on Thursday, October 16, 1975 at the Councilroom, County Building, South Hilo, Hawaii.

The presence of a representative will be appreciated in order that all questions relative to the request may be clarified.

A copy of the hearing notice is enclosed for your information.

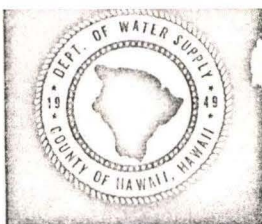
Raymond Suefuji
Director

lat:sk

Enclosure

cc Henry Boshard

OCT 3 1975
Exhibit P



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

25 AUPUNI STREET

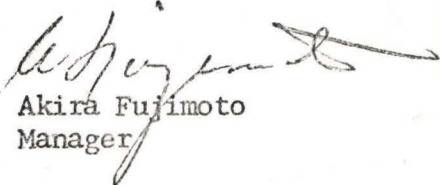
October 1, 1975

TO: Planning Department
FROM: Department of Water Supply
SUBJECT: Special Permit - Mauna Ziona Church
TMK: 7-3-04:6

We have no adverse objections to this special permit request.

For your information, this church has been provided with public water through a 5/8-inch service connection installed in October, 1973. Inasmuch as this permit is for the relocation and construction of new restroom facilities we do not anticipate any increase in water usage.

As an afterthought, we are wondering why a special permit request is required.


Akira Fujimoto
Manager

GK

... Water brings progress...

Exhibit K

SPECIAL PERMIT (7-3-04:5)

MAUNA ZIONA CHURCH - HAWAIIAN
EVANGELICAL ASSOC.

(.75⁺ acre)

CONSTRUCTION OF NEW RESTROOM FACILITIES
FOR EXISTING CHURCH

7-3-04:5 STATE OF HAWAII

14 NED CARMICHAEL, JR

P.O. Box 606, KAILUA-KONA HI 96740

7-3-05: 11 PATRICIA SOUTHWELL

2601 N.W. 23RD BLVD 249 GAINSVILLE FL 32605

11 ~~17~~ WILLIAM PALAKIRO

RR 1 Box 204, HOLUALOA HI 96725

11 29 ESTHER NAPOLEON

3237 EATHER ST. HON. 96815

11 INEZ NAHOLOWAA

87 292 HOLOPONO ST. NANAKULI HI 96792

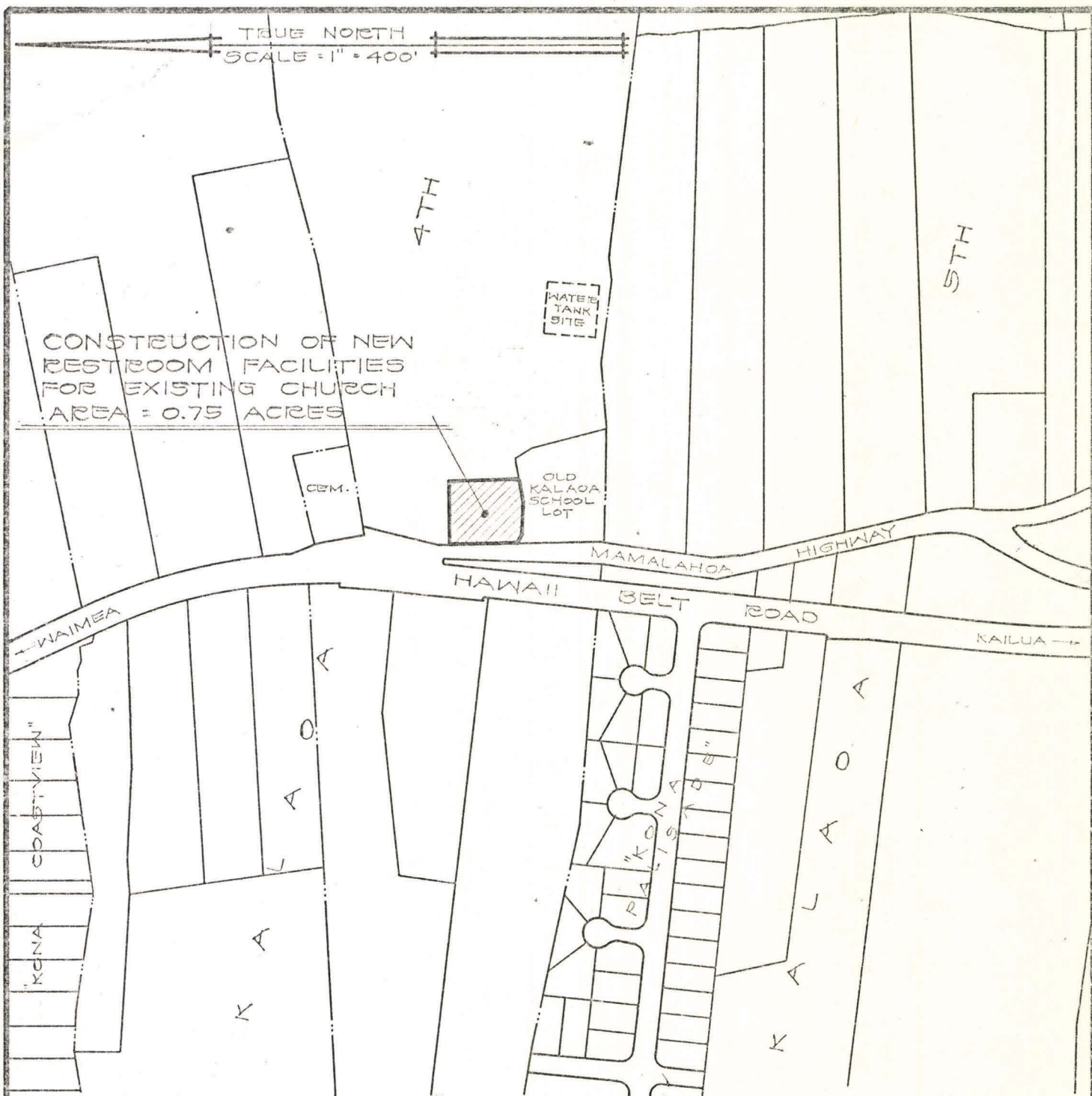
11 CLARA LONO % SAMUEL LONO JR

45-836 LUANA PL. KANOA HI 96744

21 STATE OF HAWAII

29 ROBERT PUNIHAOLE

P.O. Box 378A HOLUALOA HI 96725



SPECIAL PERMIT REQUEST

CONSTRUCTION OF NEW RESTROOM FACILITIES
FOR EXISTING MAUNA ZIONA CHURCH

KALAOA 4TH, NORTH KONA, HAWAII

TAX MAP KEY : 7-3-04:6

REQUEST BY : MAUNA ZIONA CHURCH -
HAWAIIAN EVANGELICAL ASSOCIATION

OCT. 2, 1975

DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

MEMORANDUM

Date September 30, 1975

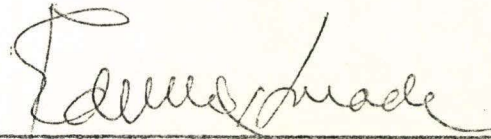
TO: Planning Department

FROM: Chief Engineer

SUBJECT: Application for Variance
Applicant: Mauna Ziona Church
Location: Kalaoa 4th, North Kona, HI
TMK: 7-3-04:6

We have reviewed the subject application and our comments are as follows:

The location or use of the building does not violate building regulations.



EDWARD HARADA, Chief Engineer

Exhibit I



DEPARTMENT OF PLANNING
AND ECONOMIC DEVELOPMENT



LAND USE COMMISSION

250 South King St. / Honolulu, Hawaii 96813 / P. O. Box 2359 / Honolulu, Hawaii 96804

George R. Ariyoshi

~~JOHN A. BURNS~~
Governor

EDDIE TANGEN
Chairman

STANLEY SAKAHASHI
Vice Chairman

COMMISSION MEMBERS

James R. Carras
Sunao Kido
Shelley M. Mark
Alexander J. Napier
Mitsuo Oura
Tanji Yamamura
Edward Yanai

TATSUO FUJIMOTO
Executive Officer

September 24, 1975

Mr. Raymond Suefuji
Director
Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Dear Mr. Suefuji:

This is in reference to your letter of September 16, 1975 respecting the replacement of non-conforming facilities located in the State's Agricultural District.

As noted in your letter of September 16, Part II, Sub Part D, 2.81 (b) (2) of the Land Use District Regulations provides that non-conforming uses or structures shall not be expanded or increased in intensity of use. According to the plot plan, the new restroom facilities would not only be enlarged in total floor area but it is also proposed to be constructed on another portion of the property. Therefore, based on the data contained in your letter and enclosures, it is clear that the new restroom facilities for the Mauna Ziona Church should properly be considered under a Special Permit petition.

The situation respecting the Special Permit request by the St. Benedict's Church presently pending before the Land Use Commission is identical to the above described situation in that the proposed parish hall would be enlarged a total of over 500% of the original floor area and will be located on another portion of the church property.

We hope that this adequately clarifies the matter. However, should you have further questions, please do not hesitate to contact this office.

Very truly yours,

AH SUNG LEONG
Acting Executive Officer

ASL/cbk

Exhibit C

GEORGE R. ARIYOSHI
GOVERNOR



JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 SO. KING STREET
HONOLULU, HAWAII 96814

September 22, 1975

MEMORANDUM

To: Mr. Raymond Suefuji, Director
Hawaii County Planning Department

Subject: Special Permit - Mauna Ziona Church
TMK: 7-3-04:6

The Department of Agriculture has reviewed the subject application and finds no significant adverse agricultural impact.

Thank you for the opportunity to comment.

John Farias, Jr.
Chairman, Board of Agriculture

JF:k:a

Exhibit 15

HAWAII COUNTY FIRE DEPARTMENT

TO: Mr. Raymond Suefuji, Director
Planning Department

DATE: Sept. 19, 1975

FROM: Inspector Teruichi Kohashi

SUBJECT: Special Permit - Mauna Ziona Church
TMK: 7-304:6

In the name of god, don't they deserve a restroom?

Teruichi Kohashi
Fire Inspector

RECEIPTDate September 17 1975

0553

Received From Dorman A. KeaanaAddress RR #1 Box 378-D Honolulu, Hawaii 96725Dollars \$ 100.00For Special Permit - Mauna Ziona Church

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK ☒	100	00
BALANCE DUE			MONEY ORDER		

By Laurie Day N. Vercos

8KB08 Rediform

Exhibit C

September 16, 1975

Mr. Ah ^{Sam} Leong
Active Executive Officer
State Land Use Commission
P. O. Box 2359
Honolulu, Hawaii 96804

An application was recently filed with our office for the construction of a new toilet facility to replace an old outhouse, which is an accessory use to the existing Mauna Ziona Church, situated within the State Land Use Agricultural District. The existing church and hall are situated on the property, were constructed sometime ago, thus, exist as non-conforming uses. According to Part II, Sub-Part D, 2.81 (b)(2)(Non-conforming uses of structures) of the State Land Use District Regulations, a non-conforming use shall not be expanded or increased in intensity of use. Inasmuch as the proposed toilet facility would replace an existing one, we would appreciate your response as to whether an application for a special permit is necessary.

Similarly, presently before you is a Special Permit request by the St. Benedict's Catholic Church to allow the construction of an all-purpose parish hall to replace an existing dilapidated hall. Since the proposed hall will basically be a replacement of the existing hall, would Part II, Sub-Part D, 2.81(b)(2) also apply.

Your response on the matter at your earliest convenience would be greatly appreciated. For your information, enclosed is a copy of the Mauna Ziona Church's special permit request. Should you have any questions in the meantime, please feel free to contact Norman Hayashi of this office.

Sidney M. Sue

Raymond Suefuji
Director

NH:lgv
Enclosure

SEP 17 1975

Exhibit B

September 16, 1975

Norman Keanaaina
RR #1 Box 378-D
Holualoa, Hawaii 96725

Re: Special Permit - Mauna Ziona Church
TMK: 7-3-04:6

This is to acknowledge receipt on September 12, 1975 of the above described special permit application.

The County Planning Commission shall conduct a public hearing on the request within a period of not less than thirty (30) nor more than one hundred twenty (120) days from the receipt of the application. The Planning Commission shall then act on the application not earlier than fifteen (15) days after the public hearing but within a reasonable time thereafter. Should the Planning Commission recommend favorably on the request, it will then be forwarded to the State Land Use Commission for final action.

However, the Planning Commission may deny the request if it is found that the proposed use does not meet the special permit guidelines. In this case, their decision is final. In accordance with the provisions of Chapter 205-6, Hawaii Revised Statutes, a denial by the Planning Commission may be appealable to the Circuit Court of the circuit in which the land is situated, in this case, the Third Circuit Court.

Notice of the time and place of the public hearing shall be forwarded when the application is scheduled for Commission action.

Should any questions arise, please contact Norman Hayashi or Ilima Piianaia of this department at 961-8288.

for Sidney M. Aue
Raymond Suefuji
Director

NH:lgv

cc: SLUC

SEP 16 1975

Exhibit D

MEMORANDUM:

dr-7P

PLANNING DEPARTMENT

County of Hawaii, Hilo, Hawaii 96720

To: Public Works
Water Supply
~~Health Dept.~~
Fire Dept.

Soil Conserv.-Kona
Dept. of Ag.
Corp. Counsel
Virginia Goldstein-Planning Dept.

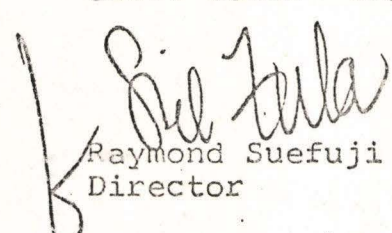
Date: September 16, 1975

From: Planning Director

Subject: Special Permit - Mauna Ziona Church
TMK: 7-3-04:6

Attached is an application of Mauna Ziona Church for a special permit to construct toilet facilities as accessory use to existing church within SLU Agricultural district.

Please review and send us any comments within two weeks from the above date. Thank you very much.


Raymond Suefuji
Director

lgv
Encls

September 25, 1975
Department of Health, Hilo

We recommend approval of the above request for special permit.

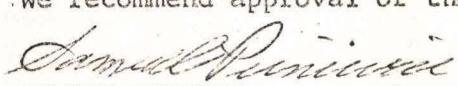

SAMUEL PUNIWAI
Supervising Sanitarian, E. Hawaii

Exhibit J

MEMORANDUM:

PLANNING DEPARTMENT

-

County of Hawaii,

Hilo, Hawaii 96720

To:

Public Works
Water Supply
Health Dept.
Fire Dept.

Soil Conserv.-Kona
Dept. of Ag.
Corp. Counsel
Virginia Goldstein-Planning Dept.

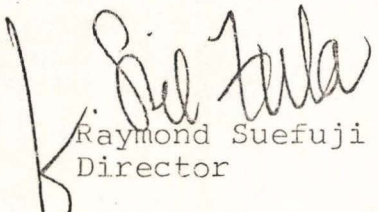
Date: September 16, 1975

From: Planning Director

Subject: Special Permit - Mauna Ziona Church
TMK: 7-3-04:6

Attached is an application of Mauna Ziona Church for a special permit to construct toilet facilities as accessory use to existing church within SLU Agricultural district.

Please review and send us any comments within two weeks from the above date. Thank you very much.


Raymond Suefuji
Director

lgv
Encls

Exhibit B

SEP 17 1975



SP75-230 MAUNA ZIONA CHURCH

DWG. NO. 5303
PLAN BY JOHN N. SMITH & TMB DATA
SOURCE: H.N.-X
DATE: OCTOBER 30, 1962



por. OOMA HOMESTEADS, OOMA 1ST. & KALAOA 5TH, N. KONA, HAWAII. (Formerly por. 7-3-05 & 06)

NOTE: All lots owned by Solomon Associates, Inc. unless otherwise noted.

7-3-17 MAUNA ZIONA CHURCH
FOR REAL PROPERTY TAXATION PURPOSES
SUBJECT TO CHANGE

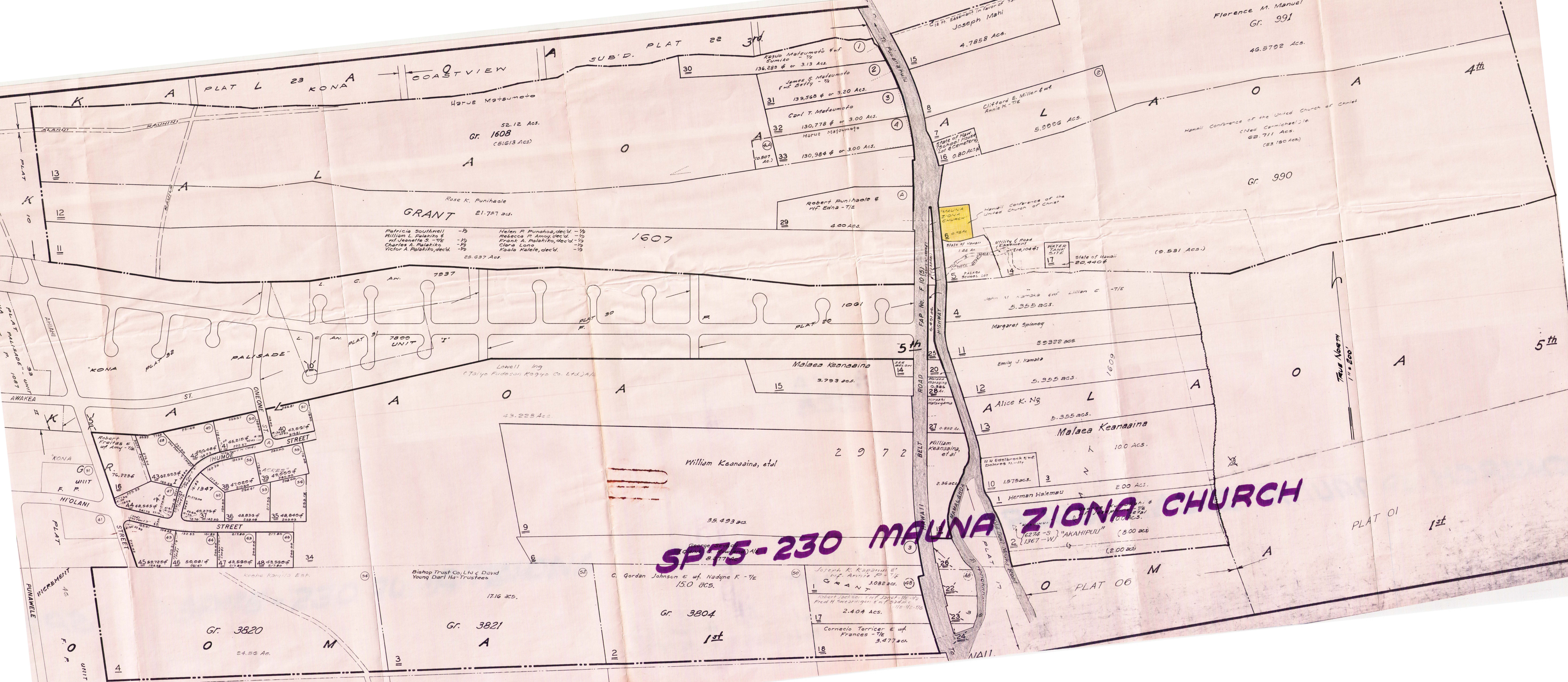
Parcel Dropped: 12.

DEPARTMENT OF TAXATION
TAXATION MAPS BUREAU
STATE OF HAWAII
TAX MAP

THIRD TAXATION DIVISION		
ZONE	SEC.	PLAT
7	3	17

SCALE: 1 IN. = 60 FT.

NOV 19 1975



TRUE NORTH
Scale: 1"=200'

MAUNA ZIONA CHURCH
SPECIAL PERMIT

Former Kalaoa
School

BELT

HAWAII

ROAD

To Kailua

To Waimea

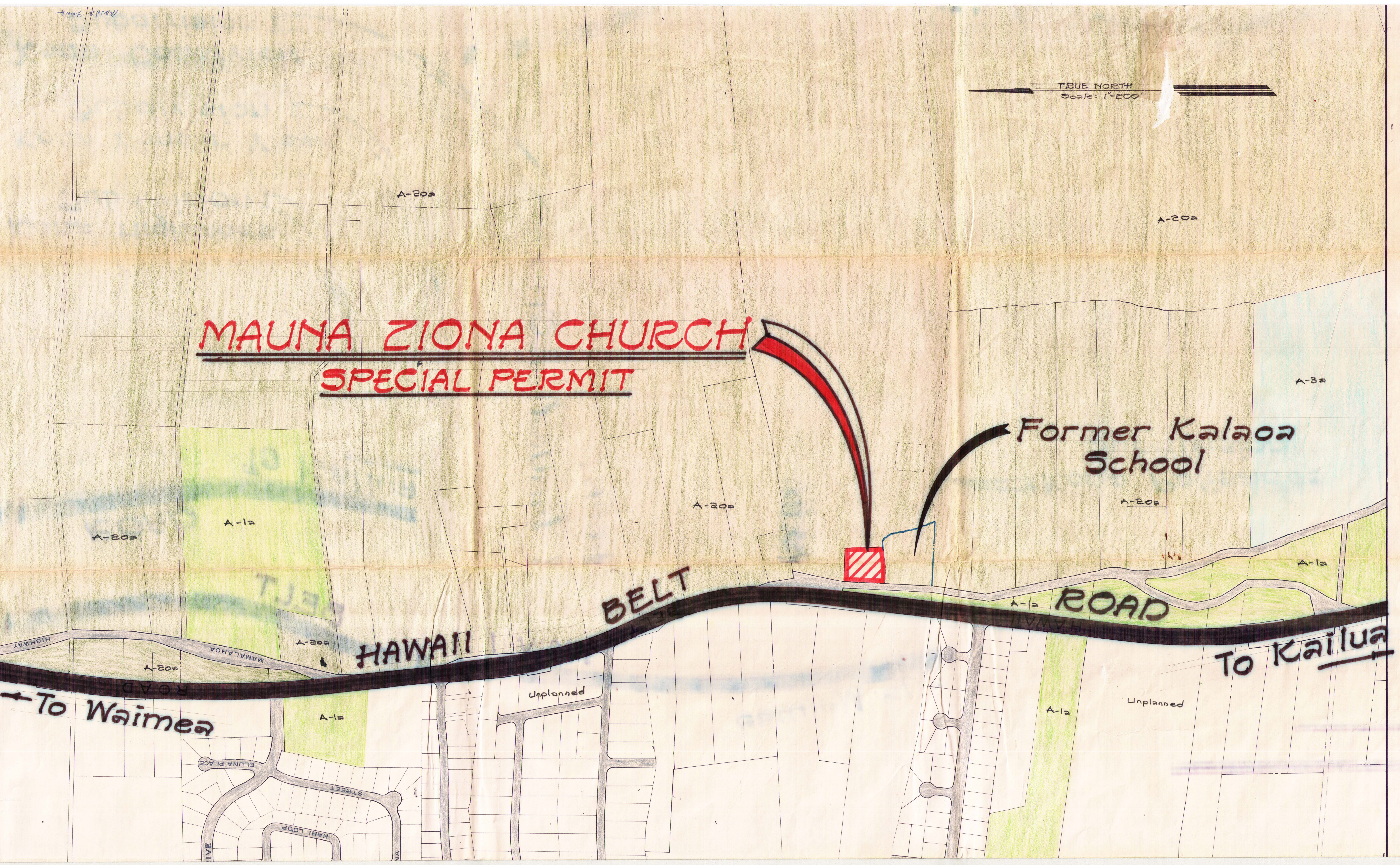
ELUNA PLACE

STREET

KAHI LOOP

Unplanned

Unplanned

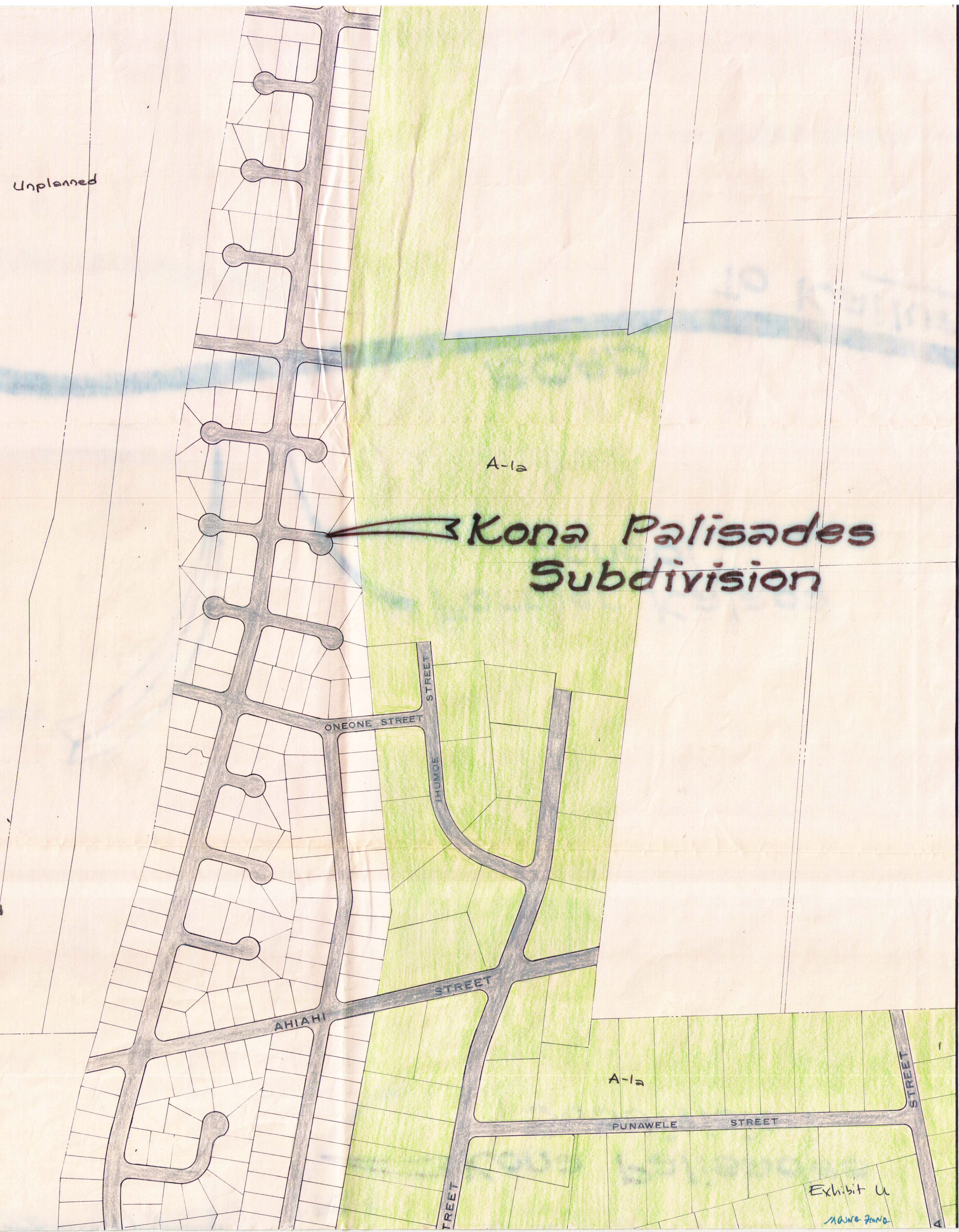




Kona Highlands Subdivision

Kona Wonder View Subdivision

Kona Coastview Subdivision



Kona Palisades Subdivision

TRUE NORTH
NO SCALE

