

**SPECIAL PERMIT APPLICATION**

**APPLICANTS: TYSON & SANDRA CAITANO**

**TMK (3) 6-4-017:019**

**REQUEST: TO OPERATE AUTOMOTIVE MAINTENANCE SHOP**

**September 10, 2010**

SPECIAL PERMIT APPLICATION  
APPLICANTS: Tyson & Sandra Caitano  
TMK (3) 6-4-017:019

HORIZON AUTOMOTIVE

(Light Maintenance, Detailing, & State Approved Safety Check Center)

A. Proposed Use:

Herein please find the proposed plan for activities for the automotive center.

The purpose of this application is to establish a neighborhood automotive center within an existing shop on the subject parcel located at the intersection of the Mamalahoa Highway (Belt Highway 19) & Alanui Ohana Place between the 53 & 53 mile markers. The proposed automotive center and the subject parcel are located approximately 3 miles from Waimea.

The access to the proposed automotive center is from Alanui Ohana Place on the driveway that also provides access to the family residence. The Caitano family has resided at the residence at the subject parcel since 1985. The newly constructed shop that will house the automotive center is permitted as a Detached Storage with Building Permit # B2009-2073H.

Types of various services and items proposed:

Basic vehicle maintenance and light service (including engine oil and filter changes, engine cooling system flushes, brake system flushes, under car grease servicing, tire rotations, belt replacements, and all other vehicle fluids/ filters/ and serviceable parts).

\* All vehicle hazardous waste (fluids and parts) will be properly contained and disposed of according to State and Federal laws via "Hawaii Petroleum" and other part venues.

Vehicle electrical and mechanical system diagnostics; connecting vehicles to scanners/ laptops/ and other electrical diagnostic machines.

Battery testing/ maintenance, replacement that includes correct and proper disposal procedures.

Upon completion of required testing and certifications, intentions are to provide Hawaii State vehicle safety inspections.

There will be no retail items sold. Inventory will only consist of vehicle service supplies (engine oils and additives). As far as any other vehicle specialty parts, filters, batteries, electrical components, and fluids, these will be purchased as needed from local parts stores and other retail stores and not stocked in the proposed automotive center.

Hours and days of operation:

In order to accommodate the working public, proposed hours of operation to begin at 7:00 AM and require the last vehicle pick up to be no later than 6:00 PM.

Days of operation are proposed to be from Monday to Friday, 7:00 AM to 6:00 PM, and Saturday from 8:00 AM to 4:00 PM (in order to accommodate customers who are unable to schedule during the week).

\* Facility will be closed completely on every Sunday.

Proposed number of vehicles to be serviced at one time:

Mr. Caitano will be the only certified technician on staff and will only allow one vehicle to be in the facility at a time.

Proposed number of vehicles parked waiting for service/ pick up:

That depends on vehicle needs and concerns; it is his intent to service anywhere from one to four vehicles maximum per day.

No more than a total of four vehicles per day on the premises.

There are no intentions to have vehicles left on the premises over night; barring unforeseen or unavoidable circumstances.

In an effort to minimize the number of vehicles on the premises, a vehicle pick up and drop off service is also proposed.

Proposed number of employees:

Mr. Caitano will be the sole Technician on staff. However, there are intentions to employ a helper who will be answering phone calls, performing parts runs, cleaning shop area, and pick up/ delivery of customer vehicles, likely on a part time basis, but moving to full time as the business needs and grows.

Intentions also include the employment of an administrative assistant with book keeping and accounting duties; a position that will be part time only (once or twice a week).

Reasons for home based business:

After returning to Hawaii in 2009 from training and employment in Las Vegas Nevada, Mr. Caitano has been employed with two local automotive repair shops. It resulted with inspiration and the decision to initiate the proposed endeavor where he can be successful and use the skills acquired and take pride with honesty and integrity of his own

automotive center and an opportunity to take advantage of his years of training and education.

After researching the local community within a 10-mile radius, Mr. Caitano found no suitable commercial facility that would make it feasible to open a business of his own. The monthly rental on commercial spaces available are just too costly, and the initial investment would make it impossible to succeed and prone to failure. Another reason for being home based would be the security factor of his facility and equipment, as well as his customers' property, so he started operation of his business. At that time, Mr. Caitano was not aware that his business was not a permitted use. On July 28, 2010 he received a warning letter from the Planning Department for improper use of an agricultural storage building as an automotive repair business. As a result, the business ceased and Mr. Caitano decided to file this Special Permit Application and to change the use of the Ag Storage building to the proper Occupancy designation.

Mr. Caitano would like the opportunity to provide his community with an up to date, professional, clean, safe, honest, trustworthy, and reasonable automotive facility that so many customers are seeking today. He has the knowledge, professional training, and wide range of experience with certificates, in order to serve customers in a professional way.

The neighbors and residents of the surrounding subdivisions and outlying areas will greatly benefit from the proposed automotive center. The close proximity to the various subdivisions will allow for community based business without the requirement of having their vehicles towed to Waimea or Honokaa or farther to Hilo or Kona. His integrity, caring, and honesty will be a huge benefit for the residents of this area. He is a person who grew up on the subject parcel (still owned and resided on by his parents), went off to school, and has come home to Hawaii with skills to benefit the community.

Tyson T.L. Caitano, the son of Tyson & Sandra Caitano is a highly trained and educated automotive technician, as per a lengthy list of certification and experience included herein.

#### B. Property Description:

The property is located at 64-5205 Alanui Ohana Place, Puukapu Homesteads, South Kohala, Hawaii.

The subject parcel contains the family residence, a four-bedroom home of 2066 sq. ft. Also the newly constructed storage building that will house the automotive center of 1768 sq. ft.

### C. State / County Plans Affecting the Request:

The subject parcel consists of 2 acres and is Zoned Ag-40a, with State Land Use Agriculture. The surrounding land is also zoned Ag-40a. The surrounding parcels have similar development with single-family dwellings on each parcel.

There are large parcels in the area, but also 6 subdivisions with lots as small as 8000 sq. ft. within 2 miles in each direction. The LUPAG designation of the area is Rural. The ALISH identification is "1", prime agricultural land, and the Land Study Bureau soil survey report identifies the soil as "C", on a scale of A to E, with A having the highest productivity rating and E as not suitable.

The South Kohala Community Development Plan was adopted by ordinance in November 2008. It designates Waimea Town Center as the intersection of the Mamalahoa Highway & Kawaihae Road. It also states "The development pattern in Waimea Town is linear from east to west, and concentrated along Mamalahoa Highway and Kawaihae Road. Development along these two roadways is spread out over six miles with the town center approximately at the mid point of the six mile stretch". The subject parcel is approximately 3 miles east of Waimea Town Center. The property is not designated in the area noted as Small Farms and Ranches Preservation Program, although it is adjacent to such an area to the west.

In Chapter 4 of the South Kohala Community Development Plan, Strategy 2.5 states: "Develop a secondary commercial center on the east side of town. By providing a secondary center that services people's basic daily necessities, a small-scale commercial center located on the east end of town would help to alleviate traffic congestion that develops around the existing commercial center in the town center. Residents who live on the east end of town could instead patronize the secondary commercial center for daily necessities instead of driving to the town center." The subject parcel is located close to this proposed secondary center, as evidenced by the Waimea Town Conceptual Plan. (Attached)

### D. Surrounding Zoning and Land Uses:

The subject parcel consists of 2 acres and is Zoned Ag-40a, with State Land Use Agriculture. The surrounding land is also zoned Ag-40a. The surrounding parcels have similar development with single-family dwellings on each parcel.

### E. Flood Insurance Rate Map:

The FIRM designation is "X", area determined to be outside the 500-year floodplain.

### F. Archeological Resources:

According to the Department of Land and Natural Resources, Historic Preservation Division, no historic property will be affected by the automotive center because

residential construction has altered the land and no new land alteration or construction will occur. (Letter herein)

#### G. Flora & Faunal Resources:

The subject parcel is open, mowed yard with a few plants in the yard. The surrounding parcels are the same, as this has been an established residential area for years. Some parcels in the surrounding area have livestock, poultry, but mostly domestic animals (dogs & cats). There are the typical mynah birds, cardinals, doves, along with feral animals (mongoose, rats, and mice).

#### H. Valued Cultural Resources:

There are no traditional and customary native Hawaiian rights that are exercised on the subject parcel or the surrounding properties.

#### I. Public Access:

The subject parcel is located at the intersection of Alanui Ohana Place and the Mamalahoa Highway. There is no access to the shoreline or mountain(s) from that location.

#### J. Description of Access:

There are fourteen 2-acre lots on both sides of Alanui Ohana Place, a private road that intersects the Mamalahoa Highway (Highway 19), a State Highway (Copy of easement attached). The subject parcel, the first parcel of seven parcels on the West side of Alanui Ohana Place is located on the West corner of the intersection. The access to the subject parcel is from the driveway which enters the property from Alanui Ohana Place, a 30' wide paved road.

#### K. Traffic Impacts:

The Mamalahoa Highway is a busy road that is a combination of through traffic (traffic traveling through in both directions to island-wide destinations), commuter traffic (local residents traveling in both directions to work, school, shopping, etc.), and tourist and visitor traffic. The location of the subject parcel would allow for an easy exit from the Mamalahoa Highway onto Alanui Ohana Place with the driveway approximately 175' from the intersection. There would be a few additional left turns from the highway likely; however, there are already occasions for that occurrence for the residents and their visitors on Alanui Ohana Place throughout the day. The proposed automotive center has proposed to attend "one to four" vehicles per day, therefore the impact would be minimal.

L. Availabilities of Utilities:

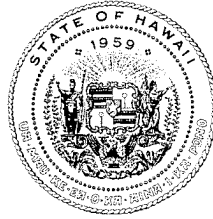
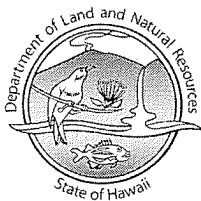
The subject parcel is serviced by Helco for power and Hawaiian Tel Com for phone. Also the water is supplied by the County of Hawaii, Department of Water Supply. The proposed automotive center will not affect the water usage.

How the Request Meets the Following Criteria:

- A. The granting of this request would promote the effectiveness and objectives of Chapter 205, Hawaii Revised Statutes, as amended. The proposed use is not contrary to Chapter 205A, Coastal Zone Management as the subject parcel is more than three miles from the shoreline. There is no public access, scenic or open space resources.
- B. The desired use shall not adversely affect the surrounding properties. There are single-family residences on each lot within the subdivision. Those residents will benefit by having the proposed automotive maintenance center located close by without having to go to either Waimea or Honokaa to get the services necessary to maintain their vehicles. The shop location behind the existing residence naturally screens the activities from Alanui Ohana Place. The shop is visible from the Mamalahoa Highway. It would be possible to provide a planting screen along the fence that fronts the highway. Every effort will be made to minimize noise associated to the proposed automotive center.
- C. The proposed automotive center will not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection.
- D. Unusual condition, trends, and needs have arisen since the district boundaries and regulations were established. The population of the subdivision and the other subdivisions in the area has grown since their inception, and services for that population have not. The Mamalahoa Highway has become increasingly busy. The proposed automotive maintenance center will allow for the residents in the subdivision, the other subdivisions, local residents in the outlying parcels to have attention to their vehicles without driving them for miles in either direction on the highway.
- E. The land upon which the automotive maintenance center is located is suited for agriculture with a classification as "C" by the Land Study Bureau. However, other than livestock grazing on some parcels; there are no agriculture activities on the subject parcel or surrounding area.
- F. The proposed use will not substantially alter or change the essential character of the land and the present use. The operation of the automotive maintenance center will not substantially change the present use of the land as a single-family residence.

- G. The proposed use will not be contrary to the goals, policies, and standards of the General Plan and other applicable documents such as the South Kohala Community Plan. The General Plan states under Economic Goals 2.2A, “Provide residents with the opportunity to improve their quality of life through economic development that enhances the county’s natural and social environments”, and 2.2.B Economic development and improvements shall be in balance with the physical, social, and cultural environments of the Island of Hawaii”. It also states, under 2.2, Economic Goals, (e) “Strive for an economic climate that provides its residents an opportunity for choice of occupation”. The Automotive Maintenance Center provides Mr. Caitano an opportunity to be self-employed and work for the family property. The South Kohala Community Development Plan has designated that Waimea Town and 3 miles in each direction is the town center; the subject parcel meets that criteria.
- H. The proposed use is an unusual and reasonable use of land, which would not be contrary to the objectives to be sought by the Land Use Law and Regulations, which, for the Agricultural and Rural Districts, seek to preserve or keep land of high agricultural potential in agriculture usage. Although the land is considered “average” for agricultural usage; the nature and character of the subdivision and other subdivisions in the area is considered rural residential. With the exception of some livestock and grazing on the surrounding parcels, there are no agricultural activities.

LINDA LINGLE  
GOVERNOR OF HAWAII



LAURA H. THELEN  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE MANAGEMENT

RUSSELL Y. TSUJI  
FIRST DEPUTY

KEN C. KAWAHARA  
DEPUTY DIRECTOR - WATER

AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

STATE OF HAWAII  
DEPARTMENT OF LAND AND NATURAL RESOURCES

STATE HISTORIC PRESERVATION DIVISION  
601 KAMOKILA BOULEVARD, ROOM 555  
KAPOLEI, HAWAII 96707

July 22, 2010

Ms. Lori Mikkelson  
All Aina Services  
P.O. Box 291  
Laupahoehoe, Hawai'i 96764  
(c/o allainapermitting@yahoo.com)

LOG NO: 2010.1121  
DOC NO: 1007TD18  
Archaeology

Dear Ms. Mikkelson:

Subject: **Chapter 6E-42 Historic Preservation Review –  
Hawai'i County Change of Zone Application (Ag-3 to RA-1) for a 2.73-Acre Parcel  
Waiakea Ahupua'a, South Hilo District, Island of Hawai'i  
TMK: (3) 2-2-051: 015**

Thank you for requesting our review of the proposed application, which was received in our office July 13, 2010. The applicant is seeking a zone change in order to subdivide the property, which is located at 399 Lama Street, in the Panaewa House Lots subdivision. Four dwellings are currently on the property; these range in age from 1962 to the 1990s.

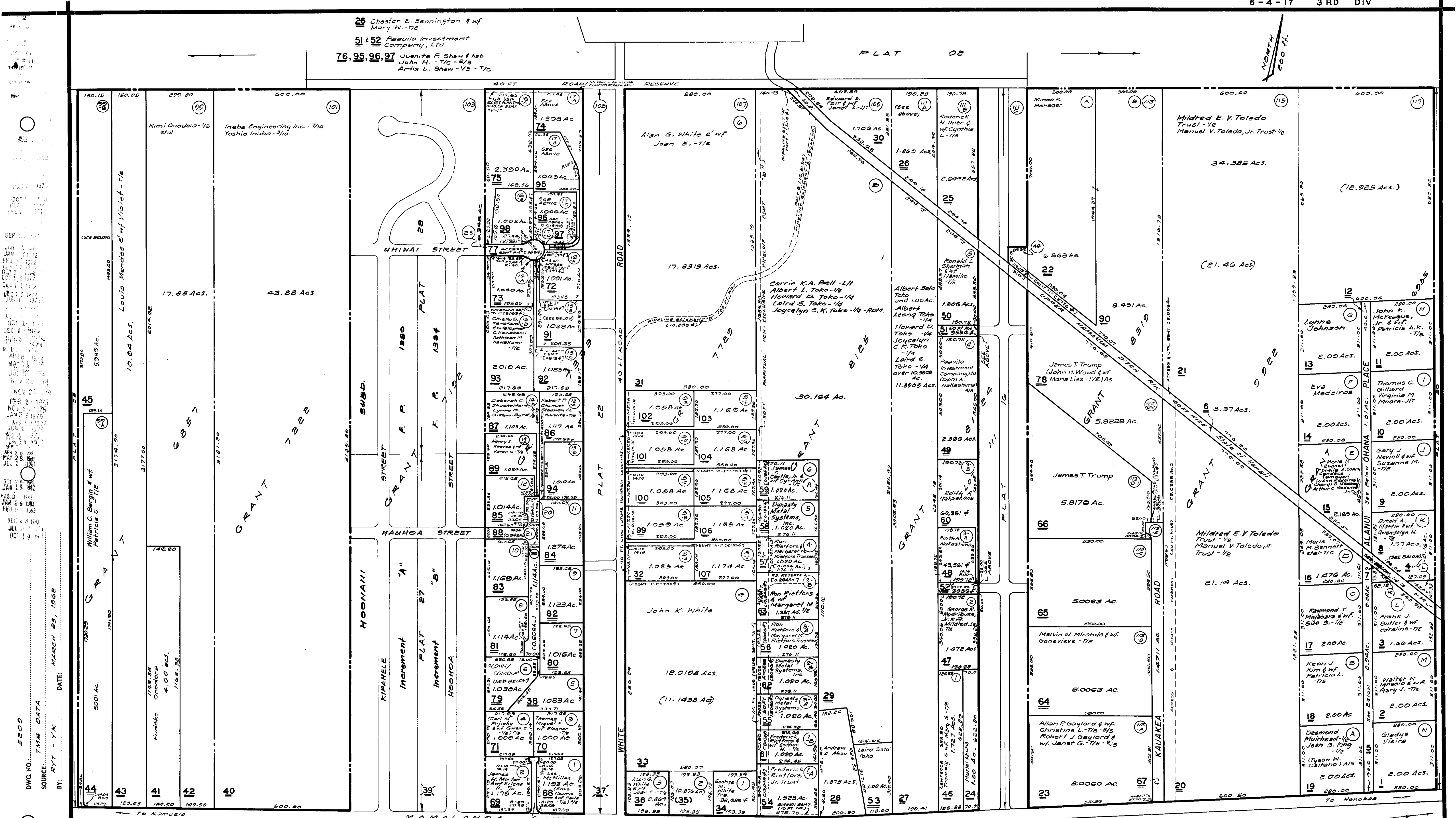
We determine that **no historic properties will be affected** by this change in zoning, due to the fact that all structures are modern and no alteration to the land or structures will occur in connection with this application.

In the event that historic resources, including human skeletal remains, lava tubes, and lava blisters/bubbles are inadvertently discovered on the property, activities should cease in the immediate vicinity of the find, the find should be protected from disturbance, and the State Historic Preservation Division, Hawaii Island Section, should be contacted immediately at (808) 933-7653. Please contact Theresa K. Donham at (808) 933-7653 if you have any questions or concerns regarding this letter.

Aloha,

A handwritten signature in black ink, appearing to read "Theresa K. Donham", with a long horizontal flourish extending to the right.

Theresa K. Donham, Lead Archaeologist  
Hawai'i Island Section  
Historic Preservation Division



DWG. NO. 5209  
 SOURCE: TMS DATA  
 BY: RYT - YK  
 DATE: MARCH 29, 1968

45 William C. Bergin Trust - 152/180  
 Patricia C. Bergin Trust - 7/180  
 William N. Bergin - 7/180  
 John H. Bergin - 7/180  
 Brady J. Bergin - 7/180  
 Erin E. Wallace - 7/180 - 7/C

79 Billie M. Camelo  
 Carolyn Cunningham - 1/4 70%  
 Matthew T. Conn & wife  
 Mary E. Halverson - 7/8 - 90%

72, 91 & 92 Wallace Bright & wife  
 Marjorie - 1/2  
 Robert Rapozo & wife  
 Edwina - 1/2 - 7/C

Note: Parcels 79 to 88 & 39 are owned by S. Lee McMillan unless otherwise noted.

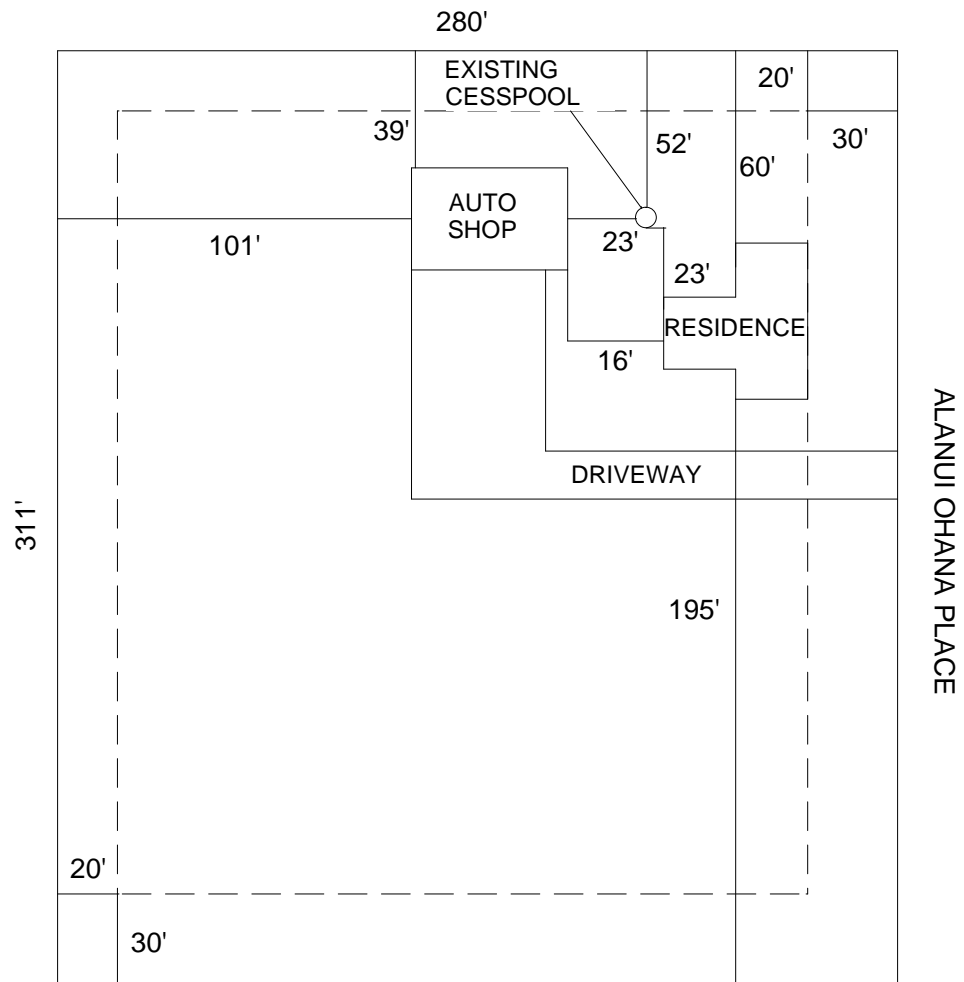
Por. PUUKAPU HOMESTEADS, 2nd SERIES, S. KOHALA, HAWAII. (Formerly por. 6-4-02)

5812 Eva Medeiros - 9/3 et al  
 4 Frank J. Butler & wife Edraline - 7/8

DEPARTMENT OF TAXATION  
 TAXATION MAPS BUREAU  
 STATE OF HAWAII  
**TAX MAP**  
 T H I R D TAXATION DIVISION  
 ZONE SEC. PLAT  
**6 4 17**  
 SCALE: 1 IN. = 200 FT

TAXATION MAPS BUREAU		
STATE OF HAWAII		
<b>TAX MAP</b>		
T H I R D	TAXATION DIVISION	
ZONE	SEC.	PLAT
<b>6</b>	<b>4</b>	<b>17</b>
SCALE: 1 IN. = 200 FT		





TMK (3) 6-4-017:019

SCALE 1/4" = 16'

To Whom It May Concern:

This affidavit is being submitted, as per the requirement of the County of Hawaii Planning Department as a part of an application for a Special Use permit.

Sandra & Tyson Caitano have applied for a Special Use permit for their parcel, TMK (3) 6-4-017:019, for an automotive maintenance business. In compliance with the sign posting requirements, a sign has been posted on Alanui Ohana Place. The applicant and its agents will not remove the sign until the application has been granted, denied, or withdrawn.

Please see attached photograph of the sign as it has been placed.

\_\_\_\_\_  
Sandra Caitano

\_\_\_\_\_  
Tyson Caitano

Subscribed & sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires:

## Notice of Special Application

Notice is hereby given that the Planning Director of the County of Hawaii will be taking action on the following Special Permit Application.

Applicant: Tyson & Sandra Caitano

TMK: (3) 6-4-017:019

Location: 64-5205 Alanui Ohana Place, Puukapu Homesteads, South Kohala, Hawaii

Request: Operation of Automotive Maintenance Center. Hours & days of operation will be from Monday thru Friday, 7:00 AM to 6:00 PM and on Saturdays from 8:00 AM until 4:00 PM.

Maps showing the general location and boundary of the area under consideration and/or plans of the proposed development are on file in the office of the Planning Department, located in the county of Hawaii-Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, HI 96720 or at the Planning Department's West Hawaii Office, Suite 109, 75-5706 Kuakini Highway, Kailua-Kona, HI 96740, and are open for inspection during business hours. Anyone wishing to offer comments on the application may do so. All comment shall be filed with the Planning Director.

As a neighboring landowner, you have a right to submit a written request for a contested case procedure. If so, file a written request on the attached form, "Petition for Standing in Contested Case Hearing." The request shall be filed with the Planning Commission at Aupuni Center, 101 Pauahi Street, Suite 3, Hilo, HI 96720; and accompanied by a filing fee of \$100, payable to the Director of Finance. The required information shall be submitted no later than seven (7) calendar days, prior to the Commission's first scheduled public hearing to consider the application.

If you choose not to submit a written request for a contested case procedure, you may express your support/opposition in writing or by oral testimony at the Planning Commission public hearing to be scheduled.

Should you have any further questions, please write or call:

Agent: All Aina Services  
P.O. Box 291  
Laupahoehoe, HI 96764  
(808) 969-3882

or

Hawaii County Planning Department  
101 Pauahi Street, Suite 3  
Hilo, HI 96720  
(808) 961-8288

County of Hawaii  
Planning Department  
101 Pauahi Street Suite 3  
Hilo, HI 96720

August 17, 2010

TMK: (3) 6-4-017:019

Tyson & Sandra Caitano have retained the services of All Aina Services to act on our behalf for purposes of an application for a Special Permit. Any and all questions regarding the application may be forwarded to them. We have authorized their agents to act on our behalf concerning any inquiries that may arise.

All Aina Services  
P.O. Box 291  
Laupahoehoe, Hi 96764

(808) 969-3882

Tyson Caitano

Sandra Caitano

