

A68-196 - HERBERT & DOROTHY MIYAHARA

December 23, 1968

Mr. and Mrs. Herbert Miyahara
P. O. Box 788
Koloa, Kauai

Dear Mr. and Mrs. Miyahara:

The petition by Herbert and Dorothy Miyahara (A68-196) to amend the Land Use District Boundaries from an Agricultural into a Rural District at Omao Homesteads, Koloa, Kauai, identifiable by Tax Map Key 2-7-06: parcels 12, 13, 32, 33, 71, and 75, comprising 13 acres was approved by the Land Use Commission at its meeting on December 20, 1968.

Very truly yours,

RAMON DURAN
Executive Officer

cc: Department of Taxation
Department of Land & Natural Resources
Kauai County Planning Commission

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Board Room of the Board of Supervisors
Lihue, Kauai

December 20, 1968 - 2:00 p.m.

Commissioners Present: Shiro Nishimura, Chairman Pro Tempore
Sunao Kido
Leslie Wung
Alexander Napier
Goro Inaba
Keigo Murakami

Commissioners Absent: C. E. S. Burns, Jr.
Wilbert Choi
Shelley Mark

Staff Present: Ramon Duran, Executive Officer
Ah Sung Leong, Planner
Jean Soma, Stenographer

Persons planning to testify before the Commission were sworn in by Chairman Nishimura.

ACTION

PETITION BY HERBERT AND DOROTHY MIYAHARA (A68-196) TO RECLASSIFY 13 ACRES FROM AGRICULTURAL TO RURAL AT OMAO HOMESTEADS, KOLOA, KAUAI

Mr. Leong informed the Commission of the location of the property under discussion on the district map and delivered the staff memorandum in which the staff again recommended that this petition be approved. (See copy of memo on file.)

Directing his reply to Commissioner Kido, Mr. Leong reported that the area below the proposed Rural District is presently zoned agricultural. Staff has recommended that parcels 14 and 61 and several small parcels across the road from the subject property be considered for inclusion in the Omao Rural District when the district boundaries are reviewed in the near future.

Mr. Leong then pointed out the location of parcels 14 and 61 on the map.

December 20, 1958

The petitioner did not wish to submit any further testimony. Therefore, Commissioner Kido moved that the Commission grant approval of the boundary amendment. Motion was seconded by Commissioner Inaba and was unanimously carried.

PETITION BY JOSEPH S. BRUN (A68-199) TO RECLASSIFY 6 ACRES FROM AGRICULTURAL TO URBAN AT KALAHEO HOMESTEADS, KOLOA, KAUAI

In the staff memorandum presented by Mr. Leong, the staff maintained its original recommendation for approval of Urban Districting the property under consideration.

Executive Officer, Mr. Duran, advised Commissioner Kido that should this request be approved, no conditions can be placed on the approval. The Commission only has the petitioner's word that he will cease to operate his slaughterhouse at such time as he develops his property. Once his property is placed in the Urban District, it will be the County of Kauai's responsibility to plan and zone the property for whatever use they deem appropriate.

Chairman Nishimura informed Commissioner Wung that the nearest slaughterhouse is located on Mr. Andrade's property approximately one mile away from Mr. Brun's slaughterhouse and is also situated in an Agricultural District. The location of this slaughterhouse was pointed out on the district map. It is situated in an Agricultural District and is not within proximity of an urban development. The urban boundary line would be about 3,000 feet away from the agricultural line.

Commissioner Wung was of the consensus that there is a definite need to protect slaughterhouses. In the event that this petition is approved and the petitioner razes his slaughterhouse to develop his property and should Mr. Andrade also decide to discontinue the operation of his slaughterhouse, there will be no slaughterhouse in the area.

Frances Suelto representing the petitioner, Mr. Brun, apprised Chairman Nishimura that she had no idea when Mr. Brun will develop his property.

When questioned by Mr. Duran as to whether or not there is a need for slaughterhouses on Kauai at present, Frances Suelto stated that there are presently three slaughterhouses on the island. The petitioner is the only proprietor of a slaughterhouse on Kauai that slaughters both cattle and hogs.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM A68-196 - Herbert & Dorothy DATE December 20, 1968
Miyahara
PLACE Lihue, Kauai TIME 2:00 p.m.

NAME	YES	NO	ABSTAIN	ABSENT
CHOI, WILBERT				✓
NAPIER, ALEXANDER	✓			
MARK, SHELLEY				✓
KIDO, SUNAO	✓			
INABA, GORO	✓			
WUNG, LESLIE	✓			
<i>CHAIRMAN</i> NISHIMURA, SHIRO	✓			
MURAKAMI, KEIGO	✓			
BURNS, C. E. S.				✓

COMMENTS:

Approved
Carried

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

December 20, 1968

TO: LAND USE COMMISSION
FROM: STAFF
SUBJECT: A68-196 - HERBERT AND DOROTHY MIYAHARA

The petition submitted by Mr. and Mrs. Herbert Miyahara for a boundary change from Agriculture to Rural was heard on October 18, 1968. The property consists of 6 parcels totaling approximately 13 acres. The soil is classified "D", poor, except for a narrow portion bordering the road which is classified "B", good.

The staff and Kauai County both recommended the petition be approved. In addition, the staff recommended that parcels 14 and 61, TMK 2-7-06 and several small parcels across the road from the subject property be considered for inclusion in the Omao Rural District when the district boundaries are reviewed in the near future. The extension of the zone southward would then include all the existing rural developments on both sides of the road and the subject property into one contiguous district which is already served by a fairly high standard road and the necessary utilities.

No further evidence has been submitted since the hearing. Thus, it is again recommended that this request be approved.

12/12/68 - sent to petitioners, Commissioners

December 9, 1968

Mr. and Mrs. Herbert Miyahara
P. O. Box 788
Koloa, Kauai

Dear Mr. and Mrs. Miyahara:

The Land Use Commission next meets at 2:00 p.m.
in the Board Room of the Board of Supervisors, Lihue,
Kauai, on December 20, 1968.

On or about that time a decision on your petition
(A68-196) will be rendered.

Although there is no requirement for you to be
present, please feel free to do so should you wish to
attend.

Very truly yours,

RAMON DURAN
Executive Officer

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Board Room of the Board of Supervisors
Lihue, Kauai

October 18, 1968 - 2:00 p.m.

Commissioners Present: C. E. S. Burns, Jr., Chairman
Wilbert Choi
Leslie Wung
Alexander Napier
Shiro Nishimura
Goro Inaba
Keigo Murakami

Commissioners Absent: Shelley Mark
Sunao Kido

Staff Present: Ramon Duran, Executive Officer
Ah Sung Leong, Planner
Jack Morse, Attorney General's Office
Jean Soma, Stenographer

Chairman Burns called the meeting to order and swore in persons wishing to testify at the hearing.

HEARINGS

✓ PETITION BY HERBERT AND DOROTHY MIYAHARA (A68-196) TO RECLASSIFY 13 ACRES FROM AGRICULTURAL TO URBAN AT OMAO HOMESTEADS, KOLOA, KAUAI

Staff's recommendation to approve this request was presented by Mr. Leong on the basis that the extent of existing rural-type developments beyond the present Omao Rural District and the restriction on development imposed by Omao and Poeleele Streams to the east and west lead to the conclusion that the Omao Rural District should extend southward to include the existing rural developments adjacent to the subject property. (See copy of report on file.) In addition, it was recommended by the staff that parcels 14 and 61 (TMK 2-7-06: 14 and 61 - 2.846 acres) and the small parcels across the road from the subject property be considered for inclusion in the Omao Rural District when the district boundaries are reviewed in the near future.

October 18, 1968

In reply to Chairman Burns' question regarding the ownership of TMK 2-7-06: 14, Mr. Leong replied that parcel 14 is owned by Mr. and Mrs. Charles H. McAlister and that parcel 61 is owned by the Yamamoto family. Mr. Leong also stated that neither the owners of parcel 14 or 61 have indicated any interest in the rezoning of their land.

Pursuant to Commissioner Murakami's inquiry as to the approximate slopes of the property in question, Mr. Leong stated that roughly 50% of the subject property contains slopes of approximately 21 to 35%.

Since there was no further testimony, the hearing was closed.

PETITION BY JOSEPH S. BRUN (A68-199) TO RECLASSIFY 6 ACRES FROM AGRICULTURAL TO URBAN AT KALAHEO, KAUAI

Executive Officer, Mr. Duran, gave a detailed account of the property in question and also of the surrounding areas.

On the basis that the property in question abuts the Kalaheo Urban District; is poorly suited for agricultural use; and since it was proposed for inclusion within the Urban District when the "final" district boundaries were being considered in 1964, the staff recommended that this petition be approved.

The petitioner, Mr. Brun, reported that at the present time he has no plans to discontinue the operation of the slaughterhouse.

Mr. Brian Nishimoto, Director of the Kauai County Planning & Traffic Commission, informed the Land Use Commission that in the event that Mr. Brun subdivides his property in whole or if the County considers the slaughterhouse to be a nuisance factor, Mr. Brun will be required to raze his slaughterhouse.

Commissioner Murakami related his understanding of the matter that should the petitioner sell all of the lots on his property, he would not have to rid himself of the slaughterhouse. Mr. Nishimoto replied that the slaughterhouse is to be removed if the petitioner decides to subdivide his property.

Mr. Duran announced that the staff was in receipt of a letter from Mr. Brun in regard to the specific use of his land. The letter from Mr. Brun dated October 14, 1968, and read by Mr. Duran stated in part:

STATE OF HAWAII
LAND USE COMMISSION

Board Room of the Board of Supervisors
Lihue, Kauai

October 18, 1968
2:00 p.m.

STAFF REPORT

A68-196 - HERBERT AND DOROTHY MIYAHARA

A petition has been submitted by Mr. and Mrs. Herbert Miyahara to amend the district boundaries from Agricultural to Rural for approximately 13 acres of land situated at Omao Homesteads, Koloa, Kauai, involving parcels 12, 13, 32, 33, 71, and 75 of TMK 2-7-06.

In justification of their request, the petitioners submit that:

1. The lots listed above are contiguous parcels which are not used for agricultural purposes and which immediately abut the Omao Rural District.
2. The primary reason for rezoning the land is that they desire to build some rental units to satisfy the big demand for such units in West Kauai.
3. Conditions and trends of development at Omao have changed since many new homes have been constructed in recent years and that Omao is now considered more as a residential than an agricultural area.

County Recommendation

At a meeting held on August 8, 1968, the Kauai Planning & Traffic Commission accepted the recommendations of the

Planning Director and voted to recommend approval of the petition.

The comments and recommendations of the Kauai Planning Director are as follows:

"The staff finds the area reasonable for low density residential use. The area abuts an existing Rural District and the desired use is compatible to the existing uses in the immediate neighborhood.

The staff therefore recommends approval of the subject petition. In addition, the staff recommends that the State Land Use Commission consider placing the properties (TMK 2-7-06: 14 and 61 - 2.846 ac.) between Omao Road and the Miyahara properties into the rural designation to prevent isolating an Agricultural District within a Rural District."

The existing Omao Rural District extends southward from Kaumualii Highway to the land under consideration. However, the pattern of land development to the east and west is restricted by the Omao and Poeleele Streams, respectively. Principal land uses within the confines of these streams are rural-type developments and agricultural pursuits involving mostly pasturelands. The subject property is vacant with the exception of an old dwelling which has been vacated and a new one which is being constructed. The urban center of Koloa is approximately 1 mile to the southeast of the property.

Most of the subject land is classified "D" by the Land Study Bureau, indicating "poor" suitability for overall agricultural use. These lands are poorly suited for machine

tillage, are non-stony, deep and well drained, and contain slopes of 21 to 35%. A narrow strip of the property bordering Omao Road is rated "B" or "good" for agricultural use and is characterized by deep, non-stony, well drained soils with 0-10% slopes. Rainfall in the area approximates 56 inches annually. Basic utilities are available with the exception of sewers.

Analysis

The extent of existing rural-type developments beyond the present Omao Rural District and the restriction on development imposed by the two streams to the east and west readily lead to the conclusion that the Omao Rural District should extend southward to include the existing rural developments adjacent to the subject property. Such a configuration of the Rural District would merely embrace all rural developments to date into one contiguous district which is presently served by a fairly high standard road and the necessary utilities. The result would not be one of contributing to scattered developments with resultant high costs to government but instead would effect a consolidation of existing rural-type developments. A reasonable and logical land use pattern would include the 6 parcels under petition within the Rural District in addition to the parcels already in rural use presently situated in the Agricultural District.

Traffic? - Ribbon dev.?

Recommendation

Therefore, on the basis of the above analysis, it is recommended that the petition be approved. It is also recommended that parcels 61 and 14 and the small parcels across the road from the subject property be considered for inclusion in the Omao Rural District when the district boundaries are reviewed in the near future.

- *Parcels 61 and 14 are these 2 parcels enclosed by the Miyahara property, and the other small parcels are located here.*

County GP = residential

Proposed Comprehensive Zoning = agricultural.

Water = 6" line (some at Lawai)

Cesspool

30' R/W with 18' pavement

360' above sea level

The 6 parcels range in size from about 5000 # to over 5 acres.

October 8, 1968

Mr. and Mrs. Herbert Miyahara
P. O. Box 788
Koloa, Kauai

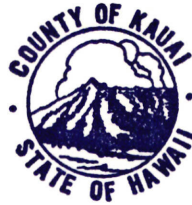
Dear Mr. and Mrs. Miyahara:

The Land Use Commission next meets on October 18, 1968, at 2:00 p.m., at the Board Room of the Board of Supervisors, Lihue, Kauai. At that time your application (A68-196) to amend the land use district boundaries at Omao Homesteads, Koloa, Kauai, will be heard.

Very truly yours,

RAMON DURAN
Executive Officer

Type-erase
25% COTTON FIBER



LIHUE, KAUAI, HAWAII 96766

RECEIVED

AUG 13, 1968

State of Hawaii
LAND USE COMMISSION

August 9, 1968

State of Hawaii
Land Use Commission
426 Queen Street
Honolulu, Hawaii 96813

File: AC8-196

Subject: Petition for Amendment to the Land Use
District Boundary
Tax Map Key 2-7-06:32, 33, 75, 13, 71 and 12
Koloa-Poipu, Kauai

Gentlemen:

At a special meeting held on August 8, 1968, the Planning and Traffic Commission accepted the recommendations of the Planning Director and voted to recommend approval of subject petition.

Attached is the staff's report covering the proposal.

Very truly yours,

PLANNING AND TRAFFIC COMMISSION

Brian Nishimoto
Planning Director

attach.

KAUAI PLANNING AND TRAFFIC COMMISSION
LIHUE, KAUAI, HAWAII

STAFF REPORT

TO: Planning and Traffic Commission
RE: Application for Land Use District Boundary Change
APPLICANT: Herbert Miyahara and wife Dorothy
LOCATION: Situated on the east boundary of Omao Road, approximately 3,900 feet southeast of the centerline intersection with Kaumualii Highway, portion of Omao Homesteads, Koloa, Kauai, Hawaii.
TAX KEY: 2-7-06:12, 13, 32, 33, 71, 75

LOT AREAS: Parcel 12 = .12 ac. ——— 5000 sq ft ±
" 13 = 1.91 " ——— 2 ac ±
" 32 = 5.384 " ——— 5 1/2 ac ±
" 33 = .386 " ——— 16,000 sq ft ±
" 71 = 1.83 " ——— 2 ac ±
" 75 = 3.322 " ——— 3 1/2 ac ±
Total = 12.952 Acres

Other affected areas: (No petition signed)

Parcel 14 = 2.20 acs. - Charles H. McAlister
and wife Velma

Parcel 61 = .646 ac. - Kimiko U. Yamamoto - Dow.
Kenneth K. " 1/10
Melvin T. " 1/10
Dexter K. " 1/10
Milton S. " 1/10
Wayne K. " 1/10
Kimiko " 1/2

Total Area Affected = 15.798 acres.

BACKGROUND:

The subject properties are a portion of Omao Homesteads and are situated approximately 3,900 feet southeast of the centerline intersection of Kaumualii Highway and Oamo Road.

Land Use survey conducted in 1959 and 1960 for this area indicates the following:

- a. Parcel 12 = Vacant
- b. " 13 = "

- c. Parcel 14 = Single Family Residential/Home Garden
- d. " 32 = " "
- e. " 33 = Vacant
- f. " 61 = "
- g. " 71 = "
- h. " 75 = "

Both State Land Use Commission interim boundaries established on April 21, 1962, and the final amended boundaries established on August 23, 1964, classified this subject area in agricultural status.

Rural classification adjoins Parcel 75 (west boundary) and runs to a point approximately 800 feet southeast along Omao Road (see map Exhibit "A").

Petitioners Reasons for Requesting Boundary Change: (See reasons attached).

ANALYSIS:

Master Plan Designations:

The County General Plan indicates that the area in question will fall within a residential classification in the future.

The proposed comprehensive zoning map indicates agricultural classification as established on August 23, 1964, by the State Land Use Commission.

Public Facilities:

Water Supply: The main water source feeding the Omao area is a well located in the Lawai area, on the south boundary of Kaumualii Highway, approximately 1,950 feet east of the centerline intersection with Koloa Road. The main line along Kaumualii Highway to Omao Road is an 8-inch C.I. pipe. A 6-inch C.I. pipe runs along Omao Road to the area in question.

Sanitary Sewerage Disposal: With the absence of a sewer system in the Omao area, all sewage and waste disposal method must adhere to the Department of Health standards and regulations.

Public Roadway and Drainage: Omao Road which serves the subject lots is a Type "I" road with a right-of-way of 30 feet and pavement width of 18 feet.

Topography:

Topography of the area varies. Slopes range from 0% to 10%; in some areas 21% to 35%.

Land Type:

The subject area has soil classification productivity rating of B-24 and D-80.

B-24 are lands that are well suited for machine tillability, non-stony, deep soil (over 30"), with slopes of 0% to 10%, moderately fine soil, well drained, with median annual rainfall of 50-75 inches, generally at elevation of about 200-750 feet, with reddish brown color soil, and of the "Kalaheo" soil series.

D-80 are non-irrigated lands poorly suited for machine tillability, non-stony, deep soil (over 30"), with slopes of 21-35%, moderately fine soil, well drained, with median annual rainfall of 50-75 inches, very dark brown to brown color soil, generally at elevation of about 150-500 feet, and of the "Puhi" soil series.

Note: Refer to Map Exhibit "B" for land type designation and topographic variation areas. (B-24 and D-80)

July 25, 1968



Brian Nishimoto
Planning Director

KAUAI PLANNING AND TRAFFIC COMMISSION
LIHUE, KAUAI, HAWAII

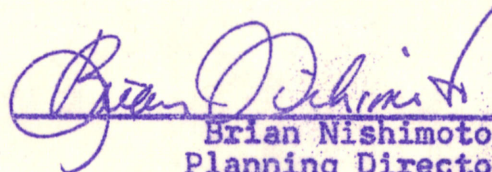
TO: Planning and Traffic Commission
RE: Application for Land Use District Boundary Change
APPLICANT: Herbert Miyahara and wife Dorothy

COMMENTS & RECOMMENDATIONS:

The staff finds the area reasonable for low density residential use. The area abuts an existing Rural District and the desired use is compatible to the existing uses in the immediate neighborhood.

The staff therefore recommends approval of the subject petition. In addition, the staff recommends that the State Land Use Commission consider placing the properties (TMK 2-7-06:14 and 61 - 2.846 ac.) between Omao Road and the Miyahara properties into the rural designation to prevent isolating an Agricultural District within a Rural District.

Aug. 6, 1968


Brian Nishimoto
Planning Director

D-1

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

RECEIVED

JUL 3 1968

State of Hawaii
LAND USE COMMISSION

This space for LUC use

Date Petition and Fee received
by LUC _____

Date forwarded to County
for recommendation _____

Date Petition, and County
recommendation received
by LUC _____

AL8-196

PETITION FOR AMENDMENT TO THE LAND USE COMMISSION DISTRICT BOUNDARY

(I) (We) hereby request an amendment to the Land Use Commission District Boundary respecting the County of Kauai, Island of Kauai, map number and/or name K-3 Koloa-Poipu to change the district designation of the following described property from its present classification in a(n) Agricultural district into a(n) Rural district.

Description of property:

Tax Key: 2-7-06-32 ✓ 5.384 ac.
 33 ✓ .386 ac.
 75 ✓ 3.322 ac.
 13 ✓ 1.91 ac.
 71 ✓ 1.83 ac.
 12 ✓ .12 ac.
 12.952 ac.

Petitioner's interest in subject property:

Fee simple owner

Petitioner's reason(s) for requesting boundary change:

Separate attachment

(1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the district in which it is located is classified.

(2) The petitioner will attach evidence in support of either of the following statements (cross out one):

(a) The land is usable and adaptable for the use it is proposed to be classified.

(b) Conditions and trends of development have so changed since adoption of the present classification, that the proposed classification is reasonable.

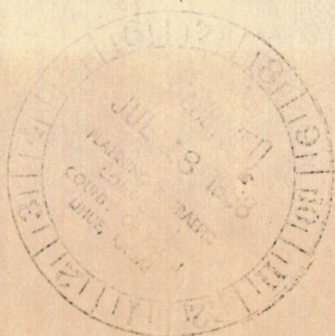
Signature(s) Herbert M. Mignone
Donnelly Mignone

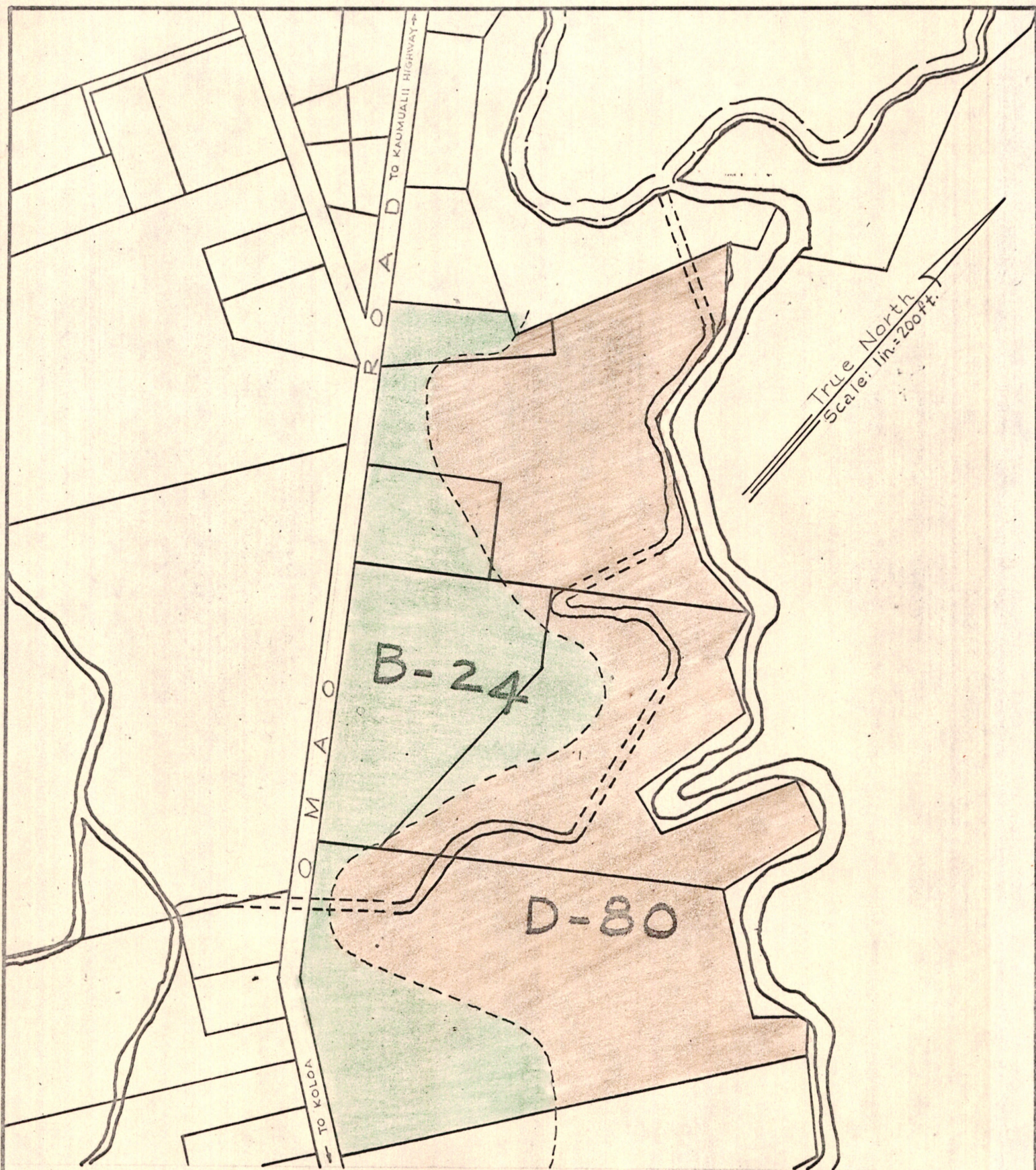
Address: _____

P.O. Box 788, Koloa, Kauai 96756

Telephone: _____

746773





MAP SHOWING
APPROXIMATE LAND CLASSIFICATION
AREAS
OMAO HOMESTEADS KOLOA, KAUAI

EXHIBIT "B"

JULY 30, 1968

TAX KEY: 2-7-06

② Rainfall in the area approximates 56" annually

③ Elevation approximates 300' above sea level

④ Distance to nearest Urban districts
Lawai = 1 mile to the West
Koloa = little over 1 mile to S.E.

Check A66-114 Medeiros file
(same area)

Soils - See Kawai Pling Director
Staff Report

State Form B14

STATE OF HAWAII

Department of Planning
and Economic Development

Department, Bureau or Commission

OFFICIAL
RECEIPT

No. 290

July 19 1968

RECEIVED from Herbert or Dorothy Miyahara
- Fifty and no/100 -

DOLLARS

LUC - filing fee

\$ 50.00

Ester Umeda

Public Accountant

July 17, 1968

Planning & Traffic Commission
County of Kauai
P. O. Box 111
Lihue, Kauai

Attention: Mr. Brian Nishimoto, Director

Gentlemen:

Pursuant to Section 98H-4, RLH 1955, as amended, and Act 32 SLH 1965, a copy of a petition for amendment to the land use district boundaries, submitted by Mr. and Mrs. Herbert Miyahara, together with supporting data and map, is forwarded to you for your comments and recommendations.

Act 32 provides that within 45 days after receipt of the petition, the Commission of the County wherein the land is located shall forward its comments and recommendations to the Land Use Commission. It also provides that upon written request by the County Planning Commission, the Land Use Commission may grant an extension of not more than 15 days for the receipt of such comments and recommendations.

Thank you for your cooperation.

Very truly yours,

RAMON DURAN
Executive Officer

Encls.

July 17, 1968

Mr. and Mrs. Herbert Miyahara
P. O. Box 788
Koloa, Kauai

Dear Mr. and Mrs. Miyahara:

Your letter dated July 12, 1968 advising us that parcels 14 and 61 are not part of your petition was received by this office on July 15, 1968. We have therefore started processing your application to amend the land use district boundaries as shown on Tax Map Key 2-7-06: 32, 33, 75, 13, 71, 12 at Koloa-Poipu, Kauai.

In accordance with Section 98H-4, RLH 1955, as amended, and Act 32 SLH 1965, this Commission must schedule a public hearing on this petition no sooner than 60 days and no more than 120 days. After 45 but within 90 days following the public hearing, the Land Use Commission is obliged to render a decision on this petition.

A hearing schedule will be determined at a later date to consider the several pending petitions, including yours, in the County of Kauai. We will inform you of the date of the hearing as soon as it is determined.

Should you have any questions, please feel free to contact us. If we have any questions, in the meantime, we will contact you.

Very truly yours,

RAMON DURAN
Executive Officer

cc: Kauai Planning Comm.

P.O. Box 788
Koloa, Kauai 96756

July 12, 1968

RECEIVED

JUL 15 1968

State of Hawaii
LAND USE COMMISSION

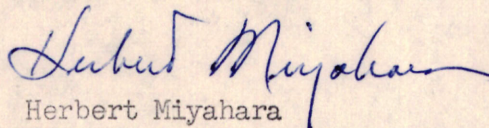
Mr. Ramon Duran, Executive Officer
Land Use Commission
426 Queen St.
Honolulu, Hawaii 96813

Dear Mr. Duran:

This is in reply to your letter dated 7-9-68 regarding my application to amend the land use district boundaries for my property in Omao, Koloa, Kauai.

Please disregard the map that I submitted with my application. I am not the owner nor the representative for parcels 14 and 61. My petition is only for the parcels of land that I own and which I have listed on the application form.

Very truly yours,


Herbert Miyahara

STATE OF HAWAII

OFFICIAL
RECEIPT

No.

206

Land Use Commission

Department, Bureau or Commission

RECEIVED from

Herbert Maynard

July 3

1968

Fifty & no/100

DOLLARS

Petition for Boundary Change

\$ *50.00*

Don H. Hoshawa

Public Accountant

July 9, 1968

Mr. and Mrs. Herbert Miyahara
P. O. Box 788
Koloa, Kauai

Dear Mr. and Mrs. Miyahara:

This is to acknowledge the receipt of your check in the amount of \$50.00 to cover the filing fee for your petition to amend the land use district boundaries.

In initiating the processing of your request, we have been advised by the Department of Taxation that parcels 14 and 16 which are included in your petition have changed ownership. Since Section 98H-4 of Act 205, SLH 1963, provides that "any property owner or lessee may petition the Commission for a change of boundary", please submit evidence that you are authorized to represent the owners of parcels 14 and 16.

Upon clarification of this matter, we shall expedite the processing of your request.

Very truly yours,

RAMON DURAN
Executive Officer

STATE OF HAWAII
LAND USE COMMISSION

426 Queen Street
Honolulu, Hawaii

RECEIVED

JUL 3 1968

State of Hawaii
LAND USE COMMISSION

This space for LUC use

Date Petition and Fee received
by LUC _____

Date forwarded to County
for recommendation _____

Date Petition, and County
recommendation received
by LUC _____

A68-196

PETITION FOR AMENDMENT TO THE LAND USE COMMISSION DISTRICT BOUNDARY

(I) (We) hereby request an amendment to the Land Use Commission

District Boundary respecting the County of Kauai, Island of Kauai,

map number and/or name K-3 Koloa-Poipu to change the district

designation of the following described property from its present classification

in a(n) Agricultural district into a(n) Rural district.

Tax Key: 2-7-06-32 ✓ 5.384 ac. ✓

33 ✓ .386 ac. ✓

75 ✓ 3.322 ac. ✓

13 ✓ 1.91 ac. ✓

71 ✓ 1.83 ac. ✓

12 ✓ .12 ac. ✓

12.952 ac.

Description of property:

Petitioner's interest in subject property:

Fee simple owner.

Petitioner's reason(s) for requesting boundary change:

Separate attachment

*Note: These 2 parcels are owned by
owners other than petitioner and of
Jul 3 '68 (per Tax Office), and are
included in the
area
proposed for
"R" in the
map
submitted
by petitioner*

(1) The petitioner will attach evidence in support of the following statement:

The subject property is needed for a use other than that for which the
district in which it is located is classified.

(2) The petitioner will attach evidence in support of either of the following
statements (cross out one):

(a) The land is usable and adaptable for the use it is proposed to
be classified.

(b) Conditions and trends of development have so changed since adoption
of the present classification, that the proposed classification is
reasonable.

Signature(s)

Herbert Miyahara
Dorothy Miyahara

Address: P.O. Box 788, Koloa, Kauai 96756

Telephone: 746773

RECEIVED

JUL 3 1968

State of Hawaii
LAND USE COMMISSION

Petitioner's reason for requesting boundary change:

The above land are contiguous parcels and they adjoin the "Rural" boundary in Omao. The land is not being used for agriculture and I believe it conforms with the standards for rural classification. The immediate surrounding areas of this property is being used mostly for residential purposes.

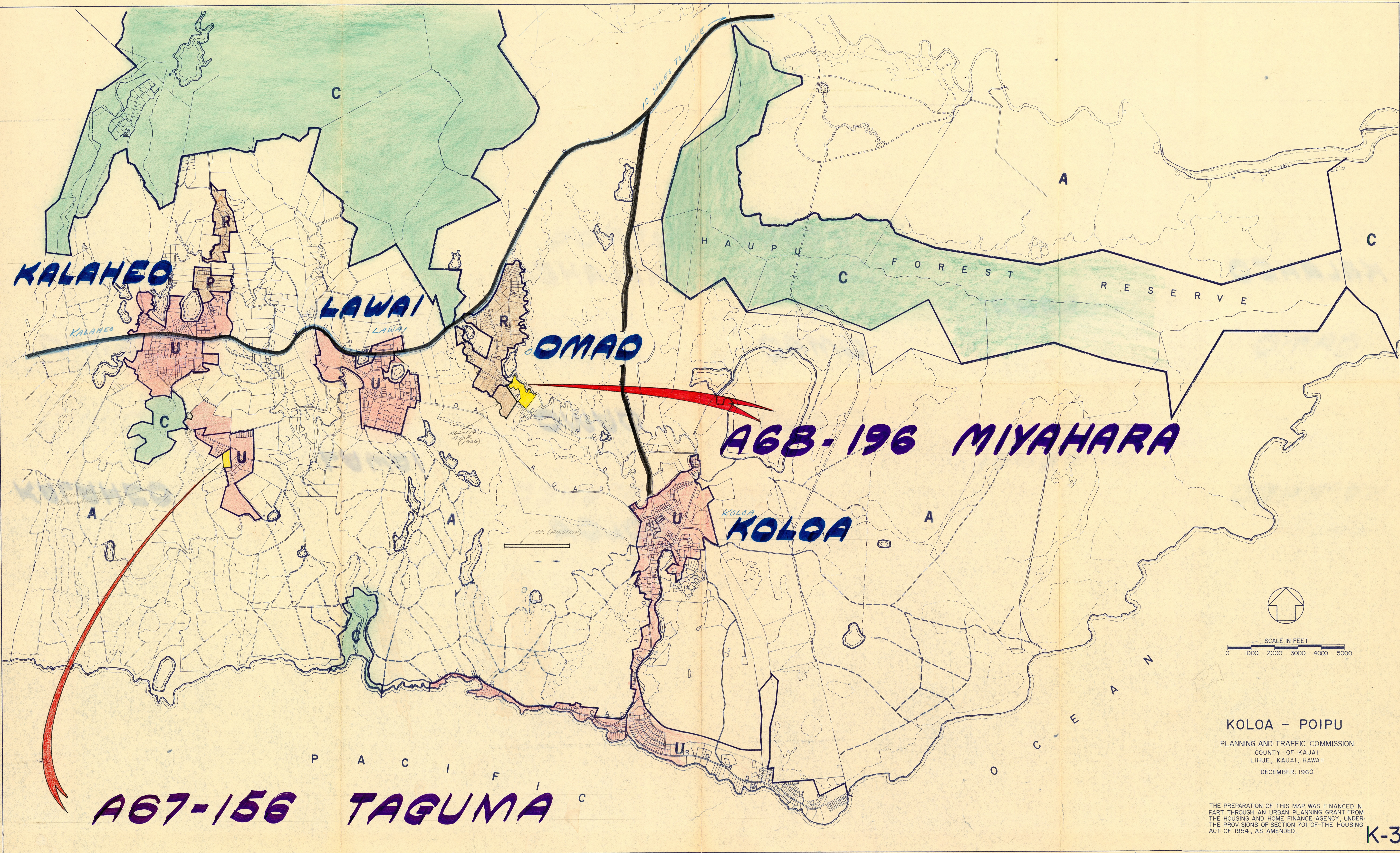
The primary reason for rezoning this land is because I am hoping to build some rental units on parcel 75 and 32. A new dwelling is now being built on parcel 32; there is also an old dwelling on this same lot which cannot be used for rental purposes unless the land is rezoned. Since the former tenants of this old dwelling moved out in April, I have had at least 15 requests to rent this building. Depending on financing, I am planning to build 2 new rental units on parcel 75 within a year and 2 more later on.

(1) The subject property is needed for use other than agriculture, mainly for low density residential lots. Due to the big demand for rental units in West Kauai, the land can be of better use for residential purposes than for agriculture.

(2) (b) Conditions and trends of development have changed since adoption of the present classification. Many new homes have been built in Omao in the past few years. It is now considered more as a residential area than agricultural. The proposed classification is reasonable since the land has not been used for agricultural purposes for many years.

Dist. No.	962	Appr. By	
Source	Taxation Mgr Bureau	Revised By	F K Sept. 1936
By	G. B.	Appr. By	
	10/32		





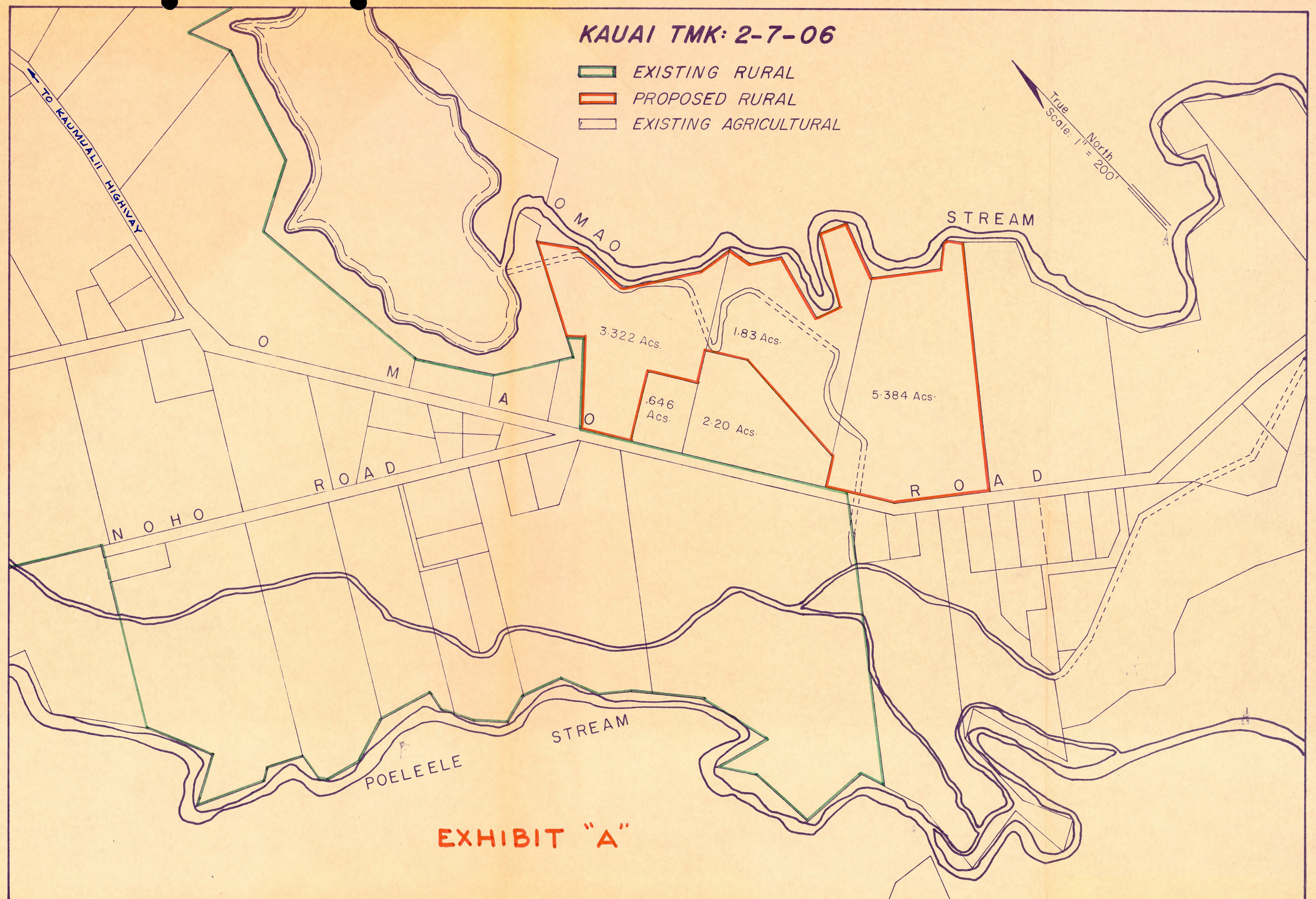
KOLOA - POIPU
PLANNING AND TRAFFIC COMMISSION
COUNTY OF KAUAI
LIHUE, KAUAI, HAWAII
DECEMBER, 1960

THE PREPARATION OF THIS MAP WAS FINANCED IN PART THROUGH AN URBAN PLANNING GRANT FROM THE HOUSING AND HOME FINANCE AGENCY, UNDER THE PROVISIONS OF SECTION 701 OF THE HOUSING ACT OF 1954, AS AMENDED.

KAUAI TMK: 2-7-06

- EXISTING RURAL
- PROPOSED RURAL
- EXISTING AGRICULTURAL

True North
Scale: 1" = 200'





KAUAI TMK: 2-7-06

- EXISTING RURAL
- PROPOSED RURAL
- EXISTING AGRICULTURAL

True North
Scale: 1" = 200'

