



STATE OF HAWAII  
LAND USE COMMISSION

426 Queen Street  
Honolulu, Hawaii

This space for official use

Date Application and Fee  
received by LUC

OCTOBER 11, 1962

APPLICATION FOR SPECIAL PERMIT

(I) (We) hereby request approval of a special permit to use certain property located in the County of KAUAI, Island of KAUAI, Land Use Commission Temporary District Boundary map number and/or name K-3 KOLOA, POIPU, for the following-described purpose:

Description of property: Property is located on the South side of Kaumualii Road in Lawai about 700 feet West of Lawai Bridge, Tax Map Key: 2-5-04:13 owned by William Sarmento

Petitioner's interest in subject property: William Sarmento

Petitioner's reason(s) for requesting special permit: This property is mostly sloping land not fit for agriculture; the home constructed on the West end of the whole property and was constructed by Mr. Morio Fujimoto with the understanding that he will be add a small piece of house lot since he was evacuated from his old place adjacent the Lot 37-L on R.P. 4512, Mahele Award 43 which is owned by Kauai Pine Co., Ltd. Before he had the opportunity to have the legal papers and survey done, the Green Belt Law came into effect. Morio Fujimoto is the caretaker of the church adjoining and must reside nearby.

Signature(s)

Island Engineers, Ltd.

Address:

P.O. Box 829

Telephone:

Lihue, Kauai, Hawaii

This space for official use

The property is situated in a(n) AGRICULTURAL district, whose regulations adopted by the Land Use Commission prohibit the desired use.

Signature(s)

Al. M. Mullahe

For (agency)

Land Use Commis



STATE OF HAWAII

LAND USE Commission  
426 Queen Street

Department, Bureau or Commission

OFFICIAL  
RECEIPT

NO.

6

Oct. 11,

1962

RECEIVED from

Jimmy Sacramento & William Sacramento  
Safety & 10/1001

DOLLARS

For public hearing by the State Land Use Commission for  
Special Permit for property on Kawai, TMK 2-5-04:13

\$ 50.00 CA# A126615

Arbusta L. Kai

Public Accountant

First National Bank

SPECIAL PERMIT CHECK SHEET

LUC File SP(T)- 62-23

Petitioner: William C. Sarmiento County Kauai

Key K-3

Date petition and fee received: 10-11-62

Suspense date for LUC action: 1-7-63

Date LUC survey \_\_\_\_\_

Notices of hearings

Dates

Publication

10-30-62 Honolulu Advertiser

Hearings

Date

Place(s)

By

11-10-62 B/S CHAMBERS Field Officer

Actions

Dates

Actions

By

12-7-62 \_\_\_\_\_

Notes:



Ref. No. LUC 298

December 12, 1962

Mr. David F. Wong, Director  
Planning and Traffic Commission  
County of Kauai  
Lihue, Kauai, Hawaii

Dear Mr. Wong:

Enclosed is a copy of a Special Permit granted by the Land Use Commission  
to:

William Sarmiento - SP(T) 62-23

Very truly yours,

R. J. DARNELL  
EXECUTIVE OFFICER

Enclosure



Ref. No. LUC 298

December 12, 1962

Mr. J. K. Burgess, Jr., County Clerk  
County of Kauai  
Lihue, Kauai, Hawaii

Dear Mr. Burgess:

Enclosed is a copy of a Special Permit granted by the Land Use Commission  
to:

William Sarmiento - SP(T) 62-23

Very truly yours,

R. J. DARNELL  
EXECUTIVE OFFICER

Enclosure



STATE OF HAWAII  
LAND USE COMMISSION

426 Queen Street  
Honolulu, Hawaii

LUC File	(T) 62-23
Applicant(s)	William Samento
Public Hearing at	Lihue, Kauai, Hawaii
on	November 20, 1962

SPECIAL PERMIT

The Land Use Commission of the State of Hawaii, pursuant to hearing and consideration required by the provisions of Act 187, SLH 1961, hereby grants special permission to use the following described property:

(County) Kauai (Island) Kauai

Fourth Division, TMK 2-5-04: 13

for the following purpose(s):

Subdivision of the 1.847 acre parcel into two lots, as shown on land survey map  
dated April 16, 1962 submitted by the applicant and made a part of the application;  
each lot to be used primarily for a single-family dwelling.

subject to the following conditions, ~~in the interest(s) of~~

That approval of the County of Kauai be obtained for the subdivision and proposed  
uses thereon.

(Signed) \_\_\_\_\_

(Title) \_\_\_\_\_

R. J. DARNELL  
EXECUTIVE OFFICER

Date of Grant Dec. 7, 1962



STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM SP(T)62-23

DATE DEC. 7, 1962

PLACE LWC Hearing Room

TIME \_\_\_\_\_

NAMES	YES	NO	ABSTAIN	ABSENT
<u>KANEMOTO, E.</u>	X			
<u>WILLIAMS, R.</u>	X			
<u>FRIEL, S.</u>	X			
<u>SUNN, F.</u>	X			
<u>IGE, Y.</u>	X			
<u>GREGG, W.</u>	X			
<u>CHUN, P.</u> <u>LOMBARDI, F.</u>	<del>X</del>		X	X
<u>COOK, E. H.</u>				X
<u>BRYAN, E.</u>	X			

COMMENTS:

Approval of permit as applied for.



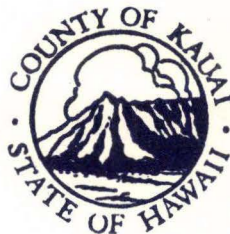
TO: SARMENTO FILE

FROM: WSM

DATE: 12-4-62

TAX maps DIVISION SHOWS WILLIAM  
C. SARMENTO AS legal owner OF  
FOURTH DIVISION TRK 2-5-04;13





LIHUE, KAUAI, HAWAII

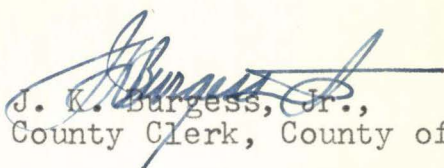
November 20, 1962

Mr. Edward C. Bryan, Chairman  
State Land Use Commission  
426 Queen Street  
Honolulu 13, Hawaii

Dear Sir:            Subject: Special Permit Application of  
                                 William Saramento of Lawai, Kauai.

The Board of Supervisors of the County of Kauai has approved the recommendation submitted by David F. Wong, Planning Director, Kauai Planning and Traffic Commission, relative to the marginal subject, a copy of which is hereto attached.

Very truly yours,

  
J. K. Burgess, Jr.,  
County Clerk, County of Kauai.

K/c

Att'd.



KAUAI PLANNING AND TRAFFIC COMMISSION  
LIHUE, KAUAI, HAWAII

November 14, 1962

MEMO TO: Planning Commissioners

SUBJECT: Special Permit Application - Land Use Commission

Submitted herewith is a report with reference to a special permit application presented on behalf of William Sarmiento by Island Engineers, Ltd. to subdivide a parcel of land into two residential lots.

The property in issue is located on the South side of Kaunualii Highway approximately 700 feet West of Lawai Bridge as shown on tax map 2-5-04, tax parcel 13.

The physical condition of the property is such that it is steep and non-productive as far as crops are concerned but presently used for grazing and residential purposes. There is a single-family dwelling presently located on the West corner of this parcel of land now occupied by Morio Fujimoto who anticipates purchasing one of the parcels to be subdivided as a residential lot.

It is recommended that a special permit be granted as requested permitting the subdivision of above-mentioned parcel of land in compliance with the provisions of our Subdivision Ordinance.

  
\_\_\_\_\_  
David F. Wong  
Planning Director

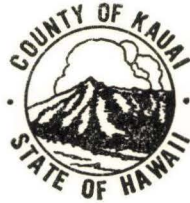
copy: B/S



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DEC 3 1962

State of Hawaii  
LAND USE COMMISSION



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PLANNING AND TRAFFIC COMMISSION

COUNTY OF KAUAI  
LIHUE, KAUAI, HAWAII

Ref. No. LUC 225

November 30, 1962

State Land Use Commission  
426 Queen Street  
Honolulu 13, Hawaii

Attention: Mr. Rowland J. Darnell, Executive Officer

Gentlemen: Subject: Application for Special Permit to  
Subdivide 1.8 Acres into Two Residential  
Lots by William Sarmento, Tax Map 2-5-04,  
Parcel 13, Kalaheo, Koloa, Kauai.

This is to inform you that at a special meeting held  
yesterday the Planning and Traffic Commission approved the rec-  
ommendation of the Planning Director as contained in his report  
on the marginal subject.

Copy of the Planning Director's report is attached.

Very truly yours,

*David F. Wong*

David F. Wong  
Planning Director

attach.

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KAUAI PLANNING AND TRAFFIC COMMISSION  
LĪHUE, KAUAI, HAWAII

November 14, 1962

RECEIVED

DEC 3 1962

State of Hawaii  
LAND USE COMMISSION

MEMO TO: Planning Commissioners

SUBJECT: Special Permit Application - Land Use Commission

Submitted herewith is a report with reference to a special permit application presented on behalf of William Sarmiento by Island Engineers, Ltd. to subdivide a parcel of land into two residential lots.

The property in issue is located on the South side of Kaunualii Highway approximately 700 feet West of Lawai Bridge as shown on tax map 2-5-04, tax parcel 13.

The physical condition of the property is such that it is steep and non-productive as far as crops are concerned but presently used for grazing and residential purposes. There is a single-family dwelling presently located on the West corner of this parcel of land now occupied by Morio Fujimoto who anticipates purchasing one of the parcels to be subdivided as a residential lot.

It is recommended that a special permit be granted as requested permitting the subdivision of above-mentioned parcel of land in compliance with the provisions of our Subdivision Ordinance.

  
\_\_\_\_\_  
David F. Wong  
Planning Director

copy: B/S



Ref. No. LUC 269

November 30, 1962

Mr. William Sarmento  
Island Engineers, Ltd.  
P. O. Box 829  
Lihue, Kauai, Hawaii

Dear Mr. Sarmento:

The State of Hawaii Land Use Commission has scheduled a meeting on Friday, December 7, 1962 at 9:00 a.m., in the Commission's Hearing Room, 426 Queen Street, Honolulu, Hawaii.

As the waiting period prescribed by the Commission's Rules of Practice and Procedure, Sub-Part C, Sec. 1.20(f), will have expired, your application for Special Permit has been placed on the agenda for consideration by the Commission. Final action may be taken at that time.

Very truly yours,

R. J. DARNELL  
EXECUTIVE OFFICER



STATE OF HAWAII  
LAND USE COMMISSION

Board of Supervisors' Chambers  
Lihue, Kauai, Hawaii

11:00 A.M.  
November 20, 1962

STAFF REPORT

SP(T) 62-23

Temporary District Classification: AGRICULTURAL

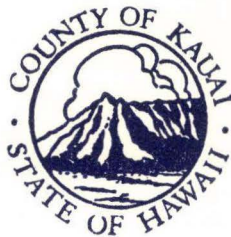
APPLICATION OF WILLIAM AND AMY SARMENTO, for Special Permit to subdivide a 1.847-acre parcel into two parcels, one of which will measure 6012 sq. ft., and will contain an existing single-family residence; at Lawai, in the Koloa District, County of Kauai described as TMK 2-5-04: 13.

The petitioners' interest in the property had not been ascertained at the time of writing the staff report. The tax map states that the owner of TMK 2-5-04: 13 is Dan Foster. William C. and Amy Sarmento owns a small lot, with residence on it, apparently also originally subdivided from the subject property; as was another lot and house next door to it, now in the name of Harry C. and Dorothy Sarmento. The property is a wedge-shaped parcel (with the aforementioned Sarmento pieces carved from it and having highway frontage) in the angle formed by Kaumualii Highway and Wawae Road. The Parcel, and Wawae Road, angle steeply downward from the Highway. The home mentioned in the application is at the narrow west end of the parcel. Adjacent to the property lie the cannery grounds of the Kauai Pineapple Company, the principal portion of which (but not reaching the subject property) is in the Lawai Temporary Urban District. The urban line along Koloa Road approaches to within 400 feet of the subject property.

Staff believes that HB&A intends to recommend that the entire property covered in this application be located within the Urban district when the final boundaries are set; this recommendation will likely be available at the close of the 15-day waiting period. If such be the case, staff will recommend that the permit be granted as requested by the applicant.



1549  
P. O. BOX XXX



TELEPHONE 2781

LIHUE, KAUAI, HAWAII

November 14, 1962

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NOV 16 1962

State of Hawaii  
LAND USE COMMISSION

Mr. R. J. Darnell  
Executive Officer  
State Land Use Commission  
426 Queen Street  
Honolulu 13, Hawaii

Dear Sir:           Subject: Application for Special Permit by William  
Sarmento of Lawai, Kauai (LUC 225)

The Board of Supervisors of the County of Kauai acknowledges the receipt of your letter of November 1, 1962, touching upon the marginal subject. The Board has referred the matter to its Public Works Committee which is headed by Supervisor George H. Toyofuku for study and a report.

Very truly yours,

K. K. Yamamoto,  
Deputy County Clerk, County of Kauai.

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## NOTICE OF PUBLIC HEARING

TO CONSIDER (1) AMENDMENT OF INTERIM REGULATIONS OF THE LAND USE COMMISSION OF THE STATE OF HAWAII AND (2) AN APPLICATION FOR SPECIAL PERMIT WITHIN THE COUNTY OF KAUAI, BEFORE THE LAND USE COMMISSION OF THE STATE OF HAWAII

NOTICE IS HEREBY GIVEN of the public hearing to be held by the Land Use Commission of the State of Hawaii in the Chambers of the Kauai Board of Supervisors, Lihue, Kauai, on November 20, 1962 at 11:00 a.m., or as soon thereafter as those interested may be heard, to consider: an amendment to the Land Use Commission's Interim Regulations, as provided for in SECTION 2, Sec. 10, Act 187, Session Laws of Hawaii, 1961, and an application for Special Permit within the County of Kauai as provided for in SECTION 2, Sec. 7, Act 187, Session Laws of Hawaii, 1961.

Amendment of Interim Regulation to be heard:

### Docket Number and Substance of Amendment

- A(TR) 62-1 (1) To eliminate certain portions of Interim Regulation 2.1(b) respecting "Agricultural Districts," which allowed single-family dwelling units as a primary use of land and which required minimum lot sizes of five acres, both of which portions have been declared invalid by the Attorney General; and also to eliminate that portion of Interim Regulation 2.1(d) which relates to lot sizes in Agricultural districts;
- (2) To re-number the allowed uses under Interim Regulation 2.1(b); and
- (3) To add, to Interim Regulation 2.1(b) and 2.1(d) provisions allowing single-family dwellings as accessory uses to the primary uses allowed in 2.1(b) and as primary uses on any lot in a subdivision having received preliminary approval before April 21, 1962.

Application for Special Permit to be heard:

Docket Number and Applicant	Tax Map Key	Permission Requested
SP(T) 62-23 William Sarmiento	2-5-04: 13	Subdivide 1.8 acres into two residential lots.

## NOTICE OF CANCELLATION

THE FOLLOWING HEARINGS CALLED BY THE LAND USE COMMISSION STATE OF HAWAII HAVE BEEN CANCELLED:

- (1) Hearing set for the County of Maui, Board of Supervisors Chambers, Wailuku, Maui, 1:30 p.m. November 13, 1962.
- (2) Hearing set for County of Kauai, Board of Supervisors Chambers, Lihue, Kauai, 3:00 p.m. November 12, 1962.
- (3) Hearing set for County of Maui, Community Center, Kaunakakai, Molokai, 7:00 p.m. November 13, 1962.
- (4) Hearing set for County of Hawaii, Board of Supervisors Chambers, Hilo, Hawaii, 2:30 a.m. November 13, 1962.

THESE HEARINGS HAVE BEEN RESET AS PER SEPARATE NOTICE GIVEN ON THIS PAGE (S.B., Oct. 30, 1962)

Copies of the Land Use Commission's Interim Regulations and the proposed amendment thereto, as well as maps showing the area under consideration for Special Permit and copies of the rules and regulations governing the application for Special Permit are on file in the offices of the Kauai County Planning and Traffic Commission and the Land Use Commission and are open to the public for inspection during office hours.

All written protests or comments regarding the above amendment and application for Special Permit may be filed with the Land Use Commission, 426 Queen Street, Honolulu, Hawaii, before the date of the hearing, or submitted in person at the time of the hearing, or up to fifteen (15) days following this public hearing.

LAND USE COMMISSION  
E. C. BRYAN, Chairman  
R. J. DARNELL, Executive Officer

(S.B.: Oct. 30, 1962)



Ref. No. LUC 234

November 9, 1962

Mr. William Sarmento  
Island Engineers, Limited  
P. O. Box 829  
Lihue, Kauai, Hawaii

Dear Mr. Sarmento:

This is to inform you of the public hearing called by the Land Use Commission of the State of Hawaii on November 20, 1962, at 11:00 a.m., in the Kauai County Board of Supervisors' Chambers, Lihue, Kauai. Your application for Special Permit will be heard at that time.

Publication of the Legal Notice of hearing appeared in the Honolulu Star-Bulletin on October 30, 1962, and the Garden Isle on November 7, 1962.

Very truly yours,

R. J. DARNELL  
EXECUTIVE OFFICER



Ref. No. LUC 225

November 1, 1962

Planning and Traffic Commission  
County of Kauai  
Lihue, Kauai, Hawaii

Attention: Mr. David F. Wong, Planning Director

Gentlemen:

The State Land Use Commission has requested me to obtain your recommendations and comments for the following matter to be heard within the County of Kauai pending before the Commission on November 20, 1962, at 11:00 a.m., in the Board Chambers, Lihue, Kauai.

An application for Special Permit to subdivide 1.8 acres into two residential lots by William Sarmiento of which a copy of the application is enclosed. (The proposed Rule Change will also be heard at this time.)

The Land Use Commission would appreciate your written recommendations and/or comments prior to the date of the hearing or up to fifteen days following the date of the hearing. Further the Commission invites your attendance at the hearing.

Very truly yours,

R. J. DARNELL  
EXECUTIVE OFFICER

Enclosures



Ref. No. LUC 225

November 1, 1962

The Honorable Members of the  
Board of Supervisors  
County of Kauai  
County Building  
Lihue, Kauai, Hawaii

Attention: The Honorable Raymond X. Aki, Chairman  
and Executive Officer

Gentlemen:

The State Land Use Commission has requested me to obtain your recommendations and comments for the following matters to be heard within the County of Kauai pending before the Commission.

The proposed Rule Change and an application for Special Permit by William Sarmiento of which copies are enclosed.

The public hearing for these matters are scheduled for November 20, 1962, at 11:00 a.m., in the Board Chambers, Lihue, Kauai.

The Land Use Commission would appreciate your written recommendations and/or comments prior to the date of the hearing or up to fifteen days following the date of the hearing. Further the Commission invites your attendance at the hearing.

Very truly yours,

R. J. DARNELL  
EXECUTIVE OFFICER

Enclosures



