

HORNBL, James & Gladys

SP(T)63-5



STATE OF HAWAII  
LAND USE COMMISSION

VOTE RECORD

ITEM S P(T) 63-5 (Harner)  
DATE 2/28/64  
PLACE LUC Hearing Room  
TIME 5:05

| NAMES         | YES | NO | ABSTAIN | ABSENT |
|---------------|-----|----|---------|--------|
| WUNG, L.      | ✓   |    |         |        |
| INABA, G.     |     |    |         | ✓      |
| OTA, C.       | ✓   |    |         |        |
| WENKAM, R.    | ✓   |    |         |        |
| BURNS, C.E.S. |     |    |         | ✓      |
| NISHIMURA, S. | ✓   |    |         |        |
| MARK, S.      |     |    |         | ✓      |
| FERRY, J.     |     |    |         | ✓      |
| THOMPSON, M.  |     | ✓  |         |        |

COMMENTS:

Nishimura - motion to approve  
petitioner's request.

Ota - sec.

motion not carried.



STATE OF HAWAII  
LAND USE COMMISSION

Minutes of Meeting

LUC Hearing Room

Honolulu, Hawaii

1:00 P. M. - February 28, 1964

Commissioners

Present:

James P. Ferry  
Shiro Nishimura  
Charles S. Ota  
Myron B. Thompson  
Robert G. Wenkam  
Leslie E. L. Wung

Absent:

Shelley Mark  
C.E.S. Burns  
Goro Inaba

Staff

Present:

Raymond Yamashita, Executive Officer  
Roy Takeyama, Legal Counsel  
Richard Mar, Field Officer  
Amy Namihira, Stenographer

The meeting was called to order by Chairman Thompson who said a short opening prayer.

ADOPTION OF MINUTES

The minutes of 1/17/64, 1/18/64, 1/24/64 and 1/25/64 meetings and public hearings were accepted as circulated with the understanding that changes would be made in sentence structures and phrases, particularly relating to the minutes concerning Oceanic Properties, Inc.

ELECTION OF A TEMPORARY CHAIRMAN

In view that both Chairman and Vice Chairman would be absent at tonight's meeting at 7:00 p.m., election of a temporary chairman was in order.

Commissioner Nishimura moved to elect Commissioner Ota as temporary chairman, to which Commissioner Wenkam seconded the motion. The motion was carried unanimously.



PETITIONS PENDING ACTION

PETITION OF EUGENE & EVA KENNEDY(A(T)62-27) FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN LANIKAI, OAHU: Described as TMK 4-3-2: Por. 1

Mr. William Yim, Counsel for petitioners, presented a letter to the Commission (which was read by the Chairman) requesting a withdrawal of their petition.

In light of this request Commissioner Wung moved to accept the request by Eugene and Eva Kennedy to withdraw their petition; which was seconded by Commissioner Nishimura. The motion was carried unanimously.

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PETITION OF SADAMU TSUBOTA (SP(T)63-6) FOR A SPECIAL PERMIT TO CONSTRUCT A MULTI-UNIT RESIDENCE ON SUBJECT PARCEL LOCATED IN PUNA, HAWAII: Described as TMK 1-5-03: 28 containing 3.00 acres

The Field Officer, Richard Mar, gave a background on the petition, and pointed out the location of the area on a map.

The Executive Officer continued with the staff's analysis and recommendation. The recommendation was for disapproval of the petition on the basis that adequate areas, for which a development plan has already been prepared and for which detailed zoning maps will soon be adopted, have already been placed in the urban district. Approval of an urban use, outside of the areas now designated urban would adversely affect orderly development by setting a precedent which can only lead to further scatteration of developments in the area.

The Commissioners felt that the request was reasonable because the area is now serviced with facilities, the area would be most appropriate for a rural classification, and that the needs of this petition were of an unusual nature.

The Chairman asked whether this petition would be more appropriate for a boundary change rather than a special permit. The Executive Officer replied that the request was for a multi-residence use which was an unusual use. Therefore, the special permit procedure would be more appropriate than a boundary change. He stated that if it were a boundary change, approval would constitute spot zoning.

Commissioner Nishimura felt that these people should be given an opportunity to develop their lands, which are available, to their best and highest use. Commissioner Nishimura, recognizing the opportunity this petition would provide in fulfilling the need for more low cost housing in the area, moved to accept this petition by Sadamu Tsubota. The motion was seconded by Commissioner Wung. The Executive Officer polled the Commissioners with the following results:

Approval: Commissioners Wung, Wenkam and Nishimura.

Disapproval: Commissioner Ota and Chairman Thompson.



The motion was not carried because of lack of votes. The petition was denied.

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PETITION OF GILBERT ASHIKAWA (SP(T)63-7) FOR A SPECIAL PERMIT TO SUBDIVIDE PROPERTY INTO TWO LOTS CONTAINING 19,700 SQ. FT. SITUATED IN NORTH KONA, HAWAII: Described as TMK 7-6-10: 18 consisting of 49,300 sq. ft.

A background of the petition was given by the Field Officer, Richard Mar.

The Executive Officer presented a letter from Mr. Ashikawa which was read into the record (letter on file).

The staff recommended denial of the petition on the bases that:

1. The use petitioned for is common rather than unusual and does not meet the requirements of law in this respect.
2. The granting of this petition would constitute spot zoning and would be, in effect, the granting of a special privilege to an individual unless it is to be also made to all similar future petitions. Since the use and the circumstance are not unusual and hardship is not intimated (as has been true in other cases which have been denied), granting of this petition would set a precedence which would provide opportunity for scattered developments to occur.

The consensus of the Commission was that this area was typical of a rural designation and requested that the staff inform Mr. Ashikawa that the Commission would be considering this area (which includes Mr. Ashikawa's property) in a rural district during its deliberation on the final district boundaries.

Commissioner Ota moved to deny the petition on the basis of the staff recommendation. Commissioner Wung seconded the motion. The Executive Officer polled the Commissioners with the following results:

Approval: Commissioners Wung, Ota, Wenkam, Nishimura and Chairman Thompson.

Disapproval: None.

The motion was carried.

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PETITION OF PUNA SUGAR COMPANY (SP(T)63-8) FOR/SPECIAL PERMIT TO SUBDIVIDE A LOT OF 1.424 ACRES FROM A PARCEL OF 253.751 ACRES IN SIZE AND TO DEED THIS LOT WITH AN EXISTING DWELLING TO AN EMPLOYEE OF THE COMPANY, LOCATED IN PUNA, HAWAII: Described as TMK 1-8-05: 141

The Field Officer, Richard Mar reviewed the background on the petition and pointed out the location of the area on a map.



The Executive Officer reviewed the staff's analysis and recommendation (which is on file). The recommendation was for disapproval.

Commissioner Ferry moved to deny the petition by Puna Sugar Company on the basis of the staff's recommendation. Commissioner Wenkam seconded the motion. The Executive Officer polled the Commissioners with the following results:

Approval: Commissioner Ota, Wenkam, Ferry and Chairman Thompson.

Disapproval: Commissioners Wung and Nishimura.

The motion was not carried because of insufficient votes.

A second motion to grant approval of the petition was made by Commissioner Nishimura and was seconded by Commissioner Wung. The Executive Officer polled the Commissioners with the following results:

Approval: Commissioners Wung and Nishimura.

Disapproval: Commissioners Ota, Wenkam, Ferry and Chairman Thompson.

Motion was not carried because of insufficient votes. The petition was thus denied.

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PETITION OF LIHUE PLANTATION COMPANY, LTD. (SP(T)63-6) FOR A SPECIAL PERMIT TO USE A PORTION OF ITS LANDS FOR THE CONSTRUCTION OF A SOUND MOVIE STUDIO COMPLETE WITH HOTEL, RESIDENTIAL AND RESTAURANT FACILITIES CONSISTING OF 30 ACRES LOCATED IN THE SOUTHWEST CORNER OF HANAMAULU BAY, KAUAI: Described as TMK 3-7-02

The Field Officer, Richard Mar, reviewed the background information on the petition and outlined the location of the area on a map.

The Executive Officer reviewed the analysis and recommendation of the staff report (which is on file). The recommendation was for approval in concurrence with the Kauai Planning and Traffic Commission's reasons as follows:

1. The development is directly necessary to the economic development of the County;
2. it is utilizing vacant lands of poor soil conditions to more productive use; and
3. the proposed use of the land is unusual and reasonable within an agricultural district.

However, the recommendation for approval was limited to the south bank of Hanamaula River where it meets the shore.



The question as to the ownership of about one-half of the Hanamaulu sand beach frontage was raised. Tax maps indicated that the sand beach frontage, which was included in the petitioner's petition, was not included as a portion of lands owned by the petitioner.

Commissioner Ferry moved to approve the petition but limiting the area to lands owned by Lihue Plantation as indicated by the tax maps. The motion was seconded by Commissioner Wung. The Executive Officer polled the Commissioners with the following results:

Approval: Commissioners Wung, Ota, Wenkam, Nishimura, Ferry and Chairman Thompson.

Disapproval: None.

The motion was carried.

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PETITION OF DONN CARLSMITH (SP(T)63-9) FOR A SPECIAL PERMIT TO SUBDIVIDE APPROXIMATELY 10.84 ACRES INTO TWO LOTS (38,160 sq. ft. lot and 9.96 acre lot) AND TO DEED THE PROPOSED 38,160 SQ. FT. LOT TOGETHER WITH A DWELLING AND A ROADWAY EASEMENT TO A PROSPECTIVE PURCHASER SITUATED AT ONOMEA, SOUTH HILO, HAWAII: Described as TMK 2-7-10: 5

A summary of the background of the petition was made by the Field Officer, who located the area on a map.

The Executive Officer reviewed the staff's analysis and recommendation. The staff recommendation was for disapproval on the bases stated in the staff report (on file).

Commissioner Wenkam, in response to a question raised by Commissioner Ota, felt that there was insufficient information available to set any standards that would categorize petitions of this nature.

Commissioner Wenkam, therefore, moved to defer action on this petition. The motion was seconded by Commissioner Wung.

The motion was carried unanimously.

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PETITION OF EDWARD & GLADYS HORNER (SP(T)63-5) FOR A SPECIAL PERMIT TO CONSTRUCT A NEW HOME ON LAND SITUATED IN KOLOA, KAUAI: Described as TMK 2-5-06: 18

The Field Officer reviewed the background of the petition and pointed out the location of the area on a map.



The Executive Officer continued with a review of the analysis and recommendation. The recommendation of the staff was for denial on the bases that: (1) the use is not unusual; (2) approval would constitute spot zoning; and (3) justification for similar future petitions and effective control over scattered developments would be lost.

Commissioner Nishimura stated that the petitioners have been prevented from building on their property over a year and has caused them a great hardship.

The Executive Officer was sympathetic with the petitioners' views but stated that the petitioners' land is now in Agriculture and is proposed for an Urban classification. He stated that the special permit process should not be used to circumvent the procedures of a boundary change.

Commissioner Wenkam stated that the area, in reality, is an urban area and that most of the areas which were classified as agriculture under the interim boundaries were arbitrarily established. The previous zoning of the area in agriculture was in error. The argument that a special permit would be contrary to land uses in an agricultural district is purely a technicality. A factual look on the situation shows that the area should be urban and this Commission would be implementing what should have been done if it were to act on this special permit.

Chairman Thompson inquired as to what the possibility for relief to the petitioner would be should this Commission deny this special permit on a technicality. The Executive Officer replied that a petition for a boundary change would involve a waiting period as long as July 1st or longer. He stated that the denial is not only based on a technicality but also a principle. This Commission is mandated to follow the Law and accordingly should base its decisions and actions as mandated by Law.

Commissioner Nishimura moved to accept the petition for a special permit by Edward and Gladys Horner. The motion was seconded by Commissioner Ota. The Executive Officer polled the Commissioners with the following results:

Approval: Commissioners Wung, Ota, Wenkam and Nishimura.

Disapproval: Chairman Thompson.

The motion was not carried because of lack of sufficient votes and the petition was thus denied.

#### OLD BUSINESS

PETITION OF OCEANIC PROPERTIES, INC. (A(T)63-38), FOR AMENDMENT TO THE TEMPORARY DISTRICT BOUNDARY FROM AN AGRICULTURAL DISTRICT CLASSIFICATION TO AN URBAN DISTRICT CLASSIFICATION FOR LANDS IN WAIPIO, OAHU: Described as Portions of TMK 9-4 and 9-5. (Discussion only - not to take action)

The possible need for additional information on the above petition was stressed in discussions by Commissioner Wenkam. A suggestion to subpoena individuals was



turned down by the Commissioners, and a request to have the Executive Officer initiate letters to certain individuals was met with great reluctance.

The Executive Officer explained that it appeared there were indications that the area under consideration is in demand and in need for agricultural use. He requested permission to write to those individuals who would be qualified in answering questions which needed clarification. This request was granted by the Commission.

The meeting adjourned at 5:30 p.m.



Ref. No. LUC 389

July 6, 1964

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

Dear Mr. Wong:

Thank you very much for your compliments. The service and the co-operation that we gained from you and your staff made our work much easier in determining the land use boundaries for Kauai.

In regards to the final land use classification for the property belonging to Edward J. Horner, identified as TMK 2-5-06: 18, the Land Use Commission has included the subject property in the urban district. However, the final district boundaries are not effective yet and will not be for approximately one month since they have to be finalized and filed with the Lt. Governor's office. Ten days after the official filing, the maps will be effective.

When the maps are completed and filed, we will send you copies of the final district maps for Kauai.

Very truly yours,

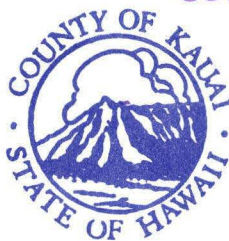
RAYMOND S. YAMASHITA  
Executive Officer

REM/an

cc: Myron Thompson



P. O. BOX 111



LIHUE, KAUAI, HAWAII

July 1, 1964

JUL 2 1964

TELEPHONE 2781

1325  
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JUL 2 1964

State of Hawaii  
LAND USE COMMISSION

Mr. Raymond S. Yamashita  
Executive Officer  
State Land Use Commission  
426 Queen Street  
Honolulu, Hawaii 96813

Dear Mr. Yamashita:

Our congratulations to you, your staff, and the Commission for the tremendous job accomplished in the completion of the land use boundaries for the State. We know the countless hours of devoted work that have gone into it and rejoice with you upon its completion.

Will you please let us know what district classification has been adopted, on the Commission level, for property belonging to Edward J. Horner in Lawai Homesteads, identified as Tax Map Key 2-5-06:18.

Your earliest reply will be appreciated.

Sincerely,

David F. Wong, Planning Director  
PLANNING AND TRAFFIC COMMISSION



Ref. No. LUC 168

March 9, 1964

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

Dear Mr. Wong:

The Land Use Commission, in action taken on February 25, 1964, denied the request of Mr. & Mrs. Edward Horner for a special permit. A motion was made by Commissioner Nishimura to approve the petitioner's request but was defeated due to a lack of majority vote. The Commission's denial of the petition was based on the following:

The Land Use Commission has considered whether the intended use is "unusual and reasonable" and finds that the use is not unusual. Approval would, in fact, constitute spot zoning for urban use, the intensification of residential use in an agricultural district, which has no basis in the land use legislation. Should this petition be approved, there would be little justification for denying similar future petitions and effective control over scattered developments would be lost.

However, the Land Use Commission would like to point out that the parcel is included in the proposed urban district which is to be up for adoption no later than July 1, 1964. If the proposed final district is adopted, the petitioner will find relief. The special permit procedure was not intended to be used as a procedure for expediency nor should the approval of a special permit be based on the assumption that the parcel will be urban anyway as it has been shown as such on the proposed final district boundaries.

A copy of the staff report and this letter is enclosed for your transmittal to the petitioner. Please feel free to contact us if you have any further questions regarding this petition.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

REM/am

Encl.

cc: Mr. Myron Thompson  
Mr. Roy Takeyama  
Mr. & Mrs. Edward Horner



STATE OF HAWAII  
LAND USE COMMISSION

Land Use Commission Hearing Room  
Honolulu, Hawaii

1:00 P.M.  
February 28, 1964

STAFF REPORT

Subject: Edward and Gladys Horner, Petition SP(T)63-5 for Special Permit to construct a new home on TMK 2-5-06:18, situated at Koloa, Kauai.

Background

The Planning and Traffic Commission of the County of Kauai has referred to the Land Use Commission their approval of an application for special permit by Mr. and Mrs. Edward Horner to construct an additional single family residence on an area containing 0.416 acres or 18,121 square feet.

The property is situated along the west side of Uha Road (unimproved Homestead Road), about 40 feet north of the junction of Kaumualii Highway and the Uha Homestead Road being a portion of Lawai Homesteads as described by tax map 2-5-06:18, fourth division.

The property is now in the interim agricultural district but has been designated as an urban district in the proposed final district boundary maps.

There is an existing single family dwelling on the property. According to the Horners, the existing house is too small for their family. If possible, they wish to construct a larger house on the property and rent out the existing house.

The existing use of the subject property is single family residential. Adjacent to the Horner property is another single family residence. This house is situated along the northern boundary of the Horner property. To the west of the subject property is another single family residence. This particular residence faces Kaumualii Highway and is accessible by the Uha Homestead Road. The surrounding lands to the north and east of the subject property are being used for grazing.



purposes.

The Garden Island Mortuary is approximately 450' away from the Horner property. A general survey in the vicinity of the Horner property revealed approximately 25-30 single family residences.<sup>1</sup> The surrounding lands westward of the petitioner's property are urban in character while the lands to the north, east and partly to the south are used for grazing purposes. To the south is reservoir number 18 owned by McBryde Sugar Company. Beyond this is an existing area with about 50-60 single family dwellings which is now in the temporary urban district.

The Kauai County Plan and the State General Plan show the subject area in agricultural use. However, in agreement with County recommendations, this Land Use Commission has placed the subject parcel and adjoining parcels, including the Clement Tract, in the proposed final urban district.

There is an 8" water line along Kaumualii Highway which passes the Horner property.<sup>2</sup> Soils in the general vicinity have been classified as moderately suited for intensive agriculture.<sup>3</sup> From the highway up to and through the petitioner's property, the generalized slope is said to be approximately 15%.<sup>4</sup>

#### Analysis and Recommendation

Petitions for special permits are based upon "certain unusual and reasonable uses within agricultural and rural districts other than those for which the district is classified." The staff has considered whether the intended use is "unusual and

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<sup>1</sup> R. M. Towill Corporation, Aerial Photography, Lawai Bay to Makahuene Point.

<sup>2</sup> Kauai County, Board of Water Supply.

<sup>3</sup> Land Study Bureau, Generalized Soil Survey, 1959. Some of the lands in the vicinity are classified as fair to marginal suitability for intensive agriculture.

<sup>4</sup> Report from Mr. David F. Wong, Planning Director of Kauai County.

reasonable" and finds that the use is not unusual. Approval would in fact constitute spot zoning for an urban use, the intensification of residential use in an agricultural district, which has no basis in the land use legislation. Should this petition be approved, there would be little justification for denying similar future petitions and effective control over scattered developments would be lost.

On this basis, staff recommends denial of this petition. However, staff would like to point out that the parcel is included in the proposed urban district which is to be up for adoption no later than July 1, 1964. Should the proposed final district be adopted as such, the petitioner will find relief. The special permit procedure was not intended to be used as a procedure for expediency nor should the approval of a petition for special permit be based on the assumption that the parcel will be urban anyway as it has been shown as such on the proposed final district boundaries.



Ref. No. LUC 106

February 11, 1964

Mr. & Mrs. Edward Horner  
P. O. Box 18  
Lawai, Kauai, Hawaii

Dear Mr. & Mrs. Horner:

The Land Use Commission of the State of Hawaii will hold a meeting on the Island of Oahu on February 28, 1964 in the Land Use Commission hearing room, 426 Queen Street, Honolulu, Hawaii, at 1:00 p.m.

As prescribed by SECTION 98H-6 of Act 205/63, your application for Special Permit has been placed on the agenda for consideration by the Commission at this meeting. Final action may be taken at that time.

Very truly yours,

RAYMOND S. YAMASHITA  
Executive Officer

cc: Mr. Myron Thompson  
Mr. Roy Takeyama  
Kauai Planning & Traffic Commission



KAUAI PLANNING AND TRAFFIC COMMISSION  
PUBLIC HEARING  
APPLICATION FOR SPECIAL PERMIT - FILE NO. SP63-5

A public hearing on the above Application for Special Permit was opened by Mr. Masashi Kageyama, chairman, on Thursday, December 5, 1963 at 1:40 p.m. in the County Board Room, Lihue, Kauai, Hawaii. Following Commission members were present:

Mr. Masashi Kageyama, chairman  
Mr. Norman Hashisaka  
Mr. Haruo Nakamoto  
Mr. Diedrich Prigge, Jr.  
Mr. Toshiharu Yama

**RECEIVED**  
**FEB 10 1964**  
State of Hawaii  
LAND USE COMMISSION

Planning Director David F. Wong read the communication (Oct. 30, 1963) from Mr. and Mrs. Edward Horner together with the application, copies attached hereto. The property under consideration was pointed out on Tax Map Key 2-5-06 and the Koloa General Plan, existing land uses in the area and other background information presented by the Director. Mr. Wong reported that in the proposal for adoption of boundaries as set forth in Act 205, subject area as well as Clement Tract to the West is being recommended for inclusion in the urban district; that subject lot as a potential agricultural lot does not have a high productivity rating; that utilities are presently available.

Mrs. Gladys S. Horner stated that her present home is becoming too crowded for her family of five children; that the porch is being used as one of her boy's room; that if her request is approved the existing home might possibly be rented out or else used by her family; that they have always wanted a new home and if need be, if her application is denied, they will tear the existing home down to build a new one.

Mr. Wong presented his staff report (Nov. 27, 1963) copy attached hereto, recommending that "permission to construct another single-family dwelling on the same lot would depend on the approval of our recommendation by the State Land Use Commission of our request to include said property in question into the urban district."

Chairman Kageyama stated that he did not think there was any objection to the classification of this area as urban and that the Land Use Commission will be determining their interim boundaries by January or February and suggested that the applicant wait until such time that the boundaries were established.

The matter was taken under advisement and the hearing closed at 2 p.m.

DECISION OF COMMISSION: At the regular meeting of the Commission held on February 6, 1964, the foregoing Application for Special Permit by Mr. and Mrs. Edward Horner for permission to construct an additional single-family residence on property located within an Agricultural District was approved by the following vote:

|  |     |
|--|-----|
| AYES: Hashisaka, Ibara, Prigge, Yama, Kageyama | - 5 |
| NOES: None                                     | - 0 |
| ABSENT, NOT VOTING: Asakura, Nakamoto          | - 2 |

Respectfully submitted,

*Thomas T. Yamasaki*  
Thomas T. Yamasaki, Secretary



KAUAI PLANNING AND TRAFFIC COMMISSION  
Lihue, Kauai, Hawaii

November 27, 1963

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FEB 10 1964

TO: Planning Commissioners

RE: Special Permit Application No. SP63-5  
Edward J. & Gladys S. Horner

State of Hawaii  
LAND USE COMMISSION

Submitted herewith is a report with reference to a special permit application No. SP63-5 for permission to use certain parcel of land as desired according to Section 98H-6 of Act 205 relating to Special Permits to the State Land Use Commission.

The applicants and owners are Mr. and Mrs. Edward Horner of Lawai, Kauai.

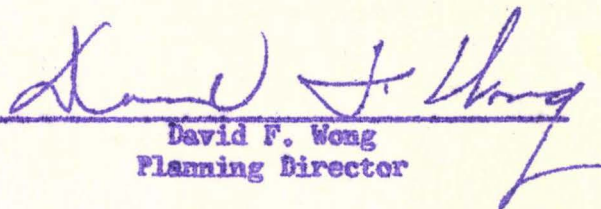
The property in issue is situated along the West side of Uha Road right-of-way (unimproved Homestead Road), approximately 40 feet North of the junction of Kaunualii Highway and Uha Road right-of-way, containing an area of 0.416 acres or 18,121 square feet, being portion of Lawai Homesteads as shown on tax map 2-5-06 as tax parcel 18.

The property in issue, under the interim Land Use boundaries, is located within an Agricultural district. This particular area, including the Clement Tract Subdivision, has been recommended for inclusion to the urban district which now borders along the South side of Kaunualii Highway and terminating eastward at the Garden Island Mortuary property.

The County General Plan designates this particular area for agricultural use.

There is no intensive agricultural activities on this parcel of land and topography of the land is somewhat steep with about 15% slope from Kaunualii Highway.

There is one single-family residence on the property and permission to construct another single-family dwelling on the same lot would depend on the approval of our recommendation by the State Land Use Commission of our request to include said property in question into the urban district.

  
David F. Wong  
Planning Director



RECEIVED

FEB 10 1964

State of Hawaii  
LAND USE COMMISSION

NOTICE OF PUBLIC HEARING

SPECIAL PERMIT, LAND USE - COUNTY OF KAUAI

NOTICE IS HEREBY GIVEN of a public hearing to be held by the County of Kauai Planning and Traffic Commission in the County Building at Lihue on Thursday, December 5, 1963, at 1:30 p.m., or as soon thereafter as those interested may be heard to consider an application for special permit within the County of Kauai as provided for in Section 98H-6, Act 203, Session Laws of Hawaii 1963.

Docket Number  
and Applicant

Tax Map Key

Permission Requested

Edward J. & Gladys S. Horner  
SP63-5

2-5-06:18

Construction of additional single-family residence on lot containing 0.416 acres, Lawai Homesteads, Koloa, Kauai

Map Showing the area under consideration for special permit is on file in the office of the Kauai Planning and Traffic Commission and open to the public for inspection during office hours.

All written protests or comments regarding the above application should be filed in writing to said Commission before the date of the public hearing or submitted in person at the time of the public hearing, or up to fifteen (15) days following this public hearing.

(Nov. 20, 1963)  
Garden Island

KAUAI PLANNING AND TRAFFIC COMMISSION  
Masashi Kagayama, Chairman  
By David F. Wong, Planning Director



COPY  
COPY

P. O. Box 18  
Lawai, Kauai  
October 30, 1963

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FEB 10 1964

State of Hawaii  
LAND USE COMMISSION

Planning and Traffic Commission  
Lihue, Kauai, Hawaii

Dear Gentlemen:

We are requesting your approval of a special permit to construct a new home on our property, described on attached application form.

Our existing home is too small and aged; therefore, our need for larger and more modern quarters.

We appreciate your special attention to our petition. Enclosed with application is fee of \$25.00.

Respectfully Yours,

/s/ MR. & MRS. EDWARD HORNER

Mr. & Mrs. Edward Horner

-B-





LIHUE, KAUAI, HAWAII

February 7, 1964

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FEB 10 1964

State of Hawaii  
LAND USE COMMISSION

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

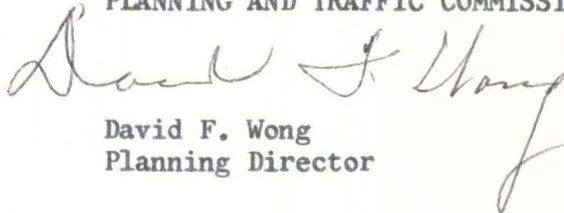
Gentlemen:      Subject: Application for Special Permit  
File No. SP63-5 - Mrs. & Mrs. Edward Horner

At the regular meeting of the Planning and Traffic Commission held on February 6, 1964, the Commission approved the subject application for special permit.

In accordance with provisions under Section 98H-6 of Act 205, S.L.H. 1963, we herewith transmit for your consideration the foregoing application, related transcript attached.

Very truly yours,

PLANNING AND TRAFFIC COMMISSION

  
David F. Wong  
Planning Director

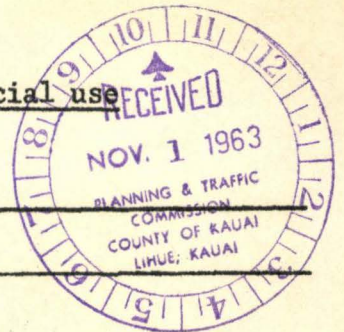
attach.



COUNTY OF KAUAI  
PLANNING AND TRAFFIC COMMISSION  
Lihue, Kauai, Hawaii

This space for official use

Date Application and Fee  
received by KP&TC



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: Portion of Lawai Homesteads, Koloa, Kauai, Tax Map Key 2-5-06, Parcel 18, containing 0.416 acres.

Petitioner's interest in subject property: Owners in fee.

Petitioner's reason(s) for requesting special permit: Existing home is too small, ☒ termite infested and old; therefore, our need for larger and more modern quarters. Property is included in proposed urban district in the last proposed permanent boundaries as worked out by the Land Use Commission.

Signature(s)

Edward James Horner  
Gladys S Horner

Address:

P. O. Box 18, Lawai, Kauai

Telephone:

323572

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)

Thomas T. Yamamoto

For (agency)

COUNTY OF KAUAI  
PLANNING & TRAFFIC COMMISSION  
LIHUE, KAUAI, HAWAII

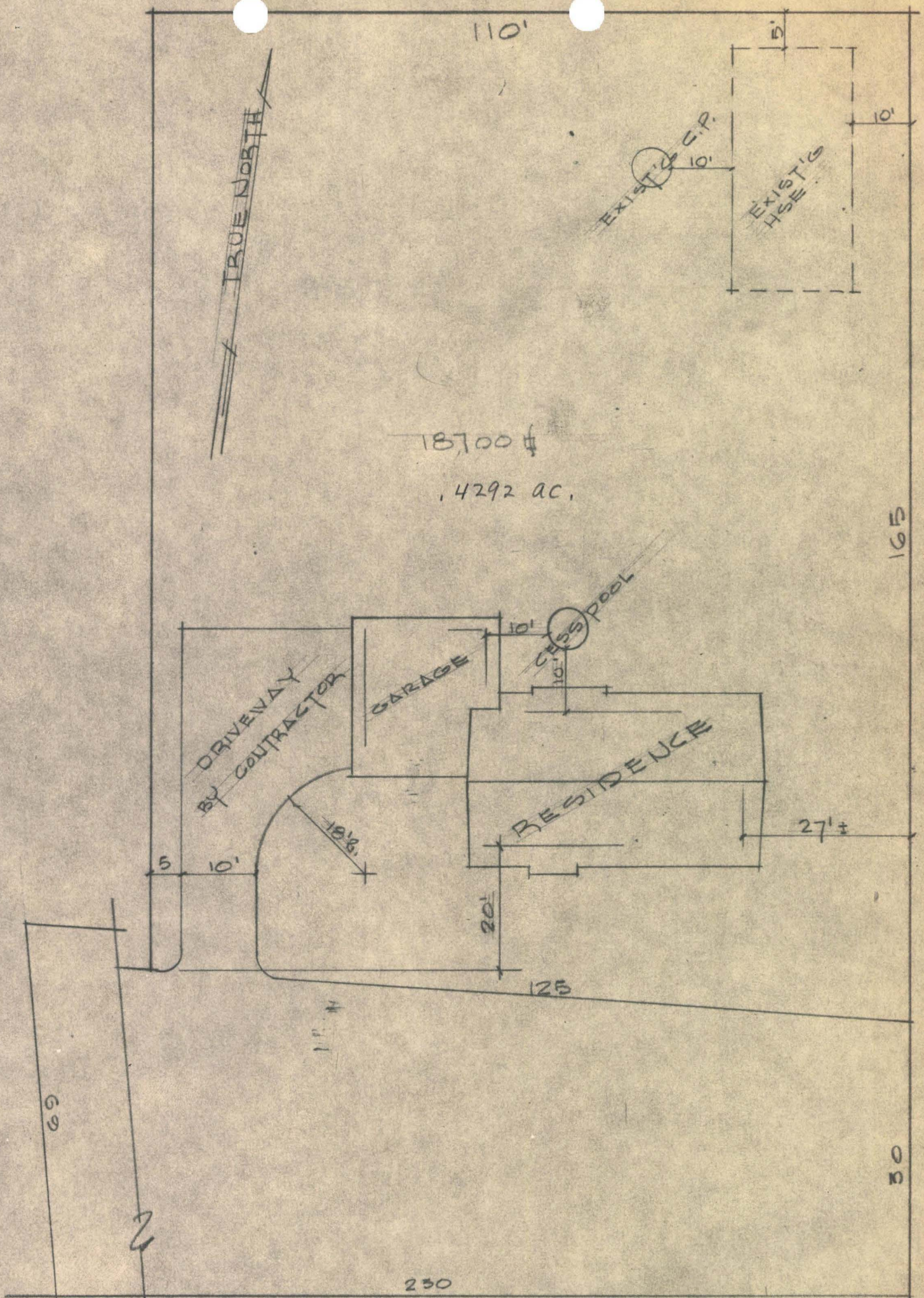


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FEB 10 1964

State of Hawaii  
LAND USE COMMISSION





PLOT PLAN.

SCALE: 1"=20'

MR & MRS. EDWARD HORNER  
TAX KEY 2-5-06-18  
LAWAI, KAUAI



Mrs. Mrs. Edwards Horner  
SE(T)63-5

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State of Hawaii  
LAND USE COMMISSION





CORRECTED  
JUN 17 1940  
NOV 26 1940  
JAN 8 1946  
JAN 3 56



Dwg. No: 303 \_\_\_\_\_ Appr. by: \_\_\_\_\_  
By: S.D.A. O'Connell, 1932 \_\_\_\_\_ Revised by: \_\_\_\_\_  
Source: Survey Dept. \_\_\_\_\_ Appr. by: \_\_\_\_\_

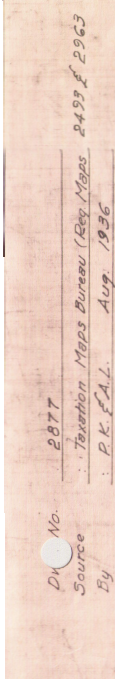
LAWAI HOMESTEADS LAWAI, KOLOA, KAUAI

|  |      |
|--|------|
| TAXATION MAPS<br>BUREAU<br>TERRITORY OF HAWAII<br><b>TAX MAP</b> |      |
| FOURTH DIVISION  |      |
| ZONE   | SEC. |
| 2  | 5    |
| CONTAINING PLATS   |      |
| SCALE: 1 in. = 600 FT.   |      |

SUBJECT TO CHANGE

PRINTED FEB 28 1964





SUBJECT TO CHANGE