

SP71-94 - (MRS.) ALFREDA WORST (HANA, MAUI)



STATE OF HAWAII
DEPARTMENT OF BUSINESS, ECONOMIC DEVELOPMENT & TOURISM
LAND USE COMMISSION
Room 104, Old Federal Building
335 Merchant Street
Honolulu, Hawaii 96813
Telephone: 587-3822

February 26, 1993

Lawrence N.C. Ing, Esq.
Ing, Ige & Horikawa
Wells Street Professional Center
2145 Wells Street, Suite 204
Wailuku, Hawaii 96793-2222

Dear Mr. Ing:

Subject: LUC Docket No. SP71-94/Alfreda Worst

Pursuant to your letter of February 8, 1993 requesting a copy of the Commission's decision for the subject special permit, we have enclosed copies of the staff report, minutes of the March 5, 1971 Commission hearing on the permit, and letter to the Maui Planning Commission dated March 8, 1971 notifying them of the Commission's approval of the permit. A receipt for copying charges is also enclosed.

If you have any questions, please call me or Bert Saruwatari of our office at 587-3822.

Sincerely,

ESTHER UEDA
Executive Officer

EU:th

Enclosures

ING, IGE & HORIKAWA

ATTORNEYS AT LAW

LAWRENCE N. C. ING
DOUGLAS H. IGE
PAUL L. HORIKAWA

WELLS STREET PROFESSIONAL CENTER
2145 WELLS STREET, SUITE 204
WAILUKU MAUI, HAWAII 96793-2222

AREA CODE 808
TELEPHONE 242-4555
FAX 244-6964

"WE DEDICATE OURSELVES TO SERVE THE BEST INTEREST
OF OUR CLIENTS AND OUR COMMUNITY."

February 8, 1993

Esther Ueda, Executive Officer
Land Use Commission
650 South King Street
Honolulu, Hawaii 96813

Re: Hana, Maui, Hawaii Property, Heavenly Hana Inn,
T.M.K. (2) 1-3-8-17

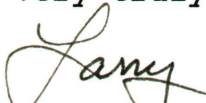
Dear Esther:

Happy New Year!

Please be informed that I need a favor from you. While I was with my old law partner Meyer M. Ueoka, I handled the Special Use Permit before the Land Use Commission for the above project. Please make a copy of the Commission's decision and forward the same to me.

Many thanks.

Very truly yours,



LAWRENCE N. C. ING

worst.p35/92-632/0872-2/li/kk

cc: Alfreda Worst
Margaret Norrie

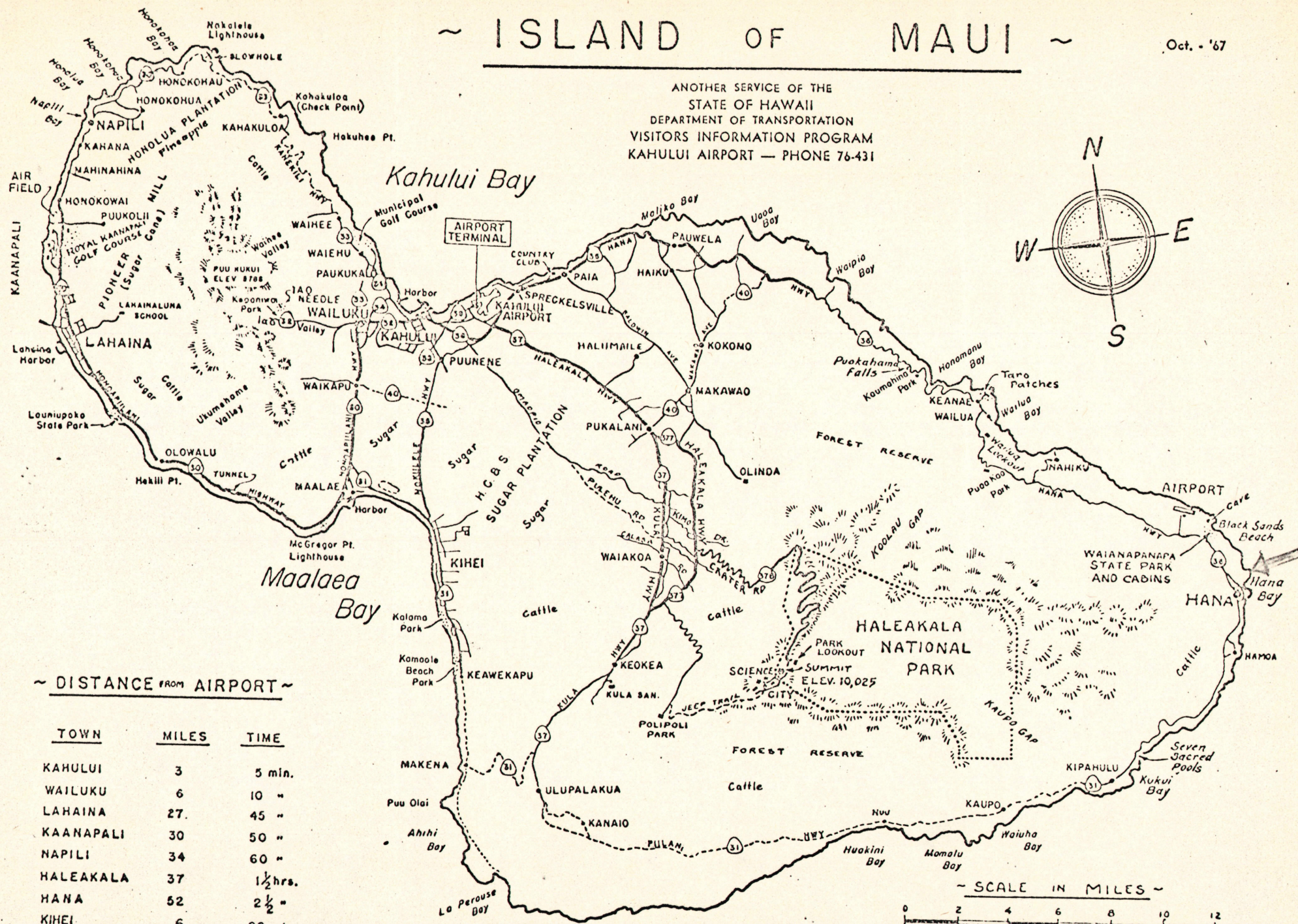
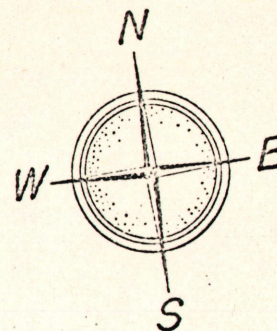
FEB 11 2 41 PM '93
LAND USE COMMISSION
STATE OF HAWAII

537-9971

~ ISLAND OF MAUI ~

Oct. - '67

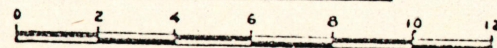
ANOTHER SERVICE OF THE
STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
VISITORS INFORMATION PROGRAM
KAHULUI AIRPORT — PHONE 76-431



~ DISTANCE FROM AIRPORT ~

TOWN	MILES	TIME
KAHULUI	3	5 min.
WAILUKU	6	10 "
LAHAINA	27	45 "
KAANAPALI	30	50 "
NAPILI	34	60 "
HALEAKALA	37	1 1/2 hrs.
HANA	52	2 1/2 "
KIHEI	6	20 min.
MAALAEA	6	20 min.

~ SCALE IN MILES ~



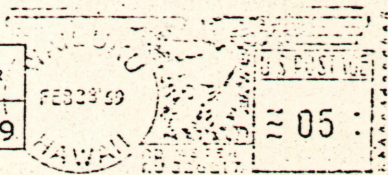
DISTRICT TAX ADMINISTRATOR
P.O. BOX 1169
WAILUKU, HAWAII 96793

MAUI

FORM P2

NOTICE OF PROPERTY ASSESSMENT

TAX KEY				I.D. NUMBER			YEAR
Z	S	PLAT	PARCEL	HPR	TENANCY NO.	CD	
1	3	008	017	0000			1969



MAUI

OWNER

HANA LAND CO INC

WORST ALFREDA

HANA HI

96713

*110 Russel Ave
Portola Valley, Calif.
94025*

GENERAL CLASS	ASSESSED VALUATION			LAND AREA
	BUILDING	LAND		
2 VALUE	8233	6495		2.130A
EXEMPT				TOTAL NET
NET	8233	6495		14728

YOUR COUNTY
GOVERNMENT
LEVIES YOUR
PROPERTY TAX

THIS IS A NOTICE NOT A BILL

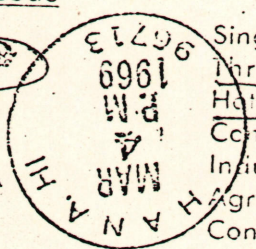
NOTICE OF PROPERTY ASSESSMENT

This is your notice of assessment as of January 1 for the property described. A separate notice of assessment will be sent for each land use code. The general land class is coded as follows:

Land use Code

General Land Class

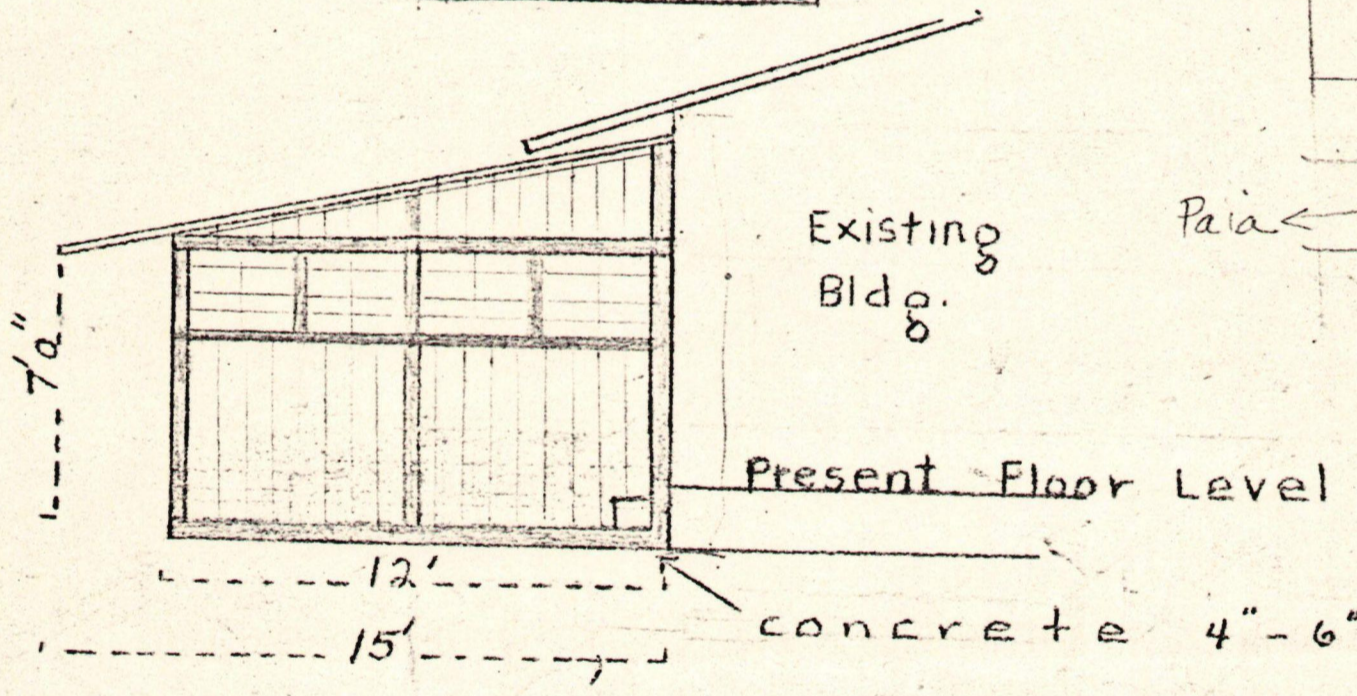
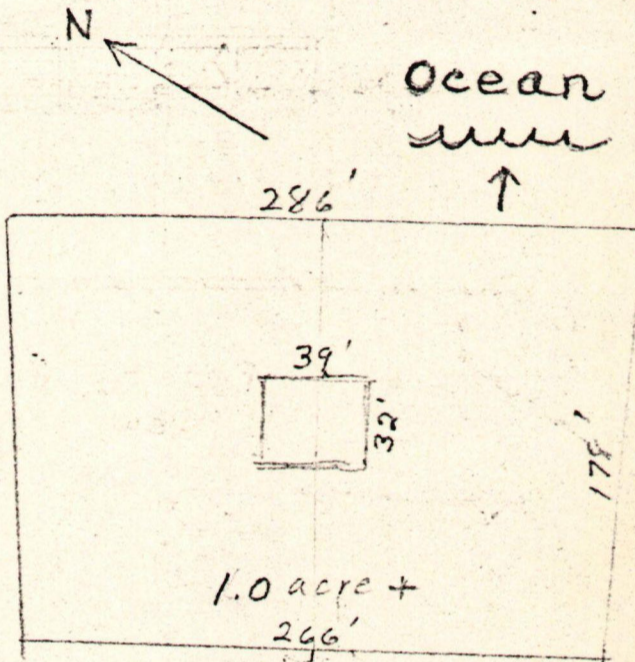
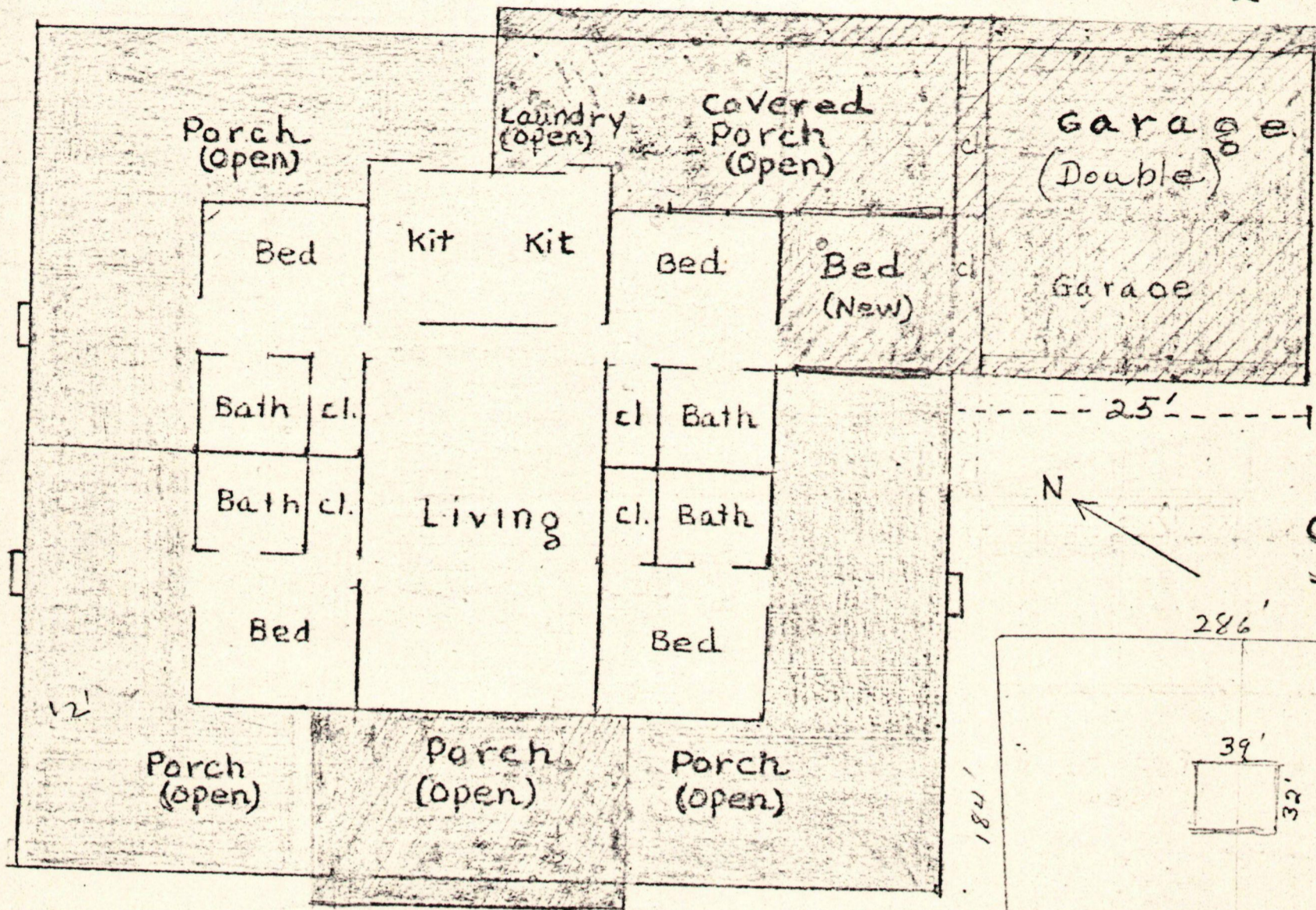
1	Single family and two family residential
2	Three or more family Apartment and
3	Hotel and Resort
4	Commercial
5	Industrial
6	Agricultural Conservation



Deadline for filing appeals is March 31. A deposit of \$3.00 is required for each appeal filed by the taxpayer.

Director of Taxation
State of Hawaii

Heavenly Hana Motel
 P.O. Box 283
 Hana, Maui
 Hawaii, 96713
 Tel. 443-742



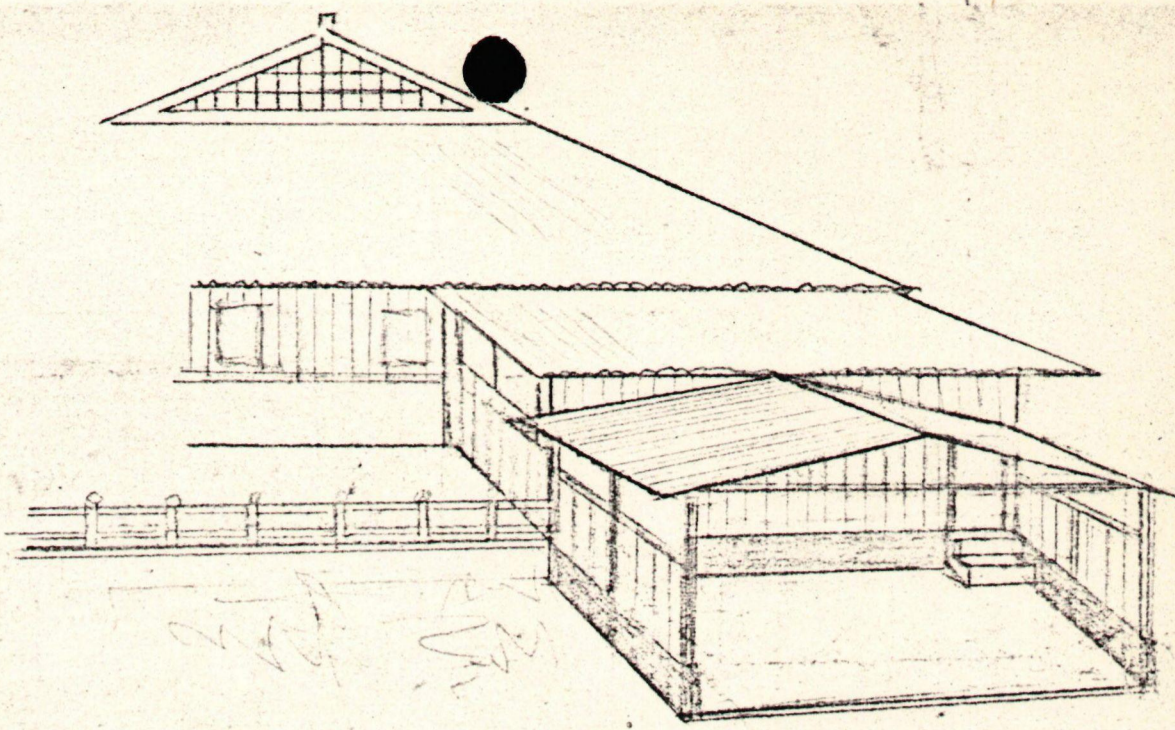
Paia ← Hana Highway → Hana

Plot Plan ↑
 # #
 Lots 13 and 14
 Hana House Lots
 Kawaiipapa and Wakie

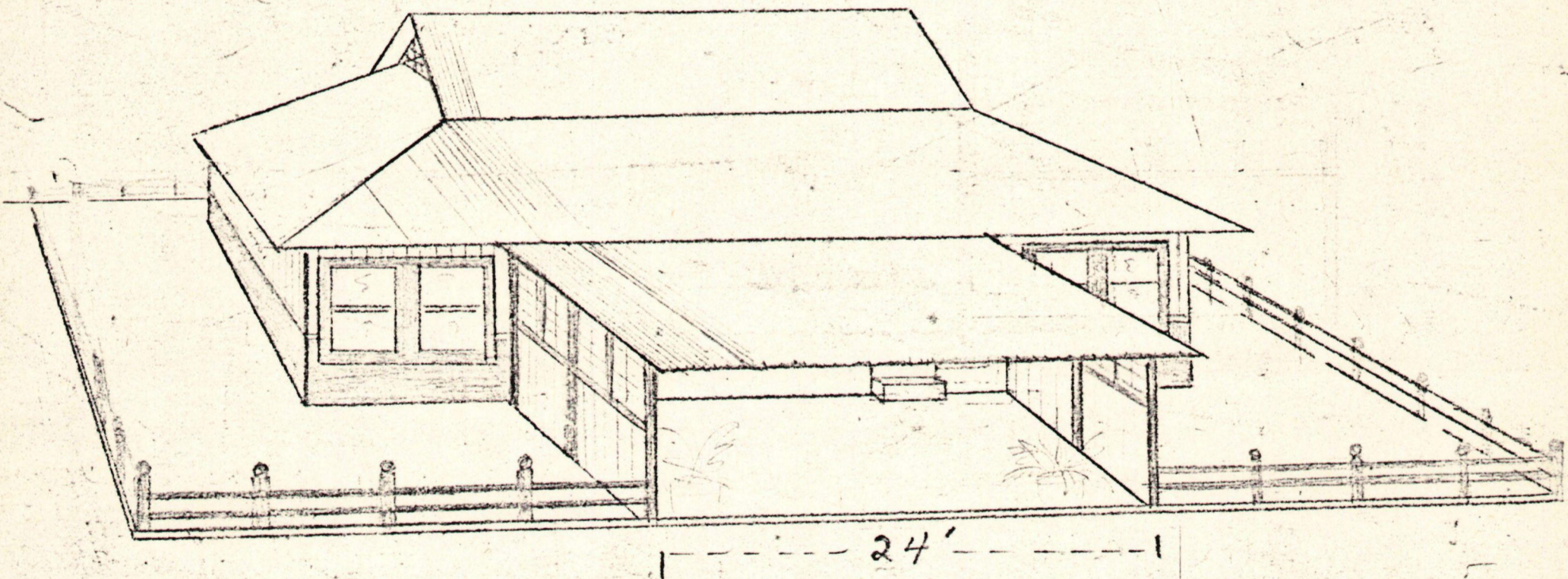
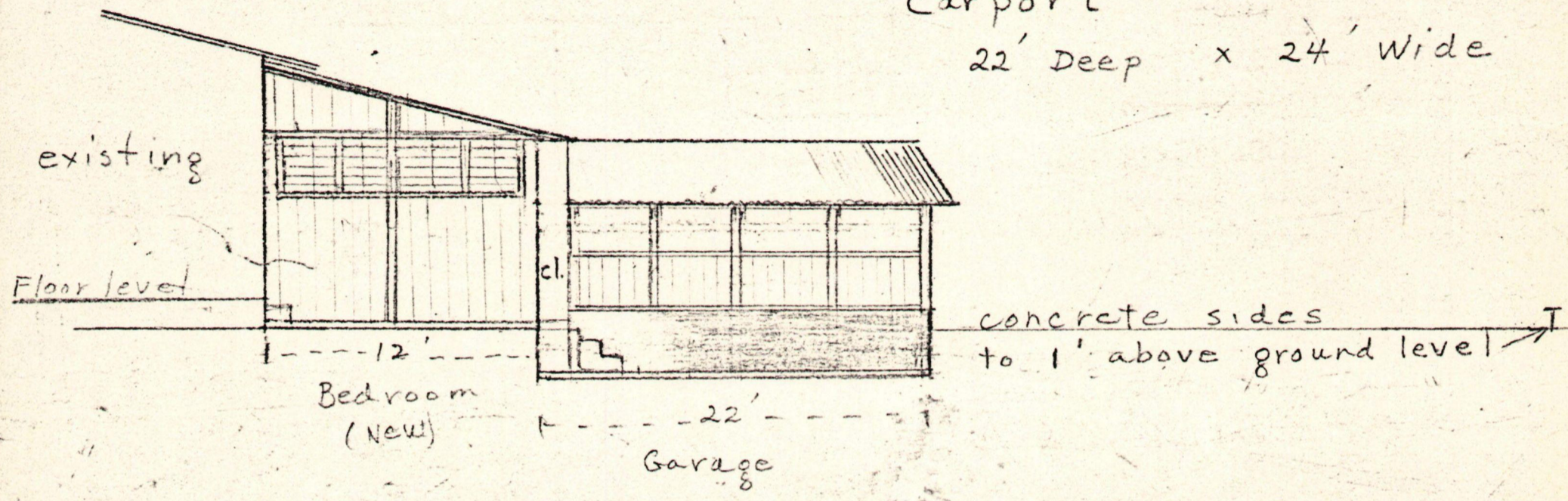
Covered Front
 Entry porch
 or
 lanai
 open front
 closed sides

Existing Building
 New Additions
 covered new additions.

$$\frac{133}{\sqrt{296}}$$



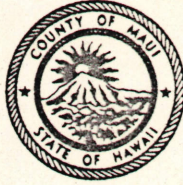
carport
22' Deep x 24' Wide



Front Entry
or
lanai
See side walls
other side paper

3000

JOSEPH S. MEDEIROS, JR., CHAIRMAN
YOSHIKAZU MATSUI, VICE-CHAIRMAN
G. ALAN FREELAND, MEMBER
WILLIAM HONG, MEMBER
ADRIAN HUSSEY, MEMBER
PETER MATSUOKA, MEMBER
MOTOHISA UNEMORI, MEMBER



KOICHI HAMADA, EX-OFFICIO
HIDEO HAYASHI, EX-OFFICIO
JEAN R. LANE, EX-OFFICIO
MASAO SONE, EX-OFFICIO
ROBERT O. OHATA, PLANNING DIRECTOR
MRS. EVA M. DUPONTE, ADM. ASST.

PLANNING COMMISSION

COUNTY OF MAUI

POST OFFICE BOX 1487

KAHULUI, MAUI, HAWAII 96732

December 23, 1968

Mrs. Alfreda Worst
110 Russel Avenue
Portola Valley
California 94025

Dear Mrs. Worst:

I have discussed your proposed extension of your dwelling in Hana with the Planning Director and we will approve your plan as submitted for construction. However, you should understand that this is on the basis that the new construction will not be used to create additional rental units on the property.

I have signed the building permit and have sent it up to the County Building Department. Therefore, I would suggest that your contractor contact the County Building Department directly in order to expedite the issuance of the permit.

Very truly yours,

A handwritten signature in cursive script that reads "Howard K. Nakamura".

HOWARD K. NAKAMURA
Deputy Planning Director

cc Mr. James Watanabe

2nd. Division				
Z	S	PL	PAR	LOT

BUILDING INSPECTION DIVISION

DEPARTMENT OF PUBLIC WORKS

PERMIT

Application and Building Permit No.

44

TOTAL VALUATION \$ 5,000.00

PERMIT FEE \$ 18.00

Legal Owner Mrs. Alfreda Worst - Heavenly Hana Motel Address P. O. Box 283, Hana, Maui

Lessee/Tenant _____ Address _____

Owner's Agent _____ Address _____

Plans By _____ Address _____

Builder OWNER Address _____

Plumbing Contractor _____ Address _____ Permit No. _____

Electrical Contractor _____ Address _____ Permit No. _____

To construct and/or repair, etc., all in accordance with State Laws, and Ordinances of the County of Maui, to-wit:

New Building _____; Type V Constr.; Stories 1; Repairing _____; Demolition _____; Reconstruction _____;

Old Building X; Addition X; Alteration _____; Remodel _____; Moving _____; Misc. Structure _____;

At Hana, Maui

House Number _____ Street _____ Town & open porch District _____

Now Occupied as dwelling To Be Occupied as bedrm. garage & covered porch

Fire Zone No. _____ Zone _____ Occupancy _____

Dimensions 24' x 25' garage; Floor Area _____ Sq. Ft. Ceiling ceiling

walls 1/2" tile & plaster; Floor concrete; Basement Floor _____

Partitions T&G; Roof diamond rib aluminum; Connection to Sewer or Cesspool _____

Foundation concrete; Roof Overhang 3'; Kind of Toilets _____

Distance between walls of this and the nearest building on the same property attached

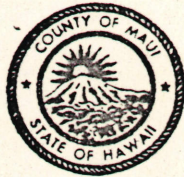
Distance to nearest interior lot boundary (right) 118' (left) 118' (rear) 60' (front) 60'+

The free clearance between the bottom of floor and ground _____ in. Construction to be completed on or about _____

REMARKS

APPROVED		Date <u>Dec. 9.</u> 196 <u>8</u>
Date _____ 196_____	DEPUTY COUNTY ENGINEER	per _____
Date <u>1/15/69</u> 196_____	AGENT, STATE DEPARTMENT OF HEALTH	Date <u>1/15/69</u> 196 <u>8</u>
Date _____ 196_____	DIRECTOR, MAUI PLANNING & TRAFFIC COMM.	FOR DIVISION HEAD
Date _____ 196_____	DEPUTY, FIRE MARSHAL, MAUI	
Date Inspected: _____ 196_____	INSPECTOR	_____ 196_____
_____ 196_____	INSPECTOR	_____ 196_____
_____ 196_____	INSPECTOR	_____ 196_____

APPLICANT'S COPY



COUNTY OF MAUI
DEPARTMENT OF PUBLIC WORKS
WAILUKU, MAUI, HAWAII

January 15, 1969

Mrs. Alfreda E. Worst
c/o Mr. David Hawkins
Heavenly Hana Motel
P.O. Box 283
Hana, Maui, Hawaii 96713

Dear Mrs. Worst,

Enclosed is your building permit for your addition. We would like to call your attention to our Uniform Building Code Ordinance, Section 301 (d) specifies that work should commence within 60 days from date of permit. Please make necessary arrangements to meet this requirement.

Should you have any questions, please feel free to call on us.

Yours truly,

BUILDING DIVISION

S. Sano
Building Superintendent

SS:gt
encl.
cc: California-Mrs. Worst

RECEIPT

Date

11/15/69

6173

Received From

Alfreda West

Address

Hana

Eighteen and 00/100 Dollars \$18.00

For Bell's Per. #44

BUILDING INSPECTION DIVISION

Department of Public Works

County of Maui

Wailuku, Maui, Hawaii

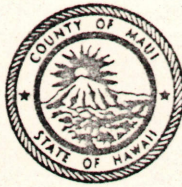
ACCOUNT		HOW PAID		
AMT. OF ACCOUNT		CASH		
AMT. PAID		CHECK		<input checked="" type="checkbox"/>
BALANCE DUE		MONEY ORDER		

By

[Signature]

Elmer F. Cravalho
Mayor

PLANNING COMMISSION
Yoshikazu Matsui, Chairman
Motohisa Unemori, Vice-Chairman
Joseph Franco
G. Alan Freeland
Adrian Hussey
Kazuo Kage
Ichiro Maehara
John M. Fernandez, Ex-Officio
Koichi Hamada, Ex-Officio



BOARD OF ADJUSTMENT
& APPEALS
Joseph S. Medeiros, Jr., Chairman
Peter Matsuoka, Vice-Chairman
William Hong
Ralph H. Moltzau
Thomas Yagi

Robert O. Ohata, Planning Director
Howard K. Nakamura, Dep. Pl. Dir.
Eva M. Duponte, Adm. Asst.

COUNTY OF MAUI
PLANNING DEPARTMENT

P. O. BOX 1487
KAHULUI, MAUI, HAWAII 96732

August 12, 1969

Mrs. Alfreda E. Worst
Heavenly Hana Motel
Hana, Maui 96713

Dear Mrs. Worst:

This office has reviewed the plans submitted by you for the proposed improvements to the existing Heavenly Hana Motel and new construction on the property. Approval of the proposal may be granted on the following basis:

- 1) The improvements to the existing building may be approved provided that no additional units are being created. Because of the two existing kitchens, the building will be considered as a duplex by this office, which conforms to the County's General Plan. Please note, however, that under the regulations covering the State's Rural district, this is a non-conforming use. Therefore, additional kitchens or rooming units for the existing structure cannot be approved.
- 2) The single family residence intended to be used as your dwelling is permissible.
- 3) A manager's residence is also permissible, provided that it is a separate building, and not connected in any way to the existing building.
- 4) Approval of all other agencies as required is obtained.

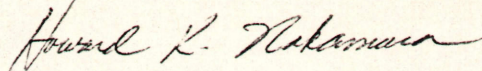
This will constitute a total of four (4) units on the 2.13 acre lot. Under the present regulations governing the use of land in the State Rural district, no additional dwellings may be permitted. Should you desire to further expand your operation, application to both the Maui Planning Commission and the State Land Use Commission would be required.

We would like to request that you indicate your receipt and understanding of this letter of approval, and the limitations on future

Mrs. Alfreda E. Worst
August 12, 1969
Page 2

construction by countersigning the enclosed copy and returning it to this office. If you have any further questions, please feel free to contact us at any time.

Very truly yours,



HOWARD K. NAKAMURA
Deputy Director of Planning

Encls.

RECEIPT Date 9-1-1969 8261

Received From Mrs. Alfreda Worst

Address Hana

Dollars \$ 9⁰⁰

For Bldg Per # 1334
tr. fr T.R. # 9639

ACCOUNT		HOW PAID	
AMT. OF ACCOUNT		CASH	
AMT. PAID		CHECK	/
BALANCE DUE		MONEY ORDER	

By rlc

BUILDING INSPECTION DIVISION
Department of Public Works
County of Maui
Wailuku, Maui, Hawaii

8K806 Rediform

2nd. Division				
Z	S	PL	PAR	LOT

COUNTY OF MAUI

BUILDING INSPECTION DIVISION

DEPARTMENT OF PUBLIC WORKS

Application and Building Permit No. #1334

PERMIT
No. #1334
TOTAL VALUATION \$ 5,000.00
PERMIT FEE \$ 9.00

Legal Owner Mrs. Alfreda Worst dba Heavenly Hana Motel Address P. O. Box 283, Hana

Lessee/Tenant _____ Address _____

Owner's Agent _____ Address _____

Plans By _____ Address _____

Builder owner Address _____

Plumbing Contractor _____ Address _____ Permit No. _____

Electrical Contractor _____ Address _____ Permit No. _____

To construct and/or repair, etc., all in accordance with State Laws, and Ordinances of the County of Maui, to-wit:

New Building X ; Type V Constr.: Stories 1 ; Repairing _____ ; Demolition _____ ; Reconstruction _____ ;
 Old Building X ; Addition X ; Alteration _____ ; Remodel _____ ; Moving _____ ; Misc. Structure _____ ;

At Hana, Maui

House Number _____ Street bdm, garage, covered porch District _____

Now Occupied as dwelling To Be Occupied as open porch Lot Area _____

Fire Zone No. _____ Zone _____ Occupancy _____

Dimensions 24' x 25' garage ; Floor Area _____ Sq. Ft.: Ceiling canec
12' x 12' bdrm ; Floor conc. ; Basement Floor _____
 Walls n. tile & T&G ; Floor _____ ; Connection to Sewer or Cesspool _____
 Partitions T&G ; Roof dis. rib alum. ; Kind of Toilets _____
 Foundation conc. ; Roof Overhang 3' ;

Distance between walls of this and the nearest building on the same property attached
 Distance to nearest interior lot boundary (right) 115' (left) 115' (rear) 60' (front) 60'+
 The free clearance between the bottom of floor and ground _____ in. Construction to be completed on or about _____

REMARKS * 1/2 permit fee based on Old Rate. Original permit issued 12/9/68 Permit No. 44

APPROVED:

Date _____ 196 _____ Date 9/9/69 196 _____
 DEPUTY COUNTY ENGINEER

Date _____ 196 _____
 AGENT, STATE DEPARTMENT OF HEALTH

Date 9/11/69 196 _____ per _____
 DIRECTOR, MAUI PLANNING & TRAFFIC COMM

Date _____ 196 _____ Date 9/11/69 _____
 DEPUTY FIRE MARSHAL, MAUI FOR DIVISION HEAD

Date Inspected _____
 INSPECTOR _____ 196 _____ INSPECTOR _____ 196 _____

RECEIPT

Date 4-27 1970

3477

Received From Alfreda E. Marsh

Address _____

Thirty two & 1/10 Dollars \$ 32.00

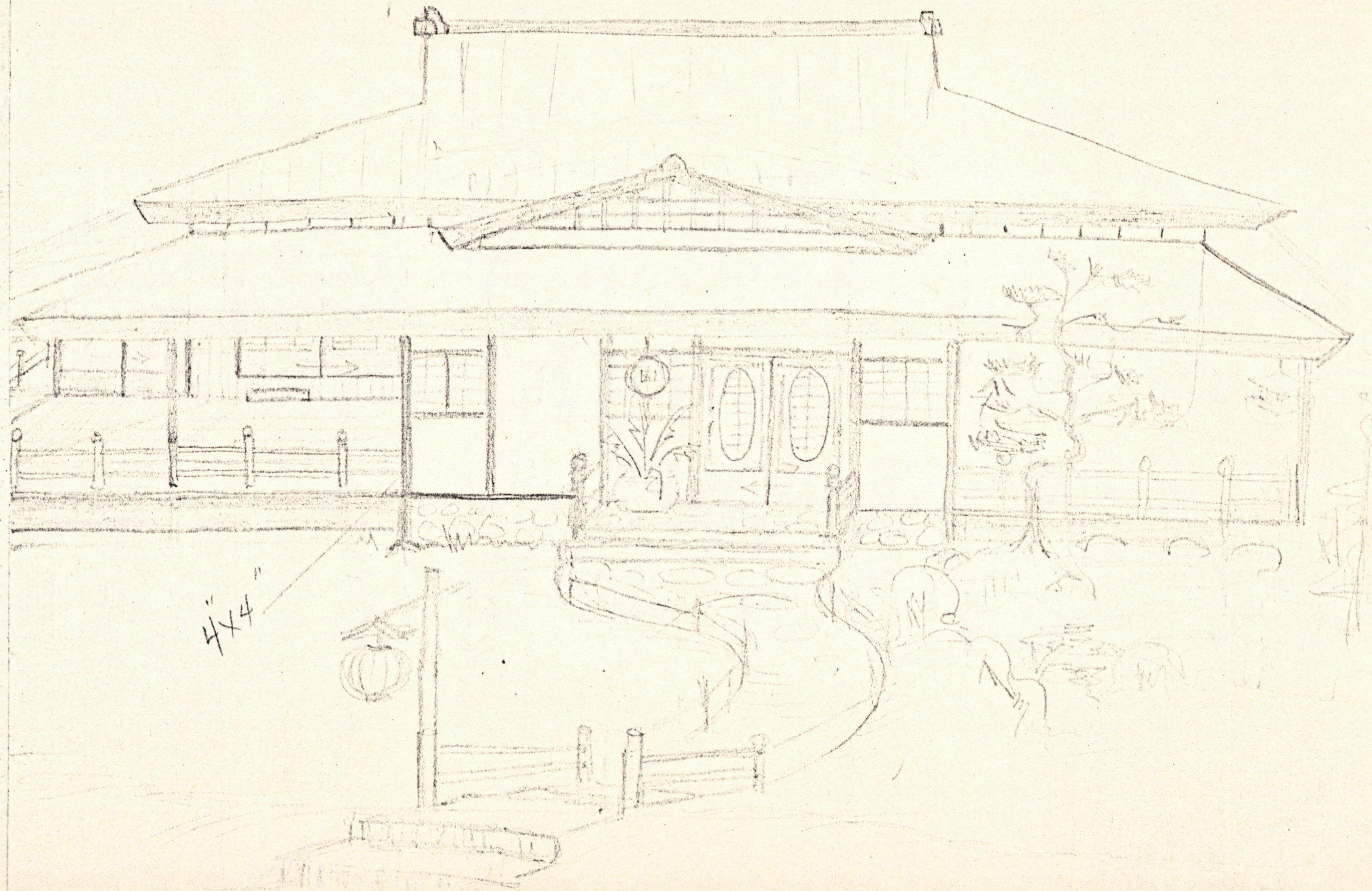
For Alterations
Heavenly Hand Motel

By

ACCOUNT			HOW PAID		
AMT. OF ACCOUNT			CASH		
AMT. PAID			CHECK	<input checked="" type="checkbox"/>	
BALANCE DUE			MONEY ORDER		

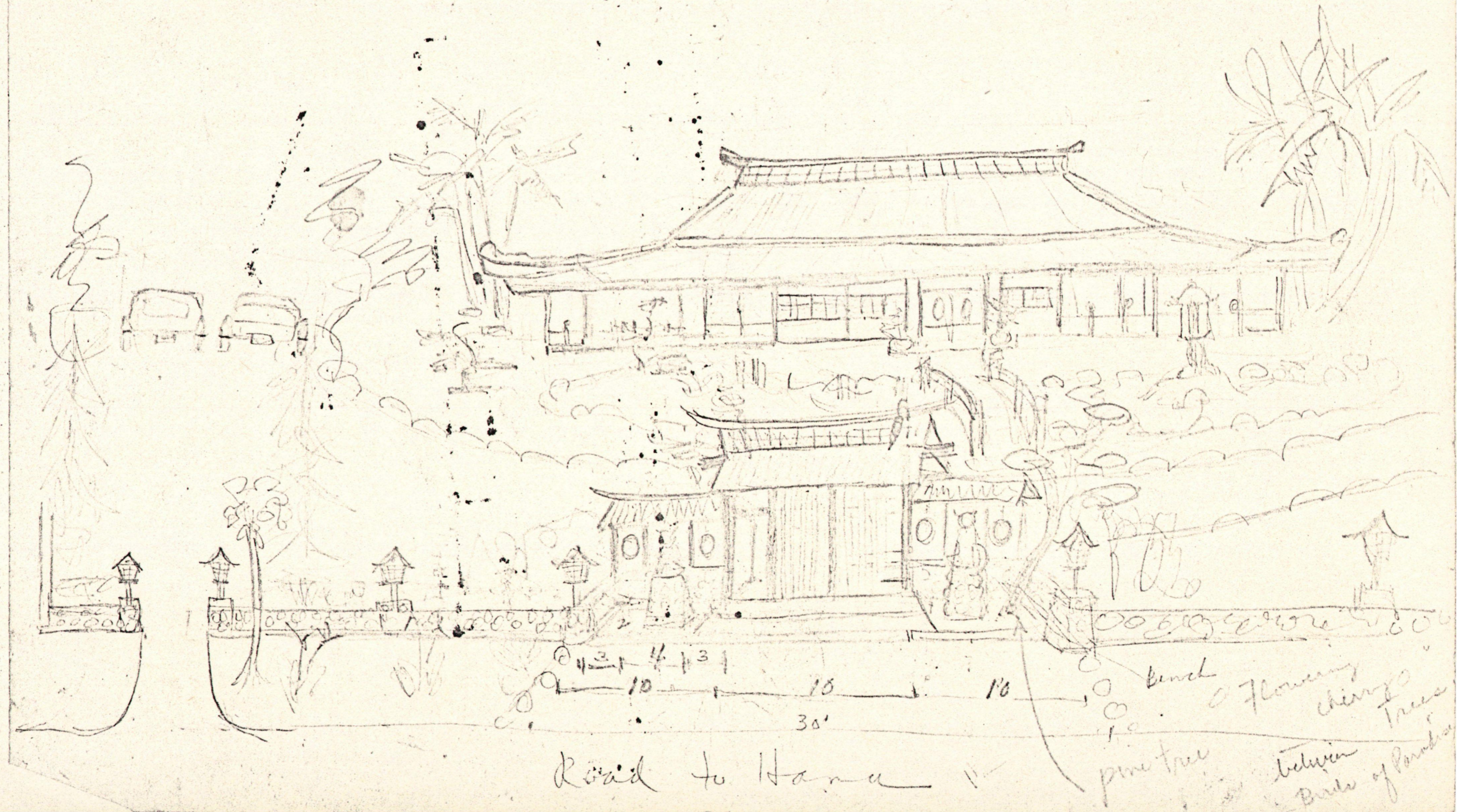
BUILDING INSPECTION DIVISION
Department of Public Works
County of Maui
Wailuku, Maui, Hawaii 96793

By RLC



“XXX”

Namashi

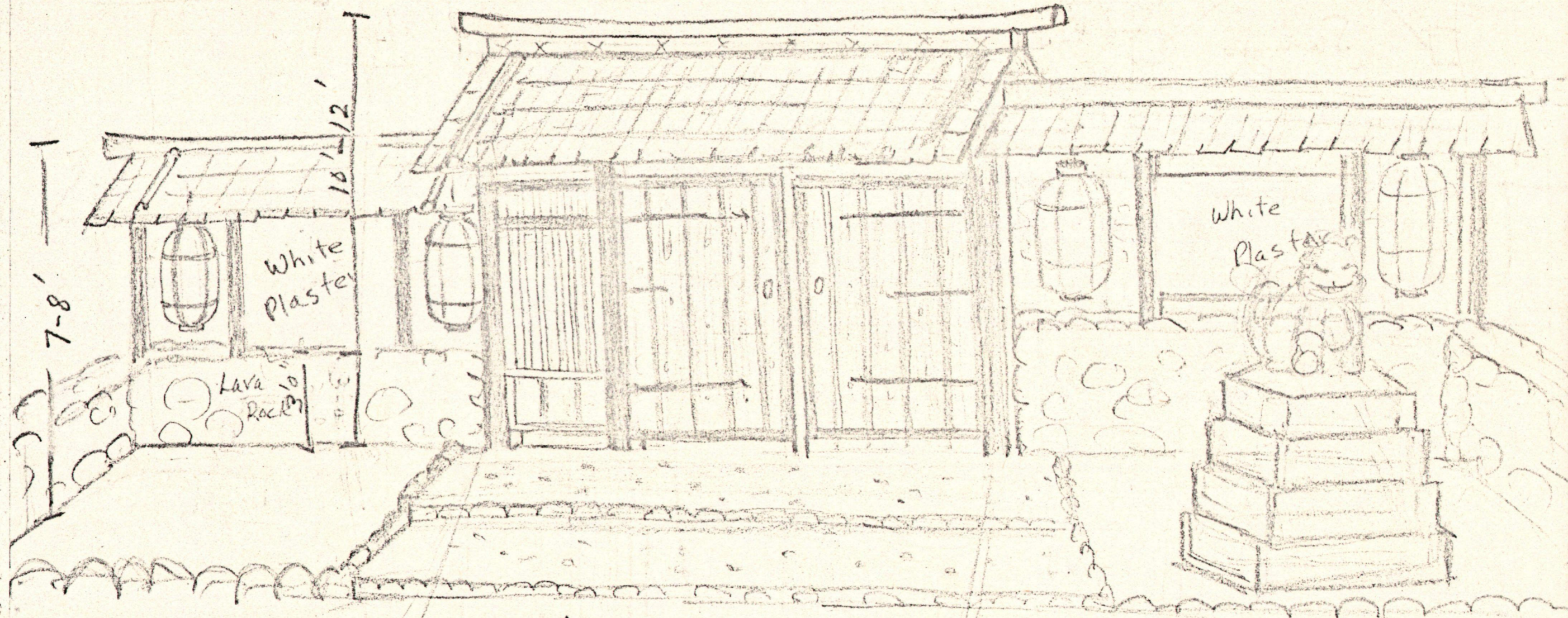


Road to Hana

pine tree
Flowering cherry trees
Beds of Pansies

Heavenly Nana Motel
 Mrs. Alfreda Worst
 Nana, Maui, Hi
 5/8/70

Gate — Shake roof
 Redwood 1" x 12" boards on 2x4's Frame
 2 Main Posts 10" x 10" Redwood Rustic
 Side Posts 6" x 6" Redwood Rustic
 Ridge post probably Natural log



Gate 10" wide

Spruceville 728-912

2'6" | 3'9" | 3'9" | Hana 443-742

BUILDING INSPECTION DIVISION

DEPARTMENT OF PUBLIC WORKS

Application and Building Permit

PERMIT

No.

001

2nd. Division				
Z	S	PL	PAR	LOT
1	3	08	18 17	

TOTAL VALUATION \$ 500.00
 PERMIT FEE \$ 5.00

Legal Owner Mrs. Alfreda Worst Address P.O. Box 283, Hana

Lessee/Tenant _____ Address _____

Owner's Agent _____ Address _____

Plans By _____ Address _____

Builder Owner Address _____

Plumbing Contractor None Address _____ Permit No. _____

Electrical Contractor _____ Address _____ Permit No. _____

To construct and/or repair, etc., all in accordance with State Laws, and Ordinances of the County of Maui, to-wit:

New Building _____; Type _____ Constr.; Stories _____; Repairing _____; Demolition _____; Reconstruction _____;
 Old Building _____; Addition _____; Alteration _____; Remodel _____; Moving _____; Misc. Structure X _____;

At Kaunapapa & Waiuku Hana District
 House Number _____ Street _____ Town _____ District _____

Now Occupied as _____ To Be Occupied as Hotel Entrance Gate Area _____

Fire Zone No. _____ Zone _____ Occupancy _____

Dimensions see sketch; Floor Area _____ Sq. Ft.; Ceiling _____
 Walls lava rock; Floor _____; Basement Floor _____
 Partitions w/rustic redwood; Roof shake roof; Connection to Sewer or Cesspool _____
 Foundation _____; Roof Overhang _____; Kind of Toilets _____

Distance between walls of this and the nearest building on the same property _____
 Distance to nearest interior lot boundary (right) _____ (left) _____ (rear) _____ (front) _____

The free clearance between the bottom of floor and ground _____ in. Construction to be completed on or about _____

REMARKS 30' long

APPROVED		Date _____ 19 _____	DEPUTY COUNTY ENGINEER	Date <u>5/8</u> 19 <u>70</u>
Date _____ 19 _____	AGENT, STATE DEPARTMENT OF HEALTH	APPLICANT		
Date _____ 19 _____	DIRECTOR, MAUI PLANNING & TRAFFIC COMM.	per _____		
Date _____ 19 _____	DEPUTY, FIRE MARSHAL, MAUI	Date _____	FOR DIVISION HEAD <u>5/18/70</u>	
Date Inspected: _____ 19 _____	INSPECTOR	_____ 19 _____	INSPECTOR	_____ 19 _____
	INSPECTOR		INSPECTOR	INSPECTOR

APPLICANT'S COPY

RECEIPT		Date	5/18 1970	0682
Received From		Alfreda Wass		
Address		Hana		
		— Five and no/100 — Dollars \$ 5 ⁰⁰		
For		Bedy. Mer. # 801 T.R. # 3525		
ACCOUNT		HOW PAID		
AMT. OF ACCOUNT		CASH		
AMT. PAID		CHECK		
BALANCE DUE		MONEY ORDER		
		By <i>[Signature]</i>		
		BUILDING INSPECTION DIVISION Dept. of Public Works County of Maui Wailuku, Maui, Hawaii 96793		

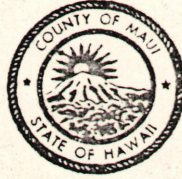
BK806 Rediform

RECEIPT		Date	5-8 1970	3525
Received From		Alfreda E. Wass		
Address		Hana		
		— Five and no/100 — Dollars \$ 5 ⁰⁰		
For		Bedy - Gate		
ACCOUNT		HOW PAID		
AMT. OF ACCOUNT		CASH		
AMT. PAID		CHECK		
BALANCE DUE		MONEY ORDER		
		By <i>[Signature]</i>		
		BUILDING INSPECTION DIVISION Dept. of Public Works County of Maui Wailuku, Maui, Hawaii 96793		

BK806 Rediform

TEMPORARY RECEIPT

PLANNING COMMISSION
Yoshikazu Matsui, Chairman
Motohisa Unemori, Vice-Chairman
Joseph Franco
G. Alan Freeland
Adrian Hussey
Kazuo Kage
Ichiro Maehara
John M. Fernandez, Ex-Officio
Koichi Hamada, Ex-Officio



Elmer F. Cravalho
Mayor

BOARD OF ADJUSTMENT
& APPEALS
Joseph S. Medeiros, Jr., Chairman
Peter Matsuoka, Vice-Chairman
William Hong
Ralph H. Moltzau
Thomas Yagi

Howard Nakamura
Planning Director

COUNTY OF MAUI
PLANNING DEPARTMENT
P. O. BOX 1487
KAHULUI, MAUI, HAWAII 96732

April 29, 1970

Mrs. Alfreda E. Worst
Heavenly Hana Motel
P. O. Box 283
Hana, Hawaii 96713

Dear Mrs. Worst:

Our office has received and reviewed your application for building permit for expansion of the Heavenly Hana Motel. Inasmuch as we have encountered some difficulty in interpreting the plans, several questions have arisen. Therefore, may I request that you contact Mr. Stanley Gima at our office at your convenience to discuss this matter further. In the meantime, we will hold your building permit application in abeyance.

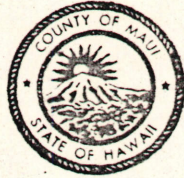
Very truly yours,

A handwritten signature in cursive script that reads "Howard K. Nakamura".

HOWARD K. NAKAMURA
Planning Director

cc: Stanley Gima

PLANNING COMMISSION
Yoshikazu Matsui, Chairman
Motohisa Unemori, Vice-Chairman
Joseph Franco
G. Alan Freeland
Adrian Hussey
Kazuo Kage
Ichiro Maehara
John M. Fernandez, Ex-Officio
Koichi Hamada, Ex-Officio



Elmer F. Cravalho
Mayor

BOARD OF ADJUSTMENT
& APPEALS
Joseph S. Medeiros, Jr., Chairman
Peter Matsuoka, Vice-Chairman
William Hong
Ralph H. Moltzau
Thomas Yagi

Howard Nakamura
Planning Director

COUNTY OF MAUI
PLANNING DEPARTMENT

P. O. BOX 1487
KAHULUI, MAUI, HAWAII 96732

May 18, 1970

Mrs. Alfreda E. Worst
Heavenly Hana Motel
P. O. Box 283
Hana, Hawaii 96713

Dear Mrs. Worst:

This office has reviewed your application for a building permit for additions to the Heavenly Hana Motel. After careful study of your proposed additions, we have concluded that the total result of your proposed additions will be an expansion of your operation from the existing duplex into a 4-plex operation.

This expansion of your present operation will necessitate approval by the State Land Use Commission. If you would like us to help prepare this application, we would be glad to do so. Until we hear from you, we shall hold your building permit application in abeyance.

Very truly yours,

Stanley S. Gima
STANLEY S. GIMA
Deputy Planning Director

cc: Building Division

Changed entire roof - Raised 18"
Added 4 B Rooms - + 14 Closets -
Ripped out one ~~entire~~ room spent 85% Complete.
Moved rear walls on back rooms 2 ft. -
Changed what was supposed to be Hot roof
to Aluminum necessitating several hundred feet of
purlins on 2' centers
House was 3 1/2" - 5" out of square - Causing
much difficulty in placing Rafters -
addition ~~triple~~ rafter trimming -
septupled.
Added 11 doors ^{BOX} ~~holders~~ hinges + locks + trim
added 4 windows calling for film instead of
glass + sjoji + trim + jamb
Added 1000 sq ft of film 18" high + extensive
trimming
Added shingle ridge roof
2 men spent 4 days on plumbing
Gate not figured in original estimate
original estimate on labor 3 1/2 - 4 mo.
Corners could have been done in beginning
but roof was changed to aluminum.
owner continuously locks doors not only
locking out workmen but her own people.



TO		ADDRESS		709116	
(SHIPPER)		PHONE		<input type="checkbox"/> ACC <input type="checkbox"/> PO <input type="checkbox"/> GBL	
FR		ADDRESS		COLLECT	
<small>This is to certify that the contents of this consignment are properly described by name and are packed, marked and labeled and are in proper condition for carriage by air according to all applicable carrier and governmental regulations. This consignment is within the limitations prescribed for passenger carrying aircraft. Shipment and liability subject to tariff.</small>					
<input type="checkbox"/> COMAT <input type="checkbox"/> EMP		TIME	DATE	RATE <input type="checkbox"/> MIN. \$ 3.00	
NO. PCS.	NATURE OF GOODS	VALUATION	VOLUME WEIGHT LBS.	SCALE WEIGHT LBS.	OTHER RULE NO.
2	Screen & Frames			110	
HAWAIIAN AIRLINES					EXCESS VALUATION
PCS.					<input type="checkbox"/> P <input type="checkbox"/> U <input type="checkbox"/> D <input type="checkbox"/> E <input type="checkbox"/> L OTHER DEL. SERV.
LBS.					TOTAL 3.00

LIST OF WORK TO BE DONE TO COMPLETE ENLARGEMENT AND REMODELING OF:
HEAVENLY HANA MOTEL

1. FINISH CORNER ROOMS OF NEW ADDITION (1A, 2A, 3A, 4A)
 - a. Molding, ceiling trims, baseboard, etc. 3A and 2A.
 - b. Partition closets - for dressers, clothes poles and shelves
 - c. Screen windows in 2A and 4A. Make shogi windows using filon or glass to slide as per diagram.
 - d. Doors to be flush with wall and on hinges with catches to enclose water heaters.
 - e. Partition Room 2A and eating area 2A.
 - f. Hang remaining doors where necessary (wooden and screen) and change existing screen doors. *Change and rehang doors where conflict with electrical switches*
- FINISH ROOF OVER CORNERS OF BUILDING (new addition)
 - a. Fix leaks in roof.
 - b. Facia at corners.
 - c. Shorten rafters on upper roof and replace facia 3 inches out.
 - d. Build Ridge across top of upper roof as per drawing.
 - e. Trim out under eaves and around rafters.
3. ENTRY - POUR CONCRETE PAD IN FRONT (entry porch) and surface with small round smooth pebbles or rocks.
 - a. Place 2 Milo posts in concrete to support roof.
 - b. Build Redwood bench either side between Milo posts and office wall.
4. PLACE RAMMA ACROSS FRONT OF 4 LANAIS AND LAUNDRY AREA USING CUT OUT PLYWOOD AS PER DRAWING.
5. BUILD PARTITION BETWEEN LAUNDRY AREA AND ROOM #2 LANAI. *with door*
6. ENCLOSE WASHING MACHINE, WASH TUB AND BOTTLED GAS TANKS WITH A CABINET - 2 HINGED TOPS TO LIFT UP OVER WASHER AND TUB AND 2 DOORS TO OPEN OUT IN FRONT OF GAS TANKS.

* AEW
 M.L.L.
 A.A.W.P.

* AEW
 M.L.L.
 A.A.W.P.

M.L.L.

7. FINISH FOUR BEDROOMS #1, 2, 3 & 4.

- a. Canec ceilings.
- b. Bamboo dividers to trim canec ceilings.
- c. Moldings, trim and baseboards where needed.
- d. Four book shelves next to outside louvered doors, Rooms #2,3 & 4.

8. BUILD SKY-LIGHTS IN LIVING ROOM AND IN ROOMS #1 AND #3 AS PER DRAWINGS.

9. LOBBY.

- a. Build desk as per drawing.
- ✓ b. Build bench and shoe shelves.
- c. Trim out top and bottom and windows.
- d. Reverse sliding door frame.
- e. Finish shogi in front doors.
- f. Hardwood floor on Tokinoma, desk area and step up to lounge.
- g. Milo post in Tokinoma as in drawing.

*A.P.N.P.
M.L.L.
A.C.W.*

~~h. White plaster back wall of Tokinoma.~~

- i. Ramma around top of Tokinoma.
- j. Bamboo ceiling trim.

and nail down steps

*M.L.L.
A.C.W.
A.P.N.P.*

10. BUILD DIVIDER BETWEEN LOUNGE AND LOBBY AS PER DRAWING.

11. REMOVE CENTER WALL IN KITCHEN.

a. Rebuild sink counter and install new sink and drainboard.

** A.C.W.
M.L.L.
A.P.N.P.*

b. Finish ceiling ^{and wall between windows} where partition was removed. *& replace broken canec panel*

c. Change water pipes from existing position to center of new sink.

** A.C.W.
M.L.L.
A.P.N.P.*

d. *change (rehang 2 outside doors to swing in)*

12. BATHROOMS 1, 2, 3 AND 4 - REMOVE EXISTING WINDOWS AND INSTALL NEW WINDOWS.

a. Sound proof walls between bathrooms 1 and 2 and 3 and 4.

✓ b. Sound proof dividing walls or partitions between storage rooms 1, 2, 3 and 4.

12. BATHROOMS 1, 2, 3 AND 4 (continued)

- c. Box in pipes outside bathrooms and vent same up into attic.
- d. Install hot, cold and drain pipes to utility tubs in storage rooms.
- e. Additional windows inside storage rooms 1, 2, 3 & 4 and shelves for linen.
- f. Recessed counter and tub in storage rooms (one on either side of building).
- g. Three broom closets and one closet for circuit breaker (in storage rooms with tub as mentioned in f. above). *Repeat of 1b*

*MLL
AGW
A.P.H.N.P.*

13. EATING AREAS (4)

- a. Shelves/in existing small closets. *and doors*
- b. Counter with shelves below/in existing alcove. *and double doors in front*
- c. Trim out around rafters, floor molding including portion below 4 outside screen doors and 4 doors into rooms #1, 2, 3 & 4.

14. SCREEN INSIDE LOUVERS BOTH SIDES OF ATTIC.

15. TRAP DOOR INTO ATTIC IN PRESENT LINEN CLOSET (size of ceiling). MAKE NEW TRAP DOOR TO REPLACE BROKEN ONE IN CEILING OF BEDROOM #4 CLOSET.

16. INSTALL WINDOWS (shogi) 3A BEDROOM.

17. INSTALL CENTER STRIP (shogi windows) 1A & 3A.

*DONE
MLL
AGW
A.P.H.N.P.*

18. FIX WINDOW HANDLES OR PUSHERS ON LOBBY WINDOWS,, AND 1A AND 3A WINDOWS TO CLEAR SHOJI SLATES.

19. BUILD CAR PORT (temporary) 22' L X 25' W FROM ROOF EDGE ~~BY~~ ^{SIDE} OF #2A. ~~BY~~
#7/WALKWAY//

20. INSTALL MILO POSTS AROUND BUILDING AND TERMITE/SAME. ^{TREAT}

*AGW
MLL
A.P.H.N.P.*

21. PLACE JAPANESE RAILING ON WALKWAY AROUND ENTIRE BUILDING. *Build* ^{*} *as per drawing*

22. TWO COATS PAINT ON ROOF (entire).

23. CHANGE EXISTING SCREEN DOORS AND INSTALL OTHER REMAINING DOORS AND LOCKS THROUGH OUT THE BUILDING.

*MLL
AGW
A.P.H.N.P.*

24. FINISH EXTERIOR TRIM AROUND THE BUILDING ~~TO INCLUDE PLASTERING PANELS ON FRONT WALL OF OFFICE.~~

25. MAKE (4) WOODEN JAPANESE LANTERNS FOR ENTRANCE POSTS AS PER DRAWINGS.

26. ENCLOSE METAL ELECTRIC METER BOX IN REDWOOD CABINET AS PER DRAWING.

TERMS OF CONTRACT BETWEEN OWNER, MRS. ALFREDA E. WORST, AND CONTRACTOR,
 MR. MORGAN LIVINGSTON, TO COMPLETE ENLARGEMENT AND REMODELING OF
 HEAVENLY HANA MOTEL AS PER ATTACHED LIST OF WORK TO BE DONE.

A.E.W.
M.L.L.
A.S.H. N.P.

- A. WORK TO COMMENCE WEDNESDAY JULY ¹⁶15, 1970.
- B. CONTRACTOR TO CHECK WITH OWNER BEFORE PURCHASING ANY MATERIALS.
- C. CONTRACTOR TO CHECK WITH OWNER THE ORDER IN WHICH WORK IS TO BE SCHEDULED (Most necessary things done first to put motel back into operation i.e. partitions so that electricians can complete wiring of building).
- D. CONTRACTOR TO HIRE AT OWN EXPENSE AND DISCRETION ADDITIONAL HELP IF NECESSARY TO COMPLETE AFORE MENTIONED LIST OF WORK.
- E. OWNER AND CONTRACTOR AGREE THAT WORK IS TO BE COMPLETED WITHIN THREE (3) MONTHS AFTER COMMENCEMENT DATE.
- F. FINANCIAL TERMS OF CONTRACT TO BE AS FOLLOWS:

(a). Contract price. \$4000.00
 (b). To be paid as follows.

(1).	\$1000.00	July 15	pd # 1891 Wells Fargo	7/15
(2).	1000.00	Aug. 7	pd # 400 Bank of Hawaii	8/12
(3).	1000.00	Sept 7	pd # 423 Bank of Hawaii	9/19
(4).	1000.00	Upon completion of work.		

A.E.W.
M.L.L.
A.S.H. N.P.

(c) Working 9 hours per day 5 days per week
 Holidays excluded
 Aug 19 - 20th excluded

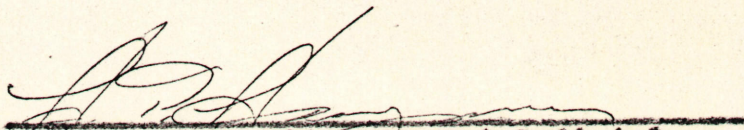
A.S.H. N.P.
A.E.W.
M.L.L.
M.L.L. July 16, 1970
A.E.W.
A.S.H. N.P.

(D) All work to be done to complete satisfaction of owner:
 Morgan L. Livingston (Contractor)
 Alfreda E. Worst (owner)

STATE OF HAWAII)
)
COUNTY OF MAUI)

ON THIS 16th day of July 1970,

before me personally appeared Morgan L. Livingston and Alfreda E. Worst
to me known to be the persons described in and who executed
the above foregoing instrument, and acknowledge that they
executed the same as ^{their} @@@ free act and deed.



Notary Public, Second Judicial
Circuit, State of Hawaii

My commission expires 12/25/70

March 19, 1971

Mr. Shigeyuki Tanaka
Hana
Maui

Dear Mr. Tanaka:

This will acknowledge receipt of your radiogram regarding the special permit application by Mrs. Alfreda Worst.

Please be advised that the Land Use Commission reviewed your request, the County's recommendation, the Commission's staff report, and questioned Mrs. Worst and her attorney regarding this matter. Based on the evidence submitted, the Commission approved the request subject to conditions imposed by the County of Maui and subject to the further conditions that the residence shall always be used as a residence for the property owner or motel manager and that the enclosed lanais shall not under any circumstances be utilized as rental units. We are enclosing the staff report for your information.

Should you have any further questions, please contact this office.

Very truly yours,

RAMON DURAN
Executive Officer

Enclosure

State of
1970-1971

March 8, 1971

Maui Planning Commission
County of Maui
P. O. Box 1487
Kahului, Hawaii 96732

Attention: Mr. Howard Nakamura, Planning Director

Gentlemen:

At its meeting on March 5, 1971, the Land Use Commission voted to approve a special permit to Mrs. Alfreda Worst (SP71-94) to construct a three-bedroom house for her own use on a parcel of land which presently contains a motel and to enclose the lanais of the motel for use as small sitting rooms on a 2.13-acre area of TMK 1-3-08: parcel 17, subject to the conditions set forth by the Maui County Planning Commission; the residence shall always be used as a residence for the property owner or manager of the motel, whoever that owner shall be in the future if Mrs. Worst should sell the property; and under no circumstances shall the enclosed lanais be utilized as separate rental units.

Enclosed for your information is the staff report.

Very truly yours,

RAMON DURAN
Executive Officer

Enclosure: Staff Report

cc: Lawrence Ing
Maui Tax Administrator
Property Technical Office, Dept. of Tax.
Tax Maps Recorder, Dept. of Tax.

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

Maui Community College
Wailuku, Maui

March 5, 1971 - 1 p.m.

APPROVED
JUL 1 1971

Commissioners Present: Goro Inaba, Vice Chairman
Shelley Mark
Sunao Kido
Eddie Tangen
Leslie Wung
Tanji Yamamura
Stanley Sakahashi

Commissioner Absent: Alexander Napier

Staff Present: Ramon Duran, Executive Officer
Ah Sung Leong, Planner
Walton Hong, Deputy Attorney General
Jean Soma, Stenographer

Acting-Chairman Inaba called the meeting to order and swore in persons wishing to testify before the Commission.

HEARING

PETITION BY COUNTY OF MAUI, ET AL (A70-269) TO RECLASSIFY APPROXIMATELY 1.2 ACRES FROM AGRICULTURAL TO URBAN AT PUUOHALA, WAILUKU, MAUI

The Executive Officer, Mr. Duran, presented the staff report (see copy on file).

Maui Planning Director, Howard Nakamura, explained that the boundary amendment would allow the addition of only one house. Presently, the area contains only two dwellings and a County park. Mr. Nakamura also clarified that the additional house could be constructed on the large parcel without a subdivision.

March 5, 1971

roving medical service, had appeared on behalf of the applicants and suggested the use of the chapel as a part-time health clinic. However, Dr. Ahren has since left the Health Department, and the status of the out-patient clinic program is unknown. Mr. Nakamura also believed that the Maui Zendo has leased the property from the Latter Day Saints on a monthly basis.

Under questioning by Commissioner Sakahashi, Mr. Nakamura stated that the proposed facility would provide for community activities such as arts and crafts in addition to religious activities.

Mr. Conrad Isecke, representing the petitioner, testified that theirs is a very rigorous program involving six hours of work and four hours of meditation a day. It may be compared to a monastery. The participants' average stay is about 1½ to 2 months, and the maximum number on the premises is 12 members.

Mrs. Ruplinger inquired whether there would be any supervision. Mr. Isecke replied that the Peahi Chapel will be directly supervised by a full-time resident of Maui Zendo who will maintain full control. He stated that the Maui Zendo is not connected in any way with the residents of Banana Patch.

Commissioner Tangen's motion to approve the special permit subject to the County's conditions and the additional condition that it be for a three-year period was seconded by Commissioner Wung and carried as follows:

Ayes: Commissioners Tangen, Mark, Kido, Wung, Sakahashi,
and Inaba

Abstention: Commissioner Yamamura.

✓ SPECIAL PERMIT APPLICATION BY ALFREDA WORST (SP71-94) TO
ENCLOSE AN EXISTING LANAI TO BE USED AS A SITTING ROOM AND
CONSTRUCT RESIDENCE FOR OWNER AT WAKIU, HANA, MAUI

Upon the Vice-Chairman's suggestion, the Executive Officer read a radiogram from Mr. Tanaka requesting that the action on this petition be deferred since he and other neighboring property owners do not have sufficient information on the use proposed by Mrs. Worst.

It was clarified by the staff that the public hearing on special permit applications are held by the County and that the legal ad would be published by the County.

March 5, 1971

Commissioner Mark suggested and the Commission agreed that the matter could be heard and then the Commission may either approve, defer, or deny the petition.

Mr. Leong described the area in question, and Mr. Duran read the staff report.

In the discussion which followed, Mr. Howard Nakamura stated that the lot involved is very difficult to subdivide since the existing motel is situated in the middle of the parcel.

Attorney Lawrence Ing, representing Mrs. Worst, stated that other non-conforming uses such as Rito Express, a papaya processing plant, and another hotel operation exist in the area. As for the construction that has already been completed, Mrs. Worst had not at any time intended to violate any rules or regulations.

Commissioner Tangen moved that the special permit be granted subject to the conditions imposed by Maui County and the further conditions that the approved residence be occupied only by whoever owns the property or the motel manager and that the recently enclosed lanais shall not be utilized as additional rental units. The motion was seconded by Commissioner Yamamura and carried unanimously.

UNIVERSITY OF HAWAII SITE SELECTION COMMITTEE

Vice-Chairman Inaba informed the Commission that Commissioners Tangen and Kido have been appointed to meet with the Site Selection Committee of the Board of Regents.

TENTATIVE SCHEDULE

It was decided that the Commission's next meetings would be held in Hilo on April 16 and in Kona on the 17th.

EXTENSION ON ALOHILANI MEADOWS (SP71-95) APPLICATION

Commissioner Tangen moved that the Alohilani Meadows special permit be extended one day to April 16 in order to conform to the schedule. The motion was seconded by Commissioner Sakahashi and unanimously carried.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP71-94 - MRS. ALFREDA E. WORST DATE March 5, 1971

PLACE Mau i Community College TIME 1:00 p.m.

NAME	YES	NO	ABSTAIN	ABSENT
WUNG, LESLIE	✓			
SAKAHASHI, STANLEY	✓			
S YAMAMURA, TANJI	✓			
KIDO, SUNAO	✓			
MARK, SHELLEY	✓			
NAELER, ALEXANDER				✓
TH TANGEN, EDDIE	✓			
INABA, GORO	✓			

COMMENTS:

*Sect. to Maui Co. PC and
Res. always occupied by Prop. owner
or manager of hotel who was responsible for property
not to be used as additional units.
advised*

RECEIVED

MAR 5 1971

State of Hawaii
LAND USE COMMISSION

NO 11 AR 39 HANA MAUI 4 508PM

LT RAMON DURAN
LAND USE COMMISSION
HONOLULUOAHU

MAR 4 5 26 PM '71

REFERRING YOUR MARCH 2ND ADDRESSED SHIGEYUKI
TANAKA HANA NOTICE OF MEETING WAILUKU FIFTH INSUFFICIENT
GIVE CAREFUL CONSIDERATION MRS WORTHS APPLICATION THEREFORE
PLEASE DIFER ACTION AND WOULD APPRECIATE ADDITIONAL DETAILS

TANAKAS AND NEIGHBORS

TELEPHONED

TO MR. DURAN
BY ca
TIME MAR 5 8 02 AM '71

HAWAIIAN INTERISLAND RADIOGRAM

THE PIONEER INTERISLAND
WIRELESS COMPANY OF THE
WORLD

Established Oct. 31, 1899



COMPANY

MAIN OFFICE 1130 ALAKEA ST. HONOLULU 96813

RADIO COMMUNICATIONS
BETWEEN THE MAJOR
HAWAIIAN ISLANDS

OFFICE OF ORIGIN

FILED

DATE

CHECK

ORDINARY MESSAGE
UNLESS MARKED OTHERWISE

ORDINARY

PRESS

LETTER TELEGRAM(LT)

GREETING MESSAGE

SENDER'S NAME _____ ADDRESS _____ TELEPHONE _____ PR. _____

MESSAGES ARE ACCEPTED AND TRANSMITTED SUBJECT TO THE RATES, RULES AND REGULATIONS AS SET FORTH IN THE TARIFFS ON FILE WITH THE REGULATORY COMMISSIONS

①

write letter to Tanaka

② find J. Hoops letter for Row.

③ B. find letter & list of
changes that were not recorded
to S. Kido during boundary
review to S. Kido

STATE OF HAWAII
LAND USE COMMISSION
March 5, 1971

STAFF REPORT

SP71-94 - MRS ALFREDA E. WORST (HANA)

Mr. Lawrence Ing of the law firm of Ueoka, Vail and Luna has submitted a special permit request on behalf of Mrs. Alfreda E. Worst to construct a three bedroom house for her own use on a parcel of land which presently contains a motel, and to enclose the lanais of the motel for use as small sitting rooms. The land is situated within the Rural District at Wakiu, Hana, Maui, and is described as parcel 17 of TMK 1-3-08, containing 2.13 acres.

The property in question has a frontage of 266 feet on the makai side of Hana Highway and is located approximately 1.2 miles east of the Hana Airport Road. The 200 acre Hana Urban District is located about 1.7 miles to the south. Approximately 500 feet to the north is a 38 acre parcel which was rezoned by the Land Use Commission on October 29, 1970 to allow the development of the new Hana High and Elementary School.

Mrs. Worst is the owner and operator of the Heavenly Hana Motel which contains four studio units and two adjoining kitchens housed in a single structure. The property was purchased by the petitioner in May 1967 but the motel has been in operation since 1948. Besides the motel, there are about two dozen homes and a rental cottage operation presently existing within the Wakiu Rural District. The

copy to Mr. Lawrence Ing 3-3-71

Department of Land and Natural Resources has plans for the development of 38 houselots on approximately 20 acres abutting the makai boundary of the property in question. The sum of \$257,000 has been appropriated and \$15,000 allotted for this project.

The soil of the property is rated "E" or very poor for overall agricultural use by the Land Study Bureau. Rainfall is about 75 inches annually and the elevation is approximately 120 feet above sea level.

In a letter dated January 28, 1971 from Mrs. Worst to the Maui Planning Commission, she indicated that:

1. Since moving to Hana in September 1970, she must travel two miles to the motel at all hours in order to conduct the business. Other matters requiring her presence on the motel premises include her children, the motel laundry and motel furnishings which need to be protected from theft. She, therefore, desires to construct her personal residence on the property.
2. Plans for the remodeling of the motel structure which were approved by the County were "very incomplete". So as construction went along, she made drawings of how she wanted things and she and the builder "solved the problems as best we could".

At the public hearing held by the Maui County Planning Commission on January 5, 1971, it was reported that the enclosure was substantially completed without a building permit.

The Maui Planning Director's report to the Planning Commission dated February 16, 1971 stressed that the present application should be evaluated in light of the criteria for determining an "unusual and reasonable" use and not the question of violations, which should be dealt with separately.

He also indicated that:

1. Mrs. Worst previously requested a declaratory ruling from the Land Use Commission on whether a new residence would be permitted on a parcel lying in the Rural District which already contains a four unit motel. However, the request was denied since the non-conforming use apparently renders the entire parcel non-conforming.
2. The parcel is designated for duplex use under the County General Plan which would ultimately permit one unit per 7500 square feet if the area is rezoned. The maximum possible effect resulting from the lanai enclosure would be to maintain the same four units but increasing its floor area and capacity to provide more comfortable space and accommodate larger families.

COUNTY RECOMMENDATION:

At its February 16, 1971 meeting, the Maui County Planning Commission voted unanimously to recommend approval of the request based on the following findings:

1. The existing character will not be substantially altered

by granting the request (that is, the number of rental units will not be increased).

2. The need for government services will not be unreasonably increased.
3. The proposed construction will not be contrary to the objectives of the Land Use Law.

Approval by the County is subject to the following:

1. That a minimum of three paved parking spaces (one for the dwelling, two for the motel) be provided, in accordance with all applicable County regulations.
2. That construction of additional kitchens shall not be permitted within the motel (to conform with the general plan designation of "duplex").
3. That the use of the "sitting rooms" for sleeping quarters be limited by applicable requirements of the Housing Code regarding room size and over-crowding.
4. That all construction be completed within six months from the date of final approval.

It was further recommended that this matter be referred to the Director of Public Works, and that appropriate action be taken regarding possible violation of County Ordinances by the applicant.

The Staff finds that the request is "reasonable and unusual", substantially meets the test to be applied by our Rules and Regulations, concurs with the findings, recommendations, conditions of the Maui County Planning Commission, and also recommends approval of the Special Permit.

Heavenly Hana Motel
P. O. Box 283
Hana, Maui, Hawaii 96713
January 28, 1971

Mr. Yoshikazu Matsui, Chairman
and Members of the Maui
County Planning Department
Kahului, Maui, Hawaii

Gentlemen:

On January 19, 1971, I attended your semi-monthly meeting in Wailuku, together with my lawyer Mr. Ing and friend from Hana, Mr. William Chang, at which time Mr. Ing on my behalf requested from you approval of a special permit to build a home for myself and children on the same property as the Heavenly Hana Motel and to enclose the four corners of the motel, making them into small sitting rooms. After reviewing in my mind what was said there at the meeting--Mr. Ing's presentation--questions and answers, I feel that perhaps this letter with additional information and thoughts may clarify my position and intentions.

1. In regard to building the home on the motel property for myself, I hope that you can see the necessity for it. Since September, 1970, I am living in Hana, ^{two} miles from the motel, and it is a very unsatisfactory arrangement, since I find myself running back and forth between the house and the motel at all hours of the day and night. Someone should be at the motel at all times when people stop by to inquire about renting rooms, when guests with reservation arrive and leave (often late at night and early in the morning) and to help them get settled--answer questions, etc.

I have been taking the motel laundry home and bringing it back, returning late at night to turn out lights and so on. Also, because I have decorated and furnished the motel with very nice furniture and art objects and since the number of robberies has increased considerably on Maui, I feel that someone should be there at the motel at all times so that no thefts occur.

Mr. Yoshikazu Matsui, Chairman
and Members of the Maui
County Planning Department

Page 2

January 28, 1971

Presently, when I leave the motel, as I must do to take care of the children at home, I leave a note on the front door, but you will agree, I'm sure, that this is not a very businesslike way to run a motel. As I see it, building a home on the motel grounds for myself so that I or one of the children can be there at all times is about the only solution to the aforementioned problems and I do hope you will permit me to do this.

2. Regarding the four corner sitting-bedrooms, which are now enclosed but which were originally to be left open as part of the lanai of each unit--I believe you are concerned as to whether or not this work was done before or after I received the letter in May 1970 saying that my building permit would be held in abeyance while the change in plans was studied, and I want to assure you that it was done prior to your letter except for the electrical wiring and the installation of the sliding windows, which I felt had to be done in the back two corner rooms because of the wind and rain blowing in, and I needed to use the corner bedroom for the children. (The girls and I had been sleeping in one bedroom and sharing the motel lounge and kitchen with the guests.)

I have tried to abide by all county building ordinances from the start back in 1968 (December). I brought my plans to the Building Department and the Planning Commission and obtained and paid for the necessary permits whenever it was necessary or required, I thought.

As you know, to remodel does mean to make changes. Remodelling an old building is very different from putting up a completely new structure. The plans drawn up for me by AMFAC, which was approved, were very incomplete--there were no detailed sketches for anything, unfortunately, so as the building went along, I made the drawings of how I wanted things, conferred with the builder and his helper and we solved the problems as best we could.

Mr. Yoshikazu Matsui, Chairman
and Members of the Maui
County Planning Department

Page 3

January 28, 1971

My desire and the object of all this remodelling expense and work from the beginning has been to improve the motel building itself and the gardens. When I purchased the Heavenly Hana Motel back in 1967, it was small and dirty and the facilities were inadequate and uncomfortable. It was a matter of pride with me to fix up this place--to do everything possible to make it a thing of beauty and comfort--something I would be proud of--to create a thing of usefulness and beauty in Hana.

At first my funds were limited but after selling my home in California in July of 1969, I had the necessary money to do more to the motel. My hope has been to keep the motel small--just four units that I myself can manage and take care of, but to make it as attractive as possible so that people will want to come to stay there at reasonable rates and be pleased enough to return. At the present time, my rates per night are \$10.00 single, \$15.00 double and \$18.00 triple. These rates are the lowest in Hana outside the State cabins at Wainapanapa Park.

This project has taken so long with all the building and labor problems and cost so much more than I anticipated, there have been times when I have felt most discouraged and wished, in fact, I had not started it at all. But since I've gone this far, because I have five children to raise and see through school, because we all do love Hana and because I am not a "quitter" by nature, I feel I must do the best with the motel and make my living from it. So if you do approve the special permit, I am requesting and I sincerely hope you will-- I will be able to continue the running of the motel as renovated and build a home on the property where the children and I will live.

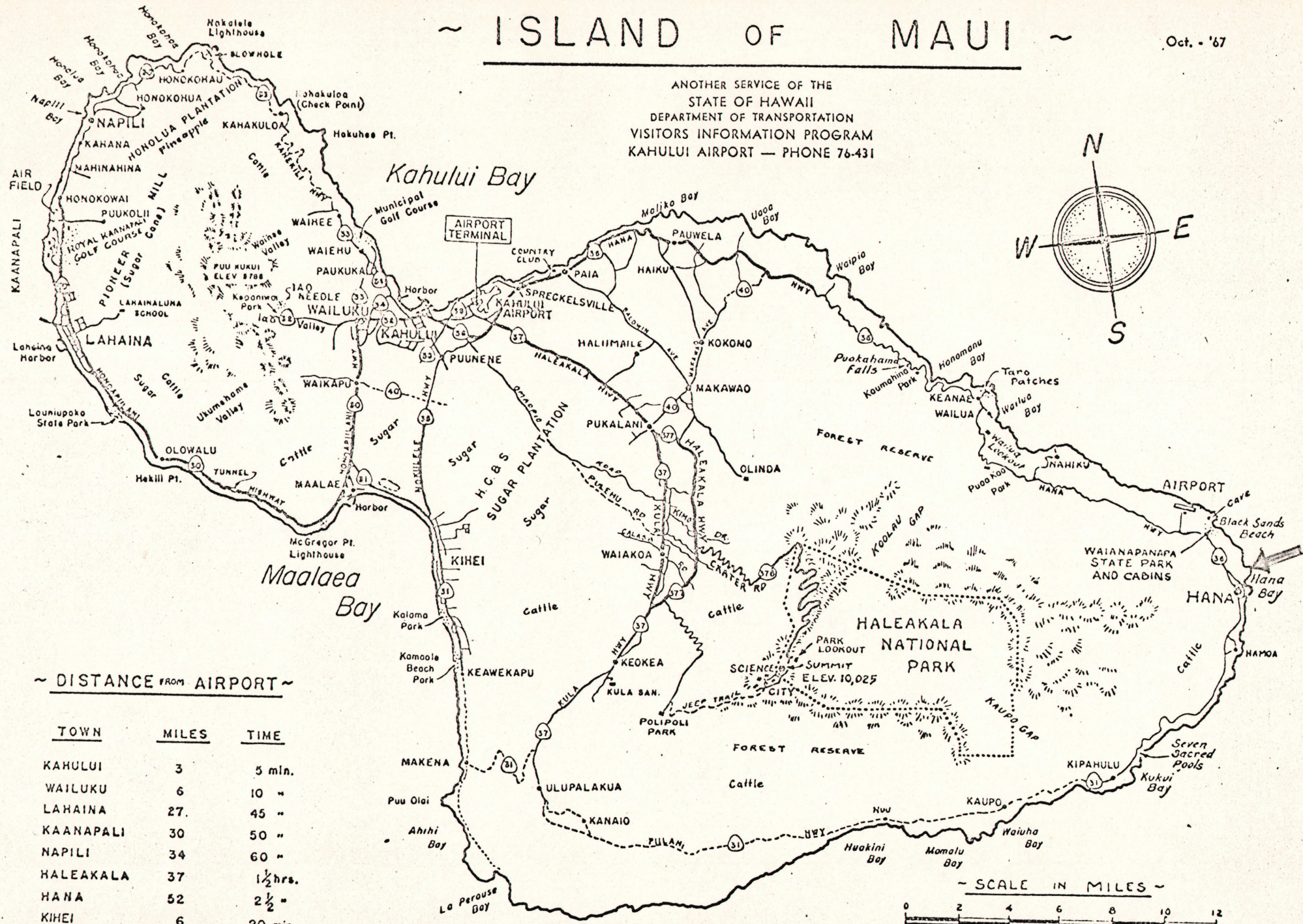
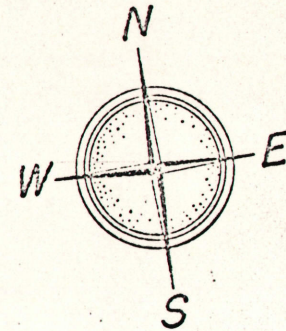
Respectfully,

(Mrs.) ALFREDA E. WORST

~ ISLAND OF MAUI ~

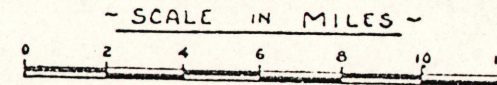
Oct. - '67

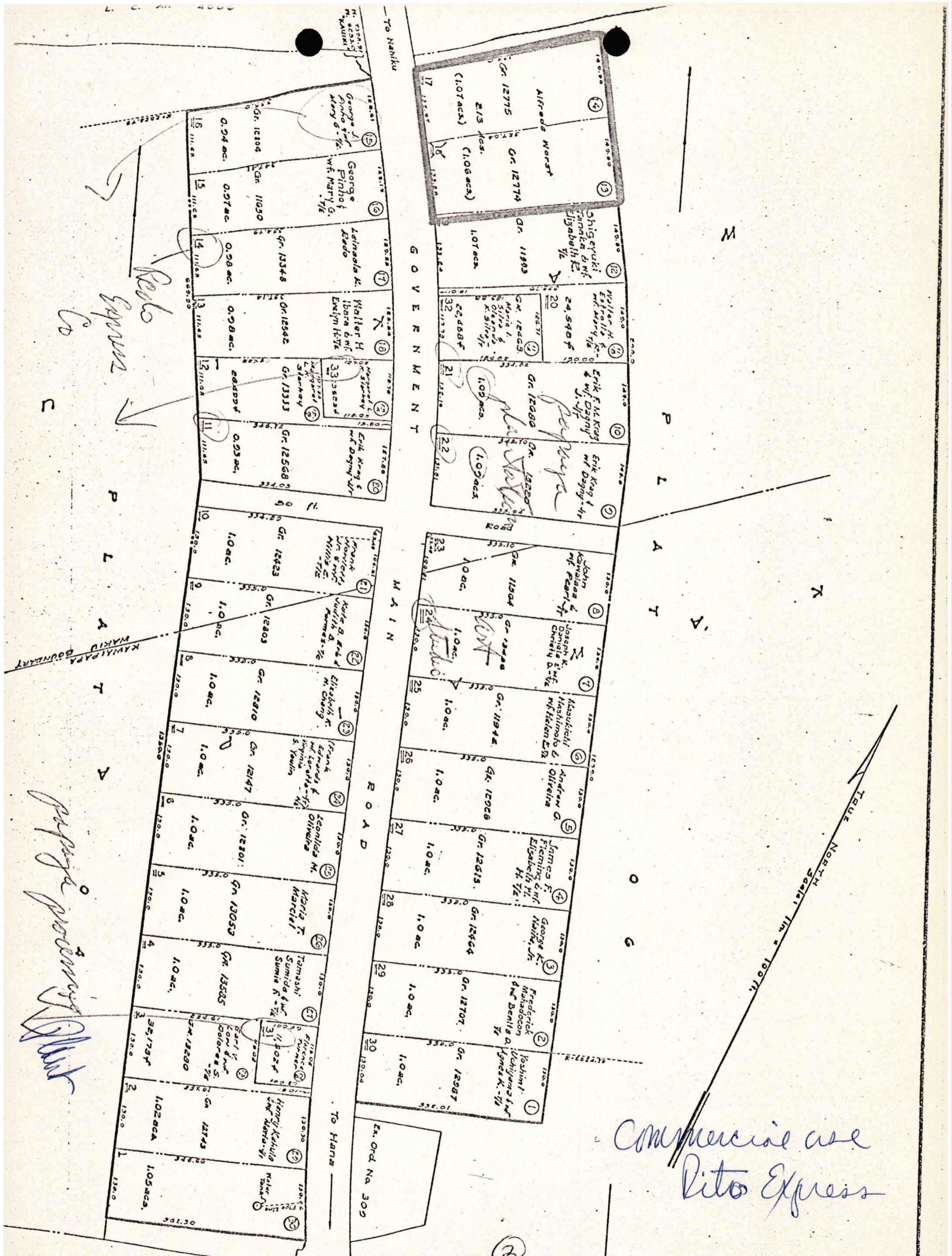
ANOTHER SERVICE OF THE
STATE OF HAWAII
DEPARTMENT OF TRANSPORTATION
VISITORS INFORMATION PROGRAM
KAHULUI AIRPORT — PHONE 76-431



~ DISTANCE FROM AIRPORT ~

TOWN	MILES	TIME
KAHULUI	3	5 min.
WAILUKU	6	10 "
LAHAINA	27.	45 "
KAANAPALI	30	50 "
NAPILI	34	60 "
HALEAKALA	37	1 1/2 hrs.
HANA	52	2 1/2 "
KIHEI	6	20 min.
MAALAE	6	20 min.





Commercial use
Pito Express

Complainant is that although the Land Use Commission has classified the subject property + surrounding area rural there are many non conforming uses existing there & again today.

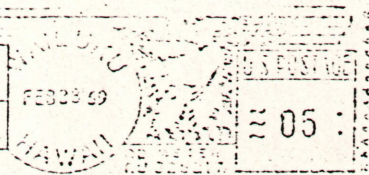
DISTRICT TAX ADMINISTRATOR
P.O. BOX 1169
WAILUKU, HAWAII 96793

MAUI

NOTICE OF PROPERTY ASSESSMENT

FORM P2

TAX KEY				I.D. NUMBER			YEAR
Z	S	PLAT	PARCEL	HPR	TENANCY NO	CD	
1	3	008	017	0000			1969



MAUI

OWNER

HANA LAND CO INC

WORST ALFREDA

HANA HT

96713

GENERAL CLASS	ASSESSED VALUATION		
	BUILDING	LAND	LAND AREA
2 VALUE	8233	6495	2.130A
EXEMPT			TOTAL NET
NET	8233	6495	14728

*110 Russel Ave
Portola Valley, Calif.
94025*

YOUR COUNTY
GOVERNMENT
LEVIES YOUR
PROPERTY TAX

THIS IS A NOTICE NOT A BILL

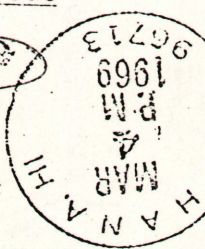
NOTICE OF PROPERTY ASSESSMENT

This is your notice of assessment as of January 1 for the property described. A separate notice of assessment will be sent for each land use code. The general land class is coded as follows:

Land use Code

General Land Class

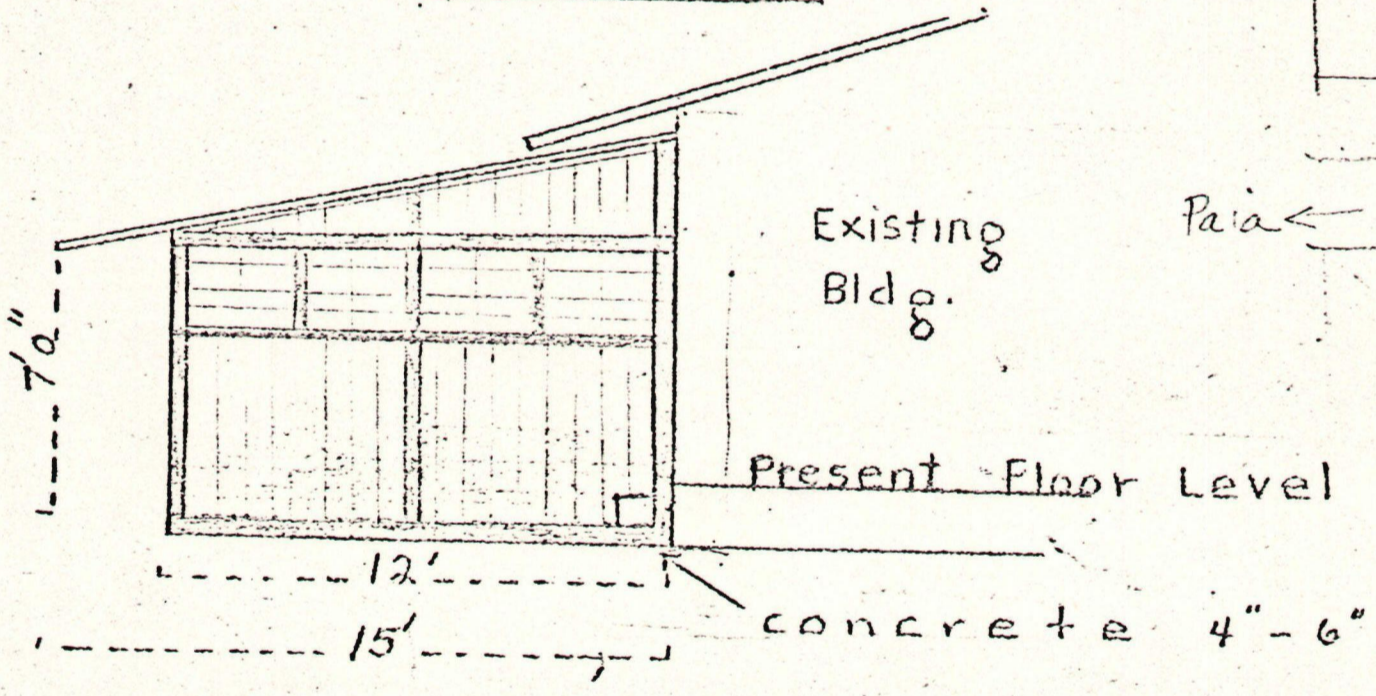
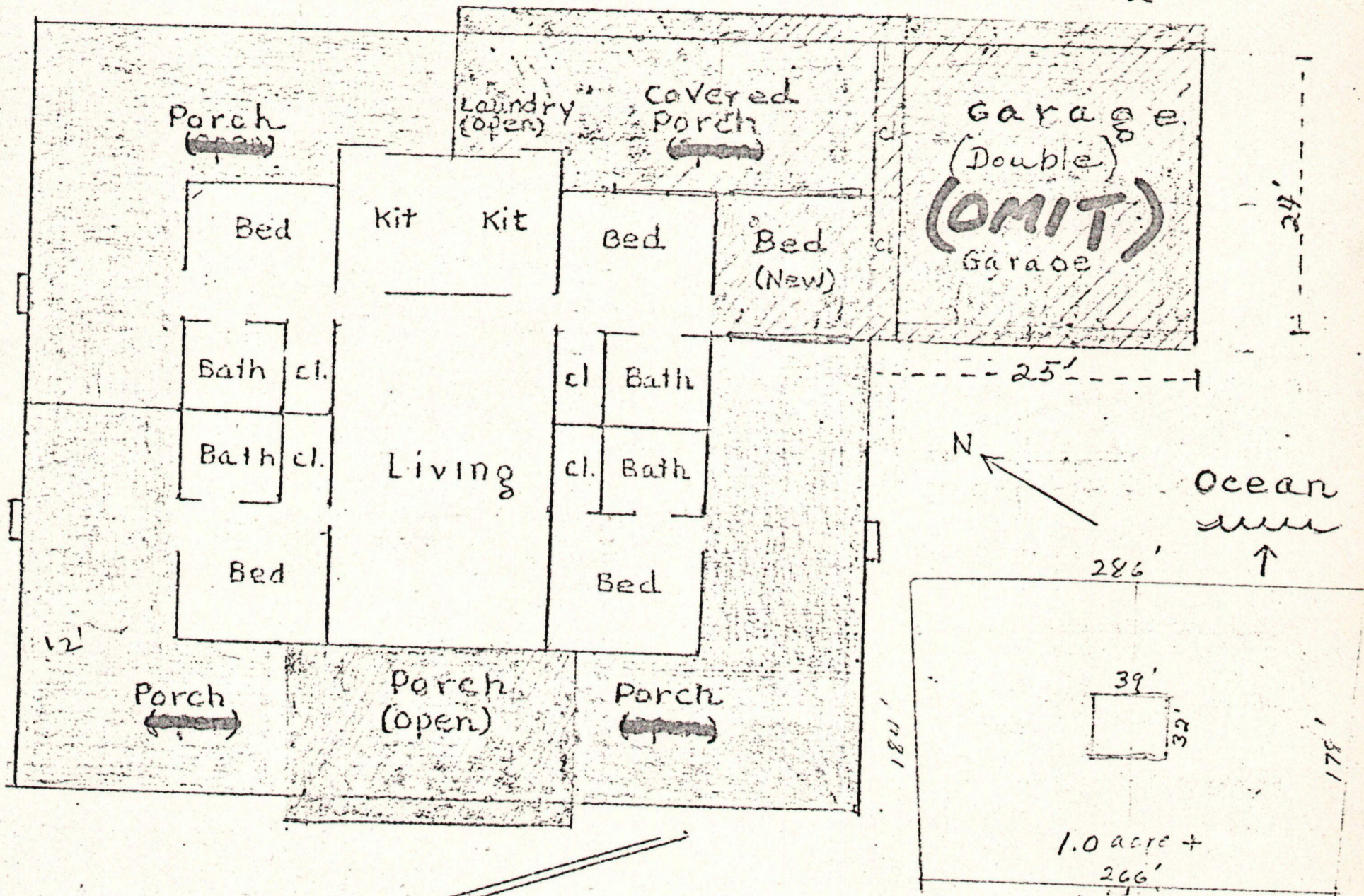
- | | |
|---|--|
| 1 | Single family and two family residential |
| 2 | Three or more family Apartment and |
| 3 | Hotel and Resort |
| 4 | Commercial |
| 5 | Industrial |
| 6 | Agricultural |
| | Conservation |



Deadline for filing appeals is March 31. A deposit of \$3.00 is required for each appeal filed by the taxpayer.

Director of Taxation
State of Hawaii

Heavenly Hana Motel
 P.O. Box 283
 Hana, Maui
 Hawaii, 96713
 Tel. 443-742



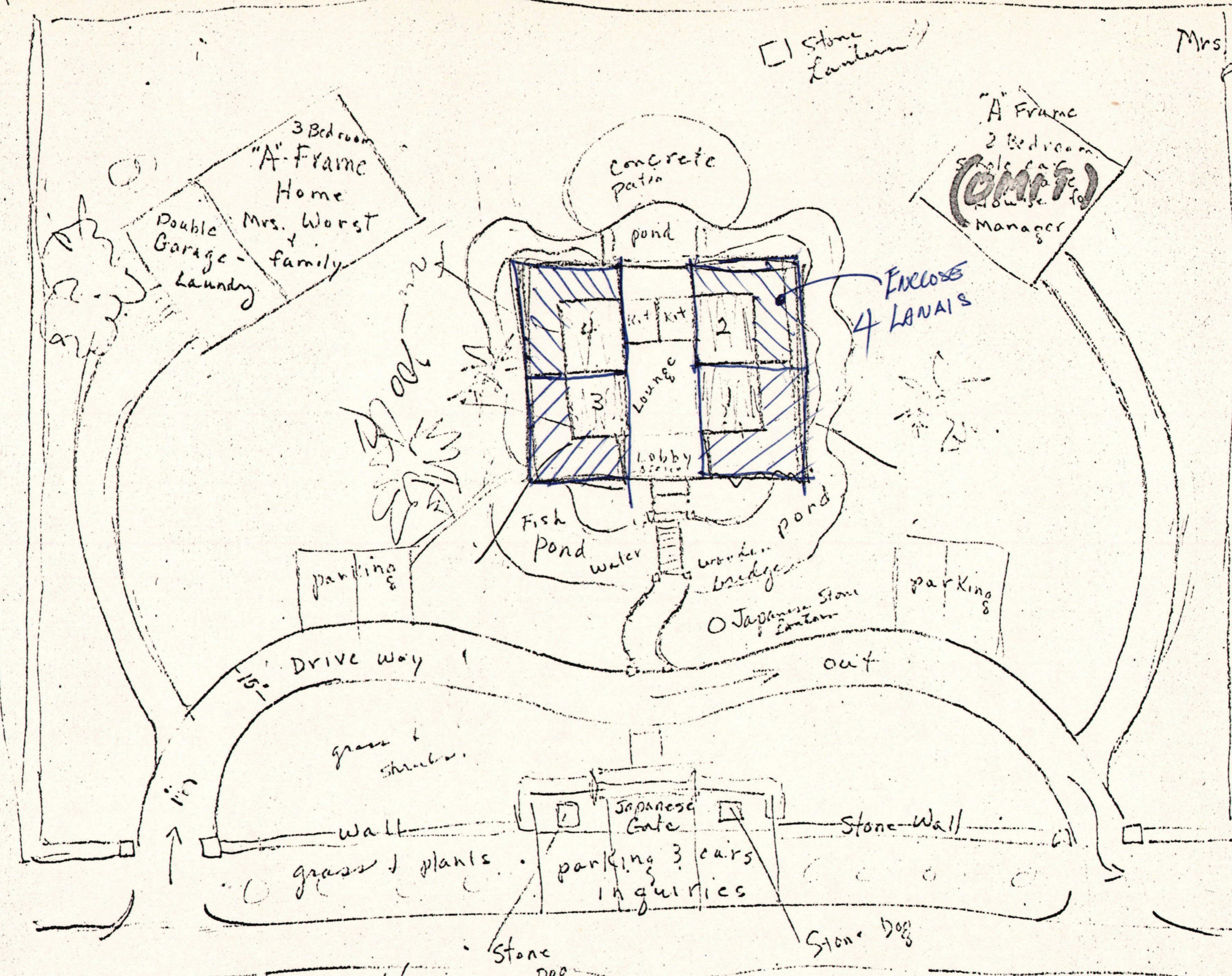
Paia ← Hana Highway → Hana

Plot Plan ↑
 Lots #13 and #14
 Hana House Lots
 Kawaipapa and Wakiu

Covered Front
 Entry porch
 or
 Lanai
 open front
 closed sides

Existing Building
 New Additions
 covered new additions

$$\sqrt[133]{266}$$



□ Stone Lantern

Mrs. Alfreda Worst
 P.O. Box 283
 Hana, Maui
 Tel. 443-742

"A-Frame"
 2 Bedroom
 (OMI)
 Manager

ENCLOSE
 4 LANAIS

To Airport ← 2 miles +?
 Highway → To Hana 2 miles

(78)

March 3, 1971

Mr. Lawrence N. C. Ing
Ueoka, Vail & Luna
P. O. Box 433
Wailuku, Maui

Dear Mr. Ing:

Pursuant to your request, we have placed the special permit request from Mrs. Alfreda Worst on the Land Use Commission agenda for March 5, 1971, when the Commission will meet at 1:00 p.m. in the Maui Community College, Lecture Hall No. 10-A, Science Building, Wailuku, Maui. On or about that time, a decision on the application (SP71-94) will be rendered.

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

Very truly yours,

RAMON DURAN
Executive Officer

Encls.

March 2, 1971

Mr. and Mrs. Shigeyuki Tanaka
Hana
Maui

Dear Mr. and Mrs. Tanaka:

This is to advise you of a special permit application submitted by Mrs. Alfreda Worst to construct a 3-bedroom dwelling for her use, and also to enclose the existing lanais at Heavenly Hana Motel for use as sitting rooms, on property identified by Tax Map Key 1-3-08: 17, Hana, Maui.

The Land Use Commission will act on this application during its meeting on March 5, 1971, 1:00 p.m., at the Maui Community College, Lecture Hall No. 10-A, Science Building, Wailuku, Maui. For your information, a copy of the agenda is enclosed.

We would appreciate any written comments for or against this request, or you or your agent may appear at the meeting. Please do not hesitate to call this matter to the attention of other interested parties.

Should you desire additional information, feel free to contact this office.

Very truly yours,

RAMON DURAN
Executive Officer

Encl.

9346

MEYER M. UEOKA
JOHN T. VAIL
B. MARTIN LUNA
Associates
LAWRENCE N. C. ING
ANDREW S. HARTNETT II

2121 MAIN STREET
Post Office Box 433
Phone: 244-3761

UEOKA, VAIL & LUNA

ATTORNEYS AT LAW
WAILUKU, MAUI, HAWAII 96793

February 23, 1971

Mr. Ramon Duran
Executive Officer
Land Use Commission
State of Hawaii
P. O. Box 2359
Honolulu, Hawaii

RECEIVED

FEB 24 1971

State of Hawaii
LAND USE COMMISSION

Dear Mr. Duran:

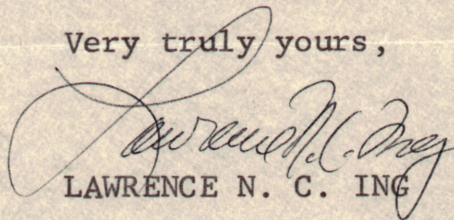
RE: LUC Special Permit request from
(Mrs.) Alfreda Worst,
Hana, Maui, Hawaii

At a recent Maui Planning Commission meeting, the above request was approved contingent upon certain conditions.

May we request being placed on your March 5, 1971, meeting agenda which is scheduled for Maui. This would save our client time and expenses.

Thank you for your assistance.

Very truly yours,


LAWRENCE N. C. ING

LNCI:jh

cc Mrs. Alfreda Worst

STRATHMORE
ERASEWELL BOND
25% COTTON FIBER U.S.A.

9343

PLANNING COMMISSION
Yoshikazu Matsui, Chairman
Motohisa Unemori, Vice-Chairman
Joseph Franco
G. Alan Freeland
Adrian Hussey
Kazuo Kage
Ichiro Maehara
John M. Fernandez, Ex-Officio
Carl Kaiama, Ex-Officio



Elmer F. Cravalho
Mayor

BOARD OF ADJUSTMENT
& APPEALS
Joseph S. Medeiros, Jr., Chairman
Peter Matsuoka, Vice-Chairman
William Hong
Ralph H. Moltzau
Thomas Yagi

Howard Nakamura
Planning Director

COUNTY OF MAUI
PLANNING DEPARTMENT
P. O. BOX 1487
KAHULUI, MAUI, HAWAII 96732

February 19, 1971

Mr. Ramon Duran
Executive Officer
Land Use Commission
P.O. Box 2359
Honolulu, Hawaii

RECEIVED

F-324 1971

SP71-94

State of Hawaii
LAND USE COMMISSION

Dear Mr. Duran:

Re: LUC Special Permit Application No. 43 from
Mrs. Alfreda Worst, Hana, Maui. TMK 1-3-08:17

The Maui Planning Commission at its meeting of February 16, 1971, voted unanimously to recommend approval of the request filed by Mrs. Alfreda Worst to expand the existing nonconforming Heavenly Hana Motel and to construct a single-family dwelling for her own use on the property.

In taking this action the Commission approved the staff report which is attached for your information. Recommendation for approval is also based upon the conditions contained in the staff report.

Transmitted for your information are the following:

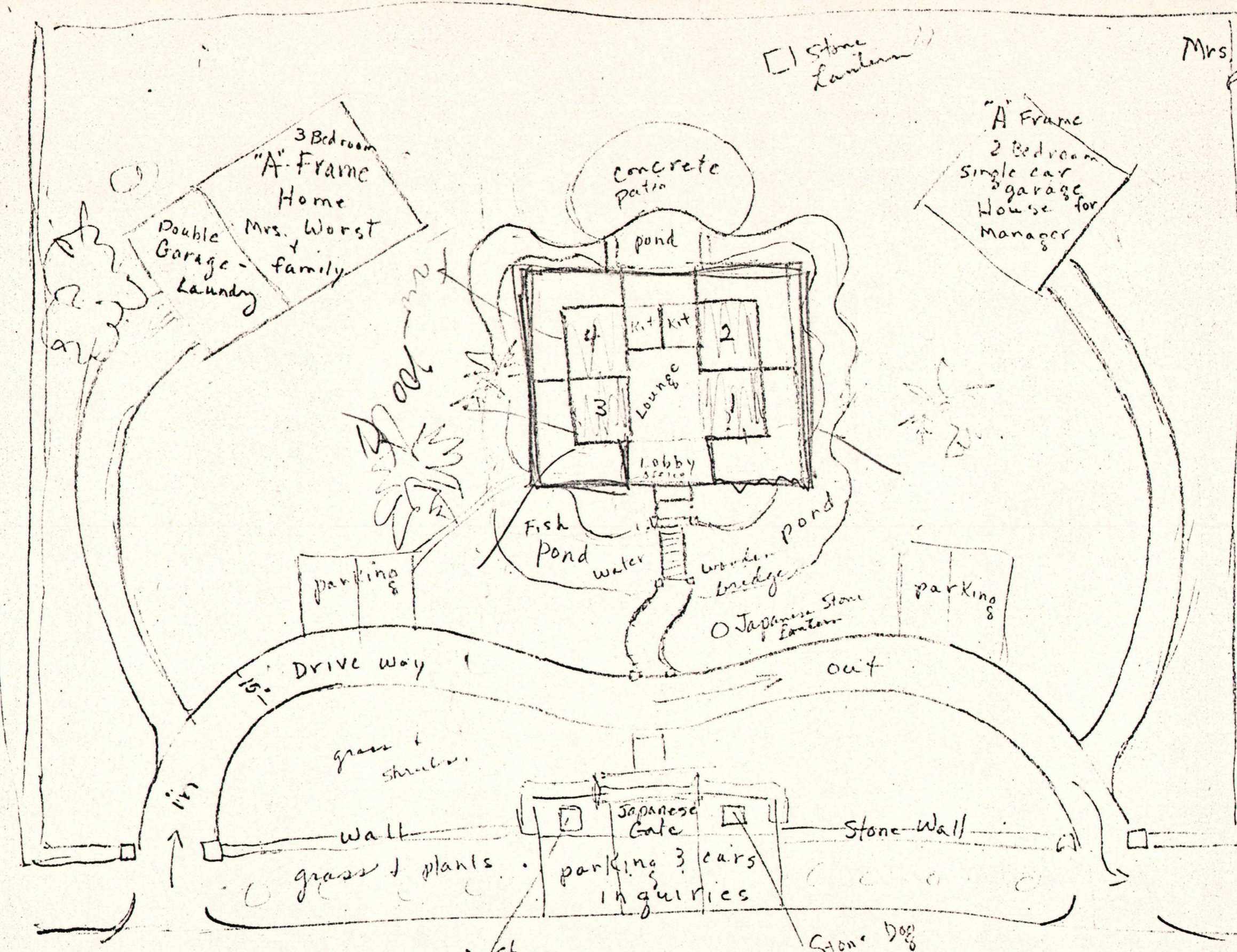
1. Application filed on behalf of Mrs. Worst by Lawrence N.C. Ing.
2. Notice of public hearing.
3. Report prepared by the applicant.
4. Transcript of the public hearing.
5. Additional information (dated January 28, 1971) filed by the applicant following the public hearing.
6. Staff report.

Should you have any questions, please contact us at any time.

Yours very truly,
Howard K. Nakamura

HOWARD K. NAKAMURA
Planning Director

cc Mr. Ing



[] Stone Lantern

Mrs. Alfreda Worst
 P.O. Box 283
 Hana, Maui
 Tel 443-742

3 Bedroom
 "A" Frame
 Home
 Mrs. Worst
 & Family
 Double
 Garage -
 Laundry

"A" Frame
 2 Bedroom
 Single car
 garage
 House for
 Manager

To Airport
 2 miles +?

Highway

To Hana

2 miles

MAUI PLANNING COMMISSION
PUBLIC HEARING
Tuesday, January 5, 1971

The public hearing on the following requests for SPECIAL USE PERMIT under provisions of Section 98H-6, REVISED LAWS OF HAWAII 1963, was opened by Chairman Yoshikazu Matsui in the Chambers of the Council, County of Maui, Wailuku, Maui, Hawaii, on Tuesday, January 5, 1971.

A quorum of the Commission was in attendance. (See record of attendance)

1. HANA, MAUI

Expansion of existing non-conforming use at the Heavenly Hana Motel (enclosure of existing lanai) and construction of a single family dwelling to be used as the owner's residence. The proposed location is at the existing Heavenly Hana Motel, on the makai side of Hana Highway in the Wakiu House Lots Subdivision, TMK 1-3-08:17.

APPLICANT: Mrs. Alfreda E. Worst by
Lawrence N. C. Ing, Attorney

2. WAIKAPU, MAUI

Construction and operation of a concrete batching plant at the existing Waikapu quarry and crushing plant site located approximately 1/2 mile west of Honoapiilani Highway on the southerly side of Waikapu Town.

APPLICANT: Maui Concrete & Aggregates by
Meyer M. Ueoka, Attorney

The Director read the notice of public hearing, published in the Maui News on December 17, 1970, a copy of which is attached hereto and made a part hereof.

LUC Application No. 43, Mrs. Alfreda Worst

The Director explained the application for Special Permit No. 43 from Mrs. Worst from General Plan Map No. 16. The property in question is located in the Wakiu Houselots Subdivision, on the makai side of Hana Highway and consists of approximately two acres. Mrs. Worst has acquired and is continuing to operate the existing Heavenly Hana Hotel, which is a non-conforming use in the State Rural District. Because of the non-conforming use on the property, the State Land Use Regulation says, "there can be no further construction on it."

Mr. Nakamura further stated: "Mrs. Worst's original request was to build on the property one single-family dwelling for her own use. Our original interpretation was that it would be a permitted use. However, just to be safe, we informed Mr. Ing that he should seek a ruling from the State Land Use Commission. They stated 'Anytime you have a non-conforming use on a parcel, that the entire parcel becomes non-conforming and you cannot build anything further on it, regardless'. Mr. Ing, on that basis, filed his original application for a Special Permit to construct a dwelling for Mrs. Worst on the property. We also had pending from Mrs. Worst to enclose an existing lanai for the purpose of adding additional rooms---not units. One bedroom into two bedrooms.

"This is not permitted so we advised Mr. Ing that this should be included in the application. So request is for special permit to construct one dwelling for Mrs. Worst and to enclose the existing lanai to add four additional rooms to the Heavenly Hana Motel. This is an application for LUC Special Permit so final action by the Land Use Commission would be required.

→ "One other thing that should be mentioned is that the construction on the second part of the request, enclosure of the lanai has been substantially completed by the applicant prior to granting permit.

Mr. Kage: "How did that thing ever get to be a motel?"

Mr. Nakamura: "I'm not sure how it got to be a motel. I know it has been in operation for a considerable time. As far as we can determine, we are satisfied that it was operated as a motel prior to 1964. We didn't really explore much further back than that, other than to satisfy ourselves that it was a legitimate non-conforming or grandfather use. How it came about, I am not sure."

Mr. Freeland: "Within the Wakiu House Lots, as you mentioned and prior to the conception of the Planning Commission. Is that so?"

Mr. Nakamura: "The way the original structure is set up, a symmetrical building with a big living room in the center and two kitchens and four bedrooms and so, it can be rented either for two families or to four families depending on the size. The addition will add or permit...will result in eight bedrooms."

Mr. Matsui: "Now the construction has already started?...and completed?"

Mr. Nakamura: "Yes, I would say 90% complete."

Mr. Matsui: "Was any building permit issued on this project?"

Mr. Nakamura: "No."

Mr. Matsui: "Any notification sent by the Department, not to proceed?"

Mr. Nakamura: "We did write Mrs. Worst a letter when the original application was made that we could not approve the building permit."

Mr. Matsui: "Evidently she ignored this and just proceeded."

Mr. Nakamura: "Apparently."

There were no letters of approval or protest as of 12:45 p.m. this date.

The Chair opened the hearing to the public.

Mr. Lawrence Ing: "My name is Lawrence N. C. Ing, representing Mrs. Worst. We had hoped to have Mrs. Worst here to assist in her presentation. Due to the rain, she called me this morning saying that she was going to come but if the road from Hana was in such a condition that it prevented her from coming that she would not be able to come, and if we can ask for continuance of her communication. I have not heard from her since. I am under the assumption that it is even worst on that side. If we could request the Commission for a continuance in allowing her to make a presentation at your next meeting?"

Mr. Matsui: "You know we have the 15 days before we can take any action."

Mr. Ing: "I think it could be construed to have the public hearing. It could be a continuation of the public hearing."

Mr. Matsui: "Did you have anything to present to the Commission or would you like to do it all at the next meeting?"

Mr. Ing stated that he would prefer to do it at the next meeting.

No one else spoke for the granting of the request.

No one spoke against the granting of the request.

The Chair stated that the public hearing would be continued at the next meeting.

LUC Special Use Permit No. 46. Maui Concrete & Aggregates

The Director explained that the parcel is in the State Agricultural District and according to the Land Use Regulations the quarrying operation is a permitted use but any other uses are not permitted...He continued: "A year and a half ago we had one application here filed by Mr. Norman Saito to establish a concrete batching plant on the site. Therefore, this also requires a special permit from the County and Land Use Commission. That is the essence of the application before the Commission."

There were no letters of approval or protest as of 12:45 p.m. this date.

The Chair opened the hearing to the public.

Mr. Meyer Ueoka: "Chairman and members, I am Meyer M. Ueoka and I represent Maui Concrete and Aggregates. I would like to introduce some of those who are connected with this firm. Mr. Erling Wick, Mr. Louis Howard, Mr. Tanaka & Mr. Shimabukuro, operations superintendent. I have distributed a memo to members of the Commission. I would like to read it into the minutes."

Mr. Ueoka then proceeded to read his application, a copy of which is attached hereto and made a part hereof.

Mr. Ueoka continued: "There are two things I would like to point out:
1) If the rocks, which are so plentiful are removed, by crushing and batching then it would be consistent with agricultural use. Some day this particular parcel would become more acceptable for agricultural use. I am sure Wailuku Sugar Co. may want to plant sugar cane, so we believe that it is consistent with the whole idea of trying to fall within the intended use and that is Agricultural use. The other important thing is traffic has become very heavy and rather than having these trucks running from Waikapu Town to Naska, where main operation is located, the rocks can be batched immediately to the sites. It would save one trip and remove the traffic from the road. In the interest of safety too, this is very desirable. Insofar as the attachment is concerned, we showed the island of Maui and also the approximate location of the site. On page 5 a picture of what the plant would look like."

"Another thing I would like to point out, the new highway from Maalaea to Kihei will be constructed very shortly and the Maui Concrete would be providing the rocks for this....."

Mr. Matsui: "Are there any questions?"

Mr. Franco: "They will still operate the Naska batching plant?"

Mr. Ueoka: "Yes, they will still continue to operate the batching plant. It will be primarily used to take care of the State Highway and perhaps supply down Lahaina area and Kihei."

Mr. Matsui: "The land is presently idle?"

Mr. Tanaka: "There is no sugar cane. We used it as pasture."

Mr. Matsui: "For what additional acreage you are talking about?"

Mr. Ueoka: "It was about one hundred acres, within the area. Right adjacent to the Maui Asphalt Plant."

Mr. Howard: "We have a five acre parcel which we have all the structures on and some 100 acres all from which we take the rocks. This is within the five acre parcel which was designated for structures."

Mr. Ueoka: "I would like to point out very little, if any dust will come out from this operation. If there is any dust, the trade is such that it will go towards the mountain. I know there is lot of concern."

Mr. Matsui: "At the present time, you have a dust pollution there and are trying to add to your dust pollution. Is anything taking place to correct the pollution there?"

Mr. Ueoka: "Attempts have been made and will continue to be made by use of water."

Mr. Howard: "...as far as the concrete batching plant is concerned, it will be housed so that the aggregate, once it gets into the belt will not churn up dust, and the profile of this operation will be no higher than the existing structures in the quarry site."

Mr. Matsui: "In other words you are looking into your present solution?"

Mr. Howard: "We are correcting it. The water that Mr. Ueoka talks about is watering..."

Mr. Matsui: "We don't want to add anything to your dust pollution."

Mr. Howard: "I can assure you that this will not add to your dust problem. If dust problems exist we will take steps to minimize."

Mr. Nakamura: "Mr. Ueoka or Mr. Howard, your submittal refers to modern attachments to cover the bins. Is this an improvement over what you have over at Naska? What do you mean by modern attachments?"

Mr. Howard: "The plant is modern. The one at Naska has construction over it to assist in dust control. It is more readily easily controlled in terms of dust."

"The cement is elevated by bucket elevators..."

Mr. Nakamura: "Where will the cement be stored?"

Mr. Howard: "If you have a sketch, the cement site is shown on both sketches. The cement is blown in the top and stored horizontally..."

Mr. Nakamura: "What about your sand?"

Mr. Howard: "We would have to transport it. Sand is a very small portion of the concrete mix. Sand that we are presently using is coming from the Naska area..."

Mr. Nakamura: "About how many trips would that involve?"

Mr. Howard: "Between five and six round trips a day to Naska and perhaps three of those returning with sand. We still have rocks going to Lahaina, but between those two points five to six loads of rocks and approximately three loads of sand."

Mr. Nakamura: "The sand will be stored opened?"

Mr. Howard: "Yes, it will be stored in four piles in a semi-circle..."

Mr. Matsui: "Is this batching plant bigger than the one in Naska?"

Mr. Howard: "It is slightly larger, but it is different in that the plant has a cement silo in the plant..."

Mr. Matsui: "Do you have a batching plant in Lahaina? Then all the Lahaina projects will be from that?"

Mr. Howard: "It will still serve those jobs that are presently in Lahaina. The concrete plant in Naska will be reduced in activity because of the proximity of this."

No one else spoke for the granting of the request.

No one spoke against the granting of the request.

The Chair closed the public hearing and informed the applicants that the matter would be taken under advisement. The LUC law says that no action shall be taken within 15 days.

Respectfully submitted,

JEAN S. TOKUNAGA
Private Secretary

RECORD OF ATTENDANCE

Present:	Y. Matsui	Others:	H. Nakamura
	A. Hussey		C. Hart
	K. Kage		M. Ueoka
	G. Murashige		L. Ing
	G. A. Freeland		L. Howard
	J. Franco		E. P. Wick
	J. Fernandez		Jean Johnson
			R. Johnson
Excused:	C. Kaiama		

MEMORANDUM

TO: Maui Planning Commission DATE: February 16, 1971

FROM: Planning Director

SUBJECT: LUC Special Permit Application No. 43 from Mrs. Alfreda Worst, Hana, Maui, TMK 1-3-08:17

The matter presently before the Planning Commission is with regard to the above request filed by Mrs. Worst for a special permit to construct a single-family residence on the subject parcel, as well as to construct "sitting rooms" as part of the proposed expansion of the existing, non-conforming motel use (Heavenly Hana Motel).

At the outset, the staff would like to stress that the question presently before the Commission is not whether any violation of existing County or State ordinances has been committed, but whether the application satisfied the criteria contained in the Rules and Regulations of the State Land Use Commission for "unusual and reasonable" uses. The question of violations should be dealt with later.

In evaluating the request, the staff would like to separate the requests into two, the first being the request to construct a single-family dwelling, and the second being to enlarge the non-conforming motel use.

A. Construction of Residence. At the present time, the only structure on the parcel, which is slightly in excess of two acres, is the Heavenly Hana Motel. The motel was constructed prior to enactment of the State Land Use Law, and exists as a permitted non-conforming use. The applicant previously requested relief from the Land Use Commission through a declaratory ruling, in order to permit construction of the home for her use. This request for declaratory ruling was denied by the Land Use Commission, and the applicant instructed to apply for a special permit. The apparent ruling by the LUC was that a non-conforming use on any parcel of land renders the entire parcel non-conforming (and therefore, no further construction of any kind can be permitted). The staff feels that this should be tempered with some discretion, and that the existence of a non-conforming use should not necessarily automatically preclude any further construction, particularly when the proposed use is permitted within the district. The State Rural district does permit "low density residential lots of not less than one-half acre and a density of not more than one single family dwelling per one-half acre..." The staff's feeling is that it is most reasonable to permit the applicant in this case to construct a residence on the property for her use. Therefore, it is our recommendation that the request be approved.

B. Expansion of the Motel. The parcel, while presently in the State Rural District, is designated on the County's General Plan for "duplex use". This would permit, ultimately, one duplex unit per 7,500 square feet, should the area come under County jurisdiction (by rezoning to Urban District). The present configuration of the motel is such that there are two kitchen units existing. There is a large parlor, and four bedroom units, which can be utilized by no more than four separate groups (in which case, sharing of kitchen facilities would be required). The manner of construction of the proposed sitting rooms would make it difficult to utilize these rooms as additional units. The maximum possible effect would be to maintain the same four units, however, with each being able to accommodate a larger party size.

It is the staff's feeling that:

(1) The existing character of the land will not be substantially altered by granting the request (that is, the number of rental units will not be increased).

(2) The need for government services will not be unreasonably increased.

(3) The proposed construction will not be contrary to the objectives of the Land Use Law.

Therefore, the staff recommends approval of the request, subject to the following conditions:

(1) That a minimum of three paved parking spaces (one for the dwelling, two for the motel) be provided, in accordance with all applicable County regulations.

(2) That construction of additional kitchens shall not be permitted within the motel (to conform with the general plan designation of "duplex").

(3) That the use of the "sitting rooms" for sleeping quarters be limited by applicable requirements of the Housing Code regarding room size and over-crowding.

(4) That all construction be completed within six months from the date of final approval.

The staff further recommends that this matter be referred to the Director of Public Works, and that appropriate action be taken regarding possible violation of County Ordinances by the applicant.

Heavenly Hana Motel
P. O. Box 283
Hana, Maui, Hawaii 96713
January 28, 1971

Mr. Yoshikazu Matsui, Chairman
and Members of the Maui
County Planning Department
Kahului, Maui, Hawaii

RECEIVED
FEB 2 1971

DEPT. OF PLANNING
COUNTY OF MAUI

Gentlemen:

On January 19, 1971, I attended your semi-monthly meeting in Wailuku, together with my lawyer Mr. Ing and friend from Hana, Mr. William Chang, at which time Mr. Ing on my behalf requested from you approval of a special permit to build a home for myself and children on the same property as the Heavenly Hana Motel and to enclose the four corners of the motel, making them into small sitting rooms. After reviewing in my mind what was said there at the meeting--Mr. Ing's presentation--questions and answers, I feel that perhaps this letter with additional information and thoughts may clarify my position and intentions.

1. In regard to building the home on the motel property for myself, I hope that you can see the necessity for it. Since September, 1970, I am living in Hana, two miles from the motel, and it is a very unsatisfactory arrangement, since I find myself running back and forth between the house and the motel at all hours of the day and night. Someone should be at the motel at all times when people stop by to inquire about renting rooms, when guests with reservation arrive and leave (often late at night and early in the morning) and to help them get settled--answer questions, etc.

I have been taking the motel laundry home and bringing it back, returning late at night to turn out lights and so on. Also, because I have decorated and furnished the motel with very nice furniture and art objects and since the number of robberies has increased considerably on Maui, I feel that someone should be there at the motel at all times so that no thefts occur.

Mr. Yoshikazu Matsui, Chairman
and Members of the Maui
County Planning Department

Page 2

January 28, 1971

Presently, when I leave the motel, as I must do to take care of the children at home, I leave a note on the front door, but you will agree, I'm sure, that this is not a very businesslike way to run a motel. As I see it, building a home on the motel grounds for myself so that I or one of the children can be there at all times is about the only solution to the aforementioned problems and I do hope you will permit me to do this.

2. Regarding the four-corner sitting bedrooms, which are now enclosed but which were originally to be left open as part of the lanai of each unit--I believe you are concerned as to whether or not this work was done before or after I received the letter in May 1970 saying that my building permit would be held in abeyance while the change in plans was studied, and I want to assure you that it was done prior to your letter except for the electrical wiring and the installation of the sliding windows, which I felt had to be done in the back two corner rooms because of the wind and rain blowing in, and I needed to use the corner bedroom for the children. (The girls and I had been sleeping in one bedroom and sharing the motel lounge and kitchen with the guests.)

I have tried to abide by all county building ordinances from the start back in 1968 (December). I brought my plans to the Building Department and the Planning Commission and obtained and paid for the necessary permits whenever it was necessary or required, I thought.

As you know, the remodel does mean to make changes. Remodelling an old building is very different from putting up a completely new structure. The plans drawn up for me by AMFAC, which were approved, were very incomplete--there were no detailed sketches for anything, unfortunately, so as the building went along, I made the drawings of how I wanted things, conferred with the builder and his helper, and we solved the problems as best we could.

Mr. Yoshikazu Matsui, Chairman
and Members of the Maui
County Planning Department

Page 3

January 28, 1971

My desire and the object of all this remodelling expense and work from the beginning has been to improve the motel building itself and the gardens. When I purchased the Heavenly Hana Motel back in 1967, it was small and dirty and the facilities were inadequate and uncomfortable. It was a matter of pride with me to fix up this place--to do everything possible to make it a thing of beauty and comfort--something I would be proud of--to create a thing of usefulness and beauty in Hana.

At first my funds were limited but after selling my home in California in July of 1969, I had the necessary money to do more to the motel. My hope has been to keep the motel small--just four units that I myself can manage and take care of, but to make it as attractive as possible so that people will want to come to stay there at reasonable rates and be pleased enough to return. At the present time, my rates per night are \$10.00 single, \$15.00 double and \$18.00 triple. These rates are the lowest in Hana outside the State cabins at Wainapanapa Park and "Kauakea Kottages" which are only slightly less.

This project has taken so long with all the building and labor problems and cost so much more than I anticipated, there have been times when I have felt most discouraged and wished, in fact, I had not started it at all. But since I've gone this far, because I have five children to raise and see through school, because we all do love Hana and because I am not a "quitter" by nature, I feel I must do the best with the motel and make my living from it. So if you do approve the special permit, I am requesting and I sincerely hope you will-- I will be able to continue the running of the motel as renovated and build a home on the property where the children and I will live.

Respectfully,

Alfreda E. Worst

(Mrs.) ALFREDA E. WORST

NOTICE OF PUBLIC HEARING
LUC SPECIAL USE PERMIT

NOTICE IS HEREBY GIVEN of a public hearing to be held by the Maui Planning Commission on Tuesday, January 5, 1971, at the Chambers of the County Council, Wailuku, Maui, at 1:30 p.m. or as soon thereafter as those interested may be heard to consider the following requests for SPECIAL USE PERMIT under provisions of SECTION 205-6 OF THE HAWAII REVISED STATUTES:

1. HANA, MAUI

Expansion of existing non-conforming use at the Heavenly Hana Motel (enclosure of existing lanai) and construction of a single family dwelling to be used as the owner's residence. The proposed location is at the existing Heavenly Hana Motel, on the makai side of Hana Highway in the Wakiu House Lots Subdivision, TMK 1-3-08:17.

Applicant: Mrs. Alfreda E. Worst by Lawrence N. C. Ing,
Attorney

Area: 2.13 acres

2. WAIKAPU, MAUI

Construction and operation of a concrete batching plant at the existing Waikapu quarry and crushing plant site located approximately 1/2 mile west of Honoapiilani Highway on the southerly side of Waikapu Town.

Applicant: Maui Concrete & Aggregates by Meyer M. Ueoka,
Attorney.

Area: 30,000 sq. ft.

Sketches showing the general location are on file in the office of the County of Maui Planning Department at Naska, Kahului, Maui, Hawaii, and are open to the public for inspection during office hours.

All testimony regarding the SPECIAL USE PERMITS should be filed in writing to the Planning Department, County of Maui, P.O. Box 1487, Kahului, Maui, Hawaii 96732 before the date of the public hearing, or presented in person at the time of the hearing.

MAUI PLANNING DEPARTMENT
By: Howard K. Nakamura
Planning Director

(MN: December 16, 1970)

cc: Lawrence N. C. Ing
Meyer M. Ueoka
Mayor Cravalho

November 2, 1970

Mr. Lawrence N. C. Ing
Ueoka & Vail
Attorneys at Law
2121 Main Street
Wailuku, Maui, HI 96793

Dear Mr. Ing:

At its meeting of October 29, 1970, the Land Use Commission denied your client's, Mrs. Alfreda E. Worst, request for a declaratory ruling on whether a new residence in the State's Rural District would be permitted under the Land Use Law and Rules and Regulations of the Commission.

Very truly yours,

RAMON DURAN
Executive Officer

cc: Howard Nakamura, Planning Director

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM DECLARATORY RULING - MRS. WORST DATE October 29, 1970

PLACE Maui Community College TIME 7 p.m.
Wailuku, Maui

NAME	YES	NO	ABSTAIN	ABSENT
<i>M</i> WUNG, LESLIE	✓			
SAKAHASHI, STANLEY		✓		
YAMAMURA, TANJI		✓		
KIDO, SUNAO	✓			
<i>S</i> MARK, SHELLEY	✓			
<i>Ch</i> NAPIER, ALEXANDER	✓			
TANGEN, EDDIE	✓			
INABA, GORO				✓

COMMENTS:

To deny: carried

STATE OF HAWAII
LAND USE COMMISSION

Minutes of Meeting

APPROVED
DEC 11 1970

Lecture Hall No. 10, Science Building
Maui Community College, Wailuku, Maui

October 29, 1970 - 7 p.m.

Commissioners Present: Alexander Napier, Chairman Pro Tempore
Eddie Tangen
Sunao Kido
Shelley Mark
Leslie Wung
Tanji Yamamura
Stanley Sakahashi

Commissioner Absent: Goro Inaba

Staff Present: Ramon Duran, Executive Officer
Ah Sung Leong, Planner
Walton Hong, Deputy Attorney General
Jean Soma, Stenographer

Acting Chairman Alex Napier called the meeting to order. The Executive Officer, Mr. Ramon Duran, swore in persons wishing to testify before the Commission, and explained the procedure usually followed by the Commission in the conduct of its meeting.

HEARING

SHORELINE SETBACK

Mr. Duran presented the background of the shoreline setback law and explained in detail the provisions contained therein.

Mr. Jack Meddings of Kihei asked whether property owners at Kihei would be allowed to build the same type of retaining walls now being constructed by the County at Kalama Park in Kihei.

The Executive Officer replied that the question of what

would not be legally binding but that the Commission may defer action in order that the petitioner can get a commitment from A&B. However, if such a commitment cannot be secured, the Commission will still act on the petition.

Commissioner Tangen's motion for deferral of action on this petition was seconded by Commissioner Wung and carried by the following votes:

Ayes: Commissioners Tangen, Yamamura, Kido, Mark and Wung

Noes: Commissioners Sakahashi and Napier.

✓DECLARATORY RULING REQUEST

Mr. Duran presented the staff memorandum (on file) on a request by Mrs. Alfreda Worst asking whether a single-family residence and a manager's cottage may be constructed on a 2.13 acre parcel situated in the Rural District. The lot presently contains a 4-unit motel operation.

Attorney Lawrence Ing, representing Mrs. Worst, agreed with the staff that the manager's unit would in fact be expanding a non-conforming use and, therefore, withdrew that portion of the request. He stated that the tax valuation in 1964 jumped from \$898 to \$6,495; that other non-conforming uses exists nearby; and that the situation is complicated by the fact that the existing facility contains 4 studio units and 2 kitchens housed in one structure. The special permit procedure was considered, but in an effort to save time and costs, a declaratory ruling was requested.

Maui Planning Director H. Nakamura felt that the motel operation should be isolated as a non-conforming use and not thought of as single-family dwellings. Since a dwelling does not presently exist, he felt that Mrs. Worst should be permitted to build her own residence on the lot.

In reply to questioning by Commissioner Mark, Mr. Duran stated that he had no doubt that the manager's house is an expansion of a non-conforming use. However, in regard to the owner's residence, there is nothing to prevent its conversion to a manager's unit should the owners decide to move. The basic question is whether another house can be built on the property and still be within the intent of the Land Use Law.

Mr. Duran noted that it will definitely meet the test for "unusualness" under a special permit procedure and that if it meets the test for "reasonableness", particularly with regard to no adverse effects on adjoining properties, it would have a good chance of being approved.

Commissioner Wung moved that the request be denied and was seconded by Commissioner Mark. The Executive Officer polled the Commissioners as follows:

Ayes: Commissioners Wung, Kido, Mark, Tangen and Napier

Noes: Commissioners Sakahashi and Yamamura.

The motion was carried.

Since there was no further business, the meeting was adjourned.

October 22, 1970

Mr. Lawrence N. C. Ing
Ueoka & Vail
Attorneys at Law
2121 Main Street
P. O. Box 433
Wailuku, Maui, HI 96793

Dear Mr. Ing:

Your request for a declaratory ruling will be considered by the Land Use Commission at its meeting on October 29, 1970 at 7 p.m., in Lecture Hall No. 10, Science Building, Maui Community College, 310 Kaahumanu Avenue, Wailuku, Maui.

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

Very truly yours,

RAMON DURAN
Executive Officer

Enclosure - Agenda

cc: Mrs. Alfreda E. Worst

RD/jb

8985

MEYER M. UEOKA
JOHN T. VAIL
Associates
B. MARTIN LUNA
LAWRENCE N. C. ING
ANDREW S. HARTNETT II

2121 MAIN STREET
Post Office Box 433
Phone: 244-3761

UEOKA & VAIL
ATTORNEYS AT LAW
WAILUKU, MAUI, HAWAII 96793

October 7, 1970

RECEIVED

OCT 8, 1970

State of Hawaii
LAND USE COMMISSION

Land Use Commission
State of Hawaii
P.O. Box 2359
Honolulu, Hawaii

Re: Declaratory Ruling

Gentlemen:

Please be informed that this law firm represents Mrs. Alfreda E. Worst.

Mrs. Worst is the owner and operator of the Heavenly Hana Motel, situate in Hana, Maui, Hawaii, and located on 2.13 acres of land, further identified on the Tax Map of the Second Taxation Division as TMK 1-3-08-17. ←

The motel has been in operation since 1948, and contains four studio units, with two kitchens. A recent establishment of land use district boundaries has designated the subject property to be in the rural classification. There are also several business establishments within a close proximity of the property which were in existence before the land use classification.

Mrs. Worst and her family presently reside in two of the units and use one of the two kitchens. Our client hopes to move from the motel structure, thereby making all original four units available for rent, and to build for her own residence an A-frame, three-bedroom unit and later, another A-frame, two-bedroom house for the caretaker of the motel to reside in. A diagram showing Mrs. Worst's plans is attached hereto, along with a tax map diagram of the premises.

*Granted by State of Hawaii (w/ special session)
Agreement to John A. Medeiros (Jr.)
Motel was granted property in Dec '54
Hana Land Co brought prop in Jan '66
MRS Worst " " in May '67*

October 7, 1970

On behalf of our client, we respectfully petition the State of Hawaii Land Use Commission for a declaratory ruling as to whether, under the laws of the State and the rules and regulations of the Land Use Commission, Mrs. Worst would be allowed to build her residence and, also, another for her caretaker.

It is our opinion that the proposed residences will not do violence to the existing situation. There will be no additional rental units. The parcel concerned is 2.13 acres, and, because the rental units are not able to be rented to more than two or three persons, that the density of persons allowed would not be contrary to the objectives of the law and rules and regulations.

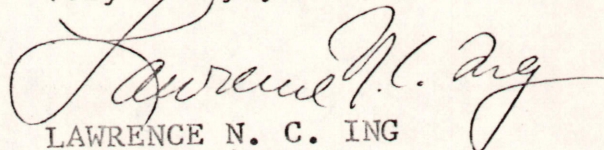
The two additional structures our client hopes to build would not be rental units, but rather, homes for her family and later, for her motel manager. These structures would not increase the use of the present premises insofar as transient guests are concerned, but would provide homes for members of the Hana community. In addition, Mrs. Worst proposes to build the new structures separate and apart from the present structure, with each building having its own driveway and parking facility.

Clearly, Mrs. Worst's request for the construction of her home and one for a manager is a reasonable one that would not detract from the value or beauty of the surrounding properties.

It is also our opinion that since the residences concerned are planned for the landowner herself and for her caretaker, that there would not be an expansion or increase or change of a non-conforming use.

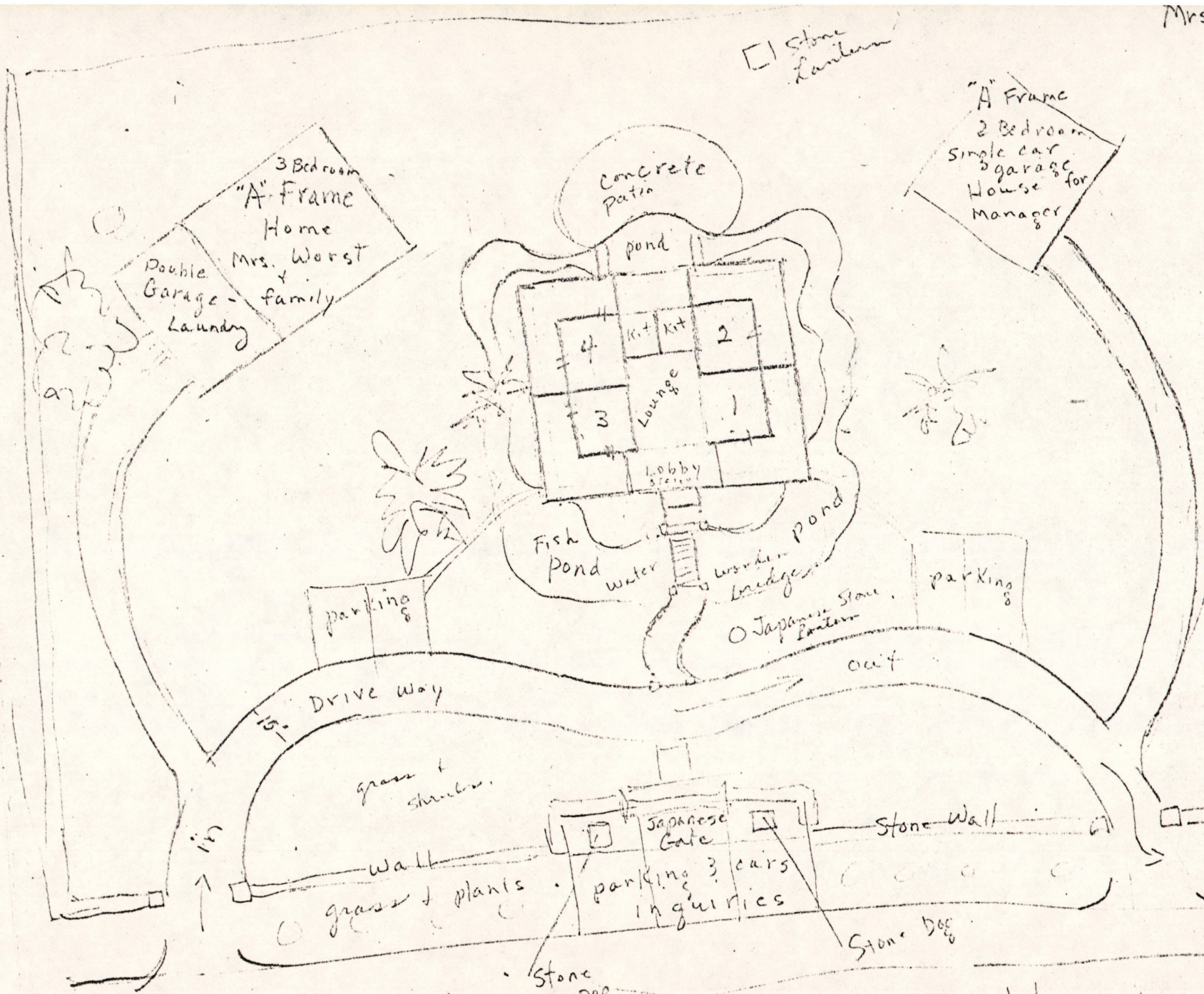
Your favorable action will be greatly appreciated.

Very truly yours,


LAWRENCE N. C. ING

LNCI:ah

cc: Mrs. Alfreda E. Worst



□ Stone
Lantern

"A" Frame
2 Bedroom
Single car
garage
House for
Manager

3 Bedroom
"A" Frame
Home
Mrs. Worst
& family
Double
Garage -
Laundry

4
3
Lounge
Lobby
Kit
Kit
2
1

Fish Pond
water
wooden
bridges
pond

○ Japanese Stone
Fountain

parking

parking

15' Drive way

grass &
shrubs

grass & plants

Japanese Gate

Stone Wall

parking 3 cars
inquiries

Stone Dog

Stone Dog

To Airport
2 miles +?

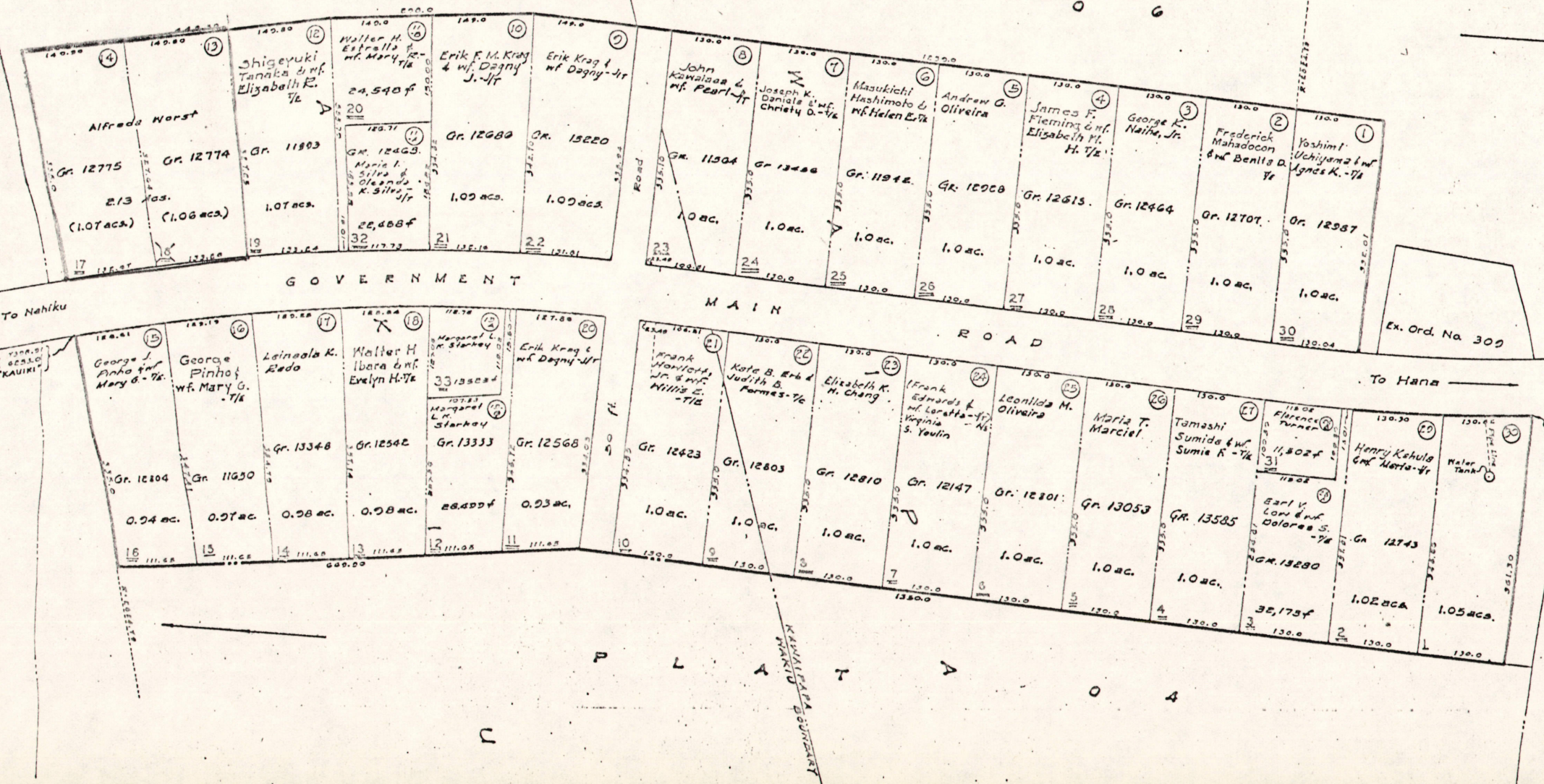
Hwy

To Hana

2 miles

Mrs. Alfre...
PO Box 283
Hana, Maui
Tel 443-742

TRUE NORTH
Scale: 1 in. = 100 ft.



To Nahiku

To Hana

Ex. Ord. No. 309

2443.53
5443.00
"KAUIKI"

L. C. A. 4500

KAWAIIA BOUNDARY

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

October 29, 1970
7 p.m.

TO: LAND USE COMMISSION

FROM: STAFF

SUBJECT: REQUEST FOR DECLARATORY RULING - MRS. WORST

The attached letter has been received from attorney Lawrence Ing of the law firm of Ueoka and Vail requesting a declaratory ruling on whether their client, Mrs. Alfreda E. Worst, would be permitted under the Land Use Law and Rules and Regulations of the Commission to build her new residence and a caretakers residence on a parcel situated within the State. Rural District which already contains non-conforming use.

Mrs. Worst is the owner and operator of the Heavenly Hana Motel, situated on a 2.13 acre parcel and located within the Rural District at Hana, Maui. She purchased this property in May 1967. The motel contains four studio units and two adjoining kitchens which are housed in a single structure. According to Mr. Ing's letter, it has been in operation since 1948. Mrs. Worst and her family presently occupies two of the units and one of the kitchens. She desires to move out of the two units, thereby making them available as rentals. She proposes to construct a ^{new} residence for her own use and another residence.

10-23-70 sent copy to attorney Ing.

for the motel caretaker on the same property.

It is the staff's findings that under section 2.16 of the State Land Use District Regulations, permitted uses within the Rural District include any uses permitted in the Agricultural District, residences with a minimum lot size of one-half acre and a density of not more than one single family dwelling per half acre lot, and public, semi-public, and private utility facilities. Under the minimum lot size and maximum density control only four dwellings are permissible on the property in question. The staff questions whether the four units in the existing motel would, in fact, be the maximum density of four units permitted on this two plus acre site and thereby prohibit any additional units on this property.

Sections 2.17 and 2.18 deal with non-conforming structures. It is possible that the large structure on the premise was a large single family dwelling converted to the existing motel prior to the effective date of the Land Use Law; and, therefore, this facility enjoys a non-conforming status. Section 2.18 (b), (2) prohibits the expansion or increase in intensity of use of non-conforming uses. The proposal to construct an A frame dwelling to house the manager of the motel would, in fact, be expanding this non-conforming use contrary

to the Rules and Regulations of the Commission. The staff also raises the question of whether there exists a violation of the covenant on the land since the Hana Houselots were sold in 1949 by the State at public auction with a covenant (No. 4) which restricts the use of these lots to "residence purposes only."

From the information available to the staff, it is recommended that the applicant's request for a declaratory ruling that would permit the construction of two more dwellings on the property be denied. It is further recommended that the applicant be advised to pursue the special permit route for the entire facility on the property. This would allow the adjoining property owners the opportunity to voice their opinion on the subject at a public hearing, avoid the question of expanding a non-conforming use, and resolve^{the}/possibility of increasing the density beyond one dwelling unit per half acre of lot area.