

July 8 - Aug 22
Canton — Aug 7 (Kauai)

JOHN WAIHEE
GOVERNOR



SUZANNE D. PETERSON
CHAIRPERSON, BOARD OF AGRICULTURE

TADASHI TOJO
DEPUTY TO THE CHAIRPERSON

State of Hawaii
DEPARTMENT OF AGRICULTURE
1428 So. King Street
Honolulu, Hawaii 96814-2512

Mailing Address:
P. O. Box 22159
Honolulu, Hawaii 96822-0159

August 19, 1987

MEMORANDUM

To: Mr. A. Lono Lyman, Director
Planning Department, County of Hawaii

Subject: Amendment to Special Permit No. 186 (SP71-102)
School Use of Church
Hawaiian Ocean View Evangelical Community Church
TMK: 9-2-13: 71 Ka'u, Hawaii
Acres: approx. 1

AUG 25 9 27 AM '87
LAND USE COMMISSION
STATE OF HAWAII

The Department of Agriculture has reviewed the subject application and has the following comments to offer.

According to the application, the applicant seeks to expand its religious activities to include a weekday school.

The parcel is not classified according to the Agricultural Lands of Importance to the State of Hawaii (ALISH) system.

The Soil Conservation Service Soil Survey identifies the soil as Aa lava flows (rLV) with a soil capability classification of VIIIs (soils with very severe limitations, such as stoniness).

The parcel has a Land Study Bureau Overall Productivity Rating of E319. By this method of classification, the parcel has poor productivity potential for most agricultural uses.

Thank you for the opportunity to comment.

A handwritten signature in blue ink that reads "Suzanne D. Peterson".

SUZANNE D. PETERSON
Chairperson, Board of Agriculture

cc: ✓ LUC
DBED

Land Use Commission Approves Quarry Permit For North Kona

Hawaii Tribune Herald, August 11, 1971

LIHUE, Kauai—The State Land Use Commission last weekend approved a special permit for a controversial quarry at Kalaoa, North Kona.

The commission, in a meeting Saturday morning here, also authorized construction of a church in Hawaiian Ocean View Estates subdivision in Ka'u.

On the quarry permit, the commission attached three new conditions in addition to those previously recommended by the County Planning Commission. The applicant, J. M. Tanaka Construction, must:

—Maintain a 2,000 foot setback from Mamalahoa Highway;

—Limit operations, including

loading and hauling, to 7:30 a.m. to 5 p.m. Monday through Friday, and

—Comply with State and County air, noise, drainage and safety regulations.

The Planning Commission had earlier recommended that the quarry be shut down when wind makes dust a problem and that the permit be subject to cancellation if it proves a nuisance to area residents. The commission's stipulation of a three-year time limit for the permit was accepted as well.

The proposed quarry, adjacent to several new subdivisions in North Kona, had been vigorously protested by nearby residents at a June 17

hearing in Waimea. No hearing by the Land Use Commission in addition to the Planning Commission hearing was legally required, according to a planner, but testimony is accepted at action meetings.

The church to be built in Hawaiian Ocean View Estates is located on a 44,214 square foot parcel without utilities, owned by Hawaiian Ocean View Evangelical Community Church.

Hawaii Tribune Herald; 8-10-71

Commission, State Give Church Okay

LIHUE, Kauai (AP) — The State Land Use Commission has authorized construction of a church in the Hawaiian Ocean View Estate subdivision in the Ka'u area of the Big Island.

The commission said construction of the church must start within one year and that the church must pay for installation of utilities. The permit for the church was requested by the Hawaiian Ocean View Evangelical Community Church, which owns a 44,000-square-foot parcel in the subdivision.

August 9, 1971

GORO INABA
XXXXXX

EDDIE TANGEN
XXXXXX

TATSUO FUJIMOTO
XXXXXXXXXXXXXX

Mr. Elden Roth
Box 40
Captain Cook, Hawaii 96704

Dear Mr. Roth:

The original of the attached letter approving the special permit request by Elden Roth (SP71-102) to construct a church at Hawaiian Ocean View Estates Subdivision on a 44,214 square foot parcel, identified by Tax Map Key 9-2-13: 71, is on file in the office of the Hawaii County Planning Department, Hilo, Hawaii.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encl.

GORO INABA
XXXXXXXXXXXX

EDDIE TANGEN
XXXX

August 9, 1971

TATSUO FUJIMOTO
XXXXXXXXXXXX

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji, Planning Director

Gentlemen:

At its meeting on August 7, 1971, the Land Use Commission voted to approve a special permit to Elden Roth (SP71-102) to construct a church on a 44,214 square foot parcel at Hawaiian Ocean View Estates Subdivision, Kau, Hawaii, identified by Tax Map Key 9-2-13: 71, subject to the conditions set forth by the Hawaii Planning Commission, with the further condition that such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection (Sub-part E, 2.24 (c) of the Land Use Regulations).

A copy of the staff report is enclosed for your information.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encl. - Staff Report

cc: Elden Roth
Hawaii Tax Administrator
Property Technic Services, Dept. of Taxation
Tax Maps Branch, Dept. of Taxation

STATE OF HAWAII
LAND USE COMMISSION
HONOLULU, HAWAII

Minutes of Meeting

Kauai Public Library
Lihue, Kauai

APPROVED
NOV 5 1971

August 7, 1971 - 10 a.m.

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

Staff Present: Tatsuo Fujimoto, Executive Officer
Ah Sung Leong, Planner
Walton Hong, Deputy Attorney General
Dora Horikawa, Stenographer

Chairman Inaba swore in persons wishing to testify during today's proceedings.

ACTION

PETITION BY KAUAI PLANNING COMMISSION (A71-282) TO RECLASSIFY 121 ACRES FROM URBAN TO AGRICULTURAL AT LAWAI, KALAHEO, KAUAI

Mr. Ah Sung Leong, staff planner, presented the staff memorandum recommending approval of the reclassification from Urban to Agricultural based on the steepness of the terrain, inadequate roads, poor drainage, and water service limitations, etc. (see copy of memo on file).

It was again brought out that lots of less than 1 acre comprised only 11 percent of the total area.

Commissioner Sakahashi moved that the staff's recommendation be approved, which was seconded by Commissioner Yamamura and unanimously passed.

LAND USE COMMISSION - MINUTES OF MEETING

August 7, 1971

Page 6

In this connection, Mr. Fujimoto commented that all requirements for utilities and environmental protection would have to be complied with by the petitioner under the county regulations. He advised that a copy of Dr. Marland's letter would be transmitted to the county.

Commissioner Napier moved to accept staff's recommendation for approval of the special permit, which was seconded by Commissioner Sakahashi and carried. Commissioner Wung abstained from voting.

✓ SPECIAL PERMIT APPLICATION BY ELDEN ROTH (SP71-102) TO
CONSTRUCT A CHURCH WITHIN THE HAWAIIAN OCEAN VIEW ESTATES
SUBDIVISION, KAU, HAWAII

A recommendation for approval of the special permit was recommended by staff, based on its evaluation that the request generally conforms with the criteria established by the Land Use District Regulations, Sub-Part E, subject to the conditions set forth by the Hawaii County Planning Commission (see copy of staff report on file).

Chairman Inaba recommended that a third condition be imposed, requiring that the petitioner be responsible for making available the necessary utilities for the proposed use.

Commissioner Wung moved to approve the special permit as recommended by staff, with the further condition that such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection. The motion was seconded by Commissioner Sakahashi and unanimously passed.

SPECIAL PERMIT APPLICATION BY JAY J. OTSUKA (SP71-107) TO
USE AN EXISTING CESSPOOL TO DISPOSE SEWAGE ON A TEMPORARY BASIS
AT KAPAA, KAUAI

The staff's recommendation for approval of subject special permit supported the findings and recommendations of the Kauai Planning Commission and the conditions imposed by the County agency (see copy of report on file).

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP71-102 - ELDEN ROTH DATE August 7, 1971
(Kahuku, Kau, Hawaii)
PLACE Kauai Public Library TIME 10:00 a.m.
Lihue, Kauai

NAME	YES	NO	ABSTAIN	ABSENT
MARK, SHELLEY	✓			
NAPIER, ALEXANDER	✓			
KIDO, SUNAO	✓			
YAMAMURA, TANJI	✓			
TANGEN, EDDIE	✓			
SAKAHASHI, STAN	✓			
WUNG, LESLIE	✓			
INABA, GORO	✓			

COMMENTS:

additional condition g
Move to accept staff recommendation for approval with the further condition that such use would not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage and school improvements, and police and fire protection (Sub-part E, 2.24 (c) of the Land Use Regulations)

STATE OF HAWAII
LAND USE COMMISSION

Kauai Public Library
Lihue, Kauai

August 7, 1971
10 a.m.

STAFF REPORT

SP71-102 - ELDEN ROTH

A special permit application has been submitted by Mr. Elden Roth to construct a church within the State Land Use Agricultural District in the Hawaiian Ocean View Estates Subdivision, Kau, Hawaii. The 44,214 square foot property is identified as Tax Map Key 9-2-13: 71 and is owned by the Hawaiian Ocean View Evangelical Community Church.

The property fronts Leilani Circle within the Hawaiian Ocean View Estates Subdivision and is situated approximately 3/4 mile mauka of the Belt Road. Surrounding land uses within the Hawaiian Ocean View Estates include two churches, one of which is approximately 300 feet to the east; a four-unit motel; and a bar-restaurant-office complex. At the present time approximately 75 single-family dwellings units have been constructed within this subdivision. Utilities to the subject property are not readily available.

The Land Study Bureau indicates that the soil is very poor or "E" for overall agricultural productivity, unsuited for machine tillage, and consists mostly of sharp aa clinkers with little or no soil material. The general slope of the

8-3-71 sent to petitioner

property is below 20 percent, and the land is located at the 2,200 foot elevation.

County Recommendation

At its meeting on June 24, 1971, the Hawaii Planning Commission voted to recommend approval of this special permit based on the County Zoning Ordinance, Section 30-B-3a, which permits this use in an Agricultural District. However, the recommendation for approval was contingent on the following conditions:

- "1. That the development be in accord with all other pertinent regulations of the State and County including plan approval.
- "2. That construction begin within one year of approval by the State Land Use Commission, should the body approve this application, or the permit shall be declared void."

County zoning for the area is Ag-1 acre, and there is presently no General Plan by the County covering the area.

Upon evaluation of this request, staff finds that it is generally in conformance with the guidelines established by the Land Use District Rules and Regulations, Sub-part E, Special Permits, in that:

1. The desired use will not adversely affect surrounding property.

2. The land upon which the proposed use is sought is very poorly suited for agricultural production.
3. Unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established.
4. The proposed use will not substantially alter or change the essential character of the land.
5. The proposed use will make the highest and best use of the land involved for the public welfare.

Based on the above findings, staff recommends approval of this request, subject to the conditions set forth by the Hawaii County Planning Commission.

add 3rd condition relating to provision of
utilities —
see minutes of meeting —
2.34 (c) of Regs.

9680

UNIVERSITY OF HAWAII

Land Study Bureau

July 30, 1971

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AUG 2 1971

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto
Executive Officer
Land Use Commission
P. O. Box 2359
Honolulu, HI 96804

Dear Mr. Fujimoto

The following brief comments are offered in regards to the requests for special permits on the islands of Hawaii and Kauai. We do not foresee any great difficulty other than to see that all State and County requirements are met. These remarks are made in the light of providing some guidance.

SP 71-101 Victor Lund, et al

Soils are physically suitable for cropland uses. The use of the land for the requested use should comply with all county and state requirements.

✓ SP 71-102 Elden Roth

Lands are essentially aa lava and the requested permit does not appear to be an unreasonable request. All state and county requirements should be complied with.

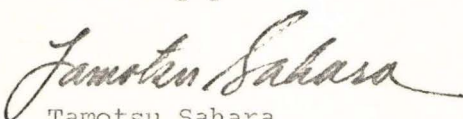
SP 71-103 J. M. Tanaka Construction, Inc.

Soils are shallow over pahoehoe lava offering site suitable for quarrying operations. All state and county requirements should be complied with. On the termination of the operation, all areas should be levelled or backfilled.

SP 71-107 Jay J. Otsuka

Soils are deep and well drained. Caution should be exercised to see that all health requirements are met.

Sincerely yours



Tamotsu Sahara
Acting Director



9677

DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

25 AUPUNI STREET

July 29, 1971

RECEIVED

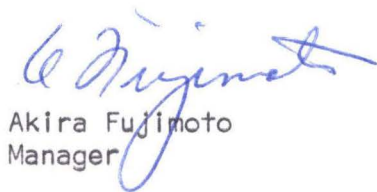
AUG 2 1971

State of Hawaii
LAND USE COMMISSION

Mr. Tatsuo Fujimoto
Executive Officer
State of Hawaii
Land Use Commission
P.O. Box 2359
Honolulu, Hawaii 96804

Re: Application for Special Permit to use property located at
Hawaiian Ocean View Estates Subdivision, Kahuku, Kau, Hawaii
Applicant: Elden Roth
Tax Map Key: 9-2-13: parcel 71

We have no objections to this special permit request.


Akira Fujimoto
Manager

WHS

... Water brings progress...

West Hawaii Today 7/24/76
**Quarry application
on meeting agenda**

Meeting on Kauai on Aug. 7, the State Land Use Commission has scheduled hearings on two applications in the West Hawaii area.

The commission will consider an application by J. M. Tanaka Construction Co., Inc., for a special permit to establish and

operate a temporary quarry site at Kalaoa in North Kona.

Tanaka won approval of its application from the County Planning Commission last month despite strong protest from residents in the vicinity of the proposed quarry site.

In preparation for the

Aug. 7 meeting, opponents of the application have already filed a petition with the commission asking that the application be denied.

During the same meeting, the commission will consider an application by Elden Roth for a special permit to construct a church in Ocean View Estates in Ka'u.

SP71-102 Elden Roth

Land Use Action Set For Big Isle

Permit 7/25/71

The State Land Use Commission will take action on special permit applications for three Big Island projects at its regular meeting Aug. 7 on Kauai.

A special permit application has been filed with the commission to allow the establishment of an intermediate care facility for the aged and retired within the agricultural district of Waiakea Homesteads, South Hilo.

Hawaii County Planning Commission approved the request June 24.

The Commission will also take action on a request to allow operation of a quarry in Kalaea 4th, North Kona.

The quarry site is located in an agricultural district. County Planning Commission approved the quarry application filed by J. M. Tanaka Construction Inc.

An application to allow construction of a church within the agricultural district in Hawaiian Ocean View Estates Subdivision, Kahuku, Ka'u will be acted on by the Commission.

Elden Roth filed the permit application. Construction of the church has received County planning commission approval.

The Land Use Commission will take action on seven zoning classification charges which were made on Kauai during the 1969 boundary review, but were challenged by Life of the Land ecology group.

July 23, 1971

Mr. Elden Roth
Box 40
Captain Cook, Hawaii 96704

Dear Mr. Roth:

The Land Use Commission next meets at 10 a.m., in the Kauai Public Library, 4344 Hardy Street, Lihue, Kauai, on August 7, 1971.

At that time your application (SP71-102) to allow the construction of a church at Kahuku, Kau, Hawaii, will be heard. If a deferral is necessary, notify the Land Use Commission any time before the matter is called for consideration by the Commission at the meeting. The Commission will evaluate the reasons and consider the request for a deferral.

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

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Enclosure - Agenda

STATE OF HAWAII
LAND USE COMMISSION
P. O. Box 2359
HONOLULU, HAWAII 96804

July 22, 1971

NOTIFICATION OF SPECIAL PERMIT APPLICATION

SP71-102 - Elden Roth

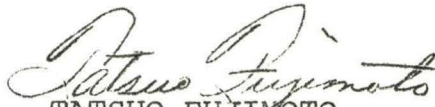
Please be advised that a special permit application has been filed with the Land Use Commission to allow the construction of a church on TMK 9-2-13: parcel 71. This property is generally located within the Agricultural District in the Hawaiian Ocean View Estates Subdivision, Kahuku, Kau, Hawaii. The Hawaii County Planning Commission approved this request on June 24, 1971.

An action meeting on this application is scheduled for August 7, 1971*.

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,


TATSUO FUJIMOTO
Executive Officer

*See enclosed agenda

D R A F T

ASL ✓

STATE OF HAWAII
LAND USE COMMISSION
P. O. BOX ~~2319~~ 2319
HONOLULU, HAWAII 96804

July 22, 1971

NOTIFICATION OF SPECIAL PERMIT APPLICATION

SP71-10² - Elden Roth

an
Please be advised that a special permit application has been filed with the Land Use Commission to allow the construction of a church on TMK 9-2-13: parcel 71. This property is generally located within the Agricultural District in the Hawaii Ocean View Estates Subdivision, Kahuku, Kau, Hawaii. The Hawaii County Planning Commission approved this request on June 24, 1971.

An action meeting on this application is scheduled for August 7, 1971*.

We would . . .

*See enclosed agenda

PLANNING COMMISSION

Planning Department
County of Hawaii

June 24, 1971

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JUL 9 1971

State of Hawaii
LAND USE COMMISSION

The Planning Commission met in special session at 2:40 p.m. at the Honokaa High School Auditorium, with Temporary Chairman Clara Kahumoku presiding.

PRESENT:	Clara Kahumoku	ABSENT:	O. W. Efurd, Jr.
	Masayuki Kai		Shigeji Kawasaki
	Roy Nagata		Skippy T. Yasutake
	Anthony Veriato		Mauricio Valera, Jr.
	Ed C. Watt		Akira Fujimoto, Ex-officio
	Philip I. Yoshimura		Member
	Masayoshi Onuma		Edward Harada, Ex-officio
	Ilima Piianaia		Member
	Richard Masuda, Public Works		

and approximately 17 persons in public attendance.

MINUTES:

Mr. Veriato noted that on page 24, paragraph 8, of the May 20, 1971 minutes, the dates on the general plan public hearings for Laupahoehoe and Honokaa was just the opposite of what it should be. The Chairman then called for correction. Mr. Veriato then moved to accept the minutes of May 20, 1971 and June 3, 1971 as circulated and corrected, seconded by Mr. Kai and carried.

J. M. TANAKA
SPECIAL PERMIT
KALAOA 4th, NORTH KONA

Application for a special permit to allow a temporary quarry site located on approximately 52 acres of land in Kalaoa 4th, North Kona.

The Chairman stated that this matter was up for decision only.

Mr. Kai requested staff background report on this application as he was not present at the meeting at which this matter was originally presented.

Staff Planner then gave a background report.

The Chairman then called upon Mr. Kanemitsu, representing the applicant, if he would like to make a statement, upon which Mr. Kanemitsu did make a presentation.

A brief discussion then followed between the commissioners, Mr. Kanemitsu and Mr. Wakida regarding the proposed operations of the applicant.

Mr. Watt then moved to approve this application with a stipulation that the permit be left in the hands of the Planning Department and also that the conditions are to be made by the Planning Department to be sure that the operation is not a nuisance, seconded by Mr. Nagata, and passed.

VICTOR LUND, ET AL
SPECIAL PERMIT
WAIAKEA, SOUTH HILO

For a special permit to allow the construction of an intermediate care facility for the aged and retired on 3 acres of a 30-acre parcel of land

off Kawaihine Street in Waiakea Homesteads, Waiakea, South Hilo.

Upon request of Mr. Watt, Staff Planner made the following recommendations:

The staff finds that such use will not be contrary to the objectives of the Land Use Law and Regulations; that the surrounding property will not be adversely affected; that such use will not burden public agencies; that unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established to justify this request; that the site is unsuited for intensive agricultural use; that the proposed use will not substantially alter the character of the surrounding area; and that the proposed use is in the best interest of the public welfare.

Therefore, it is recommended that this request be approved with the following conditions:

1. That item sub-part E-2.24(c) of the Land Use Regulations be first met.
2. That the development be in accord with all other pertinent regulations of the State and County including plan approval.
3. That construction begin within one year of approval by the State Land Use Commission should the body approve this application, or the permit shall be declared void.

Mr. Veriato moved to approve this application with stipulations as recommended by staff, seconded by Mr. Kai and passed.

ELDEN ROTH
SPECIAL PERMIT

To allow the construction of a church on a 44,214 square foot parcel of land off Leilani Circle Makai in Hawaiian Ocean View Estates Subdivision, Kahuku, Ka'u.

The Chairman stated that this matter was up for decision only.

The Chairman then read a communication from Jack Waltmann, Guardian for Ellery and Ross Komenaka, opposing the issuance of said application.

The Chairman then called for staff recommendation.

Staff reported that upon review of the special permit to allow the construction of a church within the State Land Use "Agricultural" district, the staff is recommending approval based on the following:

1. The County Zoning Ordinance, Section 30-B-3a permits this use in an agricultural district.

Conditions of approval are as follows:

1. That the development be in accord with all other pertinent regulations of the State and County including Plan approval.
2. That construction begin within one year of approval by the State Land Use Commission should the body approve this application, or the permit shall be declared void.

Mr. Kai moved to approve the application with stipulations as recommended by staff, seconded by Mr. Watt, and passed.

PRELIMINARY HEARING
RICHARD SMART
ZONING VARIANCE

The application of Richard Smart d.b.a. Parker Ranch, for a variance to allow the subdivision and creation of lots below the minimum requirement of 1 acre

as required under Section 13-D of Ordinance No. 63 (Zoning Ordinance) within the Waimea Homesteads area, Waimea, South Kohala.

The Chairman called for staff background.

Staff planner reported that an application has been received from Richard Smart requesting a variance to allow the subdivision and creation of lots below the minimum lot area requirement within an "agriculture - 1 acre" zone.

The properties under consideration are located in the Waimea Homesteads area, So. Kohala, and are portions of TMK: 6-5-04:25, 35 & 36 and TMK: 6-5-07:12 & 25. The areas under consideration are zoned "A-1a" and within the SLU "urban" districts. The County has general planned these areas for "single-family residential development."

The proposed subdivision of parcel 25 (12.97 acs.) of TMK: 6-5-04 would result in four (4) lots, two of which are 15,000 square feet in area and the remaining lots 13,125 square feet and 16,875 square feet. The proposed subdivision of parcel 35 (14.4 acs.) would result in a 16,625 square feet lot and the proposed subdivision of parcel 36 (2.2 acs.) would result in an 11,000 square foot lot. The above-mentioned parcels front on Kapiolani Road and are surrounded by lots averaging two acres in size.

Parcel 12 (2.3 acs.) of TMK: 6-5-07, fronting Hokuula Road and adjacent to the Morimoto subdivision (average lot sizes 9 - 10,000 square feet) is proposed to be subdivided into three lots, each approximately 7,800 square feet in size. Parcel 25 (1.322 acs.), fronting Lindsay Road, is proposed to be subdivided into one 10,000 square foot lot. Surrounding lot sizes range in size from one to four acres with the exception of the Morimoto Subdivision and adjacent lot at the corner of Hokuula and Lindsay Road.

Utilities are available to the subject parcels. The lots are presently served by a public water system and each lot is provided with a sewage cesspool.

Submitted in support of the variance request is the following:

Owner-applicant desires to be relieved from complying with the provisions of Ordinance No. 62, Section 10, Sub-Section K concerning conformance with the Zoning Ordinance.

Exhibits "A" and "B" show property, located at Waimea, South Kohala, on which are situated single family dwellings. These dwellings are currently and have been for nearly fifty years occupied by Parker Ranch employees and their families.

The Owner-applicant desires to convey each of these dwellings together with reasonably sized lots to the employee-occupants. In order to accomplish this, the land on which the dwellings are situated must be subdivided.

RECEIVED

JUL 9 1971

PLANNING COMMISSION

Planning Department
County of Hawaii

State of Hawaii
LAND USE COMMISSION

June 17, 1971

The Planning Commission met in regular session at 3:01 p.m., in the Cafetorium of the Waimea Elementary and Intermediate School, Waimea, South Kohala, with Chairman Pro tem Clara K. Kahumoku presiding.

PRESENT: Clara K. Kahumoku
Shigeji Kawasaki
Anthony C. Veriato
Ed C. Watt
Philip I. Yoshimura
Masayoshi Onuma

ABSENT: O. W. Efurd, Jr.
Masayuki Kai
Roy H. Nagata
Mauricio Valera, Jr.
Skippy T. Yasutake
Akira Fujimoto, Ex-officio
Member
Edward Harada, Ex-officio
Member

Richard Masuda, Public Works

and approximately 20 persons in public attendance

The Chairman announced that because of a lack of quorum, the Commissioner will not be taking any action today but that they will hear the applicants who are present at this meeting.

LAND USE COMMISSION
SPECIAL PERMIT
J. M. TANAKA CONSTRUCTION
KALAOA, NORTH KONA

Further information was ^{being} received on the application of J. M. Tanaka Construction, Inc., for a special permit to allow a temporary quarry site located on approximately 52 acres of land in Kalaoa 4th, North Kona.

The Chairman remarked that the 15 days have lapsed and that the applicant has further testimony to give. The representative was called to make his presentation.

Mr. Cyril Kanemitsu submitted to the Commission a series of snapshots taken showing the Matsumoto property, which is the property in question, showing the views of the land where the bulldozer has leveled the land. He showed also the pictures of the Kona Highlands where the rock has been removed. He explained that the owners of this land are the Matsumotos in Kona; and the son of the owner Mr. Carl Matsumoto was deeply shocked at the kind of response that Tanaka Construction Company received from some of the adjoining lot owners. The owner has obtained the signatures of many of the present lot owners adjoining these lands who favor very much the granting of the request of J. M. Tanaka Construction, Inc. He stated that there are those who live immediately adjacent to the area who has signed this petition. For the Commission's ^{consideration} he submitted a petition with 35 signatures.

Mr. Kanemitsu expressed that at the last hearing, it was made very obvious that this probably was not a quarrying operation but rather a leveling operation where a portable crusher would go immediately alongside the piles of gravel that would be pushed by the bulldozer. Most of the subdivisions in the adjoining areas utilize a method that is being proposed right here stated the representative.

The Deputy Director pointed out to the members that this is the area where the Commissioners have recommended for urban development to the State Land Use Commission.

No action on this item was taken at this time.

LAND USE COMMISSION
SPECIAL PERMIT
ELDEN ROTH
KAHUKU, KAU

sion, Kahuku, Kau.

The members next reviewed the application of Elden Roth for a special permit to allow the construction of a church on a 44,214 square foot parcel of land off Leilani Circle Makai in Hawaiian Ocean View Estates subdivi-

The Chairman called on Mrs. Roth for further testimony.

Mrs. Roth replied that she had nothing to add but offered to answer any questions that the members might have. She wondered about the delay and how soon this could be acted on.

The Chairman explained about the lack of quorum and suggested the possibility of coming up at the next meeting the following week.

PRELIMINARY HEARING
ZONING VARIANCE
RICHARD SMART
WAIMEA, SOUTH KOHALA

For the information of the members, the staff briefly reviewed the application of Richard Smart, d.b.a. Parker Ranch, for a variance to allow the subdivision and creation of lots below the minimum requirement of 1 acre as required under Section 13-D of Ordinance No. 63 (Zoning Ordinance) within the Waimea Homesteads area, Waimea, South Kohala.

No action was taken.

PRELIMINARY HEARING
ZONING VARIANCE
FRANK KRIEGER &
HENRY JOHNSON
KEOPU, NORTH KONA

The application of Henry Johnson and Frank Krieger was next considered for a variance to allow the construction of an additional apartment unit (total of 8) on a lot which contains 52 square feet below the required 8,000 square feet and within a Multiple Family Residential District - 1,000 square feet of land area per dwelling unit (RM-1) within the Lono Kona Subdivision, at the corner of Alohou and Kalani Streets, Keopu, North Kona.

The Chairman called for staff background and the Staff Planner briefly presented the information for their review.

The Chairman then called for the applicant or his representative for further presentation.

Mr. Leo Fleming spoke on behalf of the applicants and stated that he had nothing to add to the statement made by the staff which covered the situation.

The Chairman asked how high the building was being proposed and the representative replied two stories.

The Chairman remarked that the houses in that area seems to be very cluttered and crowded together and the views seemed obstructed.

COUNTY OF HAWAII
PLANNING COMMISSION

SP71-103

SPECIAL PERMIT

Applicant Elden Roth
Date of Public Hearing May 20, 1971
Date of Decision June 24, 1971
Meeting Place PD Conf. Rm. Cty Bldg. (Hrg.)
Honokaa High Sch. Aud. (Dec.)
Date Decision and Findings Forwarded
to LUC JUL 6 '71

RECEIVED

JUL 8 1971

State of Hawaii
LAND USE COMMISSION

The Planning Commission of the County of Hawaii pursuant to the provisions of Act 204, S.H. 1963, hereby transmits the decision and findings of the above special permit request to use the following described property:

A 44,214 square foot parcel situated within the State Land Use Agricultural District in Hawaii Ocean View Estates Subdivision, Kahuku, Kau, Hawaii, under Tax Map Key 9-2-13:71
for the following purpose(s);

To allow the construction of a church

The Commission decided to: Recommend approval of the special permit request on the basis of the following findings:

1. The County Zoning Ordinance, Section 30-B(3)a permits this use in an Agricultural District.

subject to the following conditions:

1. That the development be in accord with all other pertinent regulations of the State and County including "Plan Approval."
2. That construction begin within one year of approval by the State Land Use Commission should the body approve this application, or the permit shall be declared void.

(Signed)

Maurice Valera
Vice Chairman, Planning Commission
For O. W. Efurd, Jr., Chairman

cc Elden E. Roth

PLANNING COMMISSION

Planning Department
County of Hawaii

May 20, 1971

A regularly advertised public hearing, on the application of Elden E. Roth was called to order at 4:48 p.m., in the Conference Room of the Planning Department, County Building, by Chairman O. W. Efurd, Jr.

PRESENT:	O. W. Efurd, Jr.	ABSENT:	Masayuki Kai
	Clara K. Kahumoku		Shigeji Kawasaki
	Anthony C. Veriato		Roy H. Nagata
	Ed C. Watt		Mauricio Valera, Jr.
	Skippy T. Yasutake		Akira Fujimoto, Ex-officio
	Philip I. Yoshimura		Member
	Masayoshi Onuma		Edward Harada, Ex-officio
	Glenn T. Miyao		Member

Albert Jeremiah, Jr., Deputy Corp. Counsel
Richard Masuda, Public Works
William Sewake, Water Supply

and approximately 30 persons in public attendance

NOTICE OF A PUBLIC HEARING

Special Permit: Kahuku, Kau, Hawaii

NOTICE IS HEREBY GIVEN of a public hearing to be held in the Conference Room of the Planning Department, County Building, Hilo, Hawaii, State of Hawaii, at 4:00 p.m., May 20, 1971 to consider the application of Elden E. Roth, owner, for a Special Permit within the County of Hawaii in accordance with the provision of Section 98H-6, Revised Laws of Hawaii 1955, as amended.

The Special Permit is for the purpose of allowing the construction of a church on a 44,214 square foot parcel of land off Leilani Circle Makai in Hawaiian Ocean View Estates subdivision, Kahuku, Kau, Hawaii.

Maps showing the area under consideration for Special Permit and the rules and regulations governing the application for Special Permit are on file in the office of the Planning Department in the County Building at 25 Aupuni Street and are open to inspection during office hours.

All written protests or comments regarding the above Special Permit application may be filed with the Planning Commission before the date of the public hearing or submitted in person at the public hearing or no later than fifteen (15) days following the public hearing.

PLANNING COMMISSION
OF THE COUNTY OF HAWAII
O. W. EFURD, JR., CHAIRMAN
By: Raymond H. Suefuji, Director

(Hawaii Tribune-Herald: May 10 and 18, 1971)

CHAIRMAN: All right, actually we have one more public hearing and since it is scheduled at a certain time, I am going to proceed with it. (The Chairman read the public hearing notice in its entirety.)

Okay, we will have the staff to present the background please.

ONUMA: Mr. Chairman and Commissioners. A special permit to construct a church within the State Land Use "Agricultural" District has been requested by Elden Roth.

The proposed church will be located on a 44,214 square foot parcel identified as Tax Map Key 9-2-13:71. The property under consideration is located along Leilani Circle Makai within the Hawaiian Ocean View Estates Subdivision, Kahuku, Kau.

The applicant is requesting the special permit to erect a place of worship for the Hawaiian Ocean View Evangelical Community Church group. The proposed use, if granted, will be constructed within 2 years of the approval date.

The zoning designation for this area is Agriculture - 1 acre. There is presently no General Plan for this area.

Surrounding land uses within the Hawaiian Ocean View Estates include two (2) churches (one of which is approximately 300 feet to the east), a four-unit motel and a bar-restaurant-office complex (makai). To date, approximately 75 single-family dwelling units have been constructed within the Hawaiian Ocean View Estates Subdivision.

Utilities to the subject property are not readily available. Thank you.

CHAIRMAN: All right, you heard the background by the staff. Do the Commissioners have any questions relating to the background?

If not, I believe Mrs. Roth, the wife of the applicant is here. Would you like to give a word of testimony on behalf of this application, Mrs. Roth.

MRS. ELDEN ROTH: I just don't know what to say. It has been pretty well described what we have there. We have been looking forward to this for some time when we found out recently that we needed a variance for that. The subdivider had set aside this property for a church; but since we had to get a variance, this is why we came before you.

CHAIRMAN: Do the Commissioners have any questions that you might like to direct to Mrs. Roth.

If not, is there anyone else here to give testimony in opposition to this application?

If there are no further testimony and unless the Commissioners have further questions, I would entertain a motion to close the public hearing.

YASUTAKE: I move to close the public hearing.

VERIATO: Second.

CHAIRMAN: Mr. Yasutake moved that we close the public hearing. Did you second it?

VERIATO: Yes.

CHAIRMAN: Seconded by Mr. Veriato. All those in favor, would you signify by saying aye.

MEMBERS: Aye.

CHAIRMAN: Those oppose, would you say no. The public hearing is closed.

By law, we cannot act until 15 days have passed, so we will be acting on this at a later date.

The public hearing was adjourned at 4:53 p.m.

Respectfully submitted,

Lei A. Tsuji
Lei A. Tsuji, Secretary

A T T E S T :

O. W. Efurd Jr.
O. W. Efurd, Jr., Chairman
Planning Commission

COUNTY OF HAWAII

COUNTY PLANNING DEPARTMENT

RECEIVED

COUNTY PLANNING

Date: MAR 31 '71

File No.:

FOR OFFICIAL USE ONLY

Date petition and fee received by
Commission _____

Date petition is scheduled for public
hearing _____

Date Commission took action and its
ruling _____

APPLICATION FOR SPECIAL PERMIT

(I) (We) hereby request approval for a Special Permit to use certain property located at Hawaiian Ocean View Estates in Kau in accordance with provisions of Section 98H-6, Act 205, SLH 1963 for the following described purpose. To erect a place of worship for The Hawaiian Ocean View Evangelical Community Church group

Description of Property: Block 19 Lot 20-1 Full acre - Tax Key - 9-2-13-71

Petitioner's interest in subject property: Permission to build a Church House on said lot. Within 2 years after your approval.

Petitioner's reason(s) for requesting Special Permit:

NOTE: The applicant must show that all of the following conditions exist: 1) that there are unusual or exceptional circumstances applying to the subject property, building or use which do not generally apply to surrounding property or improvements in the same zone district; 2) that the unusual or exceptional circumstances which apply to the subject property, building or use are reasonable and proper and will not be materially detrimental to public health, safety, morals, and general welfare; nor will it be injurious to improvements or property rights related to property in the surrounding area; 3) that the strict enforcement of the zoning regulation would result in practical difficulties and unnecessary hardship inconsistent with the intent and purpose of Act 205; and 4) that the granting of a special permit will not be contrary to the objectives of the Master Plan or Plans of the State and/or County Government.

The application will be accompanied with a deposit of \$ 100.00 to cover publication and administrative costs and a map of the area proposed for change.

Signature Elden E. Roth

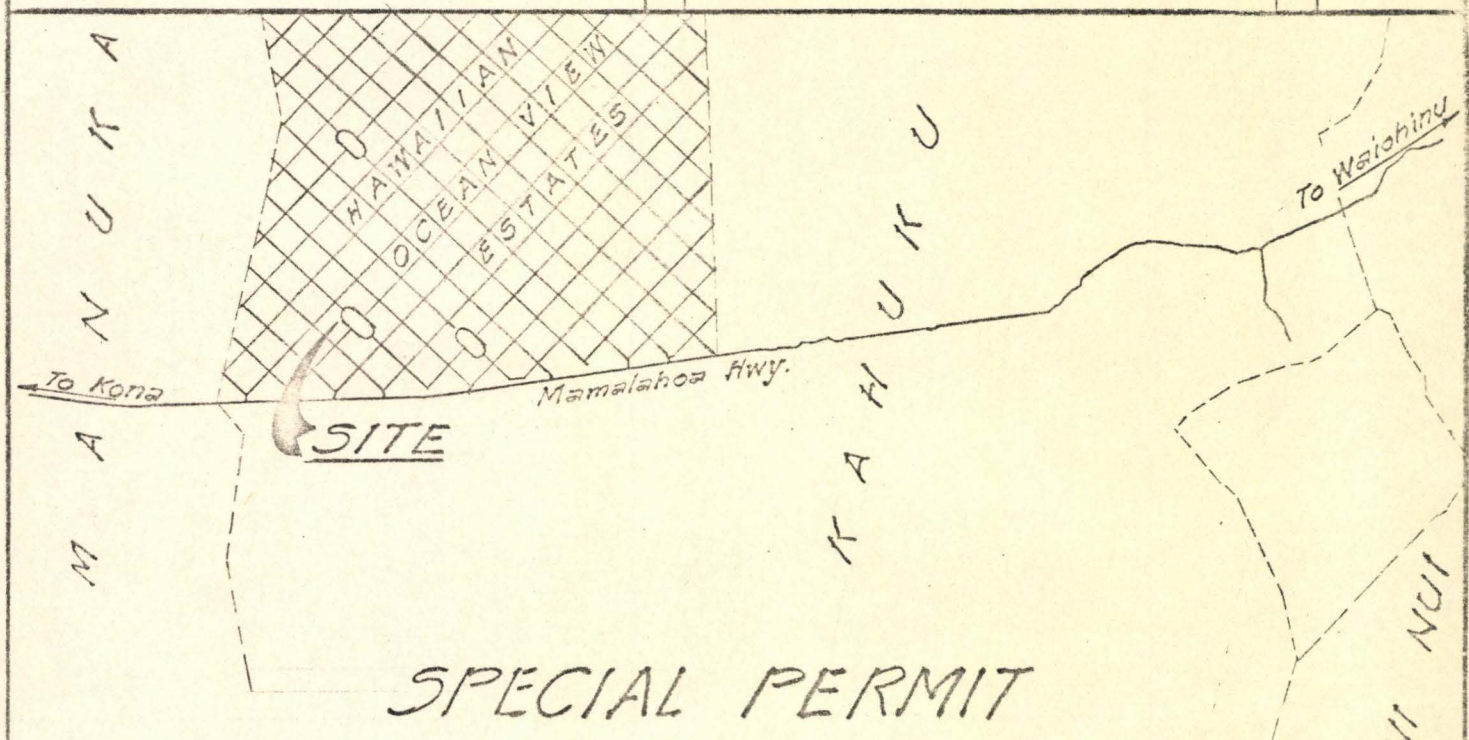
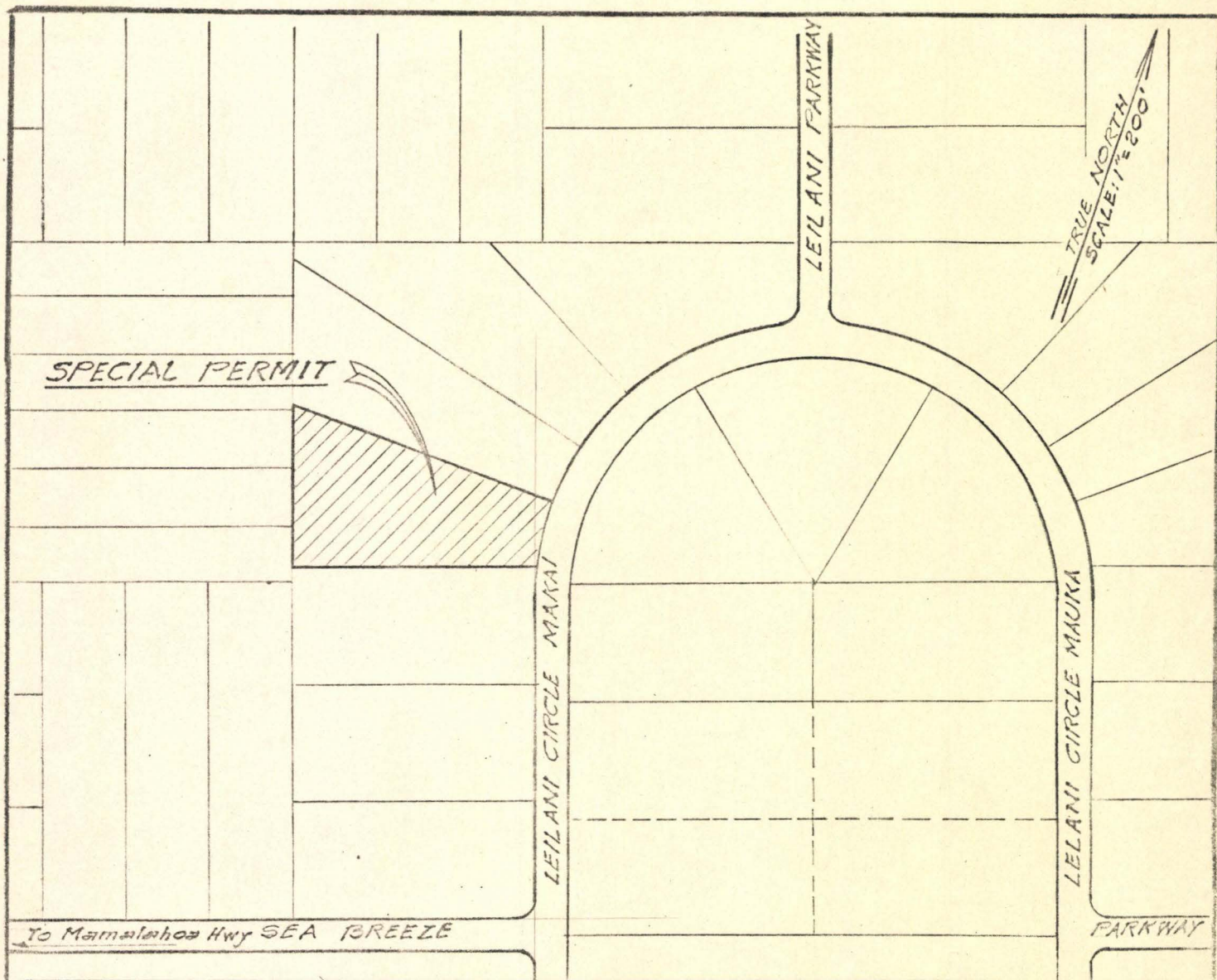
Address S.B. Box 41 Captain Cook Hawaii

Telephone 929-7159

This space for official use

The property is situated in a(n) _____ District.

REMARKS:



SPECIAL PERMIT

SPECIAL PERMIT TO ALLOW THE CONSTRUCTION
OF A CHURCH IN KAHUKU, KAU, HAWAII.

REQUESTED BY: ELDEN E. ROTH

AREA: 44,212 Sq. FT.

PREPARED BY: PLANNING DEPT.
COUNTY OF HAWAII

SP71-102 ELDEN ROTH HAWAII OCEANVIEW EST.



MANUKA
STATE PARK

SP71-102 ELDEN ROTH
(HAWAII OCEANVIEW EST.)