

Aug 26 - Oct 10
Sep 17 (Sat)

SP71-112 - KUNIO KOBAYAKAWA (Holualoa)



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

COUNTY OF
HAWAII

SHUNICHI KIMURA
Mayor

RAYMOND H. SUEFUJI
Director

September 30, 1971

RECEIVED

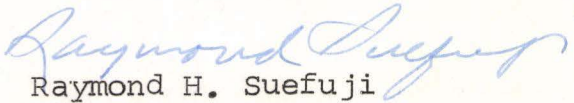
OCT 6 1971

State of Hawaii
LAND USE COMMISSION

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

Re: Kunio Kobayakawa
Special Permit (SP71-72)

This is to acknowledge receipt of your letter and staff
report in regards to the above subject.


Raymond H. Suefuji
Director

MO:mh

September 20, 1971

GORO INABA
EDDIE TANGEN
TATSUO FUJIMOTO

Mr. Kunio Kobayakawa
Holualoa
Kona, Hawaii 96725

Dear Mr. Kobayakawa:

The original of the attached letter approving the special permit request by Kunio Kobayakawa (SP71-112) for the construction of a new dwelling to replace an existing dilapidated home on a 38,333 square foot parcel identified by Tax Map Key 7-6-6: 11 at Holualoa, North Kona, Hawaii, is on file in the office of the Hawaii Planning Department, Hilo, Hawaii.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Encl.

GORO INABA

September 20, 1971

EDDIE TANGEN

TATSUO FUJIMOTO

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji
Planning Director

Gentlemen:

At its meeting on September 17, 1971, the Land Use Commission voted to approve a special permit to Kunio Kobayakawa (SP71-112) for the construction of a new dwelling to replace an existing dilapidated home on a 38,333 square foot parcel identified by Tax Map Key 7-6-6: 11 at Holualoa, North Kona, Hawaii, subject to the conditions set forth by the Hawaii County Planning Commission.

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

Very truly yours,

Encl. - Staff Memo

TATSUO FUJIMOTO
Executive Officer

cc: Mr. Kunio Kobayakawa
Hawaii Tax Administrator
Property Technical Services, Dept. of Taxation
Tax Maps Branch, Dept. of Taxation
Property Assessment Division, Dept. of Taxation

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP71-112 - KUNIO KOBAYAKAWA

DATE September 17, 1971

PLACE Legislative Auditorium
Honolulu, Hawaii

TIME 9:30 a.m.

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

Comments:

I move for approval of staff recommendation.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP71-112- KUNIO KOBAYAKAWA

DATE September 17, 1971

PLACE Legislative Auditorium
Honolulu, Hawaii

TIME 9:30 a.m.

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

Comments: Motion to defer action on special permit until 2:00 p.m.

Unanimously carried by voice vote.

STATE OF HAWAII
LAND USE COMMISSION

State Capitol
Honolulu, Hawaii

September 17, 1971
9:30 a.m.

STAFF REPORT

SP71-112 - KUNIO KOBAYAKAWA

A special permit to allow the construction of a new dwelling to replace an existing dilapidated home within the State Land Use Rural District has been requested by Mr. Kunio Kobayakawa

The subject site is located near the Hualalai Road and Mamalahoa Highway junction, Holualoa, North Kona, Hawaii. It is identified as Tax Map Key 7-6-6: 11 and comprises ^{38,333 ft²} 0.88 acre. Presently located on the parcel are two dwellings, one of which is non-conforming due to a requirement of the Rural District which states that no more than one single-family dwelling per one-half acre is permissible. Since the construction of the new dwelling exceeds the allowable density under the Rural classification, Mr. Kobayakawa is seeking a special permit.

The applicant presently occupies the subject dwelling and the other house is occupied by Mr. Kobayakawa's father and mother-in-law. The applicant intends to continue this arrangement should the special permit be granted.

1.00
0.88
0.12 = needed
or
5227 ft²

County Recommendation

At its August 12, 1971 meeting, the Hawaii Planning Commission voted to recommend approval of this special permit. The decision was based on findings which disclosed that the construction of the new dwelling will not alter the essential character of the land, will not be materially detrimental to public welfare or injurious to property rights of adjoining properties, and would not unreasonably burden public agencies to provide essential services. However, the recommendation for approval was contingent upon the following conditions:

- "1. that the dwelling unit to be replaced shall be demolished upon completion of the new unit.
- "2. compliance to all other applicable regulations will be required should the requested special permit be granted by the State Land Use Commission."

It was also reported at the County hearing that the zoning designation for this area is ^{*Residential Agriculture*} RA-5a and General Planned as Range Land and Waste. Surrounding land uses include vacant lands, low-density residential, and agricultural uses involving mostly pastures. Mr. Kobayakawa also disclosed that the building to be replaced does not meet the building safety code. His statement was verified by Mr. Colbert Nozaki, Senior Building Inspector, County of Hawaii, who inspected the house and noted that the foundation, exterior and interior walls, and ceiling were heavily infested with termites;

the present bedroom floor areas are substandard; stairways and railings need repair; and the plumbing system is improperly connected. Mr. Nozaki also indicated that it may be unwise to undertake such extensive repair work because of the cost and suggested erecting a completely new structure.

Upon evaluation of this request, staff finds that due to the fact that this permit requests the replacement of an already existing building:

1. it would not adversely affect surrounding property,
2. it would not unreasonably burden public agencies to provide services and utilities,
3. it will not substantially alter or change the essential character of the land, and
4. it will make the highest and best use of the land involved.

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

STATE OF HAWAII



DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

September 13, 1971

Sent copy of application, two maps,
form letter, and September 17, 1971
agenda to:

Dr. Richard Marland
Interim Director
Office of Environmental
Quality Control
State Capitol

September 8, 1971

Mr. Kunio Kobayakawa
Holualoa
Kona, Hawaii 96725

Dear Mr. Kobayakawa:

The Land Use Commission next meets at 9:30 a.m., in the Legislative Auditorium, State Capitol, Honolulu, Hawaii, on September 17, 1971.

At that time your application (SP71-112) to allow the replacement of an existing dwelling at Holualoa, North Kona, 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

September 8, 1971

NOTIFICATION OF SPECIAL PERMIT APPLICATION

SP71-112 - Kunio Kobayakawa


Please be advised that a special permit application has been filed with the Land Use Commission to allow the replacement of an existing dwelling on Tax Map Key 7-6-06: parcel 11. This property is generally located within the Rural District in Holualoa, Kona, Hawaii. The Hawaii County Planning Commission approved this request on August 16, 1971.

An action meeting on this application is scheduled for September 17, 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

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT

Date

8/23

State of Hawaii

Due

To:

1

ASL

2

g.f.

3

D.H.

4

ASL

Subject:

g.f.

D.H.

5

6

7

8

From:

T.F.

FYI

✓

Comment

Report

Action

Signature

Draft

Approval

Return

Type

File

✓

Xerox

copies

Circulate as appropriate

Approved with changes noted

(INITIALS)

Message or Comments:

Called Hawaii County. Talked to Donald Long (8/23/71 @ 1:30 p.m.) He will send the necessary material as requested. Let's process this when we received them. See application received 8/26/71 H.

COUNTY OF HAWAII

COUNTY PLANNING DEPARTMENT

RECEIVED

AUG 26 1971

State of Hawaii
LAND USE COMMISSION

RECEIVED

COUNTY PLANNING

Date: MAY 12 '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 Holualoa, North Kona, Hawaii in accordance with provisions of Section 98H-6, Act 205, SLH 1963 for the following described purpose.

Description of Property:

Tax Key 7-6-006-011
.88 acre

Petitioner's interest in subject property:

Owner

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.

Building over sixty (60) years old and the whole building is infested with termites. Practically every board is eaten by the termites.

Home does not meet the building safety code. Some of the nails are not holding the roof iron.

Old building will be broken down after it is vacated.

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 Louis Lobaya Luaoa

Address Holualoa, Kona, Hawaii

Telephone 324-6201

This space for official use

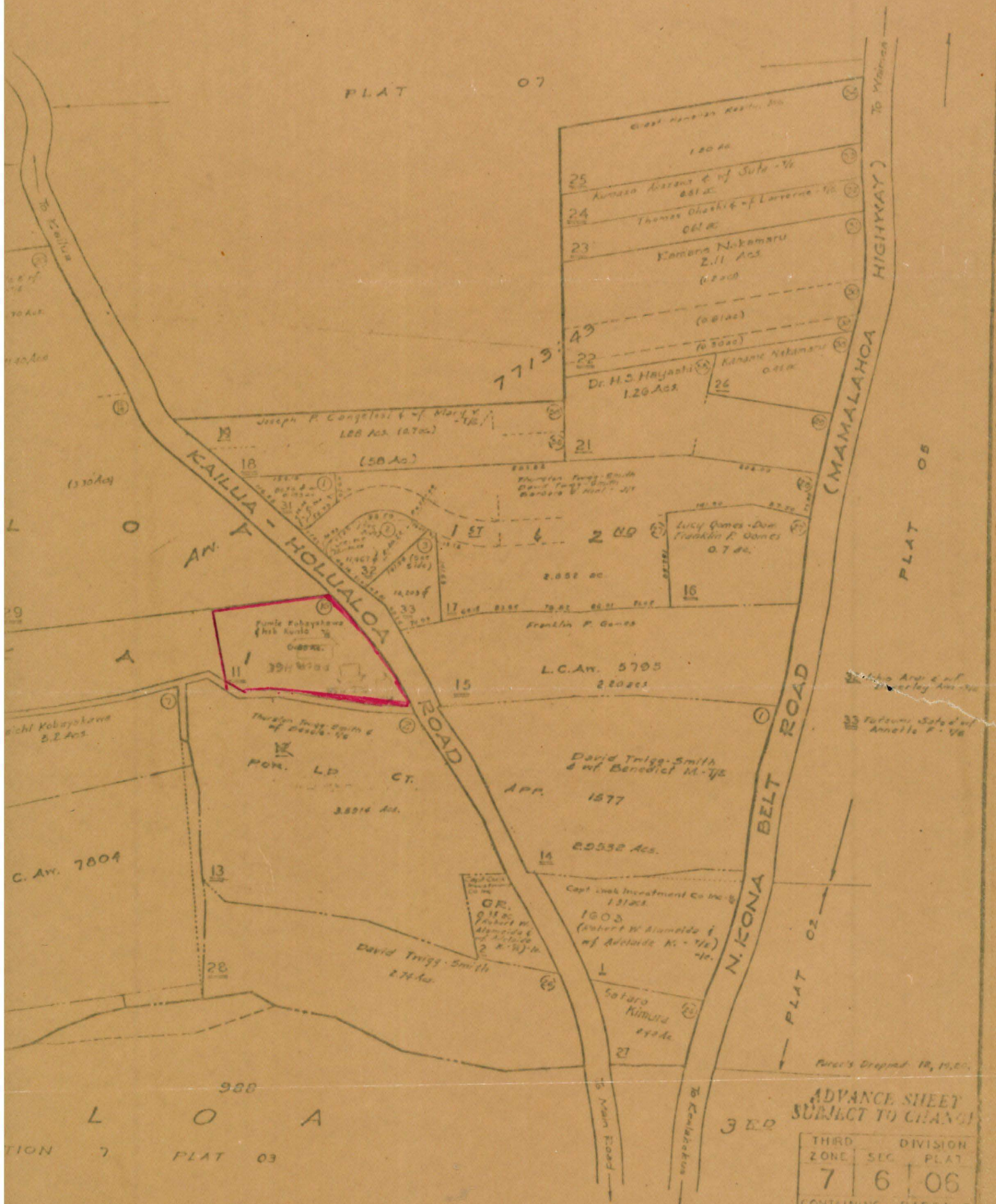
The property is situated in a(n) _____ District.

REMARKS:



KLINIO KOBAYAKAWA
SPECIAL PERMIT

PLAT 07



ADVANCE SHEET
SUBJECT TO CHANGE

THIRD ZONE	SEC	DIVISION PLAT
7	6	06
CONTAINING PARCELS		
SCALE 1" = 100'		

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AUG 19 1971

State of Hawaii
LAND USE COMMISSION

PLANNING COMMISSION

Planning Department
County of Hawaii

August 12, 1971

The Planning Commission met in special session at 1:30 p.m., in the County Council Room, County Building, with Vice Chairman Mauricio Valera, Jr., presiding.

PRESENT: Mauricio Valera, Jr.
Clara K. Kahumoku
Masayuki Kai
Shigeji Kawasaki
Roy H. Nagata
Anthony C. Veriato
Ed C. Watt
Skippy T. Yasutake
Raymond H. Suefuji
Glenn Miyao

ABSENT: O. W. Efurd, Jr.
Akira Fujimoto, Ex-officio
Member
Edward Harada, Ex-officio
Member

Wendell Kimura, Corporation Counsel
Arthur Isemoto, Public Works
Bill Sewake, Dept. of Water Supply

and approximately 21 persons in public attendance

MINUTES

The minutes of the meetings held on July 1 and 8, 1971 were approved as circulated on a motion of Mr. Veriato, seconded by Mr. Watt. The minutes of the meeting of July 22, 1971 were approved as circulated on a motion of Mr. Yasutake, seconded by Mr. Kawasaki, and carried.

REPORTS

The Chairman read the following letters that were received:

"The Rev. O. W. Efurd, Chairman and Members of the Planning Commission County of Hawaii

Subject: Two permit applications by Pan American Financial Corp. to build community longhouses and parking areas for youth and adult recreational area of the Hawaiian Shores Subdivision in Waiakahiula, Puna.

May I bring to your attention the following:

There has been no archaeological survey done or historical sites recorded in the ahupua'a of Waiakahiula, Puna, though numerous sites have been reported.

I, among others are greatly concerned about the historical sites yet to be discovered, recorded and preserved if so merited.

This has been brought to the attention of the County Planning Office with the hope that some provision be made in the County General Plan whereby an archaeological survey be made prior to any development.

"Attention: Rev. O. W. Efurd, Chairman

"Gentlemen:

"In reviewing the draft of the proposed new Hawaii County General Plan, we have noted that Low Density Areas are to include residential and ancillary community and public uses and have a density range of 1 to 3 dwelling units per acre. Further, in viewing the preliminary plan shown at Konawaena School, July 8, 1971, we see that a low density designation has been suggested for the area at Captain Cook between the Belt Highway and the Lower Government Road.

As you are aware from the public hearing on July 8th, we are presently planning a residential subdivision below the Manago Hotel in that area. Belt, Collins and Associates advises us that the density of the proposed subdivision which was shown at the hearing is about three units per acre. As you know, we are proposing lots varying in size upwards from 10,000 square feet. We feel that the subdivision as planned is low density in character and will meet the general definition for this type of development in the new County plan. We are concerned that as the final plans are prepared for the subdivision, the overall density may exceed slightly the 1 to 3 dwelling units per acre criteria for low density areas. Since we feel the proposed subdivision is low density in character, perhaps the proposed density criteria for Low Density Areas may be too restrictive and we would suggest that it be reviewed by your staff. In this regard, we feel that it is important that the County engineering department provide you with information regarding improvement costs for densities of 1 to 3 units per acre because we feel that density must be related to County subdivision standards and the improvement costs which result.

"Very truly yours,
KEALAKEKUA RANCH, LTD.
/s/ William P. Hodgins, Manager
Land Development Division"

✓ LAND USE COMMISSION
SPECIAL PERMIT
KUNIO KOBAYAKAWA
HOLUALOA, NORTH KONA

Application for a special permit to allow the replacement of an existing dwelling within the State Land Use "Rural" District. Presently located on an 0.88 acre parcel are two dwellings, one of which is nonconforming due to the requirement of the "Rural" District of no more than one single-family dwelling per one-half acre. The subject property is located at Holualoa, North Kona.

The staff planner reported that a special permit to allow the construction of a new dwelling to replace an existing dwelling has been requested by Kunio Kobayakawa. The dwelling under consideration is located with the State Land Use Commission "Rural" District.

The proposed dwelling will be located on an 0.88-acre parcel identified by Tax Map key 7-6-6:11. The property is located fronting the Kailua-Holualoa Road, Holualoa, North Kona, Hawaii.

Presently located on the subject site are two dwellings. Permissible uses within the "Rural" district include low density residential uses with a minimum lot size of one-half (1/2) acre and an allowable density of no more than one single-family dwelling per one-half (1/2) acre. Since the construction of the new dwelling to replace the existing dwelling exceeds the allowable density under the State Land Use Rural District, a special permit is required.

The zoning designation for this area is RA-.5a and General planned as Range land and Waste. Surrounding land uses include residences and agricultural farms.

No objections have been received from the Departments of Water Supply, Public Works and Health.

We have received a letter from Mr. Colbert Nozaki, Building Inspector for the West Hawaii area.

"Mr. Kunio Kobayakawa
Holualoa, Hawaii

"Dear Mr. Kobayakawa:

"As requested by you, inspection was made recently on your dwelling and the following conditions were found to be in need of repair or improvement to meet the present County Building Code requirements:

- "1) The foundation, exterior and interior walls, including the ceiling are heavily infested with termites, and walls are loose at certain areas.
- "2) The present bedroom floor areas need to be increase to meet the minimum area requirements.
- "3) The back porch, stairway and railing also need immediate repair.
- "4) Present bath and kitchen fixtures are improperly connected to drain without cesspool or other proper sanitary sewage system.

"This is a brief summary of the existing conditions and perhaps the cost to undertake such extensive repair work would be unwise, and an alternative suggestion is to erect a complete new structure.

"Yours truly,
/s/ Colbert Nozaki
Sr. Bldg. Inspector
West Hawaii
County of Hawaii"

Chairman called for staff recommendation.

The staff planner reported that upon review of the subject request, the staff is recommending approval based on the following findings:

1. that the granting of the special permit will not alter the essential character of the land and the present use inasmuch as the request is to replace an existing dwelling.
2. that the granting of this special permit shall not be materially detrimental to public welfare or injurious to property rights of adjoining properties and would not unreasonably burden public agencies to provide essential services.

In granting the special permit, the following conditions shall be met:

1. That the dwelling unit to be replaced shall be demolished upon completion of the new unit.
2. Compliance to all other applicable regulations will be required should the requested special permit be granted by the State Land Use Commission.

Mrs. Kahumoku moved to approve the request based on the staff's recommendation with the conditions stated. The motion was seconded by Mr. Veriato and unanimously carried.

ZONING VARIANCE
HENRY JOHNSON &
FRANK KRIEGER
KEOPU, NORTH KONA

Application of Henry Johnson and Frank Krieger for a variance to allow the construction of an additional apartment unit (total of 8) on a lot within a Multiple Family Residential - 1,000 square foot zone (RM-1) where 7 units are allowed and proposed to be located at the corner of Alohou and Kalani Streets in the Lono Kona Subdivision Keopu, North Kona, and containing an area of 7,948 square feet.

The staff planner reported that at the Planning Commission meeting of July 22, 1971, the Commission requested that action on the subject variance be deferred. The Department of Water Supply was asked to comment on whether the present water system was capable of providing service to the existing zoned area and also whether the system was capable of handling an additional 38 units which may come about if density variances were granted to applications meeting the guidelines for the granting of a variance.

The Department of Water Supply, in a letter dated August 10, 1971 commented that their system is capable of handling 38 additional units.

Upon reconsideration of this request, the staff is recommending that the variance be approved based on the following:

1. that circumstances exist to a degree which interferes with the best manner of development of the subject property.
2. that the granting of the variance is not inconsistent with the intent and general purpose of the density requirement.
3. that the granting of the variance would not unreasonably burden public agencies to provide essential services.

The staff thereby recommends that the applicant be allowed to construct an additional unit in lieu of the allowable number as determined by the requirements of the RM-1 zoned district. A condition for approval shall be that the applicant be required to comply with all other applicable regulations.

Mr. Kawasaki moved to grant the variance according to the staff's recommendation. The motion was seconded by Mr. Watt and carried unanimously.

ZONING VARIANCE
RALPH FUKUMITSU
KEOPU, NORTH KONA

Application of Ralph Fukumitsu for a variance to allow the construction of an additional apartment unit (total of 8) on a lot within a Multiple Family Residential - 1,000 square foot zone (RM-1) where 7 units are allowed and proposed to be located off Kalawa Street in the Lono Kona Subdivision, Keopu, North Kona and containing an area of 7,841 square feet.

The staff planner reported that at the Planning Commission meeting of July 22, 1971, the Commission requested that action on the subject variance be deferred. As to the question of the capability of the present water system, the Department of Water Supply has commented that their system is capable of handling the 38 additional units.

3

PLANNING COMMISSION

Planning Department
County of Hawaii

Agenda for the Meeting of August 12, 1971
County Council Room - 1:30 p.m.

MINUTES

1. July 1, 1971
2. July 8, 1971
3. July 22, 1971

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AUG 9 1971

State of Hawaii
LAND USE COMMISSION

REPORTS

UNFINISHED BUSINESS

- ✓ 1. Application of Kunio Kobayakawa for a special permit to allow the replacement of an existing dwelling within the State Land Use "Rural" District. Presently located on an 0.88 acre parcel are two dwellings, one of which is nonconforming due to the requirement of the "Rural" District of no more than one single-family dwelling per one-half acre. The subject property is located at Holualoa, North Kona.
2. Application of Henry Johnson and Frank Krieger for a variance to allow the construction of an additional apartment unit (total of 8) on a lot within a Multiple Family Residential - 1,000 square foot zone (RM-1) where 7 units are allowed and proposed to be located at the corner of Alohou and Kalani Streets in the Lono Kona Subdivision, Keopu, North Kona, and containing an area of 7,948 square feet.
3. Application of Ralph Fukumitsu for a variance to allow the construction of an additional apartment unit (total of 8) on a lot within a Multiple Family Residential - 1,000 square foot zone (RM-1) where 7 units are allowed and proposed to be located off Kalawa Street in the Lono Kona Subdivision, Keopu, North Kona, and containing an area of 7,841 square feet.
4. Application of Ralph Allison for a variance to allow the subdivision and creation of 2.117 acres and 26,327 square foot lots within an Agricultural - 3 acre minimum lot size zone (A-3a) located at the corner of Awa and Lama Streets in the Panaewa Houseslots, Waiakea, South Hilo, and containing an area of 2.72 acres.
5. Consideration of General Plan amendment (revision) in accordance with the provisions of Sections 5-4.3(b) and 5-4.3(h) of the County Charter of the County of Hawaii 1969.
6. Public hearing at 3:00 p.m. on the application of Department of Water Supply, County of Hawaii for a variance from the minimum building site acreage of 20 acres as prescribed in Section 13-D of Ordinance No. 63 (Zoning Ordinance) for the construction of a 300,000 gallon concrete tank in Kapaiki, Kalaoa, North Kona.
7. Public hearing at 3:15 p.m., on the application of Francis and Evelyn S. Foo for a variance to allow a one (1) foot side yard setback in lieu of an eight (8) foot setback requirement as prescribed in Section 15-E(3) of Ordinance No. 63 (Zoning Ordinance) to allow the reconstruction of an office and restaurant building on a lot in Lanihau 1st, North Kona.

County of Hawaii
County Planning Commission

RECEIVED

AUG 19 1971

State of Hawaii
LAND USE COMMISSION SPECIAL PERMIT

Applicant Kunio Kobayakawa
Date of Public Hearing July 8, 1971
Date of Decision August 12, 1971
Meeting Place Council Rm., County Bldg.
Date Decision and Findings Forwarded
to LUC August 16, 1971

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

Property located in Holualoa, North Kona, Hawaii.

TMK: 7-6-6:11

for the following purpose(s):

To allow the replacement of an existing dwelling with ⁱⁿ the State Land Use "Rural" district.

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

1. that the granting of the special permit will not alter the essential character of the land and the present use inasmuch as the request is to replace an existing dwelling.
2. that the granting of this special permit shall not be materially detrimental to public welfare or injurious to property rights of adjoining properties and would not unreasonably burden public agencies to provide essential services.

subject to the following conditions:

1. that the dwelling unit to be replaced shall be demolished upon completion of the new unit.
2. compliance to all other applicable regulations will be required (in connection with the proposed development of the subject property) should the requested special permit be granted by the SLUC.

(Signed)

Kunio Kobayakawa

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

PLANNING COMMISSION

Planning Department
County of Hawaii

July 8, 1971

A regularly advertised public hearing, on the application of Kunio Kobayakawa, was called to order at 4:40 p.m., in the Cafetorium of the Konawaena High and Intermediate School, Kealahou, Kona, by Chairman Pro tem Clara K. Kahumoku.

PRESENT: Clara K. Kahumoku
Shigeji Kawasaki
Roy H. Nagata
Ed C. Watt
Skippy T. Yasutake
Philip I. Yoshimura
Masayoshi Onuma

ABSENT: O. W. Efurd, Jr.
Masayuki Kai
Mauricio Valera, Jr.
Anthony C. Veriato
Akira Fujimoto, Ex-officio
Member
Edward Harada, Ex-officio
Member

Albert Jeremiah, Jr., Deputy Corp. Counsel
Richard Masuda, Public Works

and approximately 18 persons in public attendance

NOTICE OF A PUBLIC HEARING

Special Permit: Holualoa, North Kona, Hawaii

NOTICE IS HEREBY GIVEN of a public hearing to be held at the Konawaena High & Intermediate School Cafetorium, Kealahou, Kona, Hawaii, State of Hawaii, at 4:30 p.m., July 8, 1971 to consider the application of Kunio Kobayakawa, 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 replacement of an existing dwelling within the State Land Use 'Rural' District. Presently located on an 0.88 acre parcel are two dwellings, one of which is nonconforming due to the requirement of the 'Rural' District of no more than one single-family dwelling per one-half acre. The subject property is located at Holualoa North Kona, Tax Map Key 7-6-6:11.

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: June 28 and July 6, 1971)

CHAIRMAN: We will go on to Item 1, New Business. Notice of a public hearing, special permit, Holualoa, North Kona, Hawaii. (The Chairman read the public hearing notice in its entirety.)

Staff presentation please.

STAFF PLANNER ONUMA: Madam Chairman and Commissioners. A special permit to allow the construction of a new dwelling to replace an existing dwelling within the State Land Use "Rural" District has been requested by Kunio Kobayakawa.

The proposed dwelling will be located on an 0.88-acre parcel identified by Tax Map Key 7-6-6:11. The property under consideration is located off the Kailua-Holualoa Road, Holualoa, North Kona, Hawaii.

Presently located on the subject site are two dwellings. Under section 2.16(b) of the State Land Use District Regulations, Permissible Uses within the "R" Rural District, "low density residential uses with a minimum lot size of one-half (1/2) acre, there shall be no more than one single-family dwelling per one-half (1/2) acre." Since the construction of the new dwelling to replace the existing dwelling exceeds the allowable density under the State Land Use Rural District, a special permit is required.

The applicant has stated that the building is over sixty (60) years old and the whole building is infested with termites. Practically every board is eaten by the termites. Home does not meet the building safety code. Some of the nails are not holding the roof iron. Old building will be broken down after it is vacated.

The zoning designation for this area Residential-Agriculture 5 Acres (RA-.5a) and general planned as Range Land and Waste. Surrounding land uses include residences and agricultural farms.

No objections have been received from the Departments of Water Supply, Public Works and Health.

Thank you.

CHAIRMAN: Commissioners, any questions for the Staff?

If not, is the applicant present? Will you state your name for the record.

KUNIO KOBAYAKAWA: Members of the Planning Commission, I am Kunio Kobayakawa of Holualoa. I had requested to the Planning Commission to rebuild my very old home which is infested by the termites and you have read all the items that I had listed in the application.

Practically every board in the building is infested with termites and it's just covered with holes. I have voiced that one of the members come and visit my home, but I understood that you will send somebody and take the pictures of the outside of the building, but I wanted to have you actually inspect my building. But you haven't come so I will invite any of you members to come and inspect my home. It's very old and I estimated over 60 years old and it's now outdated and I sure would like to rebuild my old home; and after it is built and vacated, I will remove that old building.

CHAIRMAN: Any questions for the applicant? Thank you Mr. Kobayakawa.

We will not take action today. This is a special permit and needs a 15-day waiting period.

Is there anyone here wishing to testify for the applicant? Anyone against?

Okay, Commissioners your pleasure to close the public hearing.

KAWASAKI: I move that we close the public hearing.

WATT: I second the motion.

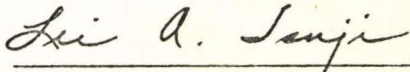
CHAIRMAN: It has been moved and seconded that we close the public hearing. All those in favor?

MEMBERS: Aye.

CHAIRMAN: Oppose? None. Public hearing is closed.


The public hearing was adjourned at 4:46 p.m.

Respectfully submitted,



Lei A. Tsuji, Secretary

A T T E S T :



(Mrs.) Clara K. Kahumoku
Chairman Pro tem
Planning Commission

Planning Commission Agreeable, Okay Given Variety Of Proposals

An agreeable County Planning Commission Thursday granted all five variances and one special permit application on its agenda unanimously, approved a new design for the Dolphin, Inc.'s Kona condominium and granted a rezoning as requested by the State Department of Accounting and General Services.

Two similar variances, one to Henry Johnson and Frank Krieger and the other to Ralph Fukumitsu, were granted allowing the applicants to construct eight unit apartment buildings on lots smaller than 8,000 square feet in the Lono Kona Subdivision, Keopu, North Kona. The subdivision is zoned for multiple family residential requiring 1,000 square feet of lot per family unit built.

Action on the variances at a July 22 public hearing was deferred after the commissioners heard a staff recommendation to deny the requests. At the time, the commissioners could not agree with the staff's contention that setting a precedent by granting the variances could open the way for 36 more such variances on lots in the subdivision ranging from 7,500 and 7,971 square feet.

Thursday, the staff changed its recommendation and asked for approval based, it said, on a letter from the Department of Water Supply stating, even with the additional 36 possible units, there would be no strain placed on its facilities.

After the variances had been granted, Commissioner Ed Watt said for the record, that the commission did not wish to imply that should the other 36 land owners apply for such a

variance, they would be automatically granted. They must each stand on their own merits, he said.

Another variance granted after a change of staff recommendation was to Ralph Allison.

Allison requested a variance to subdivide a 2.72 acre parcel in the Panaewa Houselots, Waiakea, South Hilo into 2.117 acre and 26,327 square foot lots. The area is zoned agricultural with a three acre minimum lot size.

Again, action was deferred July 22 when the staff recommended denial of the variance to halt a precedent setting move which could, it said, result in higher density usage of the area endangering the Department of Water Supply well located 3,000 feet from the Allison property. The commissioners said, at that time, there would be no precedents necessarily set as Allison had two homes on his property built in 1960, before the zoning ordinance was in effect.

The staff recommended approval Thursday after reading a letter from the Department of Water Supply to the effect that it would oppose a higher density usage of the area if no protection were provided the well. It went on, however, to say it did not oppose Allison's request as it would not, in itself, do anything to raise the density, provided no precedent was set.

The commissioners also granted a variance to Francis and Evelyn Foo to allow a one foot side yard setback in lieu of a required eight foot setback to reconstruct a restaurant in North Kona damaged by a tornado in January, 1971. The building, non conforming before the damage occurred, has a fire wall one foot behind the property line. The Foo's requested

permission to rebuild on the original foundation and be released of having to tear down the fire wall.

A letter from the Kona Chamber of Commerce said it was "strongly opposed" to the request. The letter said the building had created traffic congestion and pedestrian hazards and called it an example of bad planning. The letter proposed that the County condemn the land and turn it into a permanent green area.

Commissioner Clara Kahumoku abstained from the discussion and voting as a member of the Chamber of Commerce.

The final variance granted was on the application of the County Board of Water Supply to allow a ten acre parcel in a 20 acre minimum lot size zone in Kalaoa, North Kona to be subdivided into a lot of 9.53 acres and 20,440 square feet for the construction of a 300,000 gallon concrete tank, to be part of the North Kona Water System Extension.

The commissioners granted a special permit to Kunio Kobayakawa to replace an existing non conforming dwelling, one of two on a .88 acre lot located in Holualoa, North Kona, zoned for not more than one dwelling per half acre.

Two public hearings were held on special permit applications. A fifteen day wait is required before the commission can act upon them. They are:

—Pan American Financial Corporation's application to allow the garage of a model home in the Kona Palisades Subdivision to be used for a sales office. The applicant plans to so use the home for not longer than six months.

—Hawaiian Anthuriums, Ltd.'s application to allow a temporary quarry on a 640 acre parcel in Mountain View, Puna. The applicant is requesting permission to allow a quarry to operate for five years.

In other action, the commission approved a new plan submitted by Dolphin, Inc. for its proposed condominium adjacent to Mokuaiakau Church in Kailua.

Originally, Dolphin was granted two variances on Sept. 25, 1970 to construct the building. It proposed tearing down an existing building of offices and apartments and building a 97-unit condominium. The variances were granted on the condition that "the construction conform substantially to drawings as submitted" with the request.

Dolphin, Inc. has since proposed, however, to leave the existing structure and build a 75-unit condominium. Thursday, the commission had to determine if this violated the conditions imposed last September.

It found, although the building was different, it was in keeping with the concept of maintaining open vistas around the church.

The Planning Commission also approved the rezoning of a 1.46 acre parcel adjacent to the existing civic center in North Kohala from agricultural to urban as requested by the State Department of Accounting and General Services.

The land use district boundary amendment was necessary to expand the civic center in Kapaau and construct additional facilities.

It Looks Like An Active Week For

Hawaii Tribune-Herald, Wednesday, August 11, 1971—11

County Planning Commission

The County Planning Commission has a full agenda this week including four public hearings, four preliminary hearings and four scheduled actions among 16 items for Thursday beginning at 1:30 p.m. in the County Council room.

Two of the actions cover similar variance applications, one by Henry Johnson and Frank Krieger and the other by Ralph Fukumitsu to allow the construction of eight unit apartment buildings on lots

below 8,000 square feet required by the 1,000 square feet-per-unit zoning in the Lono Kona Subdivision, Keopu, North Kona.

Both developers claim building seven unit buildings, allowable under existing regulations, would be uneconomical, unaesthetic and impractical. At the July 22 Planning Commission meeting, action was deferred on these two issues after the commission heard a staff recommendation to deny the variances as it found the developers under no hardship and feared overcongestion which could result from such a precedent-setting move.

The commissioners, after failing to receive a guarantee that allowing the additional unit would reduce rental prices, voted for deferral to further study the matter.

The other actions slated include:

✓—Kunio Kobayakawa's application to replace one of two dwellings located on a .83 acre lot at Holualoa, North Kona. As the area is zoned "rural district" with a one dwelling per half acre requirement, one of the dwellings is a non-conforming structure.

—Ralph Allison's application to subdivide a 2.72-acre parcel into lots of 2.117 acres and 26,327 square feet within an agricultural, three-acre minimum lot size zone in Panaewa Houselots, Waiakea, South Hilo.

The public hearings, scheduled to begin at 3 p.m., include:

—Application by the Department of Water Supply for a variance to construct a 300,000 gallon water tank in Kapaiki, Kalaoa, North Kona where minimum building lot size is 20 acres.

—Francis and Evelyn Foo's application for a variance allowing a one-foot side yard setback instead of the required eight feet to reconstruct an office and restaurant building in Lanihau 1st, North Kona.

—Application by Pan American Financial Corporation for a special permit to allow the use of a model home as a temporary sales office in the Kona Palisades Estates subdivision, Kalaoa, North Kona.

—Application by Hawaiian Anthuriums, Ltd. for a special permit to allow a temporary quarry site on approximately 640.032 acres in Mountain View, Puna.

Preliminary hearings on the commission's slate include:

—Hiroshi and Chieko Shimabukuro's application for a variance to subdivide an approximate 9,395 square-foot lot from a 34,711 square-foot parcel in Manowaiapae Homesteads, North Hilo, zoned for a 10,000 square-foot minimum lot size.

—Anthony and Theresa Rapoza's application for a variance to create a 1.913-acre lot, now part of a 4.913-acre

parcel in a three acre minimum lot size zone in Kaumana, South Hilo.

—Application of Wattie Hedemann for a variance from the requirements in the zoning ordinances to improve roads on a pending subdivision, Kawainui, North Kona.

—Application by Volcano Golf and Country Club for a variance to allow the resubdivision of two lots of 14,999 and 17,627 square feet within an agricultural - one

"the construction conform substantially to drawings as submitted."

—Comments pertinent to a recommendation requested by the Land Use Commission for an amendment of the land use boundry from agricultural to urban of a 1.462-acre parcel in Kapaau, North Kohala adjacent to the existing civic center.

—Approval of street names of three streets in the Naalehu Subdivision in Naalehu, Ka'u.

- acre zone in Keauhou, Ka'u. Also on the commission agenda are:

—Consideration of the proposed County general plan amendment, during which the meeting will be opened to public comment regarding the plan.

—Discussion of the condition imposed on Dolphin, Inc. in granting a variance to build a condominium - commercial building in Kona. Under consideration will be the condition

SPTI-112 KUNIO KOBAYAKAWA



SP71-112 KUNIO KOBAYAKAWA

Dwg. No: 1167.
By: J.S.C. & Dec. 1932.
Source: Tax Maps Bureau.

MAKAI SECT. OF HOLUALOA 1st PARTITION
NORTH KONA - HAWAII



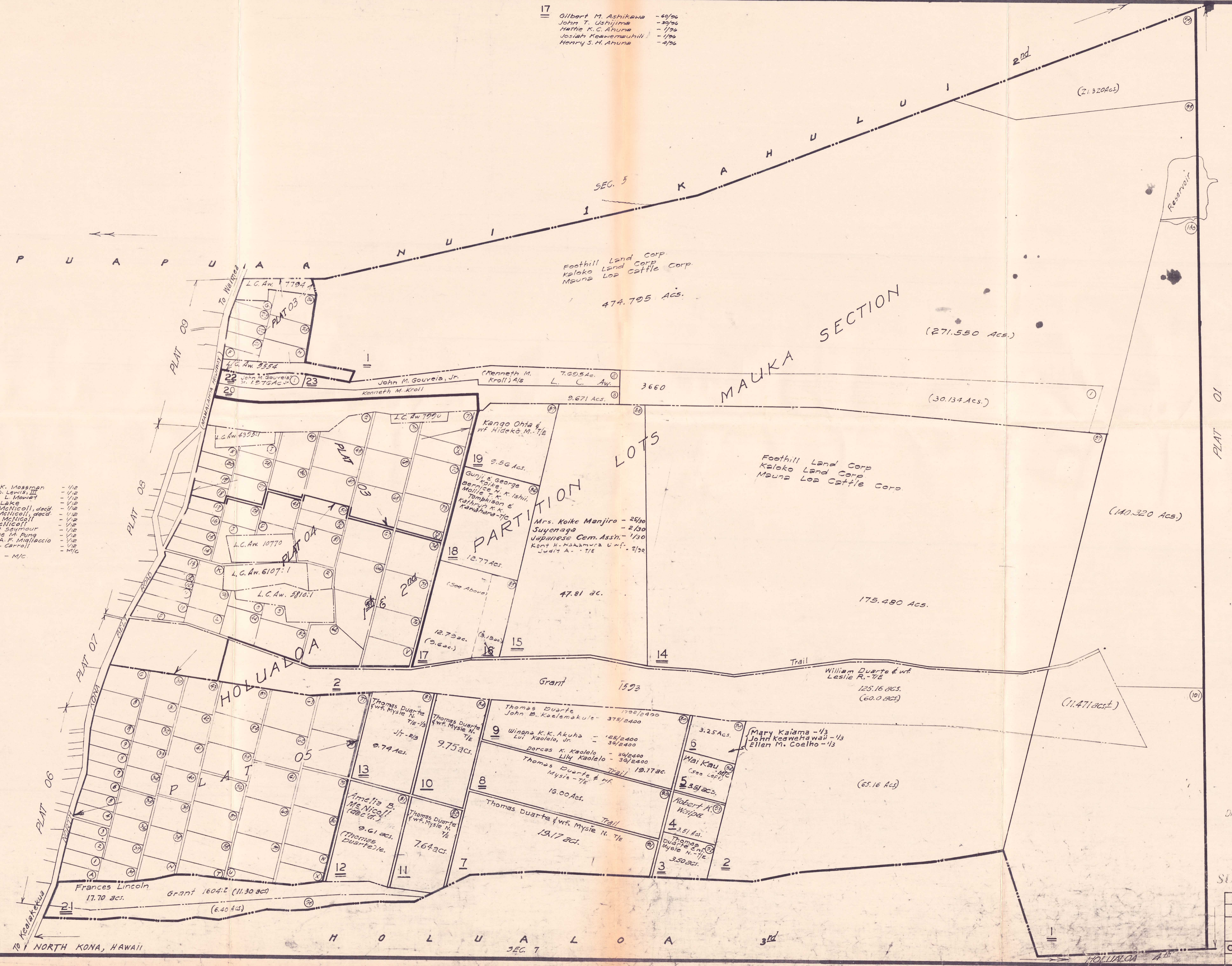
THIRD DIVISION		
ZONE	SEC.	PLAT
7	6	13
CONTAINING		PARCELS
SCALE: 1 in. = 400 Ft.		

ADVANCE SHEET
SUBJECT TO CHANGE

MAR 9 1939
 SEP 20 1939
 JUN 2 1944
 DEC 29 1944
 MAR 24 1945
 MAY 8 1950
 JUN 7 1950
 OCT 27 1950
 NOV 25 1950
 JAN 17 1951
 MAR 15 1951

Appr. by: S.L.G. March, 1936
 Revised by: S.L.G. March, 1936
 Appr. by: S.L.G. March, 1936
 Dwg. No. 6A
 By: G.B.
 Source: Tax Maps Bureau
 AUG 2 1968

17
 Gilbert M. Ashikawa - 40/96
 John T. Ushijima - 30/96
 Hattie K.C. Ahuna - 1/96
 Josiah Keawemahu - 1/96
 Henry S. M. Ahuna - 4/96



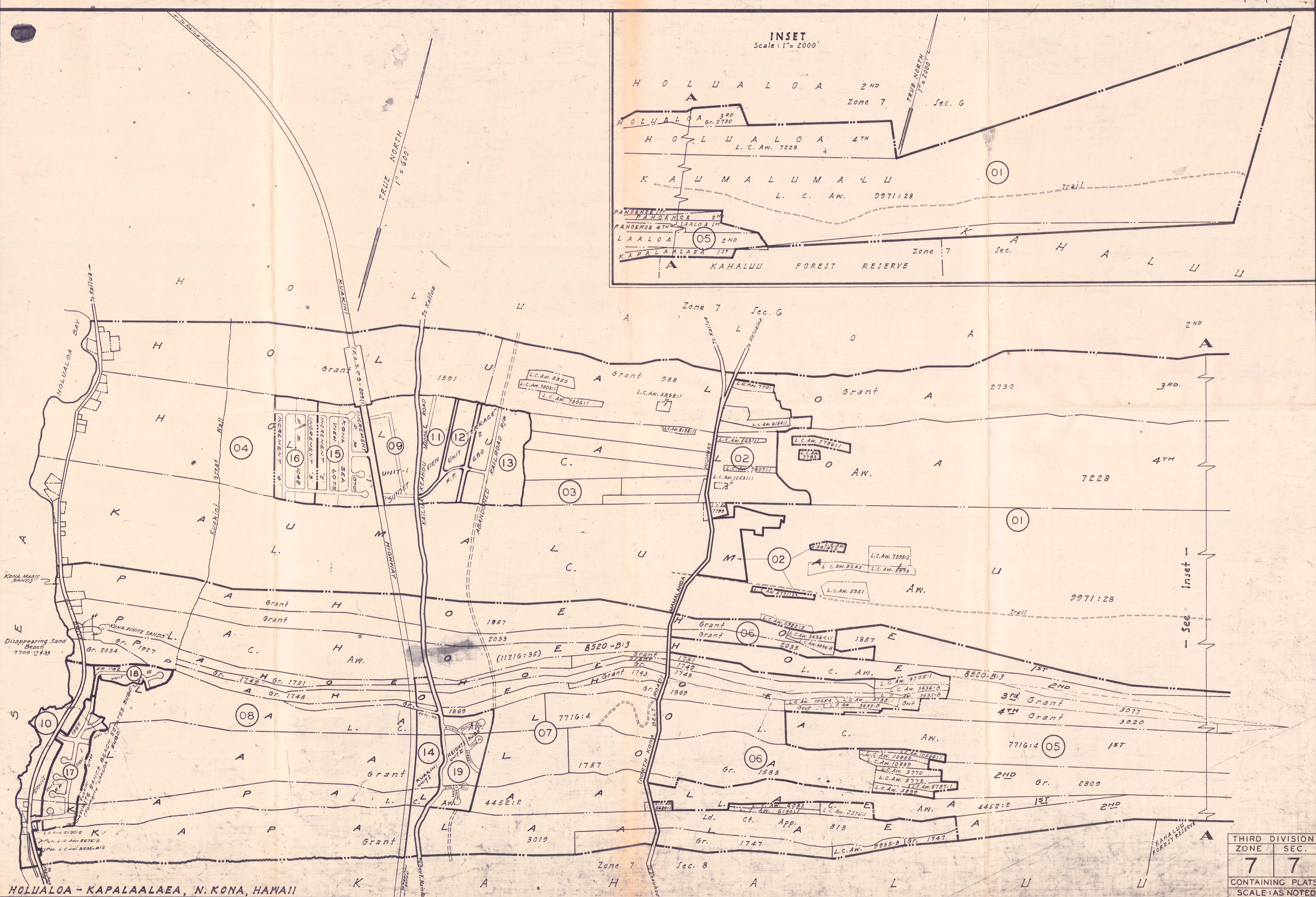
ADVANCE SHEET
 SUBJECT TO CHANGE

THIRD DIVISION		
ZONE	SEC.	PLAT
7	6	02

CONTAINING PARCELS
 SCALE: 1 in = 400 ft.

SP7H-177 KOBAYAKAWA
 PRINTED AUG 31 1971

Dwg. No. : 2
Source : Tax. M. Bureau - Survey Office
By : A. L. & H. N. June 1936



THIRD DIVISION	
ZONE	SEC.
7	7
CONTAINING PLATS	
SCALE: AS NOTED	