

Actin

May 16 - June 30

George R. Ariyoshi
XXXXXXXXXX

September 24, 1975

Mr. Donald A. Swangel
Box 6016, Star Route
Captain Cook, Hawaii 96704

Dear Mr. Swangel:

The original of the attached letter is on file in the office of the Hawaii Planning Department, 25 Aupuni Street, Hilo, Hawaii.

Very truly yours,

AH SUNG LEONG
Acting Executive Director

ASL/cbk

Encl.

September 23, 1975

Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji
Planning Director

Gentlemen:

At its meeting on September 22, 1975, the Land Use Commission voted to approve a special permit to Hawaiian Ocean View Estates Community Association, Inc. (SP75-207) to allow a community association building on approximately 2 acres of land situated in the Agricultural District at Kahuku, Ka'u, Tax Map Key 9-2-09: 50; subject to the conditions imposed by the Hawaii County Planning Commission.

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

Very truly yours,

AH SENG LEONG
Acting Executive Officer

Encls.

cc: Haw'n Ocean View Est. Comm. Assoc.
Dept. of Taxation, Hawaii
Property Technical Office, Dept. of Tax.
Tax Maps Recorder, Dept. of Tax.
Real Property Tax Assessor, Dept. of Tax.

STATE OF HAWAII
LAND USE COMMISSION

VOTE RECORD

ITEM SP75207 - HAWAIIAN OCEAN VIEW
EST. COMMUNITY ASSOC.
PLACE Room 416, State Capitol

DATE September 22, 1975
TIME 10:30 a.m.

NAME	YES	NO	ABSTAIN	ABSENT
YANAI, EDWARD				✓
M CARRAS, JAMES	✓			
DUKE, CHARLES	✓			
WHITESELL, CAROL	✓			
5 SAKAHASHI, STANLEY	✓			
OURA, MITSUO				✓
YAMAMURA, TANJI	✓			
MACHADO, COLETTE	✓			
TANGEN, EDDIE	✓			

Comments:

I move that the special permit be granted in accordance with the conditions set forth by the Hawaii County Planning Commission.

STATE OF HAWAII
LAND USE COMMISSION

MEMORANDUM

Sept. 22, 1975
10:00 a.m.

TO: Land Use Commission
FROM: Staff
SUBJECT: SP75-207 - HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSOCIATION, INC.

A special permit request to allow a community association building on approximately 2 acres of land situated in the Agricultural District at Kahuku, Ka'u Hawaii, has been submitted by the Hawaiian Ocean View Estates Community Association, Inc. The subject property is described as Tax Map Key 9-2-09: 50, and is owned by the Association.

The subject property lies within the Hawaiian Ocean View Estates Subdivision and fronts Leilani Circle at its makai intersection with Leilani Avenue. The Belt Highway is approximately 1/2 miles to the south. At the present time, approximately 150 single-family dwelling units have been constructed within the Hawaiian Ocean View Estates Subdivision. This non-conforming subdivision contains a total of 10,821 one-acre lots.

map There are approximately 155 miles of privately owned, oil-treated cinder surfaced roads within the subdivision which are maintained by the subdivider and property owners; water is provided by individual roof catchment; electric power and telephone lines exist along Belt Road and extends to the subject property; and sewage is accommodated by individual cesspools. The subject property is adjacent to a ten-acre parcel set aside by the original developer and dedicated to the County of Hawaii for "Elementary School and Park."

The subject area basically consists of A'a lava. The Soil Conservation Service classifies this as a miscellaneous land type. A'a lava has practically no soil covering and is bare of vegetations except for mosses, lichens, ferns, and small ohia

trees. The soil is rated "E" or very poor for overall agricultural productivity; unsuited for machine tillage; and consists mostly of sharp aa clinkers with little or no soil material. The subject property located at the 2,100 foot elevation and the average annual rainfall ranges from 20 to 24 inches.

Petitioner proposes to construct a two-story (40' x 80') building to be used for community purposes. The facility will also be utilized for adult education, Red Cross training, and by youth groups, senior citizens and the Ladies Club. Space will also be made available to members of the Association who need electricity for freezers, irons, sewing machines, etc. It is expected that facilities will be expanded in the future and will include recreational areas for tennis, badminton, volleyball, etc. The ground floor of the proposed building, which will be of concrete block construction with cement floor, will be divided into a freezer room, an office space, and possibly a sewing room. The upstairs floor will be a kitchen at one end, a meeting hall and a stage on the other end. The proposed building will be erected without expense to the County or State and maintained privately by the Association.

COUNTY RECOMMENDATION

At its meeting on May 8, 1975, the Hawaii County Planning Commission voted to recommend the approval of the Special Permit as it was found:

- "1. That the proposed use will not substantially alter nor change the essential character of the land and the present use. Hawaiian Ocean View Estates subdivision consists of more than 10,800 one-acre lots. The proposed use is to be a supportive part of the existing subdivision and as such will not greatly alter the present character of the area. Further, the proposed use will not adversely affect surrounding property. The proposed use will enhance the area by providing a facility which will benefit the entire community. The facility will provide amenities which are not now available to residents of the area, such as a meeting place and a facility with electricity.
- "2. That unusual trends and needs have arisen since the district boundaries and regulations were established. There are approximately 150 dwellings in the subdivision in which the proposed use will be located. The population is expected to increase in the future. The facility is needed to serve existing as well as future residents.

- "3. That the proposed use will not unreasonably burden public agencies to provide facilities and services. The proposed use will, in fact, relieve some of the burden upon public agencies to provide various facilities and services. The community association has taken upon itself the provision of various amenities which public agencies may find difficult to provide, based on existing population, conditions, and overall governmental priorities. Furthermore, it is the intent of the applicant to retain the facility under the community association's jurisdiction rather than turning it over to a governmental agency.
- "4. That the land upon which the proposed use is sought is unsuited for the uses permitted within the district. The subject property is comprised of A'a lava and is in capability Class VIII, according to the Soil Conservation Service. Class VIII soils rank lowest in terms of agricultural production. Due to the smallness of the subject property as well as the lots in the entire Hawaiian Ocean View Estates Subdivision, ~~it is determined that the View Estates Subdivision,~~ *typo error* it is determined that the varieties of agricultural uses which could be feasibly pursued are quite limited. Further, the character of the existing one-acre lots subdivision in which the land is located, makes it unlikely that the area would be put to intensive agricultural uses.

"The favorable recommendation was also subject to the following conditions:

- "1. That construction of the proposed facility begin within one (1) year from the date of approval of the special permit.
- "2. That all other applicable rules and regulations, including "Plan Approval," be complied with."

The subject area is designated as extensive agriculture on the General Plan land use pattern allocation guide map and is zoned Agriculture one-acre (A-1a).

Letters in support of the Special Permit request have been received from attorney Andrew C. Levin and Hawaii County Council members Dante K. Carpenter and Josephine R. Yadao. They noted that the proposed facility will provide a place within the community in which various recreational, educational and social needs can be accommodated.

Further comments were received as follows:

1. Ka'u Soil and Water Conservation Service - no objections.
2. Department of Parks and Recreation - no objections but questions whether the facility will eventually be dedicated to the County.
(Note: The Association indicated at the subsequent public hearing that their facility will be privately operated and maintained)
3. Department of Water Supply - Notes that there is no County water system in the area; however, it has no objections since no additional lots are created.

4. State Department of Agriculture - Foresees no adverse impact on agriculture.
5. Fire Department - Notes that fire protection is provided by a volunteer fire unit; that there is a 25,000 gallon water tank near the site; and that the nearest fire station is 15 miles away at Naalehu.
6. Police Department - Foresees no adverse impact.
7. Department of Public Works - No comments.
8. State Department of Education - No comments.
9. State Department of Health - Recommends approval of the special permit.

These are the pertinent facts relating to this Special Permit as summarized by staff.



STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 SO. KING STREET
HONOLULU, HAWAII 96814

August 7, 1975

RECEIVED
AUG 11 1975

MEMORANDUM

To: Mr. Tatsuo Fujimoto, Executive Officer
State Land Use Commission

State of Hawaii
LAND USE COMMISSION

Subject: Boundary Amendment Petitions and Special Permits

The Department of Agriculture has reviewed the applications for boundary amendment change and special permit, and submits the following comments:

A75-386 - Amfac Communities-Hawaii (Lahaina, Maui)

The Department has no objection to the petition to change 60[±] acres from agriculture to urban district; however, it should be pointed out that a major portion of the parcel is rated as having "very good" soil with irrigation by the State Land Study Bureau. The USDA Soil Survey report rates the soil in the subject parcel as having crop suitability rating of Class IV with irrigation on a rating scale of 1 to 8 (Class I soils having few limitations).

A75-387 - Joseph and Helen A. Hew and H&L Development Co. (Kula, Maui)
and

A75-389 - Kula Alii Ltd (Keohea, Maui)

Agriculture has been and continues to be very important to the economy of Maui. The Kula and Kihei areas produce the bulk of vegetable crops on the island. Soil ratings in the subject parcels are described in the USDA Soil Survey report as "Kula cobbly loam, 12 to 20% slopes; the surface layer is dark reddish-brown loam about 8 inches thick. The subsoil, about 46 inches thick, is reddish-brown loam, silt loam and silty clay loam that has subangular blocky structure." "...Permeability is moderately rapid. Runoff is medium and the erosion hazard is moderate..." "...Small areas are used for truck and orchard crops."

The surrounding parcels, both in rural and ag districts, which are currently in cultivated row crops have identical soil ratings. Therefore, unless there is a proven need for further rural subdivisions in the Kula region, the Department does not favor these applications for change in district designation.

huv

August 7, 1975

A75-388 - Henry R. and Otto S. Meyer, Alex I. Egusa (Molokai)

No objection or comments to petition.

A75-390 - Kaiser Cement & Gypsum Corporation

No comments or objection to petition.

A75-391 - Richard K. G. Stursberg

No objection; realignment of highway mauka of parcel will cut off a portion of subject parcel.

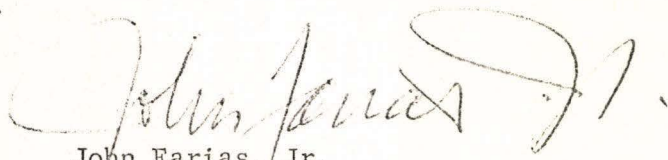
A75-392 - Amfac Communities-Hawaii

No objection to petition; however, for the record, USDA Soil Survey report rates the soil in subject area as having a crop suitability of Class II with or without irrigation.

SP75-204 thru *SP75-207*
SP75-209

No comments or objections to these special permit applications.

Thank you for the opportunity to comment.



John Farias, Jr.
Chairman, Board of Agriculture

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

September 10 1975

Mr. Donald A. Swangel
Box 6016, Star Route
Captain Cook, Hawaii 96704

The Land Use Commission next meets on September 22, 1975
at 10:00 a.m., in the State Capitol, Room #416
Honolulu, Hawaii

At that time the special permit application by Hawaiian Ocean
View Estate Community Association (SP75-207) to establish
a Community Association building
in the Agriculture District at Kahuku, Ka'u, Hawaii
will be considered.

Should you have any questions regarding this matter, please
feel free to contact us.

Very truly yours,

TATSUO FUJIMOTO
Executive Officer

Enclosure - Agenda



COUNTY OF
HAWAII

PLANNING COMMISSION
Planning Department

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI

~~Commissioner~~
Mayor

ARTHUR W. MARTIN
Chairman

May 9, 1975

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

RECEIVED

MAY 16 1975

State of Hawaii
LAND USE COMMISSION

Re: Special Permit Application - Hawaiian Ocean View Estates
Community Association

In accordance with Chapter 205, Section 205-6, Hawaii Revised Statutes, we are transmitting the decision and findings of the County Planning Commission on the above application.

The special permit request was to allow the establishment of a Community Association building. The subject property is located on Leilani Circle Mauka, Hawaiian Ocean View Estates subdivision, Kahuku, Ka'u, Hawaii, Tax Map Key 9-2-09:50.

The Planning Commission at a duly advertised public hearing held on April 8, 1975 in the County Council Room, County Building, South Hilo, Hawaii, discussed the subject request. The Commission on May 8, 1975, voted to recommend the approval of the special permit to the Land Use Commission as it was found:

1. That the proposed use will not substantially alter nor change the essential character of the land and the present use. Hawaiian Ocean View Estates subdivision consists of more than 10,800 one-acre lots. The proposed use is to be a supportive part of the existing subdivision and as such will not greatly alter the present character of the area. Further, the proposed use will not adversely affect surrounding property. The proposed use will enhance the area by providing a facility which will benefit the entire community. The facility will provide amenities which are not now available to residents of the area, such as a meeting place and a facility with electricity.
2. That unusual trends and needs have arisen since the district boundaries and regulations were established. There are approximately 150 dwellings in the subdivision in which the proposed

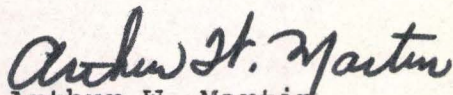
Mr. Tatsuo Fujimoto
Page 2
May 9, 1975

use will be located. The population is expected to increase in the future. The facility is needed to serve existing as well as future residents.

3. That the proposed use will not unreasonably burden public agencies to provide facilities and services. The proposed use will, in fact, relieve some of the burden upon public agencies to provide various facilities and services. The community association has taken upon itself the provision of various amenities which public agencies may find difficult to provide, based on existing population, conditions, and overall governmental priorities. Furthermore, it is the intent of the applicant to retain the facility under the community association's jurisdiction rather than turning it over to a governmental agency.
4. That the land upon which the proposed use is sought is unsuited for the uses permitted within the district. The subject property is comprised of a lava and is in capability class VIII, according to the Soil Conservation Service. Class VIII soils rank lowest in terms of agricultural production. Due to the smallness of the subject property as well as the lots in the entire Hawaiian Ocean View Estates Subdivision, it is determined that the varieties of agricultural uses which could be feasibly pursued are quite limited. Further, the character of the existing one-acre lots subdivision in which the land is located, makes it unlikely that the area would be put to intensive agricultural uses.

The favorable recommendation was also subject to the following conditions:

1. That construction of the proposed facility begin within one (1) year from the date of approval of the special permit.
2. That all other applicable rules and regulations, including "Plan Approval," be complied with.


Arthur W. Martin
Chairman

lat:sk

Enclosures

cc: Hawaiian Ocean View Estates Community Assn.

*Ocean View Estates
favor*

PLANNING COMMISSION
County of Hawaii

RECORD OF VOTING

For the Meeting of 5/8, 19 75

Members	Ayes	Noes	Excused (Absent)	Abstained from Voting
ASAI, Scott H.			✓	
DOMINGO, Takashi	✓			
JITCHAKU, Lorraine	✓			
JOHNSON, Daniel J., Jr.			✓	
KAI, Masayuki				
MARTIN, Arthur W.	✓			
NAGATA, Roy H.	✓			
STERLING, Leon K., Jr.	✓			
WATT, Ed C.	✓			

PLANNING COMMISSION

Planning Department
County of Hawaii

April 8, 1975

RECEIVED

MAY 16 1975

State of Hawaii
LAND USE COMMISSION

A regularly advertised public hearing, on the application of the Hawaiian Ocean View Estates Community Association, Inc., was called to order at 7:21 p.m., in the County Councilroom, County Building, by Chairman Arthur W. Martin.

PRESENT: Arthur W. Martin
Takashi Domingo
Lorraine Jitchaku
Leon K. Sterling, Jr.
Ed C. Watt

ABSENT: Scott H. Asai
Daniel J. Johnson, Jr.
Roy H. Nagata
Akira Fujimoto, Ex-officio Member
Edward Harada, Ex-officio Member

Sidney M. Fuke
Norman K. Hayashi
Ilima P. McGill

David Murakami, Public Works

and approximately 25 people in attendance

CHAIRMAN: We now turn to public hearing No. 2. Public hearing on the application of Hawaiian Ocean View Estates Community Association, Inc., for a special permit to allow the establishment of a Community Association building. The subject property is located on Leilani Circle Mauka, Hawaiian Ocean View Estates subdivision, Kahuku, Ka'u, TMK: 9-2-09:50.

Staff presentation please.

McGILL: Mr. Chairman and members of the Commission. (Staff presented the background information on file.) The following letters have been received, relative to this special permit request. (Read letters from Andrew C. Levin dated March 13, 1975, Josephine R. Yadao dated March 18, 1975 and Dante K. Carpenter dated April 3, 1975.) Thank you.

CHAIRMAN: Any questions you would like to direct to the staff?

WATT: I have one question.

CHAIRMAN: Commissioner Watt.

WATT: Is that to mean that they wished to turn it over? I hope they don't.

McGILL: They questioned whether there is any intention of turning it over.

CHAIRMAN: Maybe we can ask that when representative comes. Any further questions?

Is there a representative of the Community Association here? I got a feeling, we got three rows of it. I must say that when we seemed to have

a project which goes on in Ka'u, there seems to be a lot of community support for them. We had one in Honuapo last year. Now, this one here. Would you give us your name please.

LILLIAN BIGGLE: Yes, I'm Lillian Biggle and I live in Hawaiian Ocean View.

CHAIRMAN: Would you care to comment on a question which the Department of Parks and Recreation is raising?

BIGGLE: Yes, we have discussed this at different times. In fact when we first started initiating any motion toward building a community building, the question was brought up as to whether we should ask any involvement from the County of Hawaii or ask if we could use a piece of property there that the County of Hawaii now owns. And it was voted definitely not to; that we preferred to be independent.

CHAIRMAN: So the answer to the Parks and Recreation would be no.

BIGGLE: Definitely. We didn't want to be limited.

CHAIRMAN: Who are the members of the Association? Are these people who live there?

BIGGLE: Yes and a great many members on the Mainland.

CHAIRMAN: Are they required to be members of the Association when you buy property? Some subdivisions do that.

BIGGLE: No, the Association was formed absolutely independently of the formation of the subdivision and was formed by the people who lived, you know, here at that time.

CHAIRMAN: Would you comment on the reason for the building and the lack of anything else up there.

BIGGLE: Well, we have been using various other buildings as we grew. We outgrew the first. We used the Church of Christ which is a small building and we outgrew it and then St. Jude's Episcopal Church was built and we used that and we cannot house all of our people in St. Jude's any more when we have any sort of a social function; and when the whole community turns out, we don't have enough room in the building. At the last, year before last Christmas pageant, we were sitting outside in the rain looking in. But that's when we didn't have room in the building.

CHAIRMAN: You mean it does rain sometimes up there?

BIGGLE: I question the 25 inches of rain. We have quite a bit more than that in most of the areas.

We have twice had the Kona Coast Players out - put up production for us and we couldn't accommodate the crowd and the staging in St. Jude's Church which we were using at that time was inadequate. We could go in quite bit more for different educational programs if we have a place to hold them but the churches are not always available and there's no other public meeting place for us.

CHAIRMAN: You're proposing here a two-story building?

BIGGLE: Yes.

CHAIRMAN: Would it be one big room or small rooms?

BIGGLE: I wonder if I may turn this over to Bill Fields who is much more familiar with the mechanics of building than I am.

CHAIRMAN: Mr. Fields.

BILL FIELDS: Yes, I'm Bill Fields from Ocean Views. Now, your question was....

CHAIRMAN: I just wanted to see what kind of plans you had of the building. What your plans had in them.

FIELDS: Well, it's 40 by 80. The ground floor, which is of block construction, cement floor, and this could be divided into a freezer room, an office space and maybe sewing room and whatever we decide. I mean, this is kind of flexible. And then the upstairs, there will be a kitchen in one end, a meeting hall and the stage on the other.

CHAIRMAN: Thank you. Are there any other questions? Any of the Commissioners? I guess not. Thank you very much Mrs. Biggle and Mr. Fields. Now, would anyone else like to give any testimony on this application either in favor or opposed to the application. Please come up and give your name please.

FLOYD PLUM: Mr. Commissioner, my name is Floyd Plum. I am from Ka'u and I'm President of the Ka'u Theater Guild. We presently in Ka'u don't have a place to perform per se. That is, we put on our plays where we can. We have a number of members from Ocean View and we would like to serve them; but at the present time, we don't have the facility up there where we can present a play. And I feel this would be a benefit to their community and to the whole of Ka'u.

CHAIRMAN: Thank you. Are you working or does your Theater Guild works through that....was that Honuapo where we had that new school? I guess you call it the school there.

PLUM: Mill.

CHAIRMAN: The old mill.

PLUM: We have used the mill for some practice but they don't have any facilities as yet either. We're certainly hoping to in the future but we served all of Ka'u which is a pretty big area. We put this on several nights but it's impossible to take it to Ocean View under the present circumstances as she said and serve the people because you can't get them in.

CHAIRMAN: Thank you very much. Anything further? Anyone else like to come up? Chair would like to encourage any of you to come up and give us....

WATT: Mr. Chairman.

CHAIRMAN: Mr. Watt.

WATT: There's quite a few. I wonder if it would be proper to just poll the people and find out how many are for this.

CHAIRMAN: I have a feeling that if anyone decided to vote against it, they would be shut up I think.

UNIDENTIFIED PERSON: You want standing vote?

CHAIRMAN: I think that everyone here would stand up. Am I correct?

UNIDENTIFIED PERSON: Right!

CHAIRMAN: Let's see. (Everyone stood up.) Thank you. The only one sitting down over there, just happens to be a representative to the Department of Public Works. So, don't mind him over there.

WATT: How about the other one?

CHAIRMAN: Our Councilwoman over here. She represents Hilo. Commissioner Sterling. Oh, wait a minute there.

STERLING: I'm sorry.

LEONA LIGGET: I'm Leona Ligget and at present I'm serving as a Secretary of our Association. It's been stated that hundred and some families, 150, but in our fund raising, I am contacting from the tax records, the people who own property, and they are from all over the world. We have South Africa, we have Switzerland, we have all over. A lot of these people have sent in money. A lot of them are interested on their future homes there. So, although we're talking about 150 people right now, we're dreaming of many thousand.

CHAIRMAN: If you'll look at what's happening the last few years, it's already been stated how you've outgrown other buildings, you can see it's getting more all the time.

LIGGET: That's why we bought two acres.

CHAIRMAN: Commissioner Sterling.

STERLING: Thank you. I think we'll have to refer to you as Secretary person. You didn't say whether you were Miss or Mrs.

CHAIRMAN: Her husband is right back there.

LIGGET: I'm Mrs. Leona Ligget.

STERLING: Because we're acting on this, not necessarily favorably, but we're acting on it because it is Community Association and probably incorporated by Bylaws and Constitution - just to go on the record.

LIGGET: I have none with me now. We could send you one.

STERLING: I think it would be good just to have on record in case there's any question in the future.

LIGGET: Yes, we would have to send you a copy.

CHAIRMAN: Thank you Mrs. Ligget. Someone else would like to give us any testimony. I know we appreciate the remarks that have been made so far. Yes Ma'm, please come up. We want to be sure we get everyone who wants to say anything.

MARY HUFFMAN: I am Mary Huffman. I'm Treasurer of the Community Association at the present time. I want to state that all of our officers are volunteer

workers. We need that community building. We have our official records scattered in several different homes. Some of our homes are small and it makes living a little bit difficult, especially for the other members of the family. Also, I live beyond reach of the electric lines. It would probably be 20 years before they get up as far as our place and the freezer space and the room for sewing mean a lot to a great many of our women up there. Of course, we can use our sewing machines, our electric ones, when we're running the generator. But, I think everybody has heard about energy. So, we're all trying to conserve every bit that we can. And the community center would give all of us a chance to meet to work together and it will improve the living conditions for a great many people. Not only the working conditions, it will improve their social contacts.

CHAIRMAN: Thank you. Does the power line right now go to that property or past that property or will be connected up on that property.

HUFFMAN: Yes.

CHAIRMAN: I remember something was said in the staff report and I didn't quite get just how that worked. Thank you.

HUFFMAN: Electric lines come right up to the property. I believe I'm correct Bill.

CHAIRMAN: That's where it ends? Does it end there at the property?

FIELDS: It ends right at the end of the line as you try going around the makai side.

CHAIRMAN: Oh, the other side. So, you probably might need one more pole to get it there. Good, thank you very much Mrs. Huffman.

Anyone else? I think if I probably asked how many of these people here are not hooked up to electricity, more than of them would stand again. I don't think some people in Hilo will know that there are people still living like that.

Anyone else? We know that you've come a long way and we want to give you the opportunity to say something. Come up and give us your name.

UNIDENTIFIED PERSON: Is this a woman's lib?

CHAIRMAN: We have women doing all the talking.

EILEEN CASSIDY: Mr. Chairman, I'm Eileen Cassidy. My husband was President of the Association one year and I've been a Secretary, so we really do work very hard out there. But the thing I want to talk about, too, is the electric. As you know, St. Jude's is not electrified and we have a small generator; and when we have any kind of a function, the generator, we just pray. You know, we can't go to the bathroom - we got the coffee pot going. So, we need a building that's on the electricity. And we are now building a house because we couldn't get our other house electrified that is on electricity and we are currently housing a freezer for a friend but our freezer was housed by a friend before we built this house. And we do live 80 miles from Hilo; and when we come in shopping, we don't get carried away when you have little freezer space on top of your refrigerator. That's not too easy. So, one of the really important things to this building is a space for freezers for anyone who wants to put it in.

CHAIRMAN: Thank you. I know that you've been quite active in the church there and I can remember some days being a little bit worried when the things don't last.

Anyone else? I know, I'm sure I can speak for the other Commissioners how much we appreciate you people coming all this way out and your interest and concern in this, which is your project.

STERLING: Mr. Chairman, there being no further testimony, I move that the public hearing be closed.

WATT: Second the motion.

CHAIRMAN: I hope we've given everybody a chance to say something. Don't go home and say, gee, I wished I had said something too. It has been moved by Commissioner Sterling and that Commissioner Watt seconded?

WATT: Right.

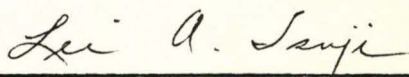
CHAIRMAN: That we close the public hearing. All those in favor say Aye.

COMMISSIONERS: Aye.

CHAIRMAN: Opposed? Motion is carried. This is a special permit and I am sorry that all your trip here, you can't see us vote because on a special permit, this is the first time it's come before us. We have to wait 15 days after the public hearing. If the application is approved, we recommend approval to the State Land Use Commission. We will then vote on it.

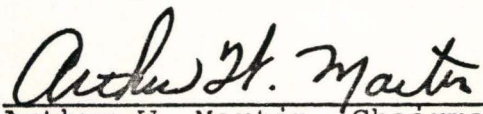
The public hearing was adjourned at 7:45 p.m.

Respectfully submitted,



Lei A. Tsuji, Secretary

A T T E S T :



Arthur W. Martin, Chairman
Planning Commission

SPECIAL PERMIT: HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSN., INC.

An application for a Special Permit has been submitted by the Hawaiian Ocean View Estates Community Association, Inc. The purpose of the request is to allow the establishment of a community association facility in the State Land Use Agricultural District. The area under consideration consists of two acres. It is located in the Hawaiian Ocean View Estates subdivision, approximately one-half mile from the Hawaii Belt Road on Leilani Circle Mauka, Kahuku, Ka'u (TMK: 9-2-09:50).

The subject area is designated as extensive agriculture on the General Plan land use pattern allocation guide map and is zoned Agriculture one-acre (A-1a).

The Hawaiian Ocean View Estates subdivision consists of 10,821 lots, each of which is approximately one acre in size. There are about 150 dwellings in the subdivision. In support of the special permit request, the applicant has stated the following:

(Read communication dated March 6, 1975)

The subject area basically consists of a'a lava. The Soil Conservation Service classifies this as a miscellaneous land type. A'a lava has practically no soil covering and is bare of vegetation, except for mosses, lichens, ferns and small ohia trees. Its capability class is VIII, or soils and landforms which have limitations that preclude their use for commercial plants and restrict their

use to recreation, wildlife, or water supply, or to esthetic purposes. Class VIII soils are the least productive of the Soil Conservation Service's capability groupings. The Ka'u Soil and Water Conservation District commented that:

"After reviewing the attached application for special permit the district directors concluded that they have no objections nor adverse critical comments.

"The area is well drained, a'a type lava in a sparsely populated zone. The proposed Association Community Center would fulfill a valid social and cultural need in this rural community and have no adverse effects on present or future development."

The average annual rainfall in the area under consideration ranges from 20 to 24 inches.

Hawaiian Ocean View Estates subdivision has a private road system. The roads are oil treated and cinder surfaced and are maintained by the property owners and subdivider.

Electricity is available to the subject site.

There is no public water system in the area. In reviewing the subject application, the Fire Department noted that there is a 25,000-gallon water tank near the proposed building.

All other cooperating agencies had no comments on or objections to the subject application.

The following letters have been received, relative to this

→ The Dept of P+R commented: "We have no objections to the special permit application, however, we question whether there is any intention to eventually turn the facility over to the County for operation + maintenance"

HOVECA
page 3

special permit request:

- (Read: 1. Levin - 3/13/75
2. Yadao - 3/18/75
3. Carpenter - 4/3/75)



HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSN., INC.
STAR ROUTE BOX 6016
CAPT. COOK, HAWAII 96704

March 6, 1975

County of Hawaii Planning Department
25 Aupuni Street,
Hilo, Hawaii 96720

RE: SPECIAL PERMIT

Hawaiian Ocean View Estates Community Association, Inc. (HOVECA)—a non profit organization—organized in 1967 and incorporated under the laws of the State of Hawaii on May 15, 1969, respectfully requests authority to construct a two-story (40'x80') building to be used for community purposes; not only by the members of the Association and their families, but also, by other community groups such as Adult Education, Red Cross training, youth groups, senior citizens and the active Ocean View Ladies Club. The foregoing list is not intended to exclude other community organizations, but merely to illustrate the type of community service for which the building is to be used.

The building will be erected without expense to the County or State on a two-acre parcel already owned by HOVECA. (Block 29, lots 17 and 18—consolidated under Tax Map Key 9-2-009-050) adjacent to a ten-acre parcel set aside by the original developer and dedicated to the County of Hawaii for "Elementary School and Park".

At the present time, the site of the proposed building is serviced by electricity in contrast with much of Hawaiian Ocean View Estates, which for the most part is not served by electric power. It is the intent of HOVECA to make available space in the building for members who need power for utilizing such appliances as freezers, irons, sewing machines, etc.

One of the principal uses contemplated for the building will be meetings for recreational and educational purposes, such as musical events, lectures, moving pictures, slide presentations, etc. At the present time there is no meeting place in Hawaiian Ocean View Estates of sufficient size to accommodate such gatherings.

This building will serve as a meeting place for Association members as well as a storage for their records and will be made available to the public as a polling place.

One of the members of HOVECA and a property owner in Hawaiian Ocean View Estates subdivision—Dr. Howard Powers, eminent geologist and botanist—has consented to identify the rare and indigenous trees and shrubs located on the rear of the property which the Association wishes to preserve.

It is expected in the years to come, as the community grows, that a need will be found for recreational areas for activities such as tennis, badminton, volley ball, etc. As the community grows and new residents come into the subdivision, there undoubtedly will be need for expansion of the aforementioned facilities. A precise description cannot be given now—we wish to say that our intent is to satisfy as nearly as possible, the needs of a growing community without placing an extra burden on the County or State.

Respectfully Submitted,

A handwritten signature in cursive script that reads "Donald A. Swangel".

Donald A. Swangel, President
Hawaiian Ocean View Estates Community Association, Inc.

DS/bf

ANDREW C. LEVIN .

ATTORNEY AT LAW

167 KEAWE STREET
HILO, HAWAII 96720

TELEPHONE 935-0072

March 13, 1975

Planning Commission
County of Hawaii
25 Aupuni Street
Hilo, HI 96720

Dear Commissioners:

It has come to my attention that the Hawaiian Ocean View Estates Community Association is requesting a special permit to construct a community building.

Although I do not know the exact details of the plan, I am sure that the proposed building will be a valuable community addition and will help meet some of the community's basic needs. I, therefore, wish to use this method to urge your favorable consideration of the request.

Very truly yours,



Andrew C. Levin

ACL:ss

JOSEPHINE R. YADAO
COUNCILWOMAN



COUNTY COUNCIL
COUNTY OF HAWAII
HAWAII COUNTY BUILDING
HILO, HAWAII 96720

March 18, 1975

Planning Commission
County of Hawaii
Hilo, Hawaii

I support the request of the Hawaiian Ocean View Estates Community Association for a special permit to construct a Community Center on two acres owned by the Association in Hawaiian Ocean View Estates Subdivision.

The intended use of the building to accommodate the members of the HOVE Association, their projection for future recreational programs, educational purposes and other activities, is to me a sincere effort to provide for the needs of the community and they should be commended for initiating a self-help project.

I trust that their application will be given your favorable approval.

A handwritten signature in cursive script that reads "Josephine R. Yadao".

Josephine R. Yadao
COUNCIL MEMBER

cc: HOVECA

April 3, 1975

Mr. Arthur Martin, Chairman
and Members, County Planning Commission
County of Hawaii
Hilo, Hawaii 96720

Re: HOVE Special Permit

On April 8, 1975, the Hawaii County Planning Commission will be considering an application from the Hawaiian Ocean View Estates Community Association, Inc., (HOVECA), for a special permit to allow the establishment of a Community Association building to be built on Block 29, Lots 17 and 18 located on Leilani Circle Mauka, within the Hawaiian Ocean View Estates subdivision.

I would like to submit my support and endorsement of this worthy idea being proposed by HOVECA for the following reasons:

1. There are now over 100 families living in this growing subdivision. At present, this area lacks many of the basic amenities enjoyed and taken for granted by those fortunate to reside in the more urban areas of this island. The proposed community building would be a valuable and cherished improvement that is intended to provide for its deserving people an area for recreational, educational, social, and a variety of other potential uses.
2. The project merits support and commendation in that HOVECA is only applying for a special permit to put up the building. No county funds are being requested as HOVECA willingly assumes this responsibility indicating to me a strong sense of community pride and involvement.

C
O
P
Y

Mr. Arthur Martin
April 3, 1975
Page 2

3. Since the site of the proposed building is adjacent to a ten acre parcel set aside by the developer and dedicated to the County for park use, this project would complement and reduce the contemplated County expenditures for the development of that area as described in the "1974 County of Hawaii - Recreation Plan".

I am in total support of the initiative taken by HOVECA and request the Planning Commission's favorable recommendation on the application for a special permit.

Mahalo and Aloha.


Dante K. Carpenter
COUNCILMAN

cc: ✓ Mr. Raymond Suefuji.
Mr. D. A. Swangel
Mr. Jack Suwa

Sei-cory 2 by-
alt

H.O.V.L.
Star Route Box 6016
Captain Cook, Hawaii 96704

April 10, 1975

Copy of by-laws mailed for records of
Planning Commission, at request of
member Leon Sterling during

Public Hearing of April 8, 1975.

Commission +
by-laws

Aloha

Leona S. Liggett, Secretary

A revised October 1974

of

HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSOCIATION, INC.

ARTICLE I

SECTION 1. Name. The name of this organization shall be HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSOCIATION, INC.

SECTION 2. Purpose. The purposes and objects of this Corporation shall be those set forth in its Charter of Incorporation.

SECTION 3. Principal Office. The principal office of the Corporation shall be maintained at the place stated in the Charter of Incorporation or at such other place in the State of Hawaii as the Board of Directors from time to time shall determine.

SECTION 4. Seal. The seal of the Corporation shall be circular in form and shall bear the name of the Corporation and such other words, devices and inscriptions as the Board of Directors from time to time shall prescribe.

ARTICLE II

SECTION 1. Qualification of Members. Membership shall be according to land ownership with each acre of land representing one share in the Corporation.

SECTION 2. Dues. Effective January 1, 1970, dues shall be \$5.00 per share per year payable on January 1st of each year. Members may pay dues on any number of shares owned but not to exceed five shares.

ARTICLE III

MEETINGS

SECTION 1. Annual Meeting. The regular December meeting shall be the Annual Meeting. At the annual meeting the President, Treasurer and Standing Committee Chairmen shall make their annual reports to the members. Members shall elect the officers, may transact any general business which may be brought before the meeting, and may take any corporate action.

SECTION 2. Regular Meetings. Regular meetings of the members of the Corporation shall be held on the second Saturday of every even numbered month (February, April, June, August, October and December) at a time and place announced by the Secretary.

SECTION 3. Special Meetings. Special meetings of the members of the Corporation may be held at any time upon the call of the President, or upon the call of a majority of the Board of Directors, or upon the written request of twenty-five (25) members of the Corporation, for the transaction of such business as may have been specified in the notice of the meeting.

SECTION 4. Notice of Meeting. A written or printed notice of every meeting of the members, stating whether it is an annual or special meeting, the authority for the call of the meeting, the place, day and hour thereof and the purpose therefor shall be given by the Secretary or by the person or persons calling the meeting, at least five days before the day set for such meeting. Such notice shall be given to each member in any of the following ways: (A) By leaving the same with him personally, or (B) By leaving the same at the residence or usual place of business of such member, or (C) By mailing it, postage prepaid, addressed to such member at his address as it appears on the membership roll of the Corporation. If notice is given pursuant to the provisions of this section, the failure of any member to receive actual notice of meeting shall in no way invalidate the meeting or any proceedings thereat.

SECTION 5. Quorum. At any meeting of the members of which proper notice has been given, twenty-five (25) voting persons shall constitute a quorum, and the concurring vote of a majority of the members (in person or by proxy) constituting a quorum shall be valid and binding upon the Corporation, except as otherwise provided by law or by these By-Laws or by the Charter of the Corporation.

SECTION 6. Voting. At every meeting of the members of the Corporation each member shall be entitled to one vote in person or by proxy for each dues paid share in his possession (proxies must be in writing and filed previous to the meeting with the Treasurer).

SECTION 7. Adjournment. Any meeting of the members of the Corporation, whether annual or special may be adjourned from time to time, whether a quorum be present or not, without notice other than the announcement at the meeting. Such adjournment may be to such time and to such place as shall be determined by a majority vote of the members present. At any such adjourned meeting at which a quorum shall be present, any business may be transacted which might have been transacted by a quorum at the original meeting as originally called.

ARTICLE IV

BOARD OF DIRECTORS

SECTION 1. Composition. There shall be a Board of Directors of the Corporation consisting of the following: (A) the Officers of the Corporation; (B) Directors elected from the membership of the Corporation; (C) the immediate past-president of the Corporation, ex-officio, without power to vote. All members of the Directors shall be members of the Corporation.

SECTION 2. Election. In the election of Directors for the 1975 year, three shall be elected to one-year terms and three to two-year terms. Thereafter, three Directors shall be elected annually to two-year terms.

Any vacancy occurring in the Directors shall be filled by an appointment by the President within thirty (30) days. Such Director shall serve for the unexpired term of his predecessor.

SECTION 3. Regular Meetings. The Board of Directors shall meet on the last Friday of each month at a time and place determined at the previous meeting.

SECTION 4. Special Meetings. Special meetings of the Board of Directors may be called at any time by the President or upon the written request of a majority of Directors. The time and place of any special meeting shall be determined by the President.

SECTION 5. Notice of Meetings. Notices of Board of Directors meetings shall be the same as for membership meetings as stated in Section 3 of Article III hereof.

SECTION 6. Quorum. A majority of the members of the Board of Directors shall constitute a quorum to transact business. A vacancy or vacancies in the membership of the Board of Directors shall not affect the validity of any action of the Board of Directors, provided there is a quorum present at the meeting.

SECTION 7. Adjournment. In the absence of a quorum at the date, time and place of a meeting duly called, and at any meeting duly called and held, the presiding officer or a majority of the Board of Directors present may adjourn the meeting from time to time without further notice and may convene or reconvene the meeting when a quorum shall be present.

SECTION 8. Powers. The Board of Directors shall manage the property and business of the Corporation and shall have and may exercise all of the powers of the Corporation except such as are reserved to or may be conferred from time to time by law or by the Charter and any amendments thereto or by the By-Laws.

The Directors shall report upon all regular and special meetings of the Board of Directors at the meeting of the Corporation next following said meetings and shall make recommendations to the members regarding all proposed amendments to the By-Laws.

SECTION 9. Emergency Appointment. In emergency, the President may appoint a pro tem Director (s) to create a quorum.

ARTICLE V

OFFICERS

SECTION 1. Appointment and Term. The officers of the Corporation shall be a President, one or more Vice Presidents, a Treasurer, and a Secretary. Each of the officers shall be elected at the annual meeting of the members of the Corporation and shall hold office until the next annual meeting and until a successor shall be duly elected and qualified. All officers shall be members of the Corporation. A vacancy in any office except that of President, shall be filled by appointment by the President within thirty (30) days with the approval of the Board of Directors. A vacancy in the office of President shall be filled by appointment by the Board of Directors within thirty (30) days. An officer appointed to fill a vacancy shall serve for the unexpired term of his predecessor.

SECTION 2. Subordinate Officers and Agents. The Board of Directors may appoint or employ such subordinate officers including an Executive Secretary, Assistant Treasurers and Assistant Secretaries, agents and employees as may be deemed proper, who shall hold their positions at the pleasure of the Board of Directors and who shall have such powers and duties as may be assigned to them by the Board of Directors. Any officer of the Corporation may also be a subordinate officer, agent or employee.

The Executive Secretary shall act as the General Business Manager of the Corporation and shall perform all the normal duties of such office within the limits set by the Board of Directors.

He shall attend all membership and Board of Directors meetings and any committee meetings he is requested to attend.

He shall be entitled to vote as a member but shall have no vote in Board of Directors or committee meetings.

SECTION 3. Compensation. To the extent permitted by the Charter, the compensation, if any, to be paid to any officer, subordinate officer, agent or employees shall be determined by the Board of Directors.

SECTION 4. Bonds. Any officer may be required by the Board of Directors to give a surety company bond for the faithful discharge of his duties in such sum as the Board of Directors may require and such bond shall be deposited as said Board of Directors may direct.

ARTICLE VI

COMMITTEES

SECTION 1. Standing and Special Committees. There shall be such standing committees as may be determined by the Board of Directors and such special committees as may be created by the President.

SECTION 2. When a standing committee is assigned a specific task or when a special committee is appointed for a specific task a reasonable time limit and completion date shall be set.

ARTICLE VII

PRESIDENT

SECTION 1. Powers and Duties. The President when present shall preside at all meetings of the members of the Corporation and of the Board of Directors. Subject to the control of the Directors, he shall be the chief executive officer of the Corporation, shall exercise general supervision and direction over the management and conduct of the business and affairs of the Corporation and shall have the right to inspect at all times any and all of the records, accounts and property of the Corporation. The President shall be an ex-officio member, without power to vote, of all committees of the Corporation. He shall also have such other powers and duties as are given to him elsewhere by law or in these By-Laws and as may be assigned to him from time to time by the Directors. He shall report upon the affairs and activities of the Corporation annually at the annual meeting of the members of the Corporation.

ARTICLE VIII

VICE PRESIDENT

SECTION 1. Powers and Duties. The Vice President (or Vice Presidents, in the order of priority of appointment) shall assume and perform the duties of the President in the absence or disability of the President or whenever the office of President is vacant. Each Vice President shall have such other powers and duties as may be given to him by law or in these By-Laws and as may be assigned to him from time to time by the Board of Directors.

ARTICLE IX

TREASURER

SECTION 1. Powers and Duties. The Treasurer, except as the Directors may otherwise order and direct from time to time and subject to its control at all times, (1) shall have charge of the financial affairs of the Corporation and have the care and custody of its seal, moneys, funds, valuable papers and documents;

(2) shall keep full and accurate books of account of the Corporation's transactions and business, which books shall be and remain the property of the Corporation; (3) shall deposit to the credit of the Corporation all moneys and funds of the Corporation in such bank or banks or other depositories as the Directors shall designate; (4) shall pay out and disburse funds so deposited in the general course of business and under the authority of the Directors after disbursements have been approved by the President and responsible committee chairman; (5) shall receive all moneys and funds and sign all receipts and vouchers and endorse for collection or deposit all notes, checks, drafts and similar commercial instruments payable to the Corporation or its order received for payments made to the Corporation, and in the absence of specific instructions from the Directors may delegate this authority to any agent or employee of the Corporation; (6) an Auditor shall make and render to the proper municipal, state, federal, and other government officials all exhibits, returns and reports required by law; (7) shall make and render to the Directors such reports and financial statements as it may request; (8) shall, upon request, present and exhibit to the members of the Corporation and to the Board of Directors all books, accounts, records and evidence therefor kept by him; (9) shall keep the membership roll (dues paid shares); and, (10) shall have such other powers and duties as may be incidental to the office of Treasurer elsewhere given to him by law or in these By-Laws and as may be assigned to him from time to time by the Directors. The Treasurer shall also serve as an ex-officio member, with power to vote, of any finance committee. The Treasurer shall make an annual report to the members of the Corporation.

ARTICLE X

SECRETARY

SECTION 1. Powers and Duties. The Secretary (1) shall attend and keep the minutes of all meetings of the members of the Corporation and Board of Directors, if any and when requested, shall attend and keep the minutes of meetings of any other committee, in books provided for that purpose and shall mail general membership meeting minutes to all members within 20 days after such meetings; (2) shall give all notices of meetings required by these By-Laws; (3) shall carry on and keep a file of the general correspondence of the Corporation, and Board of Directors; and (4) shall have such other powers and duties as may be incidental to the office of Secretary or elsewhere given to him by law or in these By-Laws and as may be assigned to him from time to time by the Board of Directors.

ARTICLE XI

AUDITOR

SECTION 1. Election. The Board of Directors shall, following the October meeting and previous to the December meeting, appoint some person, firm or corporation to act as the auditor of the Corporation.

SECTION 2 Disqualification. No Director or officer shall be eligible to service as Auditor of the Corporation.

SECTION 3. Duties. The Auditor shall, at least once in each calendar year and more often if required by the members or Board of Directors, examine the books and papers of the Corporation and compare the statements of the Treasurer with the books and vouchers of the Corporation, and otherwise make a complete audit of the books of the Corporation, and thereafter make appropriate reports to the members or Board of Directors and state or local agency as required.

ARTICLE XII

EXECUTION OF INSTRUMENTS

SECTION 1. Authorized Signatures. All checks, drafts, notes, bonds, acceptances, deeds, leases, contracts, and all other instruments shall be signed by such person or persons as shall be provided by general or special resolution of the Board of Directors, and in the absence of any such general or special resolution applicable to any such instrument, then such instrument shall be signed by the President and by the Treasurer.

ARTICLE XIII

ELECTIONS

SECTION 1. The nominating committee shall present its proposed slate of candidates at the October meeting. After the nominations made by the nominating committee are entered, the President shall call for nominations from the floor and such nominations shall be recorded by the Secretary.

SECTION 2. Following the October meeting the Secretary will insure that all nominees' names appear on a printed ballot. The Secretary will furnish ballots to members in accord with provisions in Article II, Section 2 and Article III, Section 6, by mail or otherwise.

SECTION 3. At the annual meeting, officers and Directors shall be elected for the ensuing year according to a count of the ballots received before or during that meeting.

SECTION 4. A copy of the tally of all secret ballots shall be deposited with the Secretary.

SECTION 5. The First Vice President elected for the 1975 year shall be the President-designate for the 1976 year and shall automatically succeed to the Presidency. Thereafter, a First Vice President, but not a President, shall be elected annually.

SECTION 6. In case of a tied vote in an election the Board of Directors shall cast a tie-breaking vote.

ARTICLE XIV

RECORDS

SECTION 1. Keeping of Records. Each officer shall keep accurate records of his work and turn them over to his successor within thirty days of vacating office. The written reports of all officers shall be filed with the Secretary and shall become permanent records of the Corporation.

SECTION 2. Treasurer's Records. The Treasurer's books shall be audited annually immediately following the annual meeting. Within ten days following the audit, he shall turn over to his successor all funds, securities and records and take a listed receipt therefor. The records of the Treasurer shall be open to reasonable inspection by any member of the Corporation at all times.

SECTION 3. Secretary's Records. The records of the Secretary shall be open at all times to reasonable inspection by any member of the Corporation. They shall preserve in permanent files all records of value to the Corporation, to be transferred to their successors within ten days of vacating office.

SECTION 4. A copy of any and all correspondence of any sort or kind, made in the name of the Corporation, or a written report of telephone calls of the above type, shall be filed with the Secretary. Failure to so file invalidates the correspondence or telephone call and relieves the Corporation of responsibility.

ARTICLE XV

FISCAL YEAR

SECTION 1. Determination. The fiscal year of the Corporation shall be such as may from time to time be established by the Board of Directors.

ARTICLE XVI

AMENDMENTS TO BY-LAWS

SECTION 1. Procedure. These By-Laws may be altered, amended, added to or repealed by an affirmative vote of not less than two-thirds of all the members present in person or by proxy at any meeting of the members of the Corporation if notice of the proposed amendments shall have been given in the call for such meeting.

County of Hawaii

Planning Department

GENERAL SUBDIVISION INFORMATION

#2053

Name	<u>HAWAIIAN OCEAN VIEW ESTATES</u>
Tax Map Key	9-2-02 to 149; 158 - 182
Location	Kahuku Kau, Hawaii
Distance to	Hilo, 65 miles on State Hiway #11
Number of Lots	10,821
Typical Lot Size	1 acre
Preliminary Approval Date	7/25/60; 8/20/62
Final Approval Date	1/7/63; 1/30/63; 12/16/63; 5/24/64 *
Roads within Subdivision	Privately owned, oil-treated cinder surfaced Approx. 155 miles of roads w/in subdivision
Maintenance	Subdivider - owners' responsibility
Water System	individual roof catchment
Other Utilities	electric power and telephone along main government road; some service for some interior lots
Sewage System	private individual cesspools
Fire Protection	Naalehu Volunteer Fire Truck - 12 miles south
Nearest Shopping and Service	Waiohinu (10 miles); Naalehu (12 miles) communities.
Number of Homes Built in Subdivision	About 100 as of 6/74
Zoning	Agriculture 1 acre
General Plan	orchards; alternate urban expansion
State Land Use Designation	Agriculture
Other Information	Average annual rainfall 20 - 24 inches Little or no soil; unsuited for machine tillability.

* different dates due to incremental development

March 24, 1975

Mr. Donald A. Swangel, President
Hawaiian Ocean View Estates
Community Association
Star Route, Box 6016
Capt. Cook, HI 96704

Re: Notice of Public Hearing
Special Permit Application
TMK: 9-2-09:50

This is to inform you that your request has been scheduled for a public hearing. It will be held, with others, beginning at 7:00 p.m. on Tuesday, April 8, in the Council Room of the County Building, South Hilo, Hawaii.

Your presence, or that of a representative, will be appreciated so that all questions relative to the request may be clarified.

A copy of the hearing notice is enclosed for your information.

Sidney M. Fuji

RAYMOND SUEFUJI
Director

rfd
Enclosure

MAR 25 1975
MAR 25 1975

PUBLIC HEARINGS
PLANNING COMMISSION
COUNTY OF HAWAII

NOTICE IS HEREBY GIVEN of public hearings to be held by the Planning Commission of the County of Hawaii in accordance with the provisions of Section 5-4.3 of the Charter of the County of Hawaii:

PLACE: County Council Room, County Building, South Hilo, Hawaii

DATE: Tuesday, April 8, 1975

TIME: 7:00 p.m.

The purpose of the public hearings is to afford all interested persons a reasonable opportunity to be heard on the following requests:

1. APPLICANT: John W. Cooper

LOCATION: Off of Maluhia Road in the Nanawale Estates Subdivision, Unit I, Puua, Puna.

TMK: 1-4-55:69

REQUEST: Variance from the sideyard setback requirement as stipulated in the Single-family Residential -- 10,000 square feet (RS-10) zone.

2. APPLICANT: Hawaiian Ocean View Estates Community Assn., Inc.

LOCATION: Leilani Circle Mauka, Hawaiian Ocean View Estates subdivision, Kahuku, Ka'u.

TMK: 9-2-09:50

REQUEST: Special Permit to allow the establishment of a Community Association building.

Maps showing the general locations and boundaries of the areas under consideration and/or plans of the proposed developments are on file in the office of the Planning Department in the County Building at 25 Aupuni Street, Hilo, Hawaii, and are open to inspection during office hours. All comments should be filed with the Planning Commission before that date or in person at the public hearing.

PLANNING COMMISSION
ARTHUR W. MARTIN, Chairman
By RAYMOND SUEFUJI
Planning Director

(Hawaii Tribune-Herald: March 28 and April 6, 1975)



PLANNING DEPARTMENT

25 AUPUNI STREET • HILO, HAWAII 96720

HERBERT T. MATAYOSHI
Mayor

RAYMOND H. SUEFUJI
Director

COUNTY OF
HAWAII

March 31, 1975

Dear Property Owner: (TMK:

Re: Special Permit Application - Kahuku, Ka'u, Hawaii
Tax Map Key 9-2-09:50

You are hereby notified that a request for a special permit to allow the establishment of a Community Association building has been submitted by the Hawaiian Ocean View Estates Community Association, Inc.

The subject property is located off of Leilani Circle Mauka, Hawaiian Ocean View Estates subdivision, Kahuku, Ka'u, Hawaii.

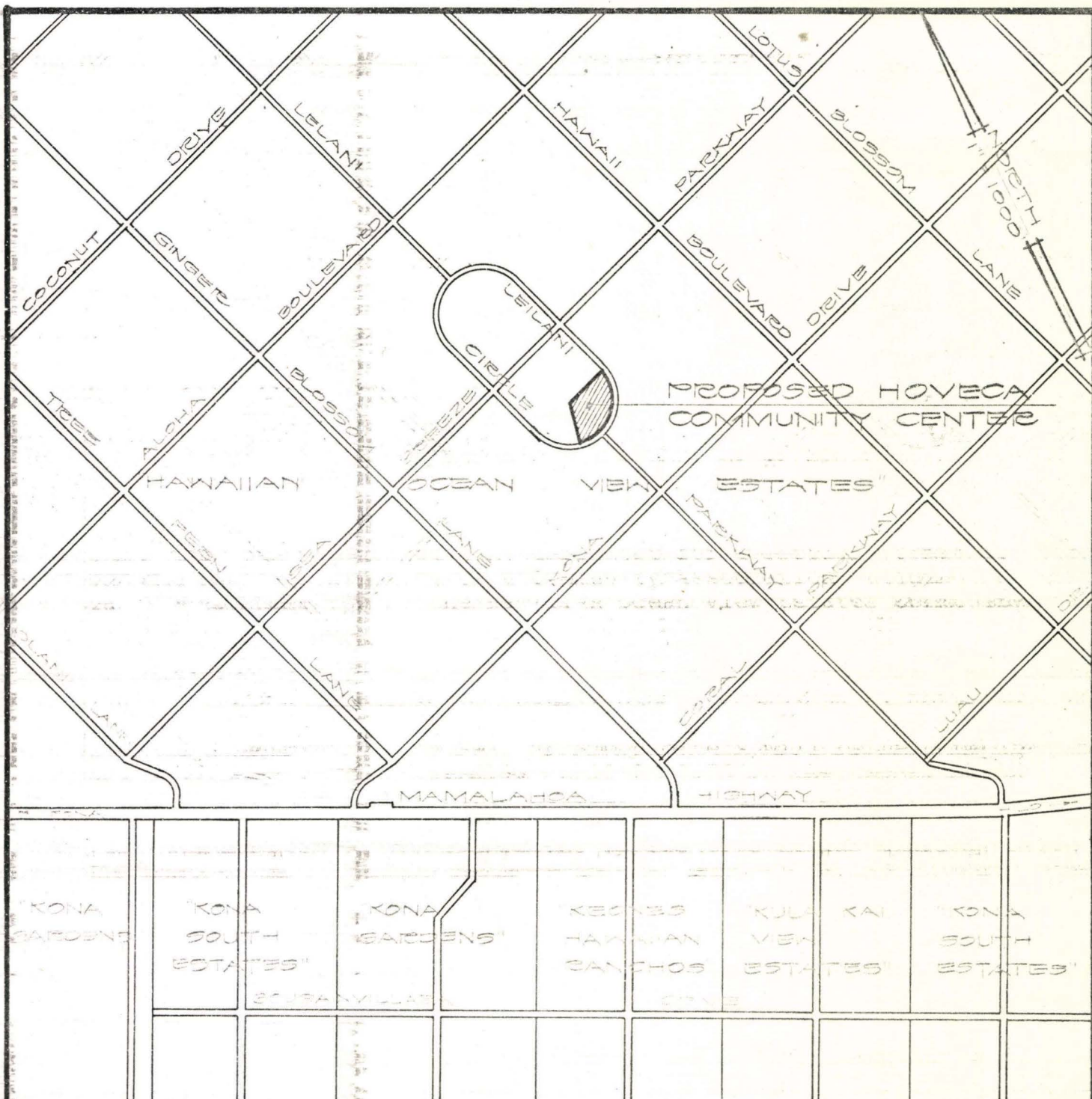
A public hearing on the subject among others will be held beginning at 7:00 p.m. on Tuesday, April 8, 1975 in the County Council Room, County Building, Hilo, Hawaii.

You are invited to comment on the application at the hearing or submit written comments prior to the hearing.

Raymond Suefuji
Raymond Suefuji
Director

lat

Enclosure



SPECIAL PERMIT REQUEST

CONSTRUCTION OF A COMMUNITY CENTER

HAWAIIAN OCEAN VIEW ESTATES, KAHUKU, KA'U, HAWAII

TAX MAP KEY : 9-B-00-50

PERMIT REQUEST BY : HAWAIIAN OCEAN VIEW
ESTATES COMMUNITY
ASSOCIATION, INC.

SPECIAL PERMIT

MAIN STREET VILLAGE EST. FOR AQUIFEROUS
CONSTRUCTION OF A COMMUNITY CENTER
TRK 9-2-09:50 (87,120 ~~50~~ FT.)

9-2-09:49 ✓ IRA J. HAWKINS

449 PANORAMA DR. - LAGUNA BEACH, CA. 92651

51 ✓ HAWAII OCEAN VIEW EST. LTD.

572 EAST GREEN ST. PASADENA, CA. 91101

52 ~~COUNTY OF HAWAII~~

59 ✓ ANGUS L. & NANCY L. MORGAN

583 So OLYMPIA WAY OLANE, CA. 96661

60 ✓ HAROLD & BARBARA RAMSEY

PO Box 275 - KAILUA, KONA HI. 96740

61 ✓ ANGUS L. & NANCY L. MORGAN

583 So OLYMPIA WAY - OLANE CA. 96661

62 ✓ RICHARD LOREN

Box 497 - JUNEAU AK. 99801

9-2-08:30 HAROLD OTTENSMEIER

14109 ARDIS AVE, BELLFLOWER, CA. 90706

31 " " " " " "



Ka'u Soil and Water Conservation District

Naalehu, Ka'u, Hawaii

April 2, 1975

Mr. Raymond Suefuji
Planning Director
County of Hawaii
25 Aupuni Street
Hilo, Hawaii 96720

Dear Sir:

After reviewing the attached application for special permit the district directors concluded that they have no objections nor adverse critical comments.

The area is well drained, aa type lava in a sparsely populated zone. The proposed Association Community Center would fulfill a valid social and cultural need in this rural community and have no adverse effects on present or future development.

Thank you for offering us the opportunity to review this matter.

Very truly yours,

Norman Rozeff
Norman Rozeff
Secretary

Hove

DEPARTMENT OF PARKS & RECREATION
COUNTY OF HAWAII

Date: March 31, 1975

TO: PLANNING DEPARTMENT

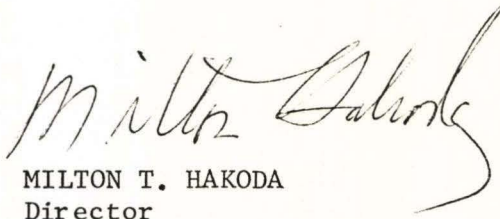
FROM: DEPARTMENT OF PARKS & RECREATION

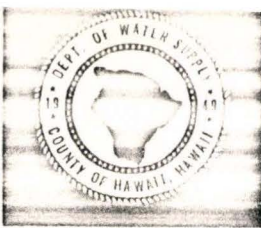
RE: ☐ CHANGE OF ZONE APPLICATION
☒ SPECIAL PERMIT APPLICATION
☐ USE PERMIT APPLICATION
☐ VARIANCE
☐

FOR: HOVE Community Assoc.

TMK 9-2-9:50

We have no objections to the special permit application, however, we question whether there is any intention to eventually turn the facility over to County for operation and maintenance.


MILTON T. HAKODA
Director



DEPARTMENT OF WATER SUPPLY • COUNTY OF HAWAII

P. O. BOX 1820

HILO, HAWAII 96720

25 AUPUNI STREET

March 27, 1975

TO: Planning Department
FROM: Department of Water Supply
SUBJECT: SPECIAL PERMIT
APPLICANT: HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSOCIATION, INC
TMK: 9-2-009-050

There is no County water system near this area. However, we see no objections to this special permit request for consolidation purposes since no additional lots are being created.

Akira Fujimoto
Manager

GK

cc: Hawaiian Ocean View Estates Community Association, Inc.

... Water brings progress...

GEORGE R. ARIYOSHI
GOVERNOR



JOHN FARIAS, JR.
CHAIRMAN, BOARD OF AGRICULTURE

YUKIO KITAGAWA
DEPUTY TO THE CHAIRMAN

STATE OF HAWAII
DEPARTMENT OF AGRICULTURE
1428 SO. KING STREET
HONOLULU, HAWAII 96814

March 19, 1975

MEMORANDUM

To: Mr. Raymond Suefuji, Director
Hawaii County Planning Department

Subject: Special Permit HONECA
TMK: 9-2-9: 50

The Department of Agriculture has reviewed the subject application
and foresees no adverse agricultural impact.

Thank you for the opportunity to comment.

A handwritten signature in cursive script, reading "John Farias, Jr.", followed by a large, stylized initial "A".

John Farias, Jr.
Chairman, Board of Agriculture

JF:k:h

HAWAII COUNTY FIRE DEPARTMENT

TO: Mr. Raymond Suefuji

DATE: March 18, 1975

FROM: Inspector Teruichi Kohashi

SUBJECT: Special Permit
TMK: 9-2-9:50

/HON

Community is protected by a volunteer fire unit. There are no fire hydrants. However, there is a 25,000 gallons water tank near this proposed building. Nearest fire station is in Naalehu, about 15 miles away.

Teruichi Kohashi
Fire Inspector

March 17, 1975

TO: FRANKIE SKEFFOT, PLANNING DIRECTOR
FROM: MARTIN K. L. KANUA, INSPECTOR, ADMINISTRATIVE DIVISION
SUBJECT: CHANGE OF ZONE APPLICATIONS & SPECIAL PERMIT APPLICATION

The applications listed below have been reviewed and from the police standpoint, we can foresee no adverse effects from the requested changes.

CHANGE OF ZONE APPLICATIONS

- ~~1. Howard Straton - R4-1 to CV-10; TMK: 7-5-18:15~~
- ~~2. James A. Kawaiye - A-40a to RS-15; TMK: 6-2-1:10 & 63~~
- ~~3. John Crevolin - A-3a to RS-15; TMK: 2-4-03:48~~

SPECIAL PERMIT APPLICATION

1. Hawaiian Ocean View Estates Community Association, Inc.

MARTIN K. L. KANUA
INSPECTOR

MKLY/K

HAWAII ELECTRIC LIGHT COMPANY, INC.

P. O. BOX 1027 HILO, HAWAII-96720



March 17, 1975

County of Hawaii
Planning Department
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji, Director

Subject: Special Permit & Change of Zone
Applications

Gentlemen:

We have no comments to the following applications:

Special Permit
Hawaiian Ocean View Estates
Community Association
TMK: 9-2-9:50

Change of Zone
RM-1 to CV-10
TMK: 7-5-18:15

Very truly yours,

Jitsuo Niwao, Manager
Engineering Department

JN:bd

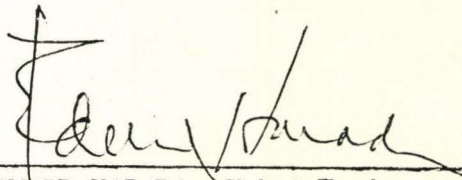
DEPARTMENT OF PUBLIC WORKS
COUNTY OF HAWAII
HILO, HAWAII

MEMORANDUM

Date March 17, 1975

TO: Planning Department
FROM: Chief Engineer
SUBJECT: Application for Special Permit
Applicant: Hawaiian Ocean View Estates Community Association, Inc.
Location: Hawaiian Ocean View Estates, Ka'u, Hawaii
TMK: 9-2-009:050

We have reviewed the subject application and we have no comments to offer.


EDWARD HARADA, Chief Engineer

HAWAII DISTRICT
Department of Education

Date: March 13, 1975

To: Hawaii County
Department of Planning

From: Hawaii District
Department of Education

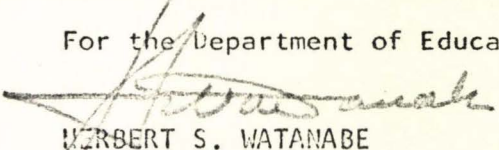
Subject: Special Permit for Hawaiian Ocean View Estates Community Assn.,
TMK: 9-2-9:50

✓

Hawaii District Department of Education has no objection
to the application.

Hawaii District recommends the following:

For the Department of Education:


HERBERT S. WATANABE
STAFF SPECIALIST
BUSINESS & FACILITIES

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: Dept. of Health

Date: March 12, 1975

From: Planning Director

Subject: Special Permit
TMK: 9-2-9:50

Attached is an application of Hawaiian Ocean View Estates Community Association for a special permit. Please review and send us any comments within two weeks from the above date. Thank you very much.

Sidney M. Suefuji
RAYMOND SUEFUJI
Director

lgv
Enclosure

March 14, 1975
Department of Health, Hilo

We recommend approval of the above request for special permit.

Endre Toth
ENDRE TOTH, P.E.
Environmental Engineer, Hawaii

O.k.

March 10, 1975

Ronald A. Swengel, Pres.
Hawn Green View Estates Community Assn.
51st Ave., Box #015
Capt. Cook, 26704

Re: Special Permit
TRK: 9-2-9:50

This is to acknowledge receipt on March 6, 1975 of the above described special permit application.

The County Planning Commission shall conduct a public hearing on the request within a period of not less than thirty (30) nor more than one hundred twenty (120) days from the receipt of the application. The Commission shall then act on the application not earlier than fifteen (15) days after the public hearing but within a reasonable time thereafter.

Notice of the time and place of the public hearing shall be forwarded when the application is scheduled for Commission action.

Should any questions arise, please contact Lila McGill or Royden Yamasato of this department at 961-8288.

Sidney McGill
RAYMOND SUEFUJI
Director

McG:lqv

MEMORANDUM:

PLANNING DEPARTMENT — County of Hawaii, Hilo, Hawaii 96720

To: DPW, DWS, Highways, Health, P&R, DOE
Police, Fire, Soil Conservation, Dept.
of Ag., Helco, Tax Office

Date: March 12, 1975

From: Planning Director

Subject: Special Permit
TMK: 9-2-9:50

Attached is an application of Hawaiian Ocean View Estates Community Association for a special permit. Please review and send us any comments within two weeks from the above date. Thank you very much.

Sidney M. Fuji

RAYMOND SUEFUJI
Director

lgv
Enclosure

APPLICATION FOR SPECIAL PERMIT

COUNTY OF HAWAII

PLANNING DEPARTMENT - PLANNING COMMISSION

APPLICANT: HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSOCIATION, INC.

APPLICANT'S SIGNATURE: Donald A. Swengel

ADDRESS: Box 6016, Star Route, Captain Cook, Hawaii 96704

TELEPHONE: 929-7452 or 929-7370

TAX MAP KEY: 9-2-009-050

AREA: TWO ACRES

(Size of Parcel)

OWNER: HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSOCIATION, INC.

OWNER'S SIGNATURE: Donald A. Swengel, President

APPLICANT'S INTEREST, IF NOT OWNER: Current President of the Association

REQUESTED USE: Association Community Center

RECEIVED
MAY 16 1975

State of Hawaii
LAND USE COMMISSION

APPLICANT'S REASON(S) FOR REQUESTING SPECIAL PERMIT: (Please attach)

NOTE: The applicant must show that:

- (a) such use shall not be contrary to the objectives sought to be accomplished by the Land Use Law and Regulations;
- (b) the desired use shall not adversely affect surrounding properties;
- (c) such use shall not unreasonably burden public agencies to provide roads and streets, sewers, water, drainage, school improvements, and police and fire protection;
- (d) unusual conditions, trends, and needs have arisen since the district boundaries and regulations were established;
- (e) the land upon which the proposed use is sought is unsuited for the uses permitted within the district;
- (f) the proposed use will not substantially alter or change the essential character of the land and the present use; and
- (g) the proposed use will make the highest and best use of the land involved for the public welfare.

THIS APPLICATION MUST BE ACCOMPANIED BY:

- (a) 16 copies of the completed application form with attachments.
- (b) 16 copies of a location map.
- (c) 16 copies of a site plan with existing and proposed uses.
- (d) any additional information.
- (e) \$100.00 processing fee.

For Official Use:

Date received _____
120th day _____
Public Hearing date _____
Action date _____
To Land Use Commission _____



HAWAIIAN OCEAN VIEW ESTATES COMMUNITY ASSN., INC.
STAR ROUTE BOX ~~354~~ 6016
CAPT. COOK, HAWAII 96704

March 6, 1975

County of Hawaii Planning Department
25 Aupuni Street,
Hilo, Hawaii 96720

RE: SPECIAL PERMIT

Hawaiian Ocean View Estates Community Association, Inc. (HOVECA)—a non profit organization—organized in 1967 and incorporated under the laws of the State of Hawaii on May 15, 1969, respectfully requests authority to construct a two-story (40'x80') building to be used for community purposes; not only by the members of the Association and their families, but also, by other community groups such as Adult Education, Red Cross training, youth groups, senior citizens and the active Ocean View Ladies Club. The foregoing list is not intended to exclude other community organizations, but merely to illustrate the type of community service for which the building is to be used.

The building will be erected without expense to the County or State on a two-acre parcel already owned by HOVECA. (Block 29, lots 17 and 18—consolidated under Tax Map Key 9-2-009-050) adjacent to a ten-acre parcel set aside by the original developer and dedicated to the County of Hawaii for "Elementary School and Park".

At the present time, the site of the proposed building is serviced by electricity in contrast with much of Hawaiian Ocean View Estates, which for the most part is not served by electric power. It is the intent of HOVECA to make available space in the building for members who need power for utilizing such appliances as freezers, irons, sewing machines, etc.

One of the principal uses contemplated for the building will be meetings for recreational and educational purposes, such as musical events, lectures, moving pictures, slide presentations, etc. At the present time there is no meeting place in Hawaiian Ocean View Estates of sufficient size to accommodate such gatherings.

This building will serve as a meeting place for Association members as well as a storage for their records and will be made available to the public as a polling place.

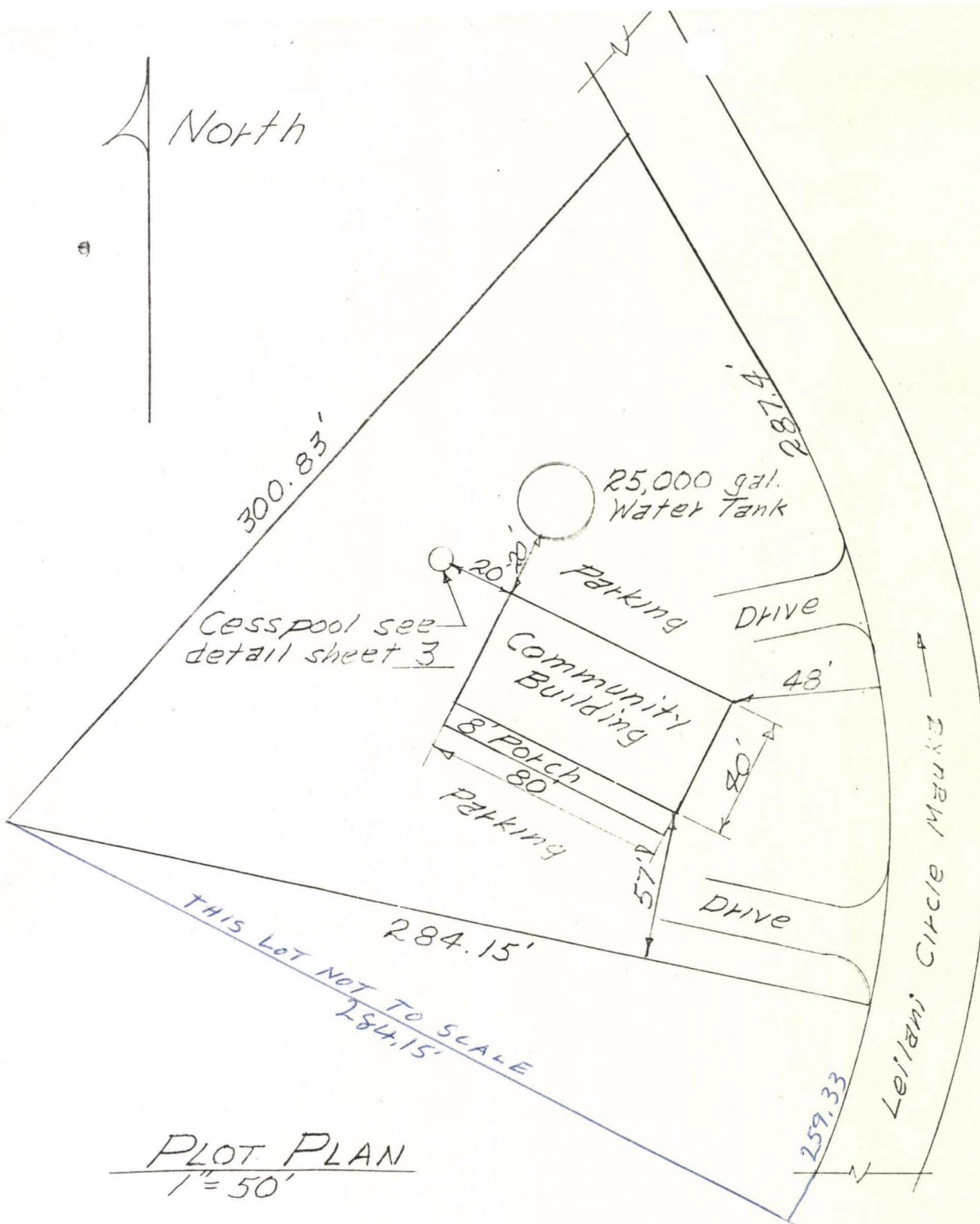
One of the members of HOVECA and a property owner in Hawaiian Ocean View Estates subdivision—Dr. Howard Powers, eminent geologist and botanist—has consented to identify the rare and indigenous trees and shrubs located on the rear of the property which the Association wishes to preserve.

It is expected in the years to come, as the community grows, that a need will be found for recreational areas for activities such as tennis, badminton, volley ball, etc. As the community grows and new residents come into the subdivision, there undoubtedly will be need for expansion of the aforementioned facilities. A precise description cannot be given now—we wish to say that our intent is to satisfy as nearly as possible, the needs of a growing community without placing an extra burden on the County or State.

Respectfully Submitted,

Donald A. Swangel, President
Hawaiian Ocean View Estates Community Association, Inc.

DS/bf



COMMUNITY BUILDING

Lot-17 Block 29 Tax Map Key 9-2-009-058

AND-18 Hawaiian Ocean View Estates

State and County of Hawaii

Scale $\frac{1}{4}" = 1'-0"$ & noted

Date August 27 1974

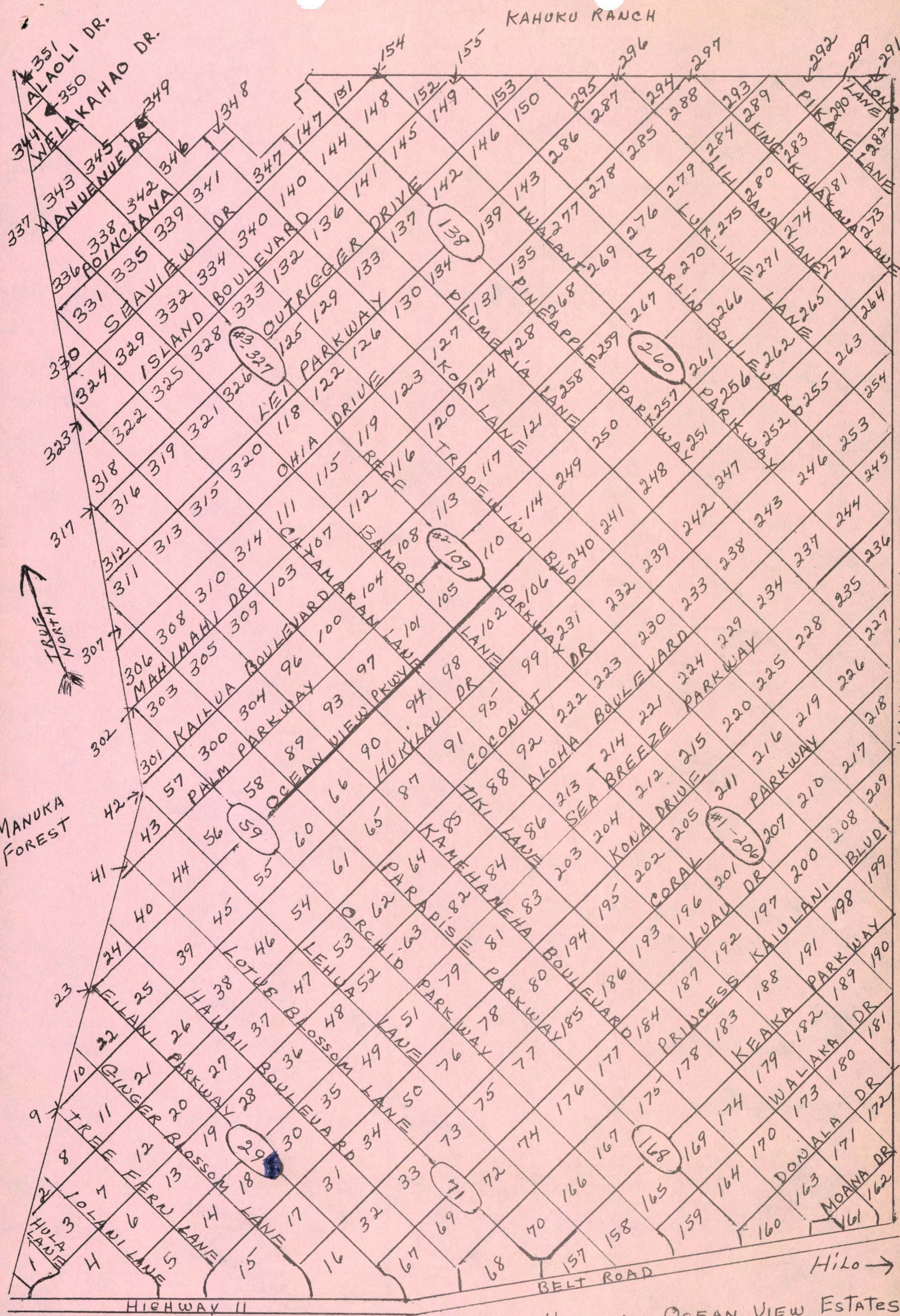
SHEET

1

OF

4

These Two one-acre lots have been consolidated under the above TMK.



← KONA SMILES TO THE OCEAN → Hilo →

HAWAIIAN OCEAN VIEW ESTATES

MANUKA MESSENGER
P.O. Box 25
NAALEHU, HAWAII 96772

A topographic map of the Kilauea Iki National Monument area on the Big Island of Hawaii. The map features a large, irregular pink-shaded region that covers a significant portion of the central and eastern areas. Overlaid on this pink region is the text "SP75-207 HAWAIIAN OCEAN VIEW ESTATES" in a large, bold, purple, italicized font. The map includes various geographical features such as the Kilauea Iki Crater, the Kilauea Inland Rift, and the Kilauea Caldera. It also shows the Pacific Ocean to the south and the Kilauea Iki National Monument boundary. The map is marked with numerous contour lines, place names, and a grid system. A small yellow circle is visible on the right side of the map, near the Kilauea Iki Crater. The map is oriented with North at the top.

SP75-207 HAWAIIAN OCEAN VIEW ESTATES

