

August 25, 1964

Mr. Robert L. Wagner
P. O. Box 60
Mt. View, Hawaii

Dear Mr. Wagner:

The Planning and Traffic Commission at a duly advertised public hearing on July 20, 1964 in the Board of Supervisors Conference Room discussed your request for a Special Permit from Section 98H-5 of Act 205, Land Use Regulation of the State of Hawaii to allow the development and construction of six (6) A-Frame units on three lots as shown on drawings filed with this office.

The Commission voted to deny the Special Permit as it was determined beyond a reasonable doubt that public interest and general welfare will not be served nor will the above request be in accord with the purpose and intent of the Land Use Law as set forth in Section 98H-5 thereof because of the following findings:

1. The three lots in question with a total area of 43,638 square feet are located in the Agricultural District of the State Land Use Commission.
2. The permitted uses in the Agricultural District are clearly set forth under ACTS 187 and 205.
3. The lots in question can be used and developed with a single-family residential unit per lot.
4. Roadway access is not presently existing to the three lots in question.
5. There is no water system on the site in question and electricity and telephone services are not available at the premises at the present time.
6. The development of two A-Frame structures on a 14,500 square foot lot is normally permitted in the Urban District of the Land Use Commission and under the Duplex District of the County.

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7. The lots in question are similar in character to lots generally in the same neighborhood; as such, the development of two A-Frame structures per lot in said subdivision may set a pattern of development not normally permitted even in the Urban District of the State Land Use Commission.
8. The State Land Use Commission has allowed adequate reserve in existing Urban District for urban development.
9. On the basis of the above listed findings, the Commission felt that the development of six A-Frame structures on about an acre of land was not an unusual and reasonable use of the Agricultural District.

A denial by the Commission of the desired use shall be appealable to the Circuit Court in which the land is situated and shall be made pursuant to the Hawaii Rules of Civil Procedure.

Please do not hesitate to call or write us should there be further questions on this matter.

Yours very truly,

PLANNING AND TRAFFIC COMMISSION

Edgar A. Hamasu
Director

Robert M. Yamada
Chairman

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