



STATE OF HAWAII

DEPARTMENT OF PLANNING AND ECONOMIC DEVELOPMENT
LAND USE COMMISSION

P. O. BOX 2359 • HONOLULU, HAWAII 96804

August 9, 1971

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Governor

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Director Department
of Planning and Economic
Development
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Commission Chairman
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Vice Chairman
TATSUO FUJIMOTO
Executive Officer

RECEIVED
COUNTY PLANNING
Date: AUG 16 71
File No.: 242-186

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Hawaii Planning Commission
25 Aupuni Street
Hilo, Hawaii 96720

Attention: Mr. Raymond Suefuji, Planning Director

Gentlemen:

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

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

Very truly yours,

Tatsuo Fujimoto
TATSUO FUJIMOTO
Executive Officer

Encl. - Staff Report

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

STATE OF HAWAII
LAND USE COMMISSION

Kauai Public Library
Lihue, Kauai

August 7, 1971
10 a.m.

STAFF REPORT

SP71-102 - ELDEN ROTH

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

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

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

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

County Recommendation

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

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

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

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

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

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

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