

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAI'I

In the Matter of the Petition of)
)
CHARLES P. BOOTH, SANDRA E. BOOTH,)
EDWARD D. BRUFFEY, AND SHARON L.)
BRUFFEY)
)
To Amend the Conservation Land Use)
District Boundary into the)
Agricultural Land Use District for)
Approximately 15,384.915 square)
feet of land at Waimea, Waialua,)
Oahu, Hawai'i, TMK No.: 6-1-02: 2)
(por.))
_____)

DOCKET NO. A93-698
ORDER GRANTING
PETITIONERS' MOTION FOR
MODIFICATION OF
CONDITIONS

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LAND USE COMMISSION
STATE OF HAWAII

ORDER GRANTING PETITIONERS' MOTION
FOR MODIFICATION OF CONDITIONS

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OF THE STATE OF HAWAI'I

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CHARLES P. BOOTH, SANDRA E. BOOTH,)	ORDER GRANTING
EDWARD D. BRUFFEY, AND SHARON L.)	PETITIONERS' MOTION FOR
BRUFFEY)	MODIFICATION OF
)	CONDITIONS
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ORDER GRANTING PETITIONERS' MOTION
FOR MODIFICATION OF CONDITIONS

On October 24, 1995, Charles P. Booth, Sandra E. Booth, Edward D. Bruffey, and Sharon L. Bruffey ("Petitioners") filed a Motion for Modification of Conditions ("Motion"), pursuant to sections 15-15-70 and 15-15-94, Hawai'i Administrative Rules ("HAR"). Petitioners' Motion requested modification of Condition Number 1 of this Commission's Order Adopting Hearing Officer's Proposed Findings of Fact, Conclusions of Law, and Decision and Order ("Decision and Order") filed on October 24, 1994, to extend the time in which Petitioners are required to obtain zoning and subdivision approvals from the City and County of Honolulu and acquire the Petition Area by an additional one and one-half years.

The Motion came on for hearing before this Commission on November 2, 1995, in Honolulu, Hawai'i. The Office of State Planning ("OSP") argued that it had no objections to the Motion.

The City and County of Honolulu Planning Department was served with a copy of the Motion and did not submit any written response to the Motion nor did it appear at the hearing on this matter.

This Commission, having considered the arguments presented by Petitioners and OSP in this proceeding and the record in this proceeding, and good cause existing therefrom,

IT IS HEREBY ORDERED that Condition Number 1 be amended as follows:


1. Petitioners shall acquire the Petition Area and obtain all zoning and subdivision approvals for the Petition Area from the City and County of Honolulu by April 24, 1997.


All other conditions of the Decision and Order filed on October 24, 1994, are hereby reaffirmed and shall continue in effect.

DOCKET NO. A93-698 - CHARLES P. BOOTH, SANDRA E. BOOTH, EDWARD D. BRUFFFEY, AND SHARON L. BRUFFFEY

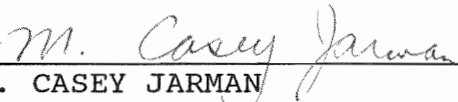
Done at Honolulu, Hawaii, this 21st day of November 1995,
per motion on November 2, 1995


LAND USE COMMISSION
STATE OF HAWAII

By 
ALLEN K. HOE
Chairperson and Commissioner

By 
TRUDY K. SENDA
Vice Chairperson and Commissioner

By 
RUPERT K. CHUN
Commissioner

By 
M. CASEY JARMAN
Commissioner


By 
LLOYD F. KAWAKAMI
Commissioner


By 
MERLE A. K. KELAI
Commissioner

By (absent)
EUSEBIO LAPENIA, JR.
Commissioner

Filed and effective on
November 21, 1995

Certified by:


Executive Officer

By 
JOANN N. MATTSON
Commissioner

By 
ELTON WADA
Commissioner

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BRUFFEY)
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(por.))
_____)

CERTIFICATE OF SERVICE


I hereby certify that a copy of the Order Granting
Petitioners' Motion for Modification of Conditions was served
upon the following by either hand delivery or depositing the same
in the U. S. Postal Service by certified mail:

GREGORY G.Y. PAI, PH.D., Director
Office of State Planning
P. O. Box 3540
Honolulu, Hawaii 96811-3540

CERT. CHERYL SOON, Chief Planning Officer
Planning Department
City and County of Honolulu
650 South King Street
Honolulu, Hawaii 96813

CERT. GALEN C. K. LEONG, ESQ.
DOUGLAS W. MACDOUGAL, ESQ., Attorneys for Petitioner
Alii Place, Suite 1400
1099 Alakea Street
Honolulu, Hawaii 96813

DATED: Honolulu, Hawaii, this 21st day of November 1995.



ESTHER UEDA
Executive Officer