

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)
OFFICE OF STATE PLANNING,)
STATE OF HAWAII)
To Amend the Urban Land Use)
District Boundary into the)
Conservation Land Use District for)
Approximately 29 Acres of Land at)
Hanamaulu, Lihue, Kauai, State of)
Hawaii, TMK No.: 3-7-03: por. 1)
_____)

DOCKET NO. BR94-714
ORDER GRANTING OFFICE
OF STATE PLANNING'S
MOTION TO WAIVE
REQUIREMENT FOR
METES AND BOUNDS
DESCRIPTION

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LAND USE COMMISSION
STATE OF HAWAII

ORDER GRANTING OFFICE OF STATE PLANNING'S MOTION TO WAIVE
REQUIREMENT FOR METES AND BOUNDS DESCRIPTION

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of)	DOCKET NO. BR94-714
OFFICE OF STATE PLANNING,)	ORDER GRANTING OFFICE
STATE OF HAWAII)	OF STATE PLANNING'S
To Amend the Urban Land Use)	MOTION TO WAIVE
District Boundary into the)	REQUIREMENT FOR
Conservation Land Use District for)	METES AND BOUNDS
Approximately 29 Acres of Land at)	DESCRIPTION
Hanamaulu, Lihue, Kauai, State of)	
Hawaii, TMK No.: 3-7-03: por. 1)	

ORDER GRANTING OFFICE OF STATE PLANNING'S MOTION TO WAIVE
REQUIREMENT FOR METES AND BOUNDS DESCRIPTION

On December 12, 1994, the Office of State Planning ("Petitioner") filed a Motion to Waive Requirement for Metes and Bounds Description ("Motion"), pursuant to §§15-15-34, 15-15-41, 15-15-50, and 15-15-70, Hawaii Administrative Rules ("HAR").

The Motion requested a waiver of §15-15-50(c)(3), HAR which requires submittal of a metes and bounds description if the subject property of a district boundary amendment petition involves portions of a parcel.

In support of the Motion, Petitioner provided the following: 1) the Petition Area delineated on a full-size copy of the tax map; 2) the Petition Area delineated on a mylar U.S.G.S. orthophotograph; and, 3) the Petition Area delineated on a mylar U.S.G.S. topographic map.

The Motion came on for hearing before the Land Use Commission ("Commission") on February 23, 1995 at Lahaina, Maui. James Nagle, Esq., Deputy Attorney General, appeared on behalf of

the Petitioner. The County of Kauai Planning Department was not present at the hearing.

The Commission, having considered the arguments of Petitioner and the records and files in this proceeding and good cause appearing therefrom;

NOW HEREBY GRANTS Petitioner's Motion, subject to the following condition:

At any time in the future, when an accurate metes and bounds description of any portion of the Petition Area is needed, at the request of the Land Use Commission, Petitioner shall provide a metes and bounds map and description.

Dated: Honolulu, Hawaii, March 14, 1995.

LAND USE COMMISSION
STATE OF HAWAII

By Allen K. Hoe
ALLEN K. HOE
Chairperson and Commissioner

BEFORE THE LAND USE COMMISSION
OF THE STATE OF HAWAII

In the Matter of the Petition of) DOCKET NO. BR94-714
OFFICE OF STATE PLANNING,) CERTIFICATE OF SERVICE
STATE OF HAWAII)
To Amend the Urban Land Use)
District Boundary into the)
Conservation Land Use District for)
Approximately 29 Acres of Land at)
Hanamaulu, Lihue, Kauai, State of)
Hawaii, TMK No.: 3-7-03: por. 1)

CERTIFICATE OF SERVICE

I hereby certify that a copy of the Order Granting Office of State Planning's Motion to Waive Requirement for Metes and Bounds Description was served upon the following by either hand delivery or depositing the same in the U. S. Postal Service by certified mail:

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DATED: Honolulu, Hawaii, this 14th day of March 1995.


ESTHER UEDA
Executive Officer