

MEETING OF THE ZONING BOARD OF APPEALS MINUTES

SPECIAL PERMIT  
(LAND USE COMMISSION ACT)  
HONOULIULI, EWA  
PALEHUA ROAD  
VIRGINIA BROOKS

7/23/64

A public hearing was held and closed on July 9, 1964, to consider a petition for Special Permit to use land situated within an Agricultural District of the State Land Use Commission's District Boundary Map for open space recreational facility for children and limited to the construction of additional cabins and sanitary facilities. The land containing 9.4 acres is situated off Palehua Road, approximately 5 miles mauka of Farrington Highway at Honouliuli, Ewa. By statutes, the Board may take action no earlier than 15 days after the hearing.

The Board noted that today is the 14th day. It asked for the staff's report on an alleged violation of construction on the premises without a building permit.

The Director reported that an inspector from the Building Department had checked the site and noted that construction had started without a building permit. The Building Department has stopped the construction and is citing the applicant for starting construction without a building permit.

The Board took no action and will consider this matter at its next meeting.

PUBLIC HEARING  
SPECIAL PERMIT  
HONOULIULI-EWA  
OFF PALEHUA ROAD  
VIRGINIA BROOKS

7/9/64

A public hearing was held to consider an application for Special Permit to use certain parcel of land located within an Agricultural District, as designated by the State Land Use Commission, for open space recreational facility for children (Resident Camp School for Boys and Girls) and limited to the construction of additional cabins and sanitary facilities on a parcel of land containing 9.4 acres situated off Palehua Road, approximately 5 miles mauka of Farrington Highway at Honouliuli, Ewa.

The public hearing notice published in the Sunday Star Bulletin and Advertiser of June 28, 1964, was read by the Director who reported that no written protests have been received. He pointed out on the map the subject property situated in the mountain range near the Honouliuli Forest Reserve. The applicant has obtained a lease from the James Campbell Estate, owner of the land, to utilize the property as a Camp School for boys and girls.

The Board noted that this application is being processed in accordance with the provisions of Section 98H R.L.H., 1955, as amended, relating to the State Land Use Commission which requires review and comment from the Zoning Board of Appeals on applications for special permit within an Agricultural District. The Board must conduct a hearing within a period of not less than 30 nor more than 120 days from the receipt of the petition and can act on such

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petition not earlier than 15 days after the public hearing. It must then transmit its decision and findings to the Land Use Commission within 30 days after the decision is rendered. The petition was received on April 22, 1964.

The Chairman called for testimonies either in favor or against the application. No one responded.

Mr. Robert Warren, resident of Palehua, requested certain information. He asked whether or not the requested use of the subject premises would affect the value of surrounding land and whether this use is confined to the specific parcel of land.

He was informed by the Board that the requested use is confined to the specific parcel and that the use should not affect the valuation of surrounding land.

Mr. Warren also asked whether or not the applicant had obtained a special permit to make field trips into the forest reserve area. He stated that the area is isolated, a very nice and quiet area and he did not wish to see a group of children going up and down the private road and disturbing the area. He stated that in the past children have gone hiking and horseback riding into the forest reserve area, even to building camp fires which he felt was very dangerous.

The Board informed him that such control would come under the jurisdiction of the State Department of Land and Natural Resources.

Mr. Warren also asked whether this hearing for a special permit was a formality since the Camp has been in operation for over a year and new buildings are now under construction on the premises.

The Director indicated no knowledge of any new construction or that a building permit was issued to the applicant. He stated that a check will be made. A check will also be made with the Department of Land and Natural Resources to determine whether or not the applicant had received permission to enter the forest reserve area.

The Director then gave a brief background information on this application. He stated that the Camp was established about a year or two ago. At that time the Land Use Commission was indefinite about its regulation which would permit the camp operation but since schools are permitted within an agricultural district, it had permitted the applicant to operate the facilities as a school operation. However, as the regulations became more finalized and new members appointed to the Commission, the new Commission was not certain that the operation would fall under the school category and had therefore asked the applicant to submit this petition for a special permit. This application is now being processed specifically for the construction of additional cabins and sanitary facilities and does not involve any construction done in the past.

The Board closed the public hearing and took the matter under advisement on motion of Mr. Brown and second of Mr. Kometani.

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In considering this matter later, the Board requested the Director to check on the alleged violation of construction without a building permit and with the Department of Land and Natural Resources on permission to enter the forest reserve area.

Mrs. Brooks, the applicant, was present at this portion of the meeting to answer any questions that the Board may have. She apologized for being late since she had other pressing business to finish.

The Board informed her that no one had spoken against the application but a Mr. Warren had appeared and requested certain information.

Mrs. Brooks felt that Mr. Warren's appearance was a personal attack against her. She stated that Mr. Warren's son worked for her last year taking care of horses and other work, but because he caused some trouble she did not hire him this year. Ever since this incident there has been ill feeling between them.

The Board informed her that it is not interested in their personal problems. Mr. Warren brought out certain facts, one of which was that construction had already started on the premises. The Board asked her whether she had started construction without a building permit.

Mrs. Brooks stated that digging of holes for future cesspools and other remodeling for installation of plumbing fixtures have started. She did not believe that a building permit for remodeling was required. She stated that \$10,000 worth of remodeling was done to the existing house which was built in 1930 at the time she started her camp operation. Last year, an employee from the Board of Health was there to check the cesspools and take the bacteria count of the water supply in the swimming pool.

The Board advised her that she cannot start construction until the Land Use Commission grants her permission to use the premises as requested and the City grants her a building permit.

In accordance with the provision of Section 98H-6 of Act 265, the Board deferred action for 15 days on request of Mr. Brown and second of Mr. Kometani.

The Board requested the Director in the meantime to forward a letter to the Department of Land and Natural Resources to check whether or not the applicant was granted permission to enter the forest reserve area and to the Building Department to check the alleged violation of construction without a building permit.