

LAND USE COMMISSION

PUBLIC HEARING

Board Chambers

Lihue, Kauai

November 20, 1962 - 11:00 A.M.

Commissioners Edward C. Bryan
Present: Stanley C. Friel
Wayne D. Gregg
Yuichi Ige
Edward Kanemoto
Franklin Y. K. Sunn
Roger T. Williams

Ex-Officio Members E. H. Cook
Absent: Frank Lombardi

Staff R. J. Darnell, Executive Officer (XO)
Present: W. M. Mullahey, Field Officer (FO)

The public hearing was called to order by Chairman Bryan, followed by a prayer for guidance.

APPLICATION OF WILLIAM AND AMY SARMENTO (SP(T) 62-23), FOR SPECIAL PERMIT TO CREATE ONE HOUSE LOT FROM A LARGER PARCEL OF LAND IN LAWAI HOMESTEADS: Described as Fourth Division, TMK 2-5-04: 13.

The XO was requested to outline the area on the map involved. The XO pointed out the area on the map and described the request.

Chairman Bryan asked if there were anyone present representing the applicant or anyone present who wished to comment on this request. There was no response.

The Chairman requested the XO to present any communications received relating to the above matter. The following were presented by the XO:

1. Letter from K. K. Yamamoto, Deputy County Clerk, County of Kauai, dated 11/14/62, informing that the Board has referred the matter to the Public Works Committee for study and report.
2. Letter from David F. Wong, Planning Director, Kauai Planning and Traffic Commission, dated 11/30/62, informing that the Planning Commission approved the recommendation of the Planning Director's report, which was for granting

of the special permit.

3. Letter from J. K. Burgess, Jr., County Clerk, County of Kauai, dated 11/20/62, informing that the Board of Supervisors has approved the recommendation submitted by David F. Wong, Planning Director, Kauai Planning and Traffic Commission.

The XO gave the staff report after being sworn in by the Chairman. The recommendation of the staff was for granting of the request to the applicant as the staff believed that HB & A intends to recommend that the entire property covered in the application be located within the Urban district.

Commissioner Sunn asked the XO whether the property between the urban line and the applicant's house is entirely owned by the applicant. The XO replied that that particular piece of property is owned by a Mr. Sakamoto.

Further discussion was held among the Commissioners as to who had the ownership of the various property in the area and one particular ownership could not be determined at the time. A suggestion was made that the records of the Department of Taxation would be able to enlighten the problem.

Since there were no further discussion or comments, Chairman Bryan closed the public hearing in the matter of William and Amy Sarmento.

PETITION BY THE LAND USE COMMISSION (A(TR) 62-1), FOR AMENDMENT OF CERTAIN PORTIONS OF THE COMMISSION'S INTERIM REGULATION 2.1(b) AND 2.1(d) RELATING TO "AGRICULTURAL DISTRICTS".

The XO presented a communication received from David F. Wong, Planning Director, Kauai Planning and Traffic Commission relating to the above matter. The letter informed that the Planning Commission accepted the Planning Director's recommendation, which on the whole accepted the proposed changes with the following addition as a conditionally permitted use: "THAT, Single-family dwelling units for residential purposes should be permitted in non-productive areas of an agricultural district where there is adequate public water mains for consumption and public roads maintained by the County to service such non-productive areas, subject to any ordinances and regulations of the County and State in which the agricultural district is situated, which still promote the purpose, spirit and effect of Act 187, SLH 1961."

The XO also presented a letter received from the County Clerk of Kauai, J.K. Burgess, Jr., dated 11/20/62, who informed that the Board of Supervisors approved the recommendation of the Planning Director, David F. Wong, in relation to the above subject.

The XO reported that he had received an oral recommendation from HB & A that the regulations be changed to add that a house could be built on a lot of 5 acres or more when the county had allowed it to be subdivided: in other words, not requiring that lot areas be 5 acres, but allowing houses to be built on lots that were already 5 acres or more in size, as a primary use in the Agricultural district.