

BEFORE THE LAND USE COMMISSION  
OF THE STATE OF HAWAII

In the Matter of the Petition of )	DOCKET NO. A94-705
COUNTY OF HAWAII )	
PLANNING DEPARTMENT )	ORDER GRANTING
To Amend the Agricultural Land Use )	PETITIONER'S MOTION TO
District Boundary into the Urban )	WAIVE REQUIREMENT FOR
Land Use District for Approximately )	METES AND BOUNDS
3,785 Acres at Kau through Keauhou, )	DESCRIPTION
North Kona, Island of Hawaii, State )	
of Hawaii, Tax Map Key No.: )	
7-2-05: por. 1; 7-3-07: 38, 39, 40; )	
7-3-09: 7, por. 13, por. 25, 26, )	
28; 7-3-10: 31, por. 33, 35; )	
7-4-08: por. 1, 5, por. 13; 7-5-03: )	
6, 7, 23; 7-5-10: 1, 5, por. 16; )	
7-5-17: 1, 19; 7-6-13: 9; 7-7-04: )	
por. 2, por. 11, 56; 7-7-07: 41; )	
7-7-08: por. 27, 99, 105; 7-8-10: )	
por. 29, and por. 30. )	

DEC 30 7 42 AM '94  
LAND USE COMMISSION  
STATE OF HAWAII

ORDER GRANTING PETITIONER'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. A94-705
COUNTY OF HAWAII )	
PLANNING DEPARTMENT )	ORDER GRANTING
To Amend the Agricultural Land Use )	PETITIONER'S MOTION TO
District Boundary into the Urban )	WAIVE REQUIREMENT FOR
Land Use District for Approximately )	METES AND BOUNDS
3,785 Acres at Kau through Keauhou, )	DESCRIPTION
North Kona, Island of Hawaii, State )	
of Hawaii, Tax Map Key No.: )	
7-2-05: por. 1; 7-3-07: 38, 39, 40; )	
7-3-09: 7, por. 13, por. 25, 26, )	
28; 7-3-10: 31, por. 33, 35; )	
7-4-08: por. 1, 5, por. 13; 7-5-03: )	
6, 7, 23; 7-5-10: 1, 5, por. 16; )	
7-5-17: 1, 19; 7-6-13: 9; 7-7-04: )	
por. 2, por. 11, 56; 7-7-07: 41; )	
7-7-08: por. 27, 99, 105; 7-8-10: )	
por. 29, and por. 30. )	

ORDER GRANTING PETITIONER'S MOTION  
TO WAIVE REQUIREMENT FOR METES AND BOUNDS DESCRIPTION

On August 30, 1994, the County of Hawaii Planning Department ("Petitioner") filed a Motion to Waive Requirement for Metes and Bounds Description and the Affidavit of Virginia Goldstein ("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) and 15-15-50(d)(3), HAR, which requires submittal of a metes and bounds description if the subject property of a district boundary amendment petition involves portions of lots.

In support of the Motion, Petitioner provided the following: 1) various maps that depicted the boundaries of the petition area; 2) written description of the boundaries of the

petition area; and 3) representations that the intent of the petition was to reclassify only those lands that were in the State Land Use Agricultural District to the Urban District.

The Motion, having come on for hearing before the Land Use Commission ("Commission") on December 1, 1994 at its meeting in South Kohala, Hawaii, and the Commission having heard the arguments presented by the Petitioner, and with no objections by the Office of State Planning, and having reviewed the entire record herein, and for good cause shown;

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 property is needed, at the request of the Land Use Commission, the County shall provide a metes and bounds description and map.

Dated: Honolulu, Hawaii, December 30, 1994.

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 )  
COUNTY OF HAWAII )  
PLANNING DEPARTMENT )  
To Amend the Agricultural Land Use )  
District Boundary into the Urban )  
Land Use District for Approximately )  
3,785 Acres at Kau through Keauhou, )  
North Kona, Island of Hawaii, State )  
of Hawaii, Tax Map Key No.: )  
7-2-05: por. 1; 7-3-07: 38, 39, 40; )  
7-3-09: 7, por. 13, por. 25, 26, )  
28; 7-3-10: 31, por. 33, 35; )  
7-4-08: por. 1, 5, por. 13; 7-5-03: )  
6, 7, 23; 7-5-10: 1, 5, por. 16; )  
7-5-17: 1, 19; 7-6-13: 9; 7-7-04: )  
por. 2, por. 11, 56; 7-7-07: 41; )  
7-7-08: por. 27, 99, 105; 7-8-10: )  
por. 29, and por. 30. )

DOCKET NO. A94-705  
CERTIFICATE OF SERVICE

CERTIFICATE OF SERVICE


I hereby certify that a copy of the Order Granting Petitioner'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:

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

CERT. VIRGINIA GOLDSTEIN, Planning Director  
Planning Department, County of Hawaii  
25 Aupuni Street  
Hilo, Hawaii 96720

CERT. RICHARD D. WURDEMAN, ESQ.  
Office of the Corporation Counsel  
County of Hawaii  
101 Aupuni Street, Suite 325  
Hilo, Hawaii 96720

DATED: Honolulu, Hawaii, this 30th day of December 1994.

  
for ESTHER UEDA  
Executive Officer