

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE
by
ELIZABETH K. YOUNG
for
Tax Map Parcel 2-3-33-35

VARIANCE NO. 6

ORDER ALLOWING APPLICATION FOR VARIANCE

SECTION I.

The application of Mrs. Elizabeth K. Young for a variance from the zoning regulations having come before the Planning and Traffic Commission at a public hearing, after due publication of notice thereof, on Tuesday, November 12, 1946, the Commission finds that:

1. The land for which the variance is requested is Lot 4, Block "Q", Puu Honu Tract at Punahoa, District of South Hilo, Hawaii, indicated on Tax Map as 2-3-33-35 containing an area of 12,473 square feet and presently owned by Mrs. Elizabeth K. Young;
2. Pertinent zoning regulations presently applicable to said land are Section 8, Ordinance No. 149, and Section 22, Ordinance No. 151, which specifically prohibit lot sizes of less than 7,500 square feet for a single family dwelling in the vicinity in which said land is located and which has been zoned as Class "C" Residential District;
3. The request for a variance is to subdivide said land into two lots; one of which will contain less than the required area of 7,500 square feet in accordance with the plan of subdivision prepared by Charles L. Murray, Surveyor, in October, 1946, providing for two lots containing 7,500 square feet and 4,971 square feet respectively;
4. No protest against the proposed variance has been received by the Commission;
5. Said parcel of land, with a dwelling thereon, was purchased by Mrs. Elizabeth K. Young in January, 1944;
6. Prior to the enactment of the Zoning Ordinance, Mrs. Elizabeth K. Young constructed a store building on a portion of the land facing Kaumana Drive which is being utilized for business purposes; to wit, a retail store;
7. Mrs. Elizabeth K. Young now desires to subdivide the parcel of land so that the store building will be on the smaller lot now being utilized for business purposes; to wit, a retail store, and the dwelling on the larger lot;
8. The application presents a situation wherein strict enforcement of the applicable existing regulations would involve practical difficulty and unnecessary hardship;
9. The desired relief may be granted and at the same time the public interest and general welfare will be protected and the fire, health, and safety hazards of the surrounding property will not be affected.

SECTION II.

NOW, THEREFORE, it is hereby ordered that a variance from existing zoning regulations be granted Mrs. Elizabeth K. Young authorizing a variance in zoning regulations to permit a subdivision of the lot into two lots; one lot containing 7,500 square feet and the other 4,971 square feet, in an area designated for residential purposes; subject, however, to the following conditions:

1. That so long as the lot of 4,971 square feet is utilized as a non-conforming use for business purposes, there will be set aside 40% of the area for off street parking;
2. That so long as the lot of 4,971 square feet is utilized as a non-conforming use for business purposes, there will be no dwelling or addition for living quarters constructed to the store building;
3. That in the event of sale and conveyance of the lot containing 4,971 square feet, the owner and subsequent owners thereof shall not only specifically provide in the instruments of conveyance the explicit clauses containing the above Conditions 1 and 2, but require of the purchasers a special agreement to abide by the Conditions 1 and 2 hereinabove mentioned.

Dated at Hilo, Hawaii, this 20th day of November, 1946.

PLANNING AND TRAFFIC COMMISSION
FOR THE CITY OF HILO
AND COUNTY OF HAWAII


WALTER K. COLLINS, DIRECTOR

Done at Hilo, Hawaii, this 20th day of November, 1946.

PLANNING AND TRAFFIC COMMISSION
FOR THE CITY OF HILO
AND COUNTY OF HAWAII


ERNEST B. DE SILVA, CHAIRMAN