

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
ACHONG YOUNG)
for)
Tax Map Parcel 2-2-38-38)

Variance No. 28

ORDER ALLOWING APPLICATION FOR VARIANCE

The application of Achong 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 Monday, September 13, 1948, the Commission finds that:

1. The land for which a variance is requested is Lot 7, Block 303, Waiakea Homestead Houselots, Waiakea, District of South Hilo, Hawaii, and covered by Tax Map Key 2-2-38-38, containing an area of 1.0 acre and owned by the applicant;

2. Pertinent zoning regulations presently applicable to said land are Section 3-C and Section 19-C of Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, which specifically prohibit the use of the land for any purpose other than is permitted in the district and disallows structural alterations in a building occupied for a non-conforming use in excess of 50 per cent of its assessed value as of the date of the application for a variance;

3. The land for which the variance is requested is in a Class "A" Residential District and was leased in its entirety, by the U. S. Army during the war, from Mr. Achong Young;

4. There existed a dwelling unit upon the property prior to its being leased by the U. S. Army and said dwelling was demolished by the Army, and eleven buildings and a repair shop were constructed on the property;

5. The construction of the eleven buildings on the property by the Army as living quarters for its military personnel, prior to the enactment of the Zoning Ordinance, in effect established a Hotel and Apartment use, a non-conforming use in a Class "A" Residential District;

6. At the expiration of the lease in 1946, Mr. Achong Young accepted the improvements on the premises in lieu of restoration, with the anticipation of remodelling, repairing and relocating some of the buildings for rental units;

7. Since May 1, 1946, Mr. Achong Young rented some of the existing buildings intermittently as dwellings and repair shop;

8. The requested variance is for the purpose of rearranging six of the buildings on the premises, and repairing and remodeling them in excess of 50 per cent of their assessed value as of this date;

9. No protest against the proposed variance has been received by the Commission;

10. The application presents a situation wherein strict enforcement of the applicable existing regulations would involve practical difficulty or unnecessary hardship;

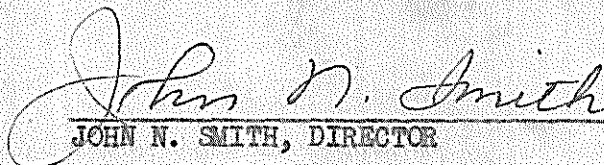
11. The desired relief may be granted and at the same time the public interest and general welfare will be protected and the fire, health and safety hazards of the surrounding property will not be affected.

NOW, THEREFORE, the Planning and Traffic Commission, pursuant to the authority vested in it by Section 21, Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, hereby grants to the applicant, above-named, a variance from the terms of Section 3-C and Section 19-C of Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, and hereby authorizes repairing and remodeling of six buildings for dwelling purposes in excess of 50 per cent of their assessed value as of this date; subject, however, to the following conditions:

1. The variance is granted for a period of 30 years or its prior abandonment.
2. Any future subdivision of the property for sale or lease must conform to the requirements of a Class "A" Residential District.

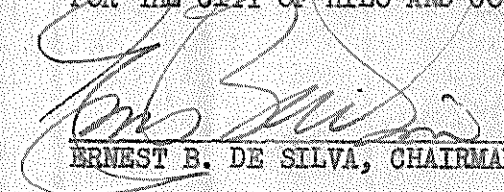
Dated at Hilo, Hawaii, this 27th day of September, A. D. 1948.

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


JOHN N. SMITH, DIRECTOR

Done at Hilo, Hawaii, this 27th day of September, A. D. 1948.

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


ERNEST B. DE SILVA, CHAIRMAN