

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
RYOJI SUMIDA)
for)
Tax Map Parcel 2-2-28-1)
(Portion)

Variance No. 31

ORDER ALLOWING APPLICATION FOR VARIANCE

The application of Ryoji Sumida 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, November 22, 1948, the Commission finds that:

1. The land for which a variance is requested is a portion of Grant 4777 to T. Olive Davies, Waiakea, South Hilo, Hawaii, and indicated on the Tax Maps as a portion of parcel 2-2-28-1;
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 any building or land for any purpose other than is permitted in the district in which such building and land is located, and a building occupied for a non-conforming use shall not be enlarged unless the use therein is changed to a conforming use;
3. The land for which a variance is requested is in a Class "B" Residential District;
4. The requested variance is for the purpose of constructing an addition to the former Waiakea Mill Company's store on Kilauea Street, consisting of a two-story building with a storeroom and freezing room on the first floor and duplex living quarters on the second floor;
5. The request for the duplex living quarters on the second floor is not in conformity with the requirements of a Class "B" Residential District, whereby only single-family quarters are allowed;
6. The applicant is willing to change his request from duplex living quarters to a single-family living quarters;
7. No protest against the proposed variance has been received by the Commission;
8. The application presents a situation wherein strict enforcement of the applicable existing regulations would involve practical difficulty or 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.

NOW, THEREFORE, the Planning and Traffic Commission, pursuant to the authority vested in it by Section 21 of 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 a variance in use to allow the construction of an addition to an existing store building; subject, however, to the following conditions:

1. That the variance is granted for a period of thirty (30) years or its prior abandonment;
2. That a single-family dwelling unit be constructed on the second floor;
3. That ample off-street parking be provided for the patrons and for loading and unloading merchandise.

Dated at Hilo, Hawaii, this 22nd day of November, 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 22nd day of November, A. D. 1948.

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


ERNEST B. DE SILVA, CHAIRMAN