

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
KANESHIRO & SONS ENTERPRISE, LTD)
for)
Tax Map Parcel 2-3-10-8 (Portion)

Variance No. 46

ORDER ALLOWING APPLICATION FOR VARIANCE

The application of Kaneshiro & Sons Enterprise, Ltd., 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, December 12, 1949, the Commission finds that:

1. The land for which the variance is requested is located at 2216 Kilauea Street, and is a portion of L. C. Aw. 1107, in the land of Ponahawai, South Hilo, Hawaii, and indicated on the Taxation Maps as a portion of parcel 2-3-10-8;

2. Pertinent zoning regulations presently applicable to said land are Section 3-C, and Section 11, Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, which specifically prohibit the use of any land for any purpose other than is permitted in the district;

3. The land for which the variance is requested is owned by the applicant, and is located in a Business District;

4. The applicant proposes to relocate and rebuild at the rear of the lot an existing poi shop, which use is light industrial and necessitates a variance;

5. An oral protest was made at the public hearing, but the Commission decided that this was immaterial and irrelevant to the issue in question;

6. Because of the existence of the same non-conforming use on the premises, the application presents a situation wherein strict enforcement of the existing regulations would involve practical difficulty and unnecessary hardship;

7. 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, it is hereby ordered that a variance in use from the existing zoning regulations be granted Kaneshiro & Sons Enterprise, Ltd., authorizing a variance in use rather than a change in zoning

regulations in an area designated as a Business District; subject, however, to the following conditions:

1. That the variance is granted for a term of 30 years or its prior abandonment;
2. That the owner will take all precautions necessary for the abatement of smoke and odor nuisance.

Dated at Hilo, Hawaii, this 12th day of December, A. D. 1949.

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


HIROSHI KASAMOTO, ACTING DIRECTOR

Done at Hilo, Hawaii, this 12th day of December, A. D. 1949.

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


ERNEST B. DE SILVA, CHAIRMAN