

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
THE VON HAMM-YOUNG CO., LTD.)
HILO BRANCH)
for)
Tax Map Parcel 2-3-14-1)
(portion)

Variance No. 53

ORDER ALLOWING APPLICATION FOR VARIANCE

The application of The Von Hamm-Young Co., Ltd., (Hilo Branch) 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, April 24, 1950, the Commission finds that:

1. The land for which the variance is requested is located at the Puueo-makai corner of Waiianueue and Ululani Streets, and is a portion of L. C. Aw. 11046-B, in the land of Piipihonua, South Hilo, Hawaii, and indicated on the Taxation maps as a portion of parcel 2-3-14-1;

2. Pertinent zoning regulations presently applicable to said land are Section 10 and Section 3-C, 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 leased by The Von Hamm-Young Co., Ltd., (Hilo Branch) from the F. S. Lyman Estate (Bishop Trust Company, Trustees), and is in a Hotel and Apartment District;

4. The applicant proposes to utilize the premises for a used car and a parking lot which is a business use and thus necessitates a variance;

5. Two written protests against the proposed variance were received by the Commission, and they had a bearing in the deliberations;

6. Because the premises under consideration is adjacent to and is a portion of the same lease granted to the main buildings of The Von Hamm-Young Co., Ltd., (Hilo Branch) in 1943, and because of previous use of a portion of the premises for the parking and used car space, the application presents a situation wherein strict enforcement of the existing regulations would involve practical difficulty and unnecessary hardship;

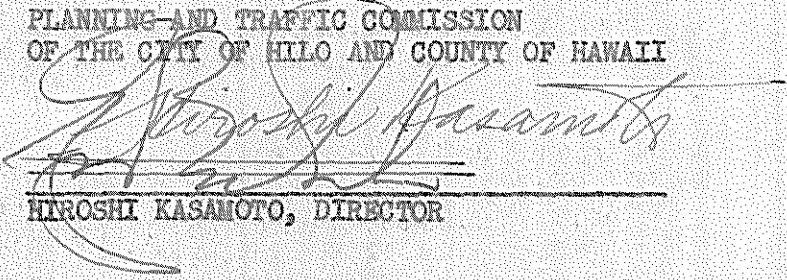
7. The desired relief may be granted and at the same time the public interest and general welfare will be protected, and the fire, health, and safety hazards of the surrounding property will not be affected.

NOW, THEREFORE, it is hereby ordered that a variance in use from the existing zoning regulations be granted The Von Hamm-Young Co., Ltd., (Hilo Branch) authorizing a variance in use rather than a change in zoning regulations in an area designated as a Hotel and Apartment District; subject, however, to the following conditions:

1. That the variance is granted for the period of the lease, which expires on June 30, 1978, or its prior abandonment.
2. That the premises shall be kept in an orderly, attractive and sanitary condition.
3. That the parking and display of cars shall be only on the paved areas.
4. That a four-foot setback be maintained along the boundaries of the parking lot.

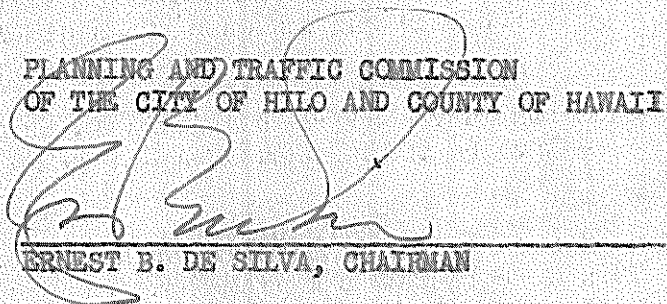
Dated at Hilo, Hawaii, this 24th day of April, A. D. 1950.

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


HIROSHI KASAMOTO, DIRECTOR

Done at Hilo, Hawaii, this 24th day of April, A. D. 1950.

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


ERNEST B. DE SILVA, CHAIRMAN