

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
HILO HOTEL, LTD.)
NIOLOPA JAM & JELLY CO., LTD.)
for)
Tax Map Parcel 2-3-13-17)
(portion)

Variance No. 68

ORDER ALLOWING APPLICATION FOR VARIANCE

The application of Hilo Hotel, Ltd., and the Niolopa Jam and Jelly Co., 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, April 23, 1951, the Commission finds that:

1. The land for which the variance is requested is located on a portion of L. C. Aw. 4539 in the land of Piiponua, South Hilo, Hawaii, and covered by Tax Map Key 2-3-13-17;
2. Pertinent zoning regulations applicable to said land are Section 3-C and Section 10, 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 Hilo Hotel, Ltd., and leased to the Niolopa Jam and Jelly Co., Ltd.;
4. The lessor proposes to construct a 40' x 28' addition to an existing building, in accordance with drawings filed with the Commission, to be used for storage purposes in connection with the jam and jelly business;
5. No protest has been received by the Commission against the granting of this proposed variance;
6. Because of the existence of the jam and jelly business prior to the zoning ordinance, and because of the existence of non-conforming uses in the vicinity, the application presents a situation wherein strict enforcement of the existing regulations would result in 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, 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 applicants, above-named, a variance from the terms of Section 3-C and Section 10, Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, and hereby authorizes a variance to construct a 40' x 28' warehouse addition in a Hotel and Apartment District; subject, however, to the following condition:

1. That the variance be allowed for a term of 30 years or its prior abandonment.

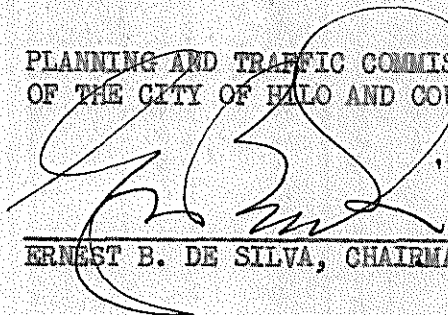
Dated at Hilo, Hawaii, this 23rd day of April, A. D. 1951.

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


HIROSHI KASAMOTO, DIRECTOR

Done at Hilo, Hawaii, this 23rd day of April, A. D. 1951.

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


ERNEST B. DE SILVA, CHAIRMAN