

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
VIRGIN SOUZA)
for)
Tax Map Parcel 2-5-07-36)

Variance No. 78

ORDER ALLOWING APPLICATION FOR VARIANCE

The application of Virgin Souza 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, August 18, 1952, the Commission finds that:

1. The land for which the variance is requested is located at 840 Kaumana Drive, South Hilo, Hawaii, and covered by Tax Map Key 2-5-07-36;
2. Pertinent zoning regulations applicable to said land are Section 3-C and Section 7, 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;
4. The applicant proposes to construct a 20' x 40' chicken coop in lieu of an existing 10' x 96' coop in accordance with drawings filed with the Commission;
5. Two written protests against the granting of the variance have been filed which had bearing on the deliberations and decision of the Commission;
6. Because of the existence of a commercial poultry farm prior to the enactment of the zoning ordinance, the floor area and number of birds are reduced, the coop will be moved 125' farther than at present to the rear of the government road, and modernization and reconstruction would improve sanitary conditions and appearance, 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 applicant, above-named, a variance from the terms of Section 3-C and Section 7, Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, and hereby authorizes a variance to construct a 20' x 40' chicken coop in a Class B Residential District; subject, however, to the following conditions:

1. That one of the existing 10' x 96' chicken coops will be eliminated;
2. That there will be a reduction in the number of birds kept in the new chicken coop from approximately 600 to 400;
3. That the new chicken coop will be kept in a sanitary condition and subject to all Department of Health regulations;
4. That the variance is granted for a period of 15 years or its prior abandonment;
5. That this variance will apply only to the applicant and present owners of the property.


Dated at Hilo, Hawaii, this 18th day of August, 1952.

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


HIROSHI KASAMOTO, DIRECTOR

Done at Hilo, Hawaii, this 18th day of August, 1952.

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


ERNEST B. DE SILVA, CHAIRMAN