

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
THE FIRST TRUST CO. OF HILO, LTD.)
Guardian of Catherine Vierra)
for)
Tax Map Parcel 2-6-03-9 (Portion)

Variance No. 83

ORDER ALLOWING APPLICATION FOR VARIANCE

The application of The First Trust Company of Hilo, Ltd., guardian of Catherine Vierra 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, January 5, 1953 and January 19, 1953, the Commission finds that:

1. The land for which the variance is requested is located at the Puna-mauka intersection of Puueo Street and Ohai Street, being a portion of L. C. Aw. 4809:1, in the land of Puueo, South Hilo, Hawaii, and is covered by Tax Map Key 2-6-03-9;

2. The land for which the variance is requested is in a Hotel and Apartment District;

3. Pertinent zoning regulations presently 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;

4. The requested variance is for the purpose of operating an office and headquarters for a termite-control business in an existing non-conforming structure;

5. A variance is required because the vacancy of the building has exceeded one year;

6. No protests against the granting of the variance has been filed with the Commission;

7. There has been no clear intent on the part of the owners to abandon the non-conforming use, and its change to a conforming use will involve major structural alterations and expenditure;

8. The application presents a situation wherein strict enforcement of the existing regulations would result in practical difficulty and 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 10, Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, and hereby authorizes a variance to operate an office and headquarters for a termite-control business in a Hotel and Apartment District; subject, however, to the following conditions:

1. That the variance be granted for a term of 5 years or its prior abandonment.
2. That adequate off-street loading and unloading zone be provided on the mauka side of the building.
3. That no major structural alterations or any extension to the building be made.
4. That the appearance of the building be improved.
5. That there be no manufacturing or processing of chemicals on the premises, and the installation of a vault, fumigation equipment, and operation be subject to the regulations of the building, fire, and health departments.
6. That the area be kept in sanitary and orderly manner.
7. That the mixing of chemicals and the installation and operation of the fumigation vault on the premises will be stopped whenever the Commission finds reasonable cause for restricting such operations at any time within the term of the variance.

Dated at Hilo, Hawaii, this 19th day of January, A. D. 1953.

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


HIROSHI KASAMOTO, DIRECTOR

Done at Hilo, Hawaii, this 19th day of January, A. D. 1953.

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


ERNEST B. DE SILVA, CHAIRMAN