

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
JAMES S. YAGI)
for)
Tax Map Parcel 2-4-12-4)
(Portion)

Variance
No. 100

ORDER ALLOWING A VARIANCE

The application of James S. Yagi 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, November 21, 1955, the Commission finds that:

1. The land for which a variance is requested is a portion of Lot 616-A, Waiakea Homesteads, Waiakea, South Hilo, Hawaii, indicated on the Taxation Maps as parcel 2-4-12-4, containing an area of 7.61 acres and presently owned by the applicant;
2. Pertinent zoning regulations presently applicable to said land are Section 3-C and Section 6 of Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, which specifically prohibit the use of any building or land for any purpose other than is permitted in the district in which such building and land is located;
3. The slaughterhouse is a non-conforming use, and variances have been granted in 1948 when it was in an A-2 Agricultural District, and in 1950 after the area had been rezoned to a Class A Residential District;
4. The variance requested is for the purpose of constructing and legalizing additions to an existing slaughterhouse as shown on drawings filed with the Commission;
5. These additions will result in improved efficiency and sanitation and have been recommended by the Department of Health and the Board of Agriculture and Forestry;
6. Because the non-conforming use can be continued as long as the applicant desires to operate it, the application presents a situation wherein strict enforcement of the applicable existing regulations would involve practical difficulty and unnecessary hardship;
7. The desired relief may be granted without affecting the public interest and general welfare or the fire, health, and safety hazards of the surrounding property.

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

6 of Ordinance No. 45 of the Revised Ordinances of the County of Hawaii 1947, and hereby authorizes a variance in use to allow the construction of the cold storage room and to legalize the extensions already made to the slaughterhouse; subject, however, to the following conditions:

1. That the variance be in effect until September 27, 1978, the expiration date of Variance No. 29 issued in 1948, or its prior abandonment.
2. That the premises be kept in sanitary condition.
3. That in the event of infraction of the Zoning Ordinance, variance terms, or any illegal increase in the buildings or use, this entire variance be cancelled.
4. That no further extensions be allowed for whatever reasons in view of the change in the character of the neighborhood as compared to 1948 and 1950.
5. That the slaughtering operation be conducted during the hours of 6:00 a.m. to 6:00 p.m. from and after January 1, 1956.
6. That the damage by fire to the legally existing non-conforming building does not exceed sixty per cent of the value of the building.

Dated at Hilo, Hawaii, this 7th day of December, A. D. 1955.

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


HIROSHI KASAMOTO, DIRECTOR

Done at Hilo, Hawaii, this 7th day of December, A. D. 1955.

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


ANDREW T. SPALDING, CHAIRMAN