

PLANNING AND TRAFFIC COMMISSION

County of Hawaii

Application for VARIANCE)
by)
MICHAEL VICTOR, JR. ET AL.)
for)
Tax Map Parcel 2-3-14-2)

Variance No. 95

ORDER ALLOWING APPLICATION FOR VARIANCE

The application of Michael Victor, Jr., et al. 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, May 2, 1955, the Commission finds that:

1. The land for which the variance is requested is located at 39 and 55 Ululani Street, in the land of Piikohua, South Hilo, Hawaii, and indicated on the Taxation Maps as parcel 2-3-14-2;
2. Pertinent zoning regulations presently applicable to said land are Section 3-C and Section 10 of Ordinance No. 45, 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 applicants, and there are two existing residence-type structures located thereon;
4. The applicants propose to use the two buildings for offices for the professional practice of medicine and law;
5. The Zoning Ordinance allows an office of a physician as a home occupation provided such use is accessory to the residence, and is used by a member of the immediate family;
6. The Commission is also considering the rezoning of this area to a Limited Business District which would allow the operation of the uses applied for;
7. No protest against the proposed variance has been received by the Commission;
8. In view of the existence of non-conforming uses in the vicinity, its proximity to a business district, the prior non-conforming usage of the structures, and the contemplated rezoning of the area, the application presents a situation wherein strict enforcement of the applicable existing regulations would involve 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, it is hereby ordered that a variance in use from the existing zoning regulations be granted Michael Victor, Jr., et al., authorizing variance in use rather than change in zoning regulations in an area designated as a Hotel and Apartment District, subject to the following condition:

1. That the variance be granted for a term of 10 years or its prior abandonment.

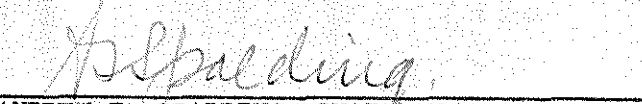
Dated at Hilo, Hawaii, this 2nd day of May, A. D. 1955.

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


HIROSHI KASAMOTO, DIRECTOR

Done at Hilo, Hawaii, this 2nd day of May, A. D. 1955.

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


ANDREW T. SPALDING, CHAIRMAN