

PLANNING COMMISSION
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)
by)
GEORGE V. THARP and)
EDMOND WONG)
from)
FRONT AND SIDE YARD)
SETBACK REQUIREMENT)

Variance No. 200

VARIANCE PERMIT

The Planning Commission held a public hearing on March 19, 1970 on the application of George V. Tharp and Edmond Wong for a variance from Section 15, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow a variance from the front and side yard building setback requirement, Tax Map Key 7-5-⁸⁷~~10~~:5, 7, 8, and 13.

The Commission finds that strict enforcement of Section 15 would involve practical difficulty and unnecessary hardship for the following reasons:

1. The objective of the Planning Department is to retain the attractiveness of Kailua, Kona, by retaining the existing sense of scale, balance and intimacy which now prevails. The developer is meeting this requirement by proposing to build one through three-story buildings; whereas, the zoning now allows for seven stories. The staff recognizes that in order for the developer to go low rise, he must spread out his buildings, thus encroaching into the setback areas.
2. The granting of this variance shall not be inconsistent with the general purpose of the district nor will it militate against the County General Plan.
3. The granting of this variance shall not be materially detrimental to public welfare nor injurious to property rights of adjoining properties.

Therefore, the Commission hereby grants to the applicant a variance from the front and side yard setback requirement pursuant to the authority vested in it by Section 36 of said Ordinance on the condition that:

1. Development be substantially as shown on plans submitted with the exception that a 4-foot walkway be provided for along the rear of Marlin Plaza so as to permit complete access around the proposed building. Therefore, a side yard of 4 feet is required.
2. That further developments exceeding the height as shown on plans submitted must be approved through a variance.

Dated at Hilo, Hawaii, this 19th day of March, 1970.

PLANNING COMMISSION
OF THE COUNTY OF HAWAII



ANTHONY VERIATO, CHAIRMAN