

PLANNING COMMISSION  
County of Hawaii  
Hilo, Hawaii'

Application for VARIANCE )  
by )  
REALTY INVESTMENT CO., LTD. )  
from )  
MINIMUM AREA REQUIREMENT )  
IN RESIDENTIAL DISTRICT )  
in )  
WAIAKEA, S. HILO, HAWAII )

---

Variance No. 210

VARIANCE PERMIT

The Planning Commission held a public hearing on August 20, 1970 on the application of The Realty Investment Co., Ltd., for a variance from Section 9, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow the existence of a 14,884 square foot lot (Lot No. 25) situated within a Single Family Residential zone - 15,000 square foot minimum lot size (RS-15). Subject lot is to be part of a proposed 66-lot subdivision in Waiakea Homesteads, 1st Series, Waiakea, South Hilo, Hawaii, covered by Tax Map Key 2-4-21:35 and 37.

The Commission finds that strict enforcement of Section 9 would involve practical difficulty and unnecessary hardship based on the following findings:

1. In considering a variance, it must be shown that the granting would not be inconsistent with the general purpose of the district or intent of the ordinances. Regarding this particular case, the general purpose, in this case the residential use, is not in question. The applicant is asking for a variance for a residential lot that falls below the minimum required lot size. The lot lacks the required minimum size by 116 square feet or less than a one per cent deviation from the 15,000 square foot requirement. The Commission finds that this deviation is not inconsistent with the surrounding residential zoned lots and that the granting of the variance will not have an injurious effect on property rights related to property in the near vicinity.
2. It must also be shown that unusual circumstances exist regarding the subject property. In this instance, the proposed street rights-of-way which are extensions of existing roadways in surrounding subdivisions and the requirement of maintaining a minimum of 90-foot lot widths makes it impossible to redesign the block in which the nonconforming lot is situated.

Based on the above, the Commission grants approval of the variance request.

Therefore, the Commission hereby grants to the applicant a variance from the minimum building site area requirement pursuant to the authority vested in it by Section 36 of said Ordinance.

The effective date of this permit shall be from August 20, 1970.

Dated at Hilo, Hawaii, this 21st day of October, 1970.

PLANNING COMMISSION  
OF THE COUNTY OF HAWAII

  
ANTHONY C. VERIATO, CHAIRMAN