

PLANNING COMMISSION
Planning Department
County of Hawaii

Application for VARIANCE)
by)
DEPT. OF TRANSPORTATION)
STATE OF HAWAII)
from)
MINIMUM AREA REQUIREMENT)
IN AGRICULTURAL DISTRICT)
in)
KAIMU, KIKALA, KEOKEA,)
KEAUOHANA, PUNA, HAWAII)

Variance No. 212

VARIANCE PERMIT

The Planning Commission held a public hearing on August 20, 1970 on the application of the Department of Transportation, State of Hawaii for a variance from Section 13, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow the existence of remnant lots resulting from the subdivision of existing lots in conjunction with the Kaimu-Pahoa Road which fall below the minimum building site area in Kaimu, Kikala, Keokea, Keauohana, Puna, Hawaii. Subject lots are portions of Tax Map Key 1-2-06 and 07.

The Commission finds that strict enforcement of Section 13 would involve practical difficulty and unnecessary hardship based on the following findings:

1. The area affected by the proposed realignment and widening of the existing roadway is zoned Agriculture - 3 Acres. This realignment and widening would require the Department of Transportation, State of Hawaii, to acquire portions of existing parcels and that the remnant portions resulting from this partial acquisition would create remnant lots that fall below the 3-acre minimum lot size as required by the zone classification. The variance is requested to allow these remnant nonconforming lots to remain as independent lots. To require the purchase of the entire parcel affected by the Kaimu-Pahoa Road would create a hardship on the part of the State. Commission feels that there are "special or unusual circumstances which do not generally apply to surrounding property in the same district."
2. That the proposed Kaimu-Pahoa Road is to benefit traffic between Kalapana, Kaimu and Opihikau and Pahoa, Keaau and points beyond.
3. That the construction, preservation and protection of the Kaimu-Pahoa Road is in the best public interest. The granting of the variance shall not be inconsistent with the general purpose of the district or the intent and purpose of the

ordinance and will not militate against the County General Plan as the Plan proposes such a road to be constructed to serve the needs of the public in the area in general.

Therefore, the Commission hereby grants to the applicant a variance from the minimum building site area 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