

PLANNING COMMISSION
Planning Department
County of Hawaii

Application for VARIANCE)	
by)	
PAUL T. MATSUMOTO)	Variance No. 216
from)	
SETBACK REQUIREMENT)	
in)	
WAIAKEA, S. HILO, HAWAII)	
_____)	

VARIANCE PERMIT

The Planning Commission held a public hearing on November 5, 1970 on the application of Paul T. Matsumoto for a variance from Sections 17-F and 29-D, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, that the required 15-foot front yard building setback be taken from the existing property lines instead of from the future width line. The subject setback is for a proposed addition to an existing store and for a proposed residential dwelling to be situated at the corner of Ainaola Drive and Kupulau Road in Waiakea Camp 6, Waiakea, South Hilo, Hawaii, covered by Tax Map Key 2-4-20:35.

The Commission finds:

1. That in reviewing a variance request, one of the findings must be that circumstances exist to a degree which obviously interferes with the best use or manner of development of the subject property. It is found that if the setback requirement is taken from the future width line, the development of the proposed store addition and dwelling would be hindered to a degree which interferes with the best use of the property.
2. That the variance to take setback requirements from the existing property line would not be inconsistent with the intent of the setback requirement in providing for open space for circulation, etc., nor shall the granting of the variance be detrimental to the public welfare nor injurious to property rights related to adjacent properties.
3. Inasmuch as no Capital Improvement Program funds have been allotted for the widening of the respective roadways, the required setback from the future width line at this time would create an unnecessary hardship on the applicant.

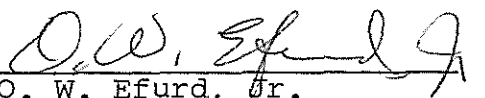
Therefore, the Commission hereby grants to the applicant a variance from Sections 17-F and 29-D of Ordinance No. 63 pursuant to the authority vested in it by Section 36 of said Ordinance on the condition that:

1. The construction begin within one year of date of approval or the variance shall be deemed null and void.
2. All other applicable ordinances, regulations, etc., be complied with and that construction shall substantially conform to the drawings as submitted with this application. This would require a 15-foot building setback along the entire front of Kupulau and Ainaola including the 30-foot radius resulting from the acquisition of a corner for turning movement.
3. A 15-foot building separation is required between the existing store and proposed dwelling if the buildings are not structurally attached.

The effective date of this permit shall be from November 5, 1970.

Dated at Hilo, Hawaii, this 29th day of April, 1971.

PLANNING COMMISSION
OF THE COUNTY OF HAWAII


O. W. Efurd, Jr.
Chairman