

PLANNING COMMISSION
Planning Department
County of Hawaii

Application for VARIANCE)
by)
LOUISA LEIALOHA S.SOUZA)
from)
MINIMUM AREA REQUIREMENT)
in)
WAIAKEA, S. HILO, HAWAII)

Variance No. 218

VARIANCE PERMIT

The Planning Commission held a public hearing on November 5, 1970 on the application of Louisa Leialoha S. Souza for a variance from Section 9-D, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow the existence of two single-family residential dwellings on a 19,028 square foot lot in lieu of the 20,000 square foot lot size required for the existence of two residential dwellings as regulated by the Residential Single Family 10,000 square foot (RS-10) zoned district. Subject parcel is described as Tax Map Key 2-2-42:35.

The Commission finds:

1. That unusual circumstances exists to a degree which deprives the owner of substantial property rights. The subject area is zoned for single-family residences - 10,000 square feet of land area per dwelling. The property under consideration contains 19,028 square feet and an additional 972 square feet of land area would allow the construction of another dwelling. Lacking this 972 square feet deprives the owner of constructing the additional dwelling which interferes with the best use of the subject property.
2. That the granting of the variance will not be inconsistent with the general purpose of the district, which permits a minimum building site area of 10,000 square feet. The density requirement in this RS-10 district allows one single-family dwelling per 10,000 square feet of land area and the subject property contains 9.7 per cent less area than that required. Such a deviation would not be injurious to property rights related to property in the near vicinity. The resultant density would not be in conflict with the intent of the zoning district and general plan of the area.


Therefore, the Commission hereby grants to the applicant a variance from the requirements of Section 9-D of Ordinance No. 63 pursuant to the authority vested in it by Section 36 of said Ordinance on the condition that:

1. All other applicable regulations shall be complied with.

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