

PLANNING COMMISSION
Planning Department
County of Hawaii

Application for VARIANCE)	
by)	
TETSUJI HARADA)	
from)	Variance No. 227
BUILDING SITE AREA REQUIREMENT)	
in)	
WAIMEA HOMESTEADS, WAIMEA,)	
SOUTH KOHALA, HAWAII)	
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VARIANCE PERMIT

The Planning Commission held a public hearing on December 18, 1970 on the application of Tetsuji Harada for a variance from Section 30-C-2, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow adjoining lots, which do not conform to the required minimum building site area, to remain as separate legal building sites. The subject lots are located in the Morimoto Subdivision, Waimea Homesteads, South Kohala, Tax Map Key 6-5-07:20 lots 4D and 4F.

The Commission finds that:

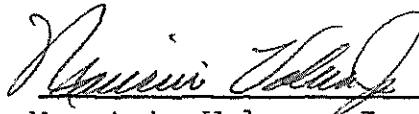
1. The underlying reason back of the subject section is to attempt to have lots conform more closely to the required minimum lot size of the zoned district in which located. But in doing so, it is also penalizing the owner of adjoining non-conforming lots from using separate lots of record as individual legal building sites. By strictly complying to this regulation, it is depriving the owner of developing separate lots of record.
2. The subdivision which resulted in the two adjoining lots was approved prior to the adoption of the zoning ordinance. The owners bought both lots as separate lots and upon the subsequent adoption of the CZO, were required to develop the two lots as one legal building site. This deprives the owner of the best manner of development of the subject lots.
3. The area under consideration, although zoned for 'agriculture-1 acre' use, is general planned for single-family residential development. The general plan of the area provides for single-family residential lots ranging in size from 7500 to 20,000 square feet. The subject lots are each 8713 square feet in size which falls within the recommended lot areas.
4. Granting of the requested variance would not be inconsistent with the surrounding areas inasmuch as the subject lots are within a 10-lot subdivision whose lots range in 8500 to 10,000 square feet in size.

Therefore, the Commission hereby grants to the applicant a variance from the building site area requirement pursuant to the authority vested in it by Section 36 of said Ordinance on the condition that all other applicable regulations shall be complied with.

The effective date of this permit shall be from December 18, 1970.

Dated at Hilo, Hawaii, this 26th day of July, 1971.

PLANNING COMMISSION
OF THE COUNTY OF HAWAII



Mauricio Valera, Jr.

Vice Chairman

For

O. W. Efurd, Jr.

Chairman