

PLANNING COMMISSION
Planning Department
County of Hawaii

Application for VARIANCE)
by)
JOHN R. SOUZA)
from) VARIANCE NO. 237
MINIMUM LOT SIZE)
in)
PEPEEKEO, S. HILO, HAWAII)

VARIANCE PERMIT

The Planning Commission held a public hearing on June 3, 1971 on the application of John R. Souza for a variance from Section 9-D(1), Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow the construction of two dwellings on a lot which contains 68 square feet below the required 20,000 square feet and within a single-family residential-10,000 square foot minimum lot size zone under Tax Map Key 2-8-19:1.

The Commission finds that:

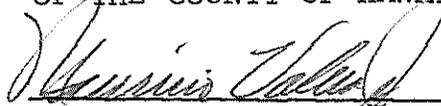
1. Unusual circumstances exists to a degree which deprives the owner of substantial property rights. The subject area is zoned for single-family residences - 10,000 square feet of land area per dwelling. The property under consideration contains 19,932 square feet and an additional 68 square feet of land area would allow the construction of another dwelling. Lacking this 68 square feet deprives the owner of constructing the additional dwelling which interferes with the best use of the subject property.
2. 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 is less than 1% 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 of the area.

Therefore, the Commission hereby grants to the applicant a variance from the minimum lot size pursuant to the authority vested in it by Section 36 of said Ordinance on the condition that compliance to all other applicable regulations will be required in connection with the proposed development of the subject property.

The effective date of this permit shall be from June 3, 1971.

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