

PLANNING COMMISSION  
Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for VARIANCE )  
by )  
CAROL A. BRICE )  
from )  
BUILDING SETBACK REQUIREMENT )  
in )  
HALAI HILL, SOUTH HILO, HAWAII )

Variance No. 259

VARIANCE PERMIT

The Planning Commission held a public hearing on October 14, 1971 on the application of CAROL A. BRICE for a variance from Section 9-F(1), Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow an eight (8) foot rear yard setback for the construction of an addition to the existing dwelling in lieu of the required fifteen (15) foot setback located off Hina Street, Halai Hill, South Hilo, Hawaii, Tax Map Key 2-3-22:43.

The Commission finds that:

1. Due to adverse topographic conditions, it would place an unreasonable hardship upon the applicant to comply with the required setback.
2. Special and unusual circumstances exist to a degree which deprives the applicant of substantial property rights which would be otherwise available or to a degree which obviously interferes with the best use or manner of development of the subject property. The present dwelling is located eight (8) feet from the rear property line and to align the new addition with the existing would result in the best use of the subject property.

Therefore, the Commission hereby grants to the applicant a variance to allow an eight foot rear yard setback for the construction of an addition to the existing dwelling in lieu of the required fifteen (15) foot setback pursuant to the authority vested in it by Section 36 of said Ordinance on the condition that:

1. Construction shall begin within one year of date of approval or the subject 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.

The effective date of this permit shall be from October 14, 1971.

Dated at Hilo, Hawaii, this 11th day of November, 1971.

PLANNING COMMISSION  
OF THE COUNTY OF HAWAII

O. W. Efurd, Jr.  
Chairman