

PLANNING COMMISSION  
Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for VARIANCE )  
by )  
HAWAIIAN AGRICULTURAL CO. )  
from )  
MAXIMUM HEIGHT LIMIT )  
in )  
PAAUUAU, KA'U, HAWAII )  
\_\_\_\_\_ )

Variance No. 274

VARIANCE PERMIT

The Planning Commission held a public hearing on January 20, 1972 on the application of HAWAIIAN AGRICULTURAL CO. for a variance from Section 13-C and Section 30-E(3), Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow the construction of a one-hundred (100) foot high boiler stack in lieu of the maximum fifty-five (55) foot height limit as permitted within the agricultural-1 acre (A-1a) zoned district. Said structure is proposed to be located within the Hawaiian Agricultural Company's Pahala Mill complex, Paauau, Ka'u, Hawaii, Tax Map Key 9-6-2:16.

The Commission finds that circumstances exist to a degree which interferes with the best manner of development of the subject property. The construction of the boiler stack is an integral part of the overall complex and is in conjunction with the sugar company's required compliance with the State's Air Pollution regulations. Due to its design limitations, the proposed stack cannot be located within the existing general industrial (MG) zoned district where a height limit of one hundred (100) feet is permitted by "plan approval." An industrial complex, such as the one under consideration, is generally located within an industrial zoned district or is considered as an accessory use within an agriculture zoned district.

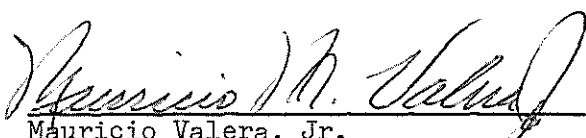
Therefore, the Commission hereby grants to the applicant a variance from the maximum allowable height limit as regulated by the agriculture (A-1a) zoned district pursuant to the authority vested in it by Section 36 of said Ordinance on the conditions that:

1. Construction 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 substantially conform to the drawings as submitted with this application.

The effective date of this permit shall be from January 20, 1972.

Dated at Hilo, Hawaii, this 14th day of March, 1972.

PLANNING COMMISSION  
OF THE COUNTY OF HAWAII

  
Mauricio Valera, Jr.  
Vice Chairman