

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for VARIANCE )  
by )  
ROBERT GHOLSON )  
from )  
EAVE PROJECTION REQUIREMENT )  
in )  
Laaloa, North Kona, Hawaii )

Variance No. 294

VARIANCE PERMIT

The County Planning Commission, at a duly held public hearing on June 29, 1972, considered the application of ROBERT GHOLSON for a variance from Section 30-D-8 of Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended. More specifically, the request was to allow a 4'-6" eave projection for a dwelling under construction in lieu of 4'-0" eave projection. The dwelling is located in White Sands Beach Estates subdivision, Laaloa, North Kona, Hawaii, tax map key: 7-7-17:9.

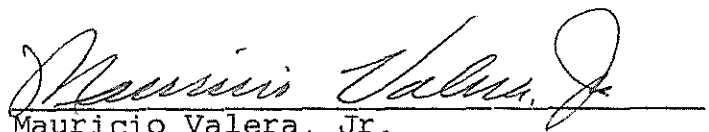
The Commission has found that literal enforcement of the zoning ordinance would result in an unnecessary hardship on the use of the land. The hardship was partially contributed to by prior governmental action. At the time the building permit was secured, adequate structural setbacks were reflected on the plot plan. Although the building plans showed the 4-foot eave, the eaves were not indicated on the plot plan. Government should have ascertained that the plot plan contained all of the information needed from the construction plan. Since the eaves were not properly reflected on the plot plan, it is felt that governmental error contributed to the applicant/owner's misunderstanding of the zoning restriction concerning the eave projection and clear space between eaves and the property line.

Therefore, the Commission hereby grants to the applicant a variance to allow a 4'-6" eave projection for a dwelling under construction in lieu of the required 4'-0" eave projection pursuant to the authority vested in it by Section 36 of said ordinance.

The effective date of this permit shall be from June 29, 1972.

Dated at Hilo, Hawaii, this 17th day of August, 1972.

PLANNING COMMISSION  
COUNTY OF HAWAII

  
Mauricio Valera, Jr.  
Vice Chairman