

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)
by)
SARAH RUIS)
from)
MINIMUM YARD REQUIREMENT)
in)
Kamoku, Hamakua, Hawaii)

Variance No. 297

VARIANCE PERMIT

The Planning Commission, at a duly held public hearing on July 13, 1972, considered the application of Sara Ruis for a variance from Section 13-F, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended. More specifically, the request was to allow a front yard building setback of ten (10) feet in lieu of the required thirty (30) foot setback. The dwelling is located in Kamoku, Hamakua, Hawaii on Hawaiian Homes Land, tax map key 4-7-07:7.

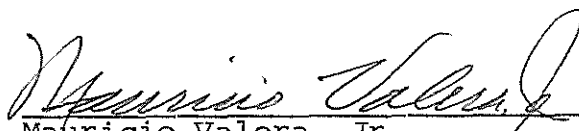
The Commission has found:

1. that literal enforcement of the zoning ordinance would not be in the public interest. The existing structure is nonconforming with respect to the front setback. Requiring the addition to adhere to the required front setback would result in a very irregularly shaped dwelling. This would tend to give an appearance of another detached structure, as the addition would have to begin almost at the rear of the existing structure. Since the Department of Health requires a minimum 10 foot structural setback from the cesspool, a direct expansion toward the rear of the dwelling would not be possible without relocating the cesspool; and
2. that the variance would not result in a substantial change to the character of the neighborhood. The area is rural in character, and the road servicing the area is primarily for local traffic. Thus, since the road is lightly used and given the general character of the area, the Commission feels that the 30-foot clear space between the edge of the existing roadway and the existing structure would not be of substantial detriment to the public welfare.

The effective date of this permit shall be from July 13, 1972.

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

PLANNING COMMISSION
OF THE COUNTY OF HAWAII


Mauricio Valera, Jr.
Vice Chairman