

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)
 by)
KUNIYO & MASATO NAGAMI)
 from)
 REQUIRED SETBACK)
 in)
Waiakea, South Hilo, Hawaii)

Variance No. 303

VARIANCE PERMIT

The County Planning Commission, at a duly held public hearing on October 12, 1972, considered the application of KUNIYO AND MASATO NAGAMI for a variance from Section 10-C, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended. More specifically, the request was to allow a six (6) foot front yard building setback in lieu of the required fifteen (15) foot setback and a seven (7) foot sideyard building setback in lieu of the required eight (8) foot setback for a proposed dwelling located at the corner of Wilson and Desky Streets, in the Villa Franca area, Waiakea, South Hilo, Hawaii, Tax Map Key 2-2-19:17.71.

The Commission has found that:

1. Special conditions exist with respect to the land involved which would result in unnecessary hardship if Ordinance No. 63 were literally enforced. The land involved is a 3,510 square foot nonconforming sized parcel. When required setbacks are applied to the parcel, the buildable area is reduced to 1,256 square feet, which represents a buildable area of approximately thirty-six (36) per cent. Such a reduction in buildable area is found to result in undue hardship.
2. The granting of the variance will not be contrary to the public interest. The proposed structure has been found to be of average size and the size of the parcel prohibits its construction while still respecting the required setbacks. The parcel is zoned to allow residential construction and the granting of the requested variance would respect the parcel's zoning and allow for its intended use.

Therefore, the Commission hereby grants to the applicant a variance to allow a six (6) foot front yard building setback in lieu of the required fifteen (15) foot setback and seven (7) foot side yard building setback in lieu of the required eight (8) foot setback for the proposed dwelling as regulated by the duplex-residential zoned district pursuant to the authority vested in it

By Section 36 of said Ordinance with the condition that construction of the proposed structure conform substantially to that as submitted and begin within one (1) year of the date of approval of the variance or the variance shall be deemed null and void.

The effective date of this permit shall be from October 12, 1972.

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

A handwritten signature in cursive script, appearing to read "Mauricio Valera, Jr.", written over a horizontal line.

Mauricio Valera, Jr.
Chairman