

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)	
by)	
CEDRIC BERGANIO)	
from)	Variance No. 304
REQUIRED SETBACK)	
in)	
Wainaku, S. Hilo, Hawaii)	
<hr/>		

VARIANCE PERMIT

The Planning Commission at its duly held public hearing on October 26, 1972, considered the application of CEDRIC BERGANIO for a variance from Sections 9-F, 31-A and 39-D of Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended. More specifically, the request was to allow the reconstruction of an existing dwelling with an existing front yard setback of nine (9) feet in lieu of the required fifteen (15) foot front yard setback in a single-family residential (RS-7.5) zone. The subject dwelling is located in Wainaku Camp 2, Wainaku, South Hilo, Hawaii, Tax Map Key 2-6-24:27.

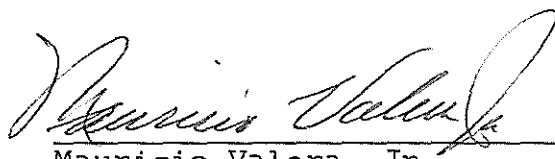
The Commission has found:

1. That special conditions exist with respect to the land involved which would result in unnecessary hardships if the Ordinance were literally enforced. The land involved is a 4,560 square foot nonconforming sized parcel upon which the dwelling is located. When required setbacks are applied to the parcel, the buildable area is reduced to approximately 1,920 square feet or approximately 42 per cent of the total area as compared to a buildable area of approximately 50 per cent on a conforming sized parcel of 7,500 square feet; and
2. That the present character of the property would not be substantially altered as the dwelling being reconstructed would be following the same building line with respect to front yard setbacks. The general character of the area is also of nonconforming sized lots and structures with respect to setbacks.

Therefore, the Commission, pursuant to the authority vested in it by Section 36 of said Ordinance, hereby grants to the applicant a variance to allow the reconstruction of an existing dwelling with a front yard setback of nine (9) feet in lieu of the required fifteen (15) foot front yard setback.

The effective date of this permit is October 26, 1972.

Dated at Hilo, Hawaii, this 18th day of December,
1972.



Mauricio Valera, Jr.
Chairman