

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)	
by)	
WILLIAM S. DIAS, SR.)	
from)	Variance No. 332
MINIMUM LOT SIZE REQUIREMENT)	
in)	
<u>Paauilo, Hamakua, Hawaii</u>)	

VARIANCE PERMIT

The Planning Commission at a duly held public hearing on May 10, 1973, considered the application of William S. Dias, Sr. for a variance from Section 13-D, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow the subdivision of an 8.46 acre parcel into two (2) 4.23 acre parcels in lieu of the five (5) acre minimum lot size requirement of the Agricultural (A-5a) zoned district. The subject property is located in Paauilo Homesteads, Paauilo, Hamakua, Hawaii, Tax Map Key 4-3-14:4.

The Commission has found that:

1. The request would be providing residential-agricultural lots thus meeting a housing need and assisting the further development of diversified agriculture in the area; and
2. The creation of these non-conforming sized lots would not be substantially inconsistent with the general purpose of the district as it would be creating lot sizes still considered feasible for its intended use.

Therefore, the Commission hereby grants to the applicant a variance to allow the subdivision of an 8.46 acre parcel into two (2) 4.23 acre parcels in lieu of the five (5) acre minimum lot size requirement of the Agricultural (A-5a) zoned district pursuant to the authority vested in it by Section 36 of said Ordinance on the conditions that:

1. The petitioner submit and secure tentative approval of a subdivision plan as proposed within one (1) year from the date of approval of the variance;
2. One (1) dwelling be constructed on the lot not containing the existing dwelling within one (1) year of the date of final approval of the subdivision; and
3. Farming activity commence on a minimum of one (1) acre within two (2) years of the date of approval of the variance. Farming activity is defined as the actual cultivation of land for agricultural purposes.

Conditions number 2 and 3 shall be made a part of the deed for the properties when the subject parcel is submitted for subdivision. The petitioner shall also submit verification that potential sellers and buyers have knowledge of these conditions that run with the land should the properties be offered for sale.

Should these conditions not be met, the variance will be deemed null and void.

The effective date of this permit shall be from May 10, 1973.

Dated at Hilo, Hawaii, this 4th day of June 1973.

A handwritten signature in cursive script, appearing to read "Ed C. Watt", written over a horizontal line.

Ed C. Watt
Chairman