

PLANNING COMMISSION

Planning Department
Hilo, Hawaii

Application for VARIANCE)	
by)	
Department of Public Works)	
County of Hawaii/)	Variance No. 339
Gilbert Henriques)	
from)	
MINIMUM FRONT YARD SETBACK REQUIREMENT)	
in)	
<u>Keekee 1st, South Kona, Hawaii</u>)	

VARIANCE PERMIT

The Planning Commission at a duly held public hearing on May 31, 1973, considered the application of the Department of Public Works, County of Hawaii/ Gilbert Henriques for a variance from Section 9-F-2, Ordinance No. 63 of the Revised Ordinances of the County of Hawaii 1967, as amended, more specifically, to allow a six (6) to ten (10) foot front yard setback in lieu of the required twenty (20) foot setback for a carport to be located within the Kishi Subdivision, Keekee 1st, South Kona, Hawaii, Tax Map Key 8-1-12:41.

The Commission has found:

1. That circumstances exist with respect to the land which interferes with the best manner of development of the subject property.
The acquisition of a five (5) foot frontal portion of the property as a result of an improvement district resulted in the existing driveway being approximately ten (10) feet in length and at a slope of approximately thirty (30) degrees. Such a ground interferes with its best use.
The length of the driveway also prohibits further adjustment such as realigning the driveway.
2. The location of a cesspool in the proposed new location prohibits compliance to the required setback. A minimum distance of ten (10) feet is required between a structure and a cesspool and in order to meet this health requirement, the carport can only be constructed with a six (6) foot front setback.
3. The proposed location of the carport would result in the most feasible location and afford the applicant the same property rights offered other property owners in the general vicinity.

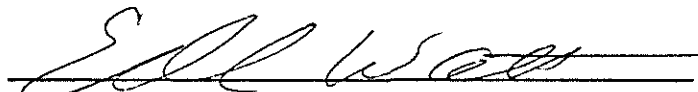
Therefore, the Commission hereby grants to the applicant a variance to allow a six (6) to ten (10) foot front yard setback pursuant to the authority vested in it by Section 36 of said Ordinance on the conditions that:

1. Construction of the carport conform substantially to that as presented; and
2. Construction of the proposed facility begin within one (1) year of the date of approval of the variance.

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

The effective date of this permit shall be May 31, 1973.

Dated at Hilo, Hawaii, this 1st day of August 1973.

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

Ed C. Watt
Chairman