

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for Variance	)	
by	)	
WARDCO, INC.	)	
from	)	Variance No. 356
MINIMUM SETBACK REQUIREMENT	)	
in	)	
Puueo, South Hilo, Hawaii	)	
	)	
	)	

VARIANCE PERMIT

The Planning Commission at a duly held public hearing on September 27, 1973, considered the application of WARDCO, INC. for a variance from Section 11-E, Ordinance 63 of the Revised Ordinances of the County of Hawaii, 1967, as amended, more specifically to allow a 14-foot front yard setback for a condominium building in lieu of the 20-foot requirement of the RM-1 zoned district. The subject building is part of the Coconut Creek Condominium complex located in Puueo, South Hilo, Hawaii, Tax Map Key 2-6-05:10.

The Commission has found that:

Some misunderstanding and confusion arose as to exactly where the property line was because of the curving nature of the boundary fronting Wainaku Street. This resulted in the encroachment not being readily evident by the County during the early stages of construction. However, when the framing was completed, it presented a better picture of the relationship between the subject building and property line and subsequently the violation was discovered. At this late date, however, extreme and unreasonable hardship would be incurred to correct the situation which prior governmental action contributed to.

Another factor to consider is that the area encroaching into the setback area is a solid wall without windows. Thus, there would be only a slight interference with air, light and other safety considerations within the unit itself.

Therefore, the Commission hereby grants to the applicant a variance to allow a 14-foot front yard setback for a condominium building in lieu of the 20-foot requirement of the RM-1 zoned district, pursuant to the authority vested in it by Section 36 of said Ordinance.

The effective date of this permit shall be from September 27, 1974. =

Dated at Hilo, Hawaii, this 17th day of January, 1974.

APPROVED as to  
FORM and LEGALITY

*Clifford H. F. Fenn*  
CORPORATION COUNSEL  
COUNTY OF HAWAII

Date 1/9/74

*Ed C. Watt*  
Ed C. Watt, Chairman