

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for Variance)	
by)	
COUNTY OF HAWAII and MAUNA KEA SUGAR COMPANY)	Variance No. 358
from)	
MINIMUM LOT SIZE REQUIREMENT)	
in)	
Piihonua, South Hilo, Hawaii)	

VARIANCE PERMIT

The Planning Commission at a duly held public hearing on September 27, 1973, considered the application of the COUNTY OF HAWAII and MAUNA KEA SUGAR COMPANY 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 creation of 6.887 and 4.792 acre lots in lieu of the minimum 20-acre lot size requirement of the Agricultural (A-20a) zoned district. The subject property is located in Piihonua, South Hilo, Hawaii, Tax Map Key 2-6-9:portion of 21.

The Commission has found that:

1. The request will not be materially detrimental to public welfare or injurious to property rights related to property in the near vicinity and would comply with the South Hilo District facilities and transportation goals which call for improvements to the subject roadway; and
2. There are special circumstances applying to the subject properties or improvements in the same districts. The creation of lot sizes below the minimum requirements of the zone are not a result of specific property owners' actions; rather such owners are the innocent party of a governmental action, a governmental action done in the interest of the entire public.

Therefore, the Commission hereby grants to the applicants a variance to allow the creation of 6.887 and 4.792 acre lots in lieu of the minimum 20-acre lot size requirement of the Agricultural (A-20a) zoned district pursuant to the authority vested in it by Section 36 of said Ordinance on the condition that the applicants submit a subdivision plan for approval within one (1) year of the date of approval of the variance.

Should this condition not be met, the variance will be deemed null and void.

The effective date of this permit shall be from September 27, 1973.

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

APPROVED as to
FORM and LEGALITY

Clifford H. G. Jones
CORPORATION COUNSEL
COUNTY OF HAWAII

1/9/74

Ed C. Watt
Ed C. Watt, Chairman