

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)	
by)	
COUNTY OF HAWAII AND ANTONE FERNANDEZ)	
from)	
MINIMUM SETBACK REQUIREMENT)	Variance No. 359
in)	
Waiakea Houselots, 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 ANTONE FERNANDEZ for a variance from Section 9-F, Ordinance 63 of the Revised Ordinances of the County of Hawaii, 1967, as amended, more specifically, to allow the construction of a carport with a front yard setback of ten (10) feet in lieu of the twenty (20) foot setback requirement of the single-family residential (RS-10) zoned district. The subject building will be located on property at the southwest corner of the Kinooole-Lanihuli Street intersection, Waiakea Houselots, South Hilo, Hawaii, Tax Map Key 2-2-22:23.

The Commission has found that:

1. There are special circumstances applying to the subject properties or improvements in the same district. The relocation of the garage is caused by the acquisition of land by the County to provide a curved intersection into future Lanihuli Street. This action is not a result of the property owner's initiative; rather, the owner is the innocent party of a governmental action, a governmental action done in the interest of the entire public; and
2. Circumstances exist with respect to the land which interferes with the best manner of development of the subject property. Based on the topography of the lot and existing buildings situated on the property, the proposed location of the carport would result in the most feasible location and afford the owner the same property rights offered other property owners in the general vicinity.

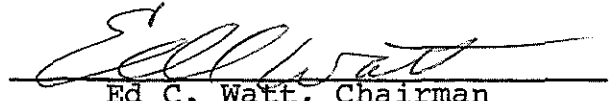
Therefore, the Commission hereby grants to the applicants a variance to allow the construction of a carport with a front yard setback of ten (10) feet in lieu of the twenty (20) foot setback requirement of the single-family residential (RS-10) zoned district pursuant to the authority vested in it by Section 36 of said Ordinance on the condition that:

The carport be constructed within one (1) year of the date of approval of the variance.

Should this condition not be met, the variance shall 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.


Ed C. Watt, Chairman

