

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

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| Application for VARIANCE |) | |
| by |) | |
| HILO ELECTRIC LIGHT CO. |) | |
| from |) | Variance No. 371 |
| MINIMUM ROADWAY REQUIREMENTS |) | |
| in |) | |
| Kaupulehu, North Kona, Hawaii |) | |
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VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on November 13, 1973 considered the application of Hilo Electric Light Co. Ltd. for a variance from Chapter 8, (Zoning Code), Article 2, Section 4.03-B, Hawaii County Code, as Amended, more specifically to allow relief from providing a twenty (20) foot paved access roadway to a microwave site in Kaupulehu, North Kona, Hawaii. Tax Map Key 7-2-02:1.

The Commission has found:

1. That there is a special circumstance applying to this property that does not apply to others in the vicinity.
2. The use is for a public utility repeater station which facility will be for improving the public's communication needs, and said roadway easement of forty (40) feet will adequately accommodate the maintenance vehicle which will only periodically (monthly) need to visit the site.
2. That granting this variance would not constitute a personal or special privilege as the communication facility would not favor one individual over another, but rather would facilitate communication, ultimately for the general public's benefit;
3. That granting this variance would not be inconsistent with the General Plan as the access would not be accommodating residential or other higher uses which would require a higher standard of vehicular egress and ingress.

Therefore, the Commission hereby grants to the applicant a variance to allow relief from providing a twenty (20) foot paved access roadway to a microwave site pursuant to the authority vested in it by Section 7 of said Code, subject to the following conditions:


1. That the applicant should verify with the state Department of Land and Natural Resources that the facility's site and roadway easement do not contain any historical or archaeological sites which should be preserved. Should it be determined that the facility or easement does intrude upon a historical archaeological site, then an alternate repeater station site should be obtained.

2. That the verification by the Department of Land and Natural Resources shall be sent to the Planning Department.

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

The effective date of this permit shall be from November 13, 1973.

Dated at Hilo, Hawaii, this 5th day of February 1974.


Arthur W. Martin, Chairman

