

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)
by)
COUNTY OF HAWAII/DEPT. OF WATER SUPPLY)
from)
MINIMUM LOT SIZE AND MINIMUM ROADWAY)
REQUIREMENTS)
in)
Papaikou, South Hilo, Hawaii)

Variance No. 375

VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on November 29, 1973 considered the application of County of Hawaii Department of Water Supply for a variance from Chapter 8 (Zoning Code), Article 7, Section 5 and Chapter 9 (Subdivision Code), Article 2, Section 4.03-B, Hawaii County Code, as Amended, more specifically to allow relief from the 50 foot wide right-of-way and 20 foot pavement requirement and to allow the creation of a 16,100 square foot lot in an agricultural 20 acre (A-20a) zone in Papaikou, South Hilo, Hawaii. Tax Map Key 2-7-02:3.

The Commission has found:

1. That a special circumstance applies to this application in that the use is for a public utility water tank site rather than the usual residential or agricultural activity;
2. That granting this variance would not constitute special privilege inconsistent with the treatment of other surrounding properties as a water tank site is only located where the public service demands and it would serve the general public without restriction except its physical capacity;
3. That granting the variance would be compatible with the tenets of the General Plan as it improves the public welfare and would not in any be deemed injurious to properties or property rights.

Therefore, the Commission hereby grants to the applicant a variance to allow relief from the 50 foot wide right-of-way and 20 foot pavement requirement and allow the creation of a 16,100 square foot lot in an agricultural 20 acre (A-20a) zone pursuant to the authority vested in it by Section 7 of said Code, subject to the condition:

1. That the applicant submit and secure preliminary approval of a subdivision for this project within one (1) year of the effective date of this variance.

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

The effective date of this permit shall be from November 29, 1973.

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


Arthur W. Martin, Chairman

