

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)	
by)	
CYRIL W. LEMMON)	
from)	
MINIMUM LOT SIZE DENSITY REQUIREMENTS))	Variance No. 388
in)	
Waimea, South Kohala, Hawaii)	
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VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on February 15, 1974 considered the application of Cyril W. Lemmon for a variance from Chapter 8, (Zoning Code), Article 7, Section 5 & 8, Hawaii County Code, as Amended, more specifically to allow relief from the minimum lot size and density requirements regulated within the agricultural 1-Acre minimum lot size (A-1a) zoned district as a result of a proposed consolidation and resubdivision of properties in Waimea, South Kohala, Hawaii. Tax Map Key 6-5-10:13, 14 & 56.

The Commission has found:

1. That the granting of the variance would not constitute a grant of personal or special privilege inconsistent with the limitations placed upon other properties under identical district. The purpose of the consolidation and resubdivision action is merely to provide for better utilization of portions of land presently unusable. Furthermore, Parcel 23 which is 12,285 square feet in size would be increased by 2,915 square feet in size. It is presently irregularly shaped and rather limited in terms of effective utilization. The increase in area would in essence make the land more usable and would improve the irregular shape and dimensions of the property.
2. That the requested variance will not be materially detrimental to the public welfare nor injurious to improvements or property rights related to property in the new vicinity since there will not be any increase in density. The proposed consolidation of parcels 14 and 56 into an 81,750 square feet area is merely to put it into one ownership.
3. That although portion of the area designated as a road easement will be abandoned and consolidated with parcel 13, access to the existing two single-family dwellings on the remaining 81,750 square foot lot will be provided with two other accesses. One of the accesses is a 17-foot easement off Kohokohau Road and the other is by way of the 96-foot frontage along Laelae Road. Furthermore, because of the steep terrain of the 21-foot easement, that portion is deemed unusable of the original intended use.

Therefore, the Commission hereby grants to the applicant a variance to allow relief from the minimum lot size and density requirements regulated within the agricultural 1-acre minimum lot size (A-1a) zoned district pursuant to the authority

vested in it by Article 1, Section 7 of said Code, subject to the following condition:

That the applicant, Cyril Lemmon, submit a subdivision plan and secure tentative approval within one (1) year of the approval of the variance request.

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

The effective date of this permit shall be from February 15, 1974.

Dated at Hilo, Hawaii, this 9th day of March 1974.


Arthur W. Martin, Chairman

