

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

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| Application for VARIANCE |) | |
| by |) | |
| JOHN DIAS SOUZA |) | |
| from |) | Variance No. 391 |
| MINIMUM BUILDING SITE AREA REQUIREMENT |) | |
| in |) | |
| Kaao Homesteads, Kaao, Hamakua, Hawaii |) | |
| _____ |) | |

VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on March 14, 1974, considered the application of JOHN DIAS SOUZA for a variance from Chapter 8, (Zoning Code), Article 7, Section 5, Hawaii County Code, as Amended, more specifically to allow a variance from the minimum building site area requirement of the Agricultural 5-acre (A-5a) zone district for subject property located in Kaao Homesteads, Kaao, Hamakua, Hawaii, Tax Map Key 4-5-03:14.

The Commission has found that:

The granting of the variance would not be inconsistent with the general purpose of the district, will not militate against the County General Plan and would not be materially detrimental or injurious to improvements or property rights related to property in the near vicinity. The applicant, in this instance is attempting to satisfy the district's minimum building site requirement by consolidating a 3.5 acre parcel and a one acre parcel, thereby resulting in a 4.5 acre lot. This proposed action is considered to be in line with the County's General Plan, Agricultural element goal of maintaining larger parcels for agriculture purposes. Also, thru the proposed subdivision, the applicant is satisfying the minimum building site requirement of the Agricultural one-acre (A-1a) zone district for the two parcels located within the Agricultural one-acre zone district. In addition, the housing need for the two sons is being satisfied with this action, as the two one-acre parcels will be provided for as homesites.

Therefore, the Commission hereby grants to the applicant a variance from the minimum building site area requirement of the Agricultural 5-acre (A-5a) zone district for the subject property located in Kaao Homesteads, Kaao, Hamakua, Hawaii pursuant to the authority vested in it by Section 7 of said Code, subject to the following conditions that:

The subject request be approved subject to the condition that all applicable conditions stipulated at the time of change of zone be complied with.

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

The effective date of this permit shall be from March 14, 1974.

Dated at Hilo, Hawaii, this 2nd day of May 1974.


Chairman