

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)	
by)	
SEAMOUNTAIN-HAWAII RANCH CO., INC.))	Variance No. 396
from)	
EXPANSION OF A NON-CONFORMING USE)	
RELATIVE TO SETBACK)	
in)	
Punaluu-Moaula Area, Kau, Hawaii)	
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VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on April 10, 1974, considered the application of SEAMOUNTAIN-HAWAII RANCH CO., INC. for a variance from Chapter 8, (Zoning Code), Article 7, Section 3, Hawaii County Code, as Amended, more specifically to allow the expansion of a non-conforming use relative to the 1,000 foot minimum setback requirement from any major public road for the pen feeding of livestock within an agricultural 20 acre (A-20a) zone district in the Punaluu-Moaula Area, Kau, Hawaii, Tax Map Key 9-6-02: Portion of 6 and 9-6-03: Portion of 3 and 5.

The Commission has found that:

1. There exists an unusual circumstance as the feedlot operation became necessary when severe drought conditions substantially reduced Seamountain-Hawaii Ranch Company's pasture lands within the Ka'u district in 1972. As a result of the drought, emergency feeding measures had to be undertaken; hence the cattle were relocated from the range to the area under consideration for controlled feeding and also to relieve the operating stress involved. This area was used for ranching purposes such as holding and working pens for cattle prior to pen feeding. The immediacy of the situation necessitated that this area be utilized for this operation.
2. The expanded operation will not be materially detrimental to the public welfare or injurious to rights related to property in the near vicinity as the nearest habitable buildings are located

approximately 1.5 miles from the feeding pens. The surrounding area are primarily ranch lands. Furthermore, the expanded operation is of a temporary nature and is proposed to be relocated in 1975.

Therefore, the Commission hereby grants to the applicant a variance to allow the expansion of a non-conforming use relative to the 1,000 foot minimum setback requirement from any major public road for the pen feeding of livestock pursuant to the authority vested in it by Section 7 of said Code, subject to the following conditions that:

1. The applicant, Seamountain-Hawaii Ranch Co., Inc., delineate to the Planning Department the area which will be used for the proposed use in acreages within one month of the date of approval.
2. The feedlot operation be terminated within two (2) years from the date of approval of the request.
3. The operation of pens No. 1 and No. 2 as indicated on the submitted map be terminated within three (3) months of the date of approval.

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

The effective date of this permit shall be from April 10, 1974.

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


Chairman