

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)
by)
GUY STILLMAN)
from)
MINIMUM BUILDING SITE)
AREA REQUIREMENT)
in)
Kaauhuhu Homesteads,)
North Kohala, Hawaii)
_____)

Variance No. 400

VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on May 2, 1974 considered the application of GUY STILLMAN for a variance from Chapter 8, (Zoning Code), Article 7, Section 5, and Chapter 9, (Subdivision Code) Article 2, Section 5.03, Hawaii County Code, as amended, more specifically to allow the creation of a 3.5 acre parcel within an Agricultural 20 acre (A-20a) zoned district and the waiving of the road improvement requirement in Kaauhuhu Homesteads, North Kohala, Hawaii, Tax Map Key 5-5-01:14 and 17.

The Commission has found that:

1. The granting of the variance will not be materially detrimental to the public welfare nor will it be injurious to improvements or property rights related to property in the near vicinity. The proposed Homestead Road will not constitute the creation of additional lots. Both lots are already non-conforming in size and also no additional traffic will be generated through this action. The realignment will facilitate access through this segment of the Homestead Road as it will provide for a safer and more efficient roadway system than the existing one; and
2. The transferring of area between the two (2) non-conforming sized lots would be a result of a realignment of the Kaauhuhu Homestead Road and would not be substantially inconsistent with the general purpose of the district. It would be re-creating lot sizes still considered feasible for its intended use. Furthermore, the creation of lot sizes below the minimum requirements is the result of both the applicant and the governmental action done in the interest of the welfare of the general public.

Therefore, the Commission hereby grants to the applicant a variance to allow the creation of a 3.5 acre parcel within an Agricultural 20 acre (A-20a) zoned district and the waiving of the road improvement requirement pursuant to the authority vested in it by Section 7 of said Code, subject to the following conditions that:

1. The applicant, Guy Stillman, submit a subdivision plan and secure tentative approval within one year of the date of approval of the variance;
2. The construction of the realignment of the proposed road conform substantially to the plans as presented; and
3. A 10 foot strip on the northernmost side of the property adjacent to the existing 40 foot road be set aside for future road widening.

Should these conditions not be met, the variance shall be deemed null and void.

The effective date of this permit shall be from May 2, 1974.

Dated at Hilo, Hawaii, this 22nd day of May 1974.


Arthur W. Martin, Chairman

