

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for VARIANCE	)	
by	)	
HARRY M. KNIGHT	)	
from	)	
MAXIMUM ALLOWABLE HEIGHT LIMIT	)	Variance No. 405-A
in	)	
Kahului 1st and 2nd,	)	
North Kona, Hawaii	)	
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VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on May 22, 1974 considered the application of HARRY M. KNIGHT for a variance from Chapter 8 (Zoning Code), Article 9, Section 4, Hawaii County Code, as Amended, more specifically to allow the construction of an eight (8) unit condominium with a height of four (4) stories in lieu of the maximum height of three (3) stories within a Resort-Hotel zoned district in a portion of Kahului 1st and 2nd, North Kona, Hawaii, Tax Map Key 7-5-19:27.

The Commission has found:

1. That the additional story would not render the building any more conspicuous than what is already permitted within this zone district. The Zoning Code states that "No building shall exceed a height of forty-five (45) feet or contain more than three (3) stories." The proposed building which will contain four (4) stories will not exceed the forty-five (45) foot height; and therefore, in this case, no additional height is being requested.
2. That conditions exists with respect to the land which would result in unnecessary hardship if the Zoning Code were literally enforced. That the subject area is located within the Tsunami Inundation Zone. Therefore, it is in the best public interest that as much as possible, residential units not be permitted on the ground floor of any storied type structure. This would in effect minimize the danger to life and property, and yet still permit compatible uses.

Therefore, the Commission hereby grants to the applicant a variance to allow the construction of an eight (8) unit condominium with a height of four (4) stories in lieu of the maximum height of three (3) stories pursuant to the authority vested in it by Section 7 of said Code, subject to the following conditions that:

1. The proposed building be limited to a maximum height limit of forty-five (45) feet; and
2. All applicable regulations be complied with including the "Plan Approval" process.

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

The effective date of this permit shall be from May 22, 1974.

Dated at Hilo, Hawaii, this 12th day of June, 1974.

  
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Arthur W. Martin, Chairman

