

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)
by)
DELBERT CHANG)
from)
MINIMUM BUILDING SITE AREA)
REQUIREMENTS)
in)
Aleamai, South Hilo, Hawaii)

Variance No. 407

VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on June 14, 1974 considered the application of DELBERT CHANG for a variance from Chapter 8 (Zoning Code), Article 7, Section 5, Hawaii County Code, as Amended, more specifically to allow the creation of a 6.3-acre lot in lieu of the minimum building site area requirement of twenty (20) acres within an Agricultural 20-acre (A-20a) zoned district at Aleamai, South Hilo, Hawaii, Tax Map Key 2-7-32:18.

The Commission has found that:

1. The granting of the variance will not be inconsistent with the general purpose of the district, will not militate against the General Plan and will not be materially detrimental to the public welfare nor injurious to improvements or property rights related to property in the near vicinity. The purpose of this district is to provide for agricultural and very low residential uses. Although the land area has been reduced in size, it is and can still be utilized for agricultural purposes, in this case, grazing. The land has been dedicated for grazing purposes, therefore, this further confirms the applicant's intention to utilize the land for an agricultural type use. This intention would also be in keeping with the General Plan's agricultural goal of maintaining agricultural lands in some form of agricultural endeavor, and there will be no change in the land use, the 6.3-acre parcel will continue to be used for grazing purposes; and
2. With the proposed subdivision, the applicant is satisfying the minimum building site area requirement of the Agricultural one-acre (A-1a) zone district. Also, the housing need for the applicant and his brother is being satisfied with this action, as the two one-acre parcels will be provided for as homesites. While it is conceded that portions of the subject property have terrain constraints, the one-acre lot size would adequately compensate for the terrain deficiencies.

Therefore, the Commission hereby grants to the applicant a variance to allow the creation of a 6.3-acre lot in lieu of the minimum building site area requirement of twenty (20) acres within the Agricultural 20-acre (A-20a) zoned district pursuant to the authority vested in it by Section 7 of said Code, subject to the following conditions that:

1. All applicable rules and regulations and conditions imposed at the time of the rezoning action be complied with;
2. Access to the property from the Hawaii Belt Road comply with the State Department of Transportation, Highways Division Road Standards, and rules and regulations; and
3. A ten (10) foot wide strip on the northernmost side of the property adjacent to the existing 30-foot easement 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 June 14, 1974.

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


Arthur W. Martin, Chairman

