

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)	
by)	
STATE OF HAWAII)	
DEPARTMENT OF LAND AND)	
NATURAL RESOURCES)	
from)	Variance No. 424
MINIMUM BUILDING SITE)	
AREA REQUIREMENTS)	
in)	
Keauhou 1st, North Kona, Hawaii)	
)	

VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on October 17, 1974 considered the application of STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES for a variance from Chapter 8 (Zoning Code), Article 7, Section 5, Hawaii County Code, as Amended, more specifically to allow the creation of two (2) lots of 3,565 square feet and 4.40 acres in size below the minimum building site area requirement of five (5) acres as stipulated within the Agricultural 5 acre (A-5a) zoned district in Keauhou 1st, North Kona, Hawaii, Tax Map Key 7-8-06:3.

The Commission has found that:

1. The granting of the variance will be in keeping with the County's General Plan Public Facilities element goal of ensuring that adequate, efficient, and dependable public service will be available to users, and the policy of providing service facilities which minimize total cost to the public and effectively service the needs of the community. This pump site which was constructed in 1962 has been servicing the area from Kahaluu to Honalo on the North Kona Belt Road area. The variance being requested is to formally allow the Department of Land and Natural Resources on behalf of Bishop Estate to acquire the land and ultimately dedicate the land and the pump site to the County of Hawaii Department of Water Supply so as to allow the Department of Water Supply to officially maintain control as well as to add this pump site into the North Kona Domestic Water System.
2. The granting of the variance will not be materially detrimental to the welfare of the general public nor will it be injurious to improvements or property rights related to property in the near vicinity. The community along the North Kona Belt Road between Kahaluu and Honalo has been utilizing

this water system. The provision of this water system has served a need as well as provided a convenience that would not have been available if the pump site was not constructed in this area. Therefore, in view of the fact that the pump site has existed since 1962, it is felt that the creation of the parcel below the minimum lot size requirement in this case, will not have any adverse effects upon the welfare of the general public. This action will facilitate and allow the County Department of Water Supply to formally acquire in dedication, the subject site to incorporate it into their existing water system, as well as to continue to serve the residents of the community in the area with minimal total cost to the general public.

3. The granting of the variance will not be inconsistent with the general purpose of the district or the intent and purpose of this Ordinance. The variance to allow the creation of these two lots under the minimum lot size will not alter or change the present character of the area. The present character which is rural and agricultural in nature will not be affected, in that the proposed subdivision will simply allow the existing water pump site of 3,565 square feet to be legally subdivided and dedicated to the County of Hawaii and the 4.40 acre parcel which is presently cultivated with coffee will continue to be used as such. In addition to the foregoing, there will be no density increase as a result of this proposed subdivision. That being the case, the granting of the variance would not in and of itself violate the intent and purpose of the ordinance for this zoned district.

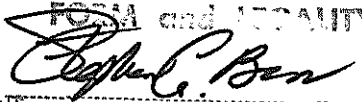
Therefore, the Commission hereby grants to the applicant a variance to allow the creation of two (2) lots of 3,565 square feet and 4.40 acres in size below the minimum building site area requirement of five (5) acres as stipulated within the Agricultural 5 acre (A-5a) zoned district, pursuant to the authority vested in it by Section 7 of said Code, subject to the following condition that the applicant, the Department of Land and Natural Resources in behalf of Bishop Estate submit a subdivision plan and secure tentative approval of such plan within one (1) year from the date of approval of this request.

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

The effective date of this permit shall be from October 17, 1974.

Dated at Hilo, Hawaii, this 1st day of November, 1974.


Arthur W. Martin, Chairman

APPROVED as to FORM and LEGALITY	
	
SISTANT CORPORATION COUNSEL COUNTY OF HAWAII	
Date	<u>3/11/75</u>