

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)	
by)	
HILO CARE CENTER)	
from)	Variance No. 451
MAXIMUM ALLOWABLE HEIGHT)	
REQUIREMENT)	
in)	
Waiakea, South Hilo, Hawaii)	

VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on October 2, 1975 considered the application of HILO CARE CENTER for a variance from Chapter 8 (Zoning Code), Article 7, Section 4, and Article 26, Section 6, Hawaii County Code, as amended, more specifically to allow the conversion of the existing roof area to a fourth story in lieu of the maximum allowable height of three (3) stories as stipulated within the Agricultural zoned district and a variance from the minimum parking requirement of eight (8) additional parking stalls at Waiakea, South Hilo, Hawaii, Tax Map Key 2-4-03:52.

The Commission has found that:

1. The granting of the height variance would not be inconsistent with the general purpose of the affected zoned district or the intent and purpose of the Zoning Code. The additional floor would not render the structure any more conspicuous in relation to its natural surroundings than what is already permitted by the Zoning Code. The Code states that no building shall exceed a height of forty-five (45) feet nor contain more than three (3) stories. Although the vacant roof area will be converted for use into a fourth story, the building would still be only forty-three (43) feet in height; thus, does not exceed the forty-five (45) foot height limit. Therefore, while the existing building will become four (4) stories in height, the absolute height in feet does not exceed what is permitted in the Zoning Code.

Furthermore, the granting of the variance will not be materially detrimental to the public welfare nor injurious to improvements or property rights related to properties in the near vicinity inasmuch as the request is merely to convert an existing unused area to one which is usable. In fact, the conversion of this area to another floor would not be noticeable since it will be under the existing roof line. Even with the conversion,

the overall appearance of the existing building would still be that of a three (3) story structure. Therefore, it is further determined that the granting of an additional floor would not constitute a grant of special privilege inconsistent with the limitations placed upon other properties under an identical district classification; and

2. In regards to the parking situation, it is determined that there are unusual circumstances applying to the subject building and its use which do not generally apply to surrounding property or improvements in the same district. The Hilo Care Center complex is an intermediate care facility for the aged and retired people in our County. This facility is geared towards providing shelter for those senior citizens who are able to care for themselves but who do not wish to live alone. It also provides for those who require nursing and intermediate care and unable to care for themselves; but not for those requiring intensive care. Majority of the individuals living at this intermediate care facility do not own any vehicles; thus, the existing 143 parking stalls provided are deemed adequate for the existing facility. This is further substantiated by a field check conducted which verifies that majority of the existing stalls provided are not being utilized.

Furthermore, although there will be an increase in the amount of usable floor area, the density in terms of number of beds or units within the existing structure will not increase. The additional area will merely be used by the present employees of the Hilo Care Center for maintenance and storage purposes for small appliances, etc.

Given these present characteristics of the Hilo Care Center building, it is determined that the variance from providing eight (8) additional parking stalls will not adversely affect the overall parking situation of the existing use.

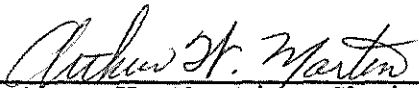
Therefore, the Commission hereby grants to the applicant a variance to allow the conversion of the existing roof area to a fourth story in lieu of the maximum allowable height of three (3) stories as stipulated within the Agricultural zoned district and a variance from the minimum parking requirement of eight (8) additional stalls, pursuant to the authority vested in it by Section 7 of said Code, subject to the following conditions that:

1. The requirements of the Fire Marshall's regulations be complied with;
2. The requirements of the Department of Public Works, Bureau of Building and Construction be complied with; and
3. All other applicable rules and regulations including the Plan Approval process be complied with.

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

The effective date of this permit shall be from October 2, 1975.

Dated at Hilo, Hawaii, this 9th day of October, 1975.



Arthur W. Martin, Chairman

