

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

Application for VARIANCE)	
by)	
FRANK'S FOODS, INC.)	
from)	Variance No. 483
THE NONCONFORMING PROVISIONS)	
OF THE ZONING CODE)	
in)	
Waiakea Homesteads, South Hilo, Hawaii)	
_____)	

VARIANCE PERMIT

The County Planning Commission at a duly held public hearing on February 3, 1977 considered the application of FRANK'S FOODS, INC. for a variance from Chapter 8, (Zoning Code), Article 1, Section 9-B-1, Hawaii County Code, as amended, more specifically, to allow the expansion of the existing Frank's Food, Inc.'s meat plant facility located along the south side of Kawailani Street, approximately 3,400 feet mauka of the intersection of Kawailani Street and Komohana Street, Waiakea Homesteads, South Hilo, Hawaii, Tax Map Key 2-4-03:portion of 16.

The Commission has found that:

That the granting of the variance will not be materially detrimental to the public welfare or injurious to improvements or property rights related to properties in the near vicinity. The purpose of the subject request is to allow a 535-square foot addition to the existing meat plant facility. The proposed smokehouse would consist of 400 square feet. Both of the proposed improvements are intended to replace existing facilities of the same nature which are presently located within the meat plant. Both the proposed chill room and proposed smokehouse are prefabricated units. In reviewing the floor plan of the existing meat plant, it is evident that considerable hardship would arise if the petitioner were to locate the proposed units within the existing structure. The petitioner would be required to undertake major renovation which would result in decreasing the size of other functional units of the meat plant. Inasmuch as the proposed improvements will replace existing uses and that they will only add 535 square feet of area to the existing plant, it is determined that there will be no substantial change in uses of the property should the request be granted.

Further, since the smokehouse and chill room already exist within the meat plant facility and were previously allowed through an Interim Variance, the denial of this particular request would somewhat interfere with the best manner of

development of the subject property. If the variance were to be denied, the uses might still remain within the existing structure, but in a condition which may not upgrade the existing operation or which would require substantial renovation. In either of these instances, the efficiency of the operation may be considerably impaired. In addition, the subject use was legally established prior to the existing Zoning Code and in this particular case, the denial, due to present standards, of the subject request which would allow minor improvements, would be unreasonable.

It is further determined that approval of the subject request will not be injurious to improvements or property rights related to properties in the near vicinity. The structure housing the meat plant operation is located at a sufficient distance from surrounding properties so as not to have an adverse impact upon them. The subject structure is approximately 250 feet from the makai property line of the subject area and approximately 120 feet from the mauka property line. The proposed additions which the petitioner is seeking to make would not significantly increase the existing operation and thus potential adverse impacts are minimized.

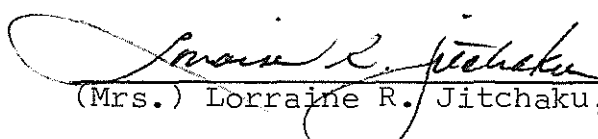
Therefore, the Commission hereby grants to the applicant a variance to allow the construction of chill box and smokehouse addition to the existing Frank's Food, Inc.'s meat plant facility pursuant to the authority vested in it by Section 7 of said Code, subject to the following conditions:

1. That construction of the new additions commence within one (1) year of the effective date of the Variance Permit and be completed within two (2) years thereafter.
2. That the rules, regulations and requirements of the State Department of Health shall be complied with.
3. That all other rules and regulations, including the plan approval process, be complied with.

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

The effective date of this permit shall be from February 3, 1977.

Dated at Hilo, Hawaii, this 23rd day of March, 1977.


(Mrs.) Lorraine R. Jitchaku, Chairman

