

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

Application for VARIANCE	)	
by	)	
CHOY LUNG CHOW	)	VARIANCE NO. 507
from	)	
MINIMUM BUILDING SITE	)	
AVERAGE WIDTH REQUIREMENT	)	
in	)	
Waiakea, South Hilo, Hawaii	)	
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VARIANCE PERMIT

The County of Hawaii Planning Commission at a duly held public hearing on October 27, 1977, considered the application of CHOY LUNG CHOW for a variance from Chapter 8 (Zoning Code), Article 3, Section 6, Hawaii County Code, as amended, more specifically, to allow the creation of a lot with a building site average width of 61.49 feet in lieu of the minimum requirement of seventy (70) feet at Waiakea, South Hilo, Hawaii, Tax Map Key 2-2-24:8.

The Commission has found:

That although there are no special and unusual circumstances applying to the subject property, the granting of the variance would not be contrary to the intent of the Zoning Code. The purpose of the minimum building site average width requirement is to assure that any lot which is created has an adequate buildable area relative to setbacks and other requirements. The proposed lot A-1 would have an average width of 61.49 feet. After all setback requirements have been taken, the parcel is still left with a reasonable buildable area of 4,352 square feet. While the shape of the buildable area, thirty-two (32) feet wide and one hundred and thirty-six (136) feet long, may constrain the design and location of the building, nevertheless, this is an adequate buildable area.

That the granting of the request will not be materially detrimental to improvements or property rights related to property in the near vicinity. All required setbacks may be met; thus air circulation and light considerations to adjacent dwellings are available. Although there is the possibility of adjusting the property boundary so that the minimum width requirement may be met, this alternative would leave a less than minimum side yard setback for the existing dwelling on proposed lot A-2.

If this alternative were to be taken, a variance from the required side yard setbacks for the existing dwelling would have to be applied for. In weighing the subject variance request against the alternative of a boundary adjustment, it is determined that considerations for

property rights of surrounding parcels and public welfare can be better met with the granting of the subject request.

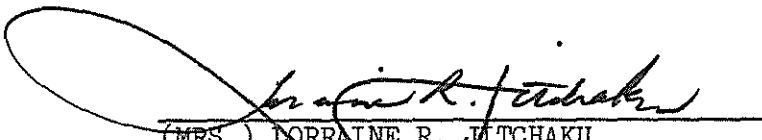
Therefore, the Commission hereby grants to the applicant a variance to allow the creation of a lot with a building site average width of 61.49 feet in lieu of the minimum requirement of seventy (70) feet at Waiakea, South Hilo, Hawaii, pursuant to the authority vested in it by Article 1, Section 7 of said Code, subject to the following conditions:

1. That the petitioner or his authorized representative shall submit subdivision plans and secure tentative approval within one (1) year from the effective date of the Variance Permit. The petitioner/representative shall also be responsible for securing final approval one (1) year thereafter.
2. That the driveway or access shall be located off of Lono Street.
3. That all other applicable rules and regulations shall be complied with.

Should any of the foregoing conditions not be met, the Variance Permit may be deemed null and void by the Planning Commission.

The effective date of this permit shall be from October 27, 1977.

Dated at Hilo, Hawaii, this 16th day of November, 1977.

  
(MRS.) LORRAINE R. JITCHAKU  
Chairman, Planning Commission

