

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

APPLICATION FOR VARIANCE	)	
by	)	
KONA MEAT COMPANY, INC.	)	
from	)	VARIANCE NO. 518
EXPANSION OF NONCONFORMING USE	)	
PROVISIONS	)	
in	)	
Kanakau, South Kona, Hawaii	)	

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VARIANCE PERMIT

The County of Hawaii Planning Commission at a duly held public hearing on December 19, 1977, considered the application of KONA MEAT COMPANY, INC. for a variance from Chapter 8 (Zoning Code), Article 1, Section 9B1 of the Hawaii County Code, as amended; more specifically, to allow the expansion of a nonconforming use by making an 8' x 9' office addition to an existing commercial building in the Single Family Residential - 15,000 square foot (RS-15) zone, at Kanakau, South Kona, Hawaii, Tax Map Key 8-1-04:portion of 1.

The Commission has found:

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 72-square foot addition to an existing commercial building. The addition would follow existing building lines and would be entirely under the existing roof line. Because the addition is of such a nature, existing setbacks would still be maintained and no significant encroachment into open yards would occur. This is further supported by the fact that the area where the addition would be located has been utilized as a roofed loading dock and the expansion is essentially a structural rather than a use one. It is thus determined that there will be no substantial change in the use of the property should the request be granted.

Further, there are special and unusual circumstances applying to the present use of the subject property which do not generally apply to surrounding properties and uses in the same zoned district. The improvement is to be used to expand the office area of the existing building in order that an additional individual can be housed. The reason for the improvement is a direct result of governmental regulations which require the petitioner to provide office space for the State meat inspector.

This governmental action has somewhat created an unusual circumstance which, to a large degree, deprives the petitioner of substantial property rights which would otherwise have been available. It is quite evident that considerable hardship would arise if the petitioner is unable to provide the office space addition. In addition, the meat plant already exists and the denial of this particular request could interfere with the best use or manner of development of the subject property.

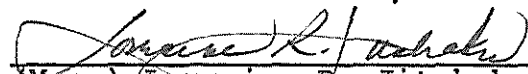
Therefore, the Commission hereby grants to the applicant a variance to allow the expansion of a nonconforming use by making an 8' x 9' office addition to an existing commercial building in the Single Family Residential - 15,000 square foot (RS-15) zone, pursuant to the authority vested in it by Article 1, Section 7 of the Zoning Code, subject to the following conditions:

1. That construction of the addition commence within one (1) year of the effective date of the Variance Permit and be completed within one (1) year thereafter.
2. That all other applicable rules and regulations, including the Plan Approval process, shall be complied with.

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

The effective date of this permit shall be from December 19, 1977.

Dated at Hilo, Hawaii, this 30th day of December, 1978.

  
(Mrs.) Lorraine R. Jitchaku  
Chairman, Planning Commission

