

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR VARIANCE)	
by)	
HILO RADIATOR AND GLASS SHOP)	VARIANCE NO. 526
for)	
EXPANSION OF A NON-CONFORMING USE)	
in)	
Waiakea Houselots, 2nd Series,)	
Waiakea, South Hilo, Hawaii)	

VARIANCE PERMIT

The County of Hawaii Planning Commission at a duly held public hearing on March 22, 1978, considered the application of HILO RADIATOR AND GLASS SHOP for a variance from Chapter 8 (Zoning Code), Article 1, Section 9B-1 of the Hawaii County Code, as amended, more specifically, to allow the expansion of a non-conforming use by adding an office area to the existing Hilo Radiator and Glass Shop facility in Waiakea Houselots, 2nd Series, Waiakea, South Hilo, Hawaii, Tax Map Key 2-2-21:31 and 32.

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 280-square foot office addition to an existing building. The proposed addition is intended to separate office functions from repair work functions. This separation will contribute to the safety and welfare of the facility as well as to the efficiency of the operation. In addition, the proposed addition is not significantly large and is not expected to be detrimental or interfere with property rights in the near vicinity. This is further supported by the fact that the adjacent property to the south of the lot upon which the improvement is to be made is also owned by the petitioner and both lots will be consolidated.

Further, since the auto repair shop already exists, the denial of this particular request may somewhat interfere with the best use or manner of development of the subject property. Although the present use may continue even if the subject request is denied, the existing facility may not be operable in the most efficient or safest manner. The efficiency of the operations may be impaired. Also, if the proposed improvements were forced to be constructed

within the existing structure, the petitioner may be faced with substantial hardship. The existing facility consists of 3,230 square feet, all of which is presently devoted to the various functions of the auto repair use. The size of the existing structure and the nature of the subject use make it difficult to accommodate the proposed addition within the building.

Based on the above, it is determined that approval of the subject request will not be contrary to the variance provisions of the Zoning Code.

Therefore, the Commission hereby grants to the applicant a variance to allow the expansion of a non-conforming use by adding an office area to the existing Hilo Radiator and Glass Shop facility pursuant to the authority vested in it by Article 1, Section 7 of the Zoning Code, subject to the following conditions:

1. That parcels 31 and 32 of tax map key 2-2-21 shall be consolidated into one lot within one year from the effective date of approval of the Variance Permit.
2. That construction of the proposed addition shall commence within one year from approval of the consolidation action and be completed within two (2) years thereafter.
3. That all other applicable rules and regulations, including the plan approval process and the requirements of the Department of Public Works, 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 March 22, 1978.

Dated at Hilo, Hawaii 13th day of April, 1978.


WILLIAM F. MIELCKE, CHAIRMAN
Planning Commission

