

PLANNING COMMISSION

Planning Department  
County of Hawaii  
Hilo, Hawaii

APPLICATION FOR VARIANCE	)	
by	)	
COUNTY OF HAWAII	)	
DEPARTMENT OF WATER SUPPLY	)	VARIANCE NO. 560
from	)	
MINIMUM SETBACK 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 January 11, 1979, considered the application of COUNTY OF HAWAII DEPARTMENT OF WATER SUPPLY for a variance from the requirement of Chapter 8 (Zoning Code), Article 7, Section 7 and Article 25, Section 4; more specifically, to allow the construction of a concrete reservoir with a zero (0) front yard setback in lieu of the minimum requirement of twenty (20) feet. The properties involved are located in Waiakea Homesteads, 2nd Series, Waiakea, South Hilo, Hawaii, Tax Map Key 2-4-05:125 and portion of 1.

The Commission has found:

That there are special and unusual circumstances applying to the subject area and its improvements which do not generally apply to surrounding properties and improvements in the same zoned district. The petitioner is requesting this variance to allow the construction of an additional 0.5 MG water tank in order to increase the storage capacity of the existing water system in the area. However, in order to maintain pumping hydraulic conditions with the existing systems, it is vital that the overflow elevation of the new reservoir be constructed at the same elevation as the existing 0.1 MG tank.

The present water tank site, consisting of 19,994 square feet (0.459 ac.), has a substantial rise in elevation on the east side of the property along Haihai Street. Because of this difference in elevation, it would not serve the intent for the construction of the new water tank to be situated at that location. As such, the petitioner is intending to reconfigure the existing lot by deleting that portion along the west side of Haihai Street and transferring that area to the south side along the proposed Komohana Street extension. The transfer of land area will basically be the same amount as the lot area of the new lot would be 19,000+ square feet.

This transfer of land area or reconfiguration of the lot, however, will not solve all of the problems. The east side of the reconfigured lot would still have a substantial rise in elevation. Because of this topographical constraint, the petitioner is proposing to site the 0.5 MG water tank further towards the future Komohana Street extension; thus, necessitating this variance request. That area fronting the proposed Komohana Street extension is relatively level and basically at the same elevation of the existing 0.1 MG water tank.

Because of the site restriction regarding the siting of the proposed 0.5 MG water tank with respect to the existing tank, as well as other topographical considerations, it is determined that there are unusual and special circumstances, which, to a degree, would interfere with the best use or manner of development of the subject area.

As far as the future Komohana Street extension is concerned, there is no immediate plans to construct it. To date, no funds have been appropriated for the construction of this roadway. In this regard, the Department of Public Works noted no objections to this particular variance request, provided that proposed and future improvements will not be made within the future road right-of-way.

As stated earlier, the purpose of this request is to allow the expansion of the water storage capacity in order to better serve the needs and demands of the residents in this portion of Hilo. The installation of this additional reservoir is deemed to be a progressive action which would enable a system flexibility and a system control for the providence of the Panaewa Well water to the upper Waiakea Homesteads and Waiakea Uka areas. This improvement, along with other future improvements would be in a direction of fulfilling the specific courses of action of the General Plan which state that "The Hilo Water System shall be improved to provide the city with a dependable and consistently clean water supply" and that "Booster pumps and water transmission lines to boost Panaewa Well water to higher elevations should be installed." Based on the above, it is therefore determined that as a subsequent action to the granting of this particular variance request, the General Plan objectives will be met.

Finally, it is felt that the granting of this particular variance request will not be materially detrimental to the public welfare nor be injurious to improvements or property rights relating to properties in the near vicinity.

Therefore, the Commission hereby grants to the applicant a variance to allow the construction of a concrete reservoir with a zero (0) front yard setback in lieu of the minimum requirement of twenty (20) feet, pursuant to the authority vested in it by Article 1, Section 7 of Chapter 8 (Zoning Code), subject to the following conditions:

1. That prior to construction of the proposed improvement, the petitioner or its authorized representative shall submit a consolidation and resubdivision plan and shall secure tentative approval within one (1) year from the effective date of approval of the Variance Permit. The petitioner/representative shall also be responsible for securing final subdivision approval.

THAT, MAY 4/1979  
FINAL 5/19/80

2. That construction of the proposed water tank shall commence within one (1) year from the date of receipt of final subdivision approval and be completed within two (2) years thereafter.

B.D. 155 8/11/81  
Completed 1982

3. That no improvements shall be constructed within the future road right-of-way.

4. That all other applicable rules, regulations, and requirements 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 January 11, 1979.

Dated at Hilo, Hawaii, this 25th day of January, 1979.



William F. Mielcke  
Chairman, Planning Commission

