

PLANNING COMMISSION

Planning Department
County of Hawaii
Hilo, Hawaii

APPLICATION FOR VARIANCE)
by)
ROBERT I. FUJIYAMA)
from)
MINIMUM BUILDING SITE AREA)
REQUIREMENT)
in)
Waiakea, South Hilo, Hawaii)

VARIANCE NO. 563

VARIANCE PERMIT

The County of Hawaii Planning Commission at a duly held public hearing on January 11, 1979, considered the application of ROBERT I. FUJIYAMA for a variance from the requirement of Chapter 8 (Zoning Code), Article 3, Section 5; more specifically, to allow the creation of four (4) lots with areas of 9,483 square feet in lieu of the minimum building site area requirement of 10,000 square feet as stipulated within the Single Family Residential-10,000 square foot (RS-10) zoned district. The properties involved are located at Waiakea Homestead Houselots, Waiakea, South Hilo, Hawaii, Tax Map Key 2-2-39:123-126.

The Commission has found:

That the granting of the variance will not be contrary to the intent of the Zoning Code. The subject area is in the Single Family Residential - 10,000 square foot (RS-10) zoned district. The purpose of this district is to provide for low density residential areas. Currently the subject area consists of four (4) lots each of which contains a 15-foot wide roadway easement. By separating, through subdivision, the roadway property from the balance of the lot no additional building sites will be created. Effectively, no increase in the residential density of the subject area will occur as a result of this variance request.

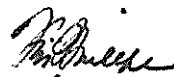
Further, should the subject request be approved each of the resultant building sites will have adequate buildable area on which a single family dwelling may be constructed. The 9,483 square foot lots that would result from the proposed subdivision would have buildable areas of 5,554 square feet after all setbacks applicable to a one (1) story structure are removed. The buildable area is almost square, measuring 75.9 feet by 73.2 feet, and is thus determined to be adequate in size and shape to fulfill the intent and purpose of the RS-10 zoned district, namely the construction of single family dwellings.

That the granting of the variance request will not be materially detrimental to surrounding improvements nor adjoining property rights. As indicated previously, the granting of the variance will not result in an increase in the number of residential units. As such, no additional adverse impacts on the surrounding area is anticipated. However, the granting of the variance request may be beneficial to the surrounding area. The front yard setbacks currently applicable to the subject properties is twenty (20) feet. Since the front property line is in the middle of the fifty (50) foot wide right-of-way structures may be constructed up to the front easement line, effectively a zero setback from the road right-of-way. Should the subject request be approved and the lots subdivided accordingly, the required front yard setback would be fifteen (15) feet from the road right-of-way. Thus, through the granting of the variance request, there will be assurance that a minimum fifteen (15) foot setback will exist between the road right-of-way and the structures that may be constructed. Such a setback would, in turn, maintain the character of this residential area.

Therefore, the Commission hereby grants to the applicant a variance to allow the creation of four (4) lots with areas of 9,483 square feet in lieu of the minimum building site area requirement of 10,000 square feet as stipulated within the Single Family Residential - 10,000 square foot (RS-10) zoned district, pursuant to the authority vested in it by Article 1, Section 7 of Chapter 8 (Zoning Code), subject to the condition that all other applicable rules and regulations shall be complied with. Should this condition 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

