

PLANNING DEPARTMENT  
County of Hawaii  
Hilo, Hawaii

APPLICATION FOR ADMINISTRATIVE VARIANCE )  
by )  
RONALD YANAZAKI ) ADMINISTRATIVE  
from ) VARIANCE NO. 2  
Minimum Building Site Average Width )  
Requirement )  
in )  
Piihonua, South Hilo, Hawaii )

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ADMINISTRATIVE VARIANCE PERMIT

An administrative public hearing was held by the Planning Director of the County of Hawaii Planning Department on February 7, 1980, on the application of Ronald Yanazaki for a variance from the minimum building site average width requirement; more specifically, to allow the creation of a lot with a building site average width of 39+ feet in lieu of the minimum requirement of sixty (60) feet as stipulated within the Single Family Residential-7,500 square foot (RS-7.5) zoned district at Piihonua, South Hilo, Hawaii, Tax Map Key 2-3-25:1.

After hearing the case, the Planning Director has found:

1. That there are special and unusual circumstances applying to the subject property which do not generally apply to surrounding properties in the same district. The subject property has a triangular configuration which makes it difficult to meet the minimum width requirements. This is because the formula for determining the minimum width is based on a more conventional or rectangular lot configuration (dividing the area of the parcel by the length of its longest side). This special and unusual circumstance would deprive the owner of substantial property rights if the Zoning Code requirements are rigidly maintained.
2. That the granting of the variance will not be contrary to the intent of the Zoning Code and the objectives sought to be accomplished by the minimum building site average width requirement of that Code. The purpose of the minimum building site average width requirement is to assure that any lot created has an adequate buildable area relative to setbacks and other requirements. The applicant has submitted plans for a 22' x 44' two story dwelling. The accompanying plot plan indicates that this proposed dwelling will be able to comply with all setbacks and other requirements. Although the proposed Lot 4-A will have less than the required minimum average width, the submitted plans indicate that the objective of this provision in the Zoning Code will still be met.

Furthermore, the proposed subdivision of the subject property into two lots consisting of 8,467 square feet and 9,730 square feet respectively, will be consistent with the size and character of surrounding properties. The subject property and the surrounding area are zoned Single Family Residential-7,500 square foot (RS-7.5). Therefore, the granting of this variance will not violate the spirit and intent of the minimum building site area requirements as stipulated within the Zoning Code.

3. That the granting of the request will not be materially detrimental to improvements or property rights related to property in the near vicinity. Since all required setbacks can be met, air circulation, light, and open space considerations for the proposed lot and for the adjacent properties can be satisfied. Therefore, although the proposed lot would have less than the required minimum average width, impacts to surrounding properties will be minimized.

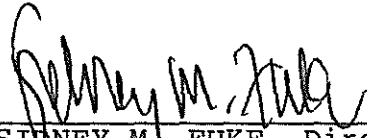
Therefore, the Planning Director hereby grants to the applicant a variance to allow the creation of a lot with a building site average width of 39+ feet in lieu of the minimum requirement of sixty (60) feet as stipulated within the Single Family Residential-7,500 square foot (RS-7.5) zoned district at Piihonua, South Hilo, Hawaii, Tax Map Key 2-3-25:1, pursuant to the authority vested in him by the County Charter, subject to the following conditions:

1. That all future improvements shall comply with the minimum setback requirements. No setback variance shall be granted for any future improvement. This condition shall be stipulated in the deed of the property and recorded with the Bureau of Conveyances.
2. That proposed Lot 4-A shall be reconfigured such that there shall be no lot frontage along Kaumana Drive. Further, the proposed lot shall have a minimum of 7,500 square feet.
3. That access to Lot 4-A shall be from Lele Street.
4. That all 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.

The effective date of this permit shall be from February 11, 1980.

Dated at Hilo, Hawaii, this 26th day of August, 1980.

  
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SIDNEY M. FUCE, Director  
Planning Department

APPROVED AS TO FORM  
AND LEGALITY:

  
\_\_\_\_\_  
Deputy Corporation Counsel  
County of Hawaii

Date: 18 August 80

CERTIFIED MAIL

February 11, 1980

Mr. Ronald Yanazaki  
15 Waiianuenu Avenue  
Hilo, HI 96720

Dear Mr. Yanazaki:

Variance Application  
Minimum Building Sites Average Width Requirement  
TMK: 2-3-25:01

After review of your application and the information presented at the administrative public hearing on February 7, 1980, the Planning Director is hereby certifying the approval of your variance request to allow the creation of a lot with a building site average width of 39+ feet in lieu of the minimum requirement of 60 feet.

Approval of this request is based on the following findings:

1. That the granting of the variance will not be contrary to the intent of the Zoning Code and the objectives sought to be accomplished by the minimum building site average width requirement of that Code. The purpose of the minimum building site average width requirement is to assure that any lot created has an adequate buildable area relative to setbacks and other requirements. The applicant has submitted plans for a 22' x 44' two story dwelling. The accompanying plot plan indicates that this proposed dwelling will be able to comply with all setbacks and other requirements. Although the proposed Lot 4-A will have less than the required minimum average width, the submitted plans indicate that the objective of this provision in the Zoning Code will still be met.

Furthermore, the proposed subdivision of the subject property into two lots consisting of 8,467 square feet and 9,730 square feet respectively, will be consistent with the size and character of surrounding properties. The subject property and the surrounding area are zoned Single Family

Mr. Ronald Yanazaki  
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Residential-7,500 square foot (RS-7.5). Therefore, the granting of this variance will not violate the spirit and intent of the minimum building site area requirements as stipulated within the Zoning Code.

2. That the granting of the request will not be materially detrimental to improvements or property rights related to property in the near vicinity. Since all required setbacks can be met, air circulation, light, and open space considerations for the proposed lot and for the adjacent properties can be satisfied. Therefore, although the proposed lot would have less than the required minimum average width, impacts to surrounding properties will be minimized.

The conditions of approval are as follows:

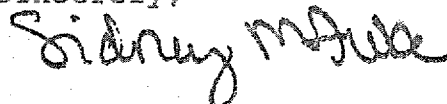
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2. That proposed Lot 4-A shall be reconfigured such that there shall be no lot frontage along Kaumana Drive. Further, the proposed lot shall have a minimum of 7,500 square feet.
3. That access to Lot 4-A shall be from Lele Street.
4. That all applicable 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.

Please be informed that the official Variance Permit will be forthcoming under separate cover.

Should you have any questions in the meantime, please feel free to contact us.

Sincerely,



SIDNEY FUCE  
Planning Director

NH:wkm

cc: Planning Commission  
Inaba Engineering

bcc: Subdivision Section