

PLANNING DEPARTMENT
County of Hawaii
Hilo, Hawaii

APPLICATION FOR ADMINISTRATIVE VARIANCE)
by)
CHARLES SUTTON AND ASSOCIATES, INC.)
ON BEHALF OF THE DAUGHTERS OF HAWAII) ADMINISTRATIVE
from) VARIANCE NO. 12
Minimum Parking Requirements)
in)
Kailua Village, Keopu 2nd,)
North Kona, Hawaii)
_____)

ADMINISTRATIVE VARIANCE PERMIT

An administrative public hearing was held by the Planning Director of the County of Hawaii Planning Department on April 17, 1980, on the application of CHARLES SUTTON AND ASSOCIATES, INC. ON BEHALF OF THE DAUGHTERS OF HAWAII for a variance from the minimum parking requirements, more specifically, to allow the provision of one (1) parking stall in lieu of the minimum requirement of four (4) stalls at Kailua Village, Keopu 2nd, North Kona, Hawaii, Tax Map Key 7-5-07:20.

After hearing the case, the Planning Director has found:

1. That there are special and unusual circumstances applying to the subject property and buildings which do not generally apply to surrounding property or improvements in the same district. Hulihee Palace and its grounds are on the National Register of Historic Places. The proposed project is part of a long range master plan to restore the Palace and grounds to the 1885-1891 Kalakaua era.
2. That the rigid imposition of the Zoning Code requirements, in light of the special circumstances described above, would interfere with the best use and manner of development of the subject property.

The requirement of four parking stalls would present several problems for this historic site. A paved and striped parking area and the presence of automobiles on the site would detract from the spirit and character of the historical resource. Furthermore, the parking area would necessitate moving some of the buildings closer to the shoreline which would be in violation of Special Management Area (SMA) and shoreline setback requirements.

3. That the granting of the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical district classification. The special circumstances and

resulting problems described above differentiates this property from others under identical district classification. These special circumstances justifies the granting of this variance without prejudice to other similarly zoned properties.

4. That the granting of the variance will not be inconsistent with the general purpose of the district or the intent and purpose of the Zoning Code. The Palace complex is within the Open district of the Zoning Code which includes as an objective, the preservation of valuable scenic vistas or an area of special historical significance.
5. That the granting of this variance will not militate against the County General Plan. The granting of this variance will be in concert with the General Plan goal to "Protect and enhance the sites, buildings and objects of historical and cultural importance to Hawaii."

Furthermore, the granting of this variance will not be materially detrimental to the public welfare or injurious to improvements or property rights. As presently developed the Palace complex provides only one parking stall for the caretaker. The proposed development will retain the one parking stall currently provided. In other words, the proposed project will not alter the parking situation as it presently exists.

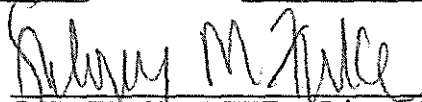
Therefore, the Planning Director hereby grants to the applicant a variance to allow the provision of one (1) parking stall in lieu of the minimum requirement of four (4) stalls at Kailua Village, Keopu 2nd, North Kona, Hawaii, Tax Map Key 7-5-07:20, pursuant to the authority vested in him by the County Charter, subject to the following conditions:

1. That all terms and conditions imposed by SMA Use Permit No. 123 be complied with.
2. 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.

The effective date of this permit shall be from April 25, 1980.

Dated at Hilo, Hawaii, this 19th day of September, 1980.



SIDNEY M. FUCE, Director
Planning Department

APPROVED AS TO FORM AND LEGALITY:



Deputy Corporation Counsel
County of Hawaii

Date: 12 Sept 80

April 25, 1980

Mr. Glenn Mason
1210 Ward Avenue
Honolulu, Hawaii 96814

Dear Mr. Mason:

Variance Application
Minimum Parking Requirement
TMK: 7-5-07:20

After review of your application and the information provided at the administrative public hearing on April 17, 1980, the Planning Director is hereby certifying the approval of the Variance to allow the provision of one parking stall in lieu of the minimum requirement of four stalls.

Approval of this request is based on the following findings:

1. That there are special and unusual circumstances applying to the subject property and buildings which do not generally apply to surrounding property or improvements in the same district. Hulihee Palace and its grounds are on the National Register of Historic Places. The proposed project is part of a long range master plan to restore the Palace and grounds to the 1885-1891 Kalakaua era.
2. That the rigid imposition of the Zoning Code requirements, in light of the special circumstances described above, would interfere with the best use and manner of development of the subject property.
3. That the granting of the variance will not constitute a grant of personal or special privilege inconsistent with the limitations upon other properties under identical district classification. The special circumstances and resulting problems described above differentiates this property from others under identical district classification. These special circumstances justifies the granting of this variance without prejudice to other similarly zoned properties.

APR 28 1980

Mr. Glenn Mason
Page 2
April 25, 1980

4. That the granting of the variance will not be inconsistent with the general purpose of the district or the intent of and purpose of the Zoning Code. The Palace complex is within the Open district of the Zoning Code which includes as an objective, the preservation of valuable scenic vistas or an area of special historical significance.
5. That the granting of this variance will not militate against the County General Plan. The granting of this variance will be in concert with the General Plan goal to "Protect and enhance the sites, buildings and objects of historical and cultural importance to Hawaii."

The conditions of approval are as follows:

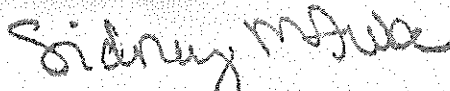
1. That all terms and conditions imposed by SMA Use Permit No. 123 be complied with.
2. That all other applicable rules, regulations and requirements shall be complied with.

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

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 FUKU
Director

BN:lkt

cc: Planning Commission