

PLANNING DEPARTMENT
County of Hawaii
Hilo, Hawaii

APPLICATION FOR ADMINISTRATIVE VARIANCE)
by)
KONA CHURCH OF THE NAZARENE) ADMINISTRATIVE
from) VARIANCE NO. 56
MINIMUM REAR YARD REQUIREMENT AND THE)
MAXIMUM LIMIT OF TEN (10) PERCENT)
REQUIREMENT FOR COMPACT STALLS)
in)
KEALAKEHE HOMESTEADS, NORTH KONA, HAWAII)
.....)

ADMINISTRATIVE VARIANCE PERMIT

The Planning Director of the County of Hawaii Planning Department on April 15, 1981, reviewed the application of KONA CHURCH OF THE NAZARENE for a variance from the minimum rear yard setback requirement and the maximum limit of ten (10) percent requirement for compact stalls, more specifically, to allow the construction of an educational building and a sanctuary building with a rear yard setback of seventeen (17) feet in lieu of the minimum requirement of twenty (20) feet within the Single Family Residential 10,000 (RS-10) zoned district and to allow up to thirty five (35) percent compact stalls in lieu of the maximum limit of ten (10) percent at Kealakehe Homesteads, North Kona, Hawaii, Tax Map Key 7-4-14:105.

After reviewing the case, the Planning Director has found:

1. With regard to the request for the minimum rear yard setback requirement, it is determined that there are special and unusual circumstances applying to the subject property which do not generally apply to surrounding properties and their improvements in the same zoned district. The 13-foot wide abandoned roadway located along the rear property is proposed to be subdivided (Application #80-57) into 3 parcels with each parcel to be conveyed to the abutting property owners. However, this application is on the deferred status since the owner of parcel 107 to TMK: 7-4-14 has not made any application to purchase the remnant portion of the abandoned roadway. Without the assurance from this owner, the subdivision cannot be processed since we would be creating a landlock parcel.
2. The requested 17-foot rear yard setback plus the 13-foot wide abandoned roadway parcel provides a total setback of 30-feet from the adjoining parcel identified as TMK: 7-4-14:99. This total setback would be in excess of the minimum requirement of 20-feet. This abandoned roadway parcel is considered as a non-buildable parcel of land on which no structures will be permitted. Because of these limitations, it is determined that special and unusual circumstances exist to a degree which obviously interferes with the best use or manner of development of the subject property.

3. With regard to the request for a parking variance to allow up to 75 percent compact parking stalls, we feel that this request is excess. However, it is felt that to allow up to 35 percent compact stalls would be reasonable and not contrary to the purpose and intent of the parking provision with the Zoning Code.
4. According to the method of calculating the parking requirements, a minimum of 52 stalls are required for the total development. A revised parking layout prepared by this office shows that 56 parking stalls can be provided which would amount to 4 more stalls than required. Therefore, although the maximum compact stall requirements will be exceeded, more than adequate number of parking stalls will be provided for the Church complex.
5. That there are unusual circumstances which would substantiate the request. In a study conducted by Belt, Collins & Associates in 1977, it was found at that time that the proportion of compact cars within the County of Hawaii is more than 50 percent. Further, a random parking survey (conducted on January 2, 1981) submitted by the petitioner on 7 parking lots showed that an average of 76.14% of the total number of cars (985) were compact cars. As such, it is felt under these circumstances, the 35 percent allowance for compact stalls would be a reasonable request and that the approval of it will not militate against the Zoning provision for parking, be detrimental to the public interest or welfare, nor will it adversely affect the surrounding properties and their improvements.
6. Further, based on the unusual circumstances described above, the granting of the variance will not constitute a grant of personal or special privilege inconsistent with the limitations of other properties under identical district classification.

Therefore, the Planning Director hereby grants to the applicant a variance to allow the construction of an educational building and a sanctuary building with a rear yard setback of seventeen (17) feet in lieu of the minimum requirement of twenty (20) feet within the Single Family Residential 10,000 (RS-10) zoned district and to allow up to thirty five (35) percent compact stalls in lieu of the maximum limit of ten (10) percent at Kealakehe Homesteads, North Kona, Hawaii, Tax Map Key 7-4-14:105, pursuant to the authority vested in him by the County Charter, subject to the following conditions:

1. That the petitioner or their authorized representative submit plans for the proposed improvements and secure Final Plan Approval within one (1) year from the date of approval of the permit.
2. That the construction of the first phase of the development commence within one (1) year from the date of receipt of Final Plan Approval and be completed within one (1) year thereafter.
3. That all other applicable rules, regulations and requirements be complied with.

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

The effective date of this permit shall be from April 15, 1981.

Dated at Hilo, Hawaii, this _____ day of _____, 1981.

.....

SIDNEY M. FUKU, Director
Planning Department

APPROVED AS TO FORM AND LEGALITY:

.....

Deputy Corporation Counsel
County of Hawaii

Date: _____

April 15, 1981

Mr. Larry D. Coen, Minister
Kona Church of Nazarens
P. O. Box 2717
Kailua-Kona, HI 96740

Dear Mr. Coen:

Variance Application (V80-36)
Tax Map Key 7-4-14:105

After review of your application, the Planning Director is hereby certifying the approval of the variance:

- A. To allow the construction of an educational building and a sanctuary building with a rear yard setback of 17'-0" in lieu of the minimum requirement of 20'-0".
- B. To allow up to 35 percent compact parking stalls in lieu of the maximum limit of 10 percent.

Approval of the request is based on the following findings:

- 1. With regard to the request for the minimum rear yard setback requirement, it is determined that there are special and unusual circumstances applying to the subject property which do not generally apply to surrounding properties and their improvements in the same zoned district. The 13-foot wide abandoned roadway located along the rear property is proposed to be subdivided (Application #80-57) into 3 parcels with each parcel to be conveyed to the abutting property owners. However, this application is on the deferred status since the owner of parcel 107 to TMK: 7-4-14 has not made any application to purchase the remnant portion of the abandoned roadway. Without the assurance from this owner, the subdivision cannot be processed since we would be creating a landlock parcel.

2. The requested 17-foot rear yard setback plus the 13-foot wide abandoned roadway parcel provides a total setback of 30-feet from the adjoining parcel identified as TMK: 7-4-14:99. This total setback would be in excess of the minimum requirement of 20-feet. This abandoned roadway parcel is considered as a non-buildable parcel of land on which no structures will be permitted. Because of these limitations, it is determined that special and unusual circumstances exist to a degree which obviously interferes with the best use or manner of development of the subject property.
3. With regard to the request for a parking variance to allow up to 75 percent compact parking stalls, we feel that this request is excess. However, it is felt that to allow up to 35 percent compact stalls would be reasonable and not contrary to the purpose and intent of the parking provision with the Zoning Code.
4. According to the method of calculating the parking requirements, a minimum of 52 stalls are required for the total development. A revised parking layout prepared by this office shows that 56 parking stalls can be provided which would amount to 4 more stalls than required. Therefore, although the maximum compact stall requirements will be exceeded, more than adequate number of parking stalls will be provided for the Church complex.
5. That there are unusual circumstances which would substantiate the request. In a study conducted by Belt, Collins & Associates in 1977, it was found at that time that the proportion of compact cars within the County of Hawaii is more than 50 percent. Further, a random parking survey (conducted on January 2, 1981) submitted by the petitioner on 7 parking lots showed that an average of 76.14% of the total number of cars (985) were compact cars. As such, it is felt under these circumstances, the 35 percent allowance for compact stalls would be a reasonable request and that the approval of it will not militate against the Zoning provision for parking, be detrimental to the public interest or welfare, nor will it adversely affect the surrounding properties and their improvements.
6. Further, based on the unusual circumstances described above, the granting of the variance will not constitute a grant of personal or special privilege inconsistent with

Mr. Larry D. Coen
April 15, 1981
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the limitations of other properties under identical district classification.

The conditions of approval are as follows:

1. That the petitioner or their authorized representative submit plans for the proposed improvements and secure Final Plan Approval within one (1) year from the date of approval of the permit.
2. That the construction of the first phase of the development commence within one (1) year from the date of receipt of Final Plan Approval and be completed within one (1) year thereafter.
3. That all other applicable rules, regulations and requirements be complied with.

Should any of the foregoing conditions not be met, the Permit may be nullified by the Planning Director.

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 FUKÉ
Planning Director

MO:lgy

cc: Planning Commission

bcc: Rodney

March 19, 1981

Mr. Larry D. Coen, Minister
Kona Church of the Nazarene
P. O. Box 2717
Kailua-Kona, HI 96740

Dear Mr. Coen:

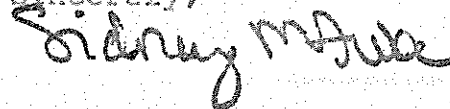
Variance Application (V80-36)
Tax Map Key 7-4-14:105

Enclosed are our preliminary findings and conclusion on the above subject request for your review and comments. Please submit your comments within two weeks of the date of this letter. Should we not hear from you, we shall assume that the conditions are agreeable to you and will finalize the variance request.

In addition, we have included a revised plot plan of the parking layout showing 56 stalls of which 22 are compact stalls. The approval of the variance is related to this proposed layout. We would appreciate your comments on it.

Should you have any further questions, please feel free to contact Masa Onuma of my staff at 961-8288.

Sincerely,



Sidney M. Fuke
Director

MO:gs
Encs.

cc: Mr. Michael Matsukawa w/encs.
Mr. Peter Shayne w/encs.

MAR 23 1981
~~MAR 20 1981~~