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CERTIFIED MAIL

February 9, 1982

Drs. Jed Groom and Cherilyn Garvey
c/o Ken Melrose
P. O. Box 1229
Kamuela, HI 96743

Dear Drs. Groom and Garvey:

Variance Application (V81-45)
Supplementary Off-Street Parking Regulation
TMK: 6-4-01:120, South Kohala

After reviewing your application and the information submitted in behalf of it, the Planning Director by this letter hereby certifies the approval of your Variance request to permit seven (7) off-street parking stalls including three (3) constructed of rolled gravel in lieu of the eight (8) parking stalls constructed of all weather dust-free pavement.

The approval is based on the following:

Upon reviewing this Variance request, the Planning Director has determined that it should be approved based on the following:

1. A special circumstance applies to the subject property and improvements not generally applying to similar properties in the area whereby the entire structure in question serves a dual purpose, as a residence for both doctors, but as a doctor's office for only one doctor at the present time. According to the Zoning Code, one parking is required per family or dwelling unit. This parking space need not be improved to any set standard. The required parking ratio for a doctor or dentist is generally intended to accommodate the physician or dentist; assistant(s); and clients. On the subject property, however, the applicants intend to utilize two of the proposed seven (7) off-street parking spaces for both personal and professional purposes; thus a total of four (4) paved and one (1) graveled parking

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space would be available for patients use. This integration of multiple uses with varying improvement standards does constitute an unusual situation with regard to contemporary use of this commercial district.

2. Additionally, there are certain developmental constraints on the property. The existing residence, consisting of approximately 1,150 square feet, is located in the center of the property. Much of the property is also heavily planted with orange, avocado, lime, fig, and guava trees.

With the proposed 700 square foot office addition, parking alternatives become somewhat limited to the northwestern corner of the property. The four paved, fully improved stalls will be easily accessible from the private roadway, while the remaining three semi-improved stalls will be situated well within and to the inside border of the property. Although there are no severe topographic limitations on the property in this area, full improvement in conjunction with the "dual" use of several stalls for both commercial and residential purposes would present an unusual situation which would obviously interfere with the best manner of development of this property.

3. Considering the above stated circumstances, granting of this Variance should not constitute a grant of personal or special privilege inconsistent with the limitations placed upon other identically classified properties.
4. Approval of this Variance would be consistent with the general intent of the district and the Zoning Code, and will not be materially detrimental to the public welfare or injurious to improvements or property rights in the near vicinity. The subject variance is to allow the reduction of the off-street parking requirements by one stall and to waive the pavement requirements for three provided stalls. Since the three semi-improved stalls will be situated well within the property itself, it is determined that they will adequately fulfill the intent of providing both the residential and professional parking demands of this property, while having negligible impacts to the public or surrounding property improvements.

This variance is further approved subject to the following conditions:

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1. That each of the three (3) unpaved, graveled parking spaces shall be identified and maintained for parking purposes only.
2. Should any commercial expansion be proposed for the subject property, the three (3) graveled parking spaces shall be fully improved to applicable parking standards. This requirement shall be imposed in addition to parking necessary for the proposed use expansion.
3. That no further Variances from parking requests shall be considered.
4. All other applicable County rules, regulations and requirements shall be complied with.

Should any of the above conditions not be met, this Variance shall be deemed void.

If you have any questions on this matter, please feel free to contact us at 961-8288.

Sincerely,


for SIDNEY FUKÉ
Planning Director

MO:lrp

cc: Ken Melrose
Public Works

bcc: Masa Onuma