

PURSUANT TO CHAPTERS 91 AND 92, PART I, HAWAII REVISED STATUTES, AS AMENDED, NOTICE IS HEREBY GIVEN OF A PUBLIC HEARING/HEARING OF THE MAUI COUNTY BOARD OF VARIANCES AND APPEALS (BVA)

Members: Glenn Kunitake (Chair), Lance Holter (Vice-Chair), Garret Abe, Kathleen Acks, Harjinder Ajmani, Uwe Schulz, James Shefte, Warren Shibuya

AGENDA

DATE: Thursday, March 23, 2006

TIME: 1:30 p. m.

PLACE: Planning Department Conference Room, First Floor,
Kalana Pakui Building, 250 South High Street, Wailuku, Hawaii

A. CALL TO ORDER

B. RESOLUTIONS FOR OUTGOING MEMBERS: Glenn Kunitake, Garret Abe, and James Keone Ball

C. PUBLIC HEARINGS

1. EDWARD D. THIELK requesting a variance from Maui County Code, Section 19.36.010 "Designated number of spaces" to provide 8 off-street parking stalls and no loading zone whereas 17 stalls and 1 loading zone are required for Mana Foods located at 47 Baldwin Avenue, Pa`ia, Maui, Hawai`i; TMK: (2) 2-6-005:002. (BVA20050029)

D. APPEALS

1. TOM C. LEUTENEKER, ESQ. of CARLSMITH BALL, LLP representing HIOLANI RANCH LLC appealing the Director of the Department of Public Works and Environmental Management's decision to not recognize separate lots within TMK:(2) 3-2-007:001, located off of Kahekili Highway in the vicinity of Waihe`e Elementary School, Waihe`e, Wailuku, Maui, Hawai`i. (BVA20060006)
 - a. Appellee Milton Arakawa, Director, Department of Public Works and Environmental Management, County of Maui's Motion to Dismiss for Lack of Jurisdiction.
2. TOM C. LEUTENEKER, ESQ. of CARLSMITH BALL, LLP representing WAIEHU AINA, LLC appealing the Director of the Department of Public Works and Environmental Management's decision to not recognize separate lots within TMK:(2) 3-2-017:018, located next to Waiehu Stream, Waiehu,

Wailuku, Hawai'i. (BVAA 20060001)

- a. Appellee Milton Arakawa, Director, Department of Public Works and Environmental Management, County of Maui's Motion to Dismiss for Lack of Jurisdiction.

E. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

F. NEXT MEETING DATE: April 13, 2006 - Moloka'i

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

INFORMATION RELATIVE TO THE ABOVE APPLICATIONS ARE AVAILABLE FOR REVIEW AT THE PLANNING DEPARTMENT'S OFFICE LOCATED AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII.

ANY PERSONS REQUESTING ACCOMMODATION DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7253 OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR BY FAX NUMBER 270-7634, AT LEAST SIX (6) DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 4:30 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES.

PLEASE NOTE: If any member of the commission is unable to attend the scheduled meeting, please contact Tremaine Balberdi, Planning Department at 270-7253 at least one day prior to the meeting date.