

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, John "Keone" Ball, Uwe Schulz, James Shefte, Warren Shibuya

**AGENDA**

DATE: Thursday, January 12, 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. PUBLIC HEARING

1. JEFFREY R. JOHNSON requesting variances from: (1) Maui County Code (MCC), Section 19.35.020 "Maximum gross floor area" to allow an accessory dwelling of 1,372 square feet, including 640 square feet of unfinished basement thereby exceeding the maximum allowable floor area of 1,000 square feet; and (2) MCC, Section 19.35.070 "Off-street parking required" to allow a 374 square foot carport whereas 240 square feet are allowed for property located at 29 Olinda Road, Makawao, Maui, Hawaii; TMK: (2) 2-4-004:010. (BVA20050026)

C. COMMUNICATIONS

1. PAUL L. HORIKAWA, on behalf of ROBERT BLAINE BOETTNER AND DONALD GENE BRANSFORD, requesting approval of variances from Maui County Code, Sections 16.08.060(C), "Height Regulations," and 19.29.020(D) "Maximum Height Limit," to allow a dwelling to be constructed with a total height of 38.05 feet and an accessory dwelling with a total height of 31.2 feet whereas a maximum height of 30 feet is allowed for property situated in the Rural District located at 3279 Kaha Drive, Kihei, Maui, Hawaii TMK: 2-1-019:014. (BVA020012/BVA030013)
  - a. Judge Joseph E. Cordoza's Order, Civil No. 05-1-0095 (3)

**The Board may execute its right to go into an executive session, pursuant to Chapter 91, Hawaii Revised Statutes, to consult with its attorney regarding its powers, duties, privileges, immunities and liabilities.**

D. APPEALS

1. HANALANI FARMS aka SUNRISE FARMS to determine a hearings officer to preside over the matter of appealing the Director of Public Works and Environmental Management's Notice of Violation and Order for the construction of two accessory buildings without first obtaining building permits for property located at 170 Kalo Road, Hana, Maui, Hawaii; TMK: (2) 1-3-009:019. (BVA20050028)

E. APPROVAL OF THE DECEMBER 8, 2005, MEETING MINUTES

F. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

G. NEXT MEETING DATE: **January 26, 2006, to be held on the Island of Lana`i (Members, please be at the Kahului Airport, small commuter terminal, by 8:30 a.m.)**

H. 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.