

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.

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, December 8, 2005

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 is allowed for property located at 29 Olinda Road, Makawao, Maui, Hawaii; TMK: (2) 2-4-004:010. (BVA20050026)

(Cancelled due to inadequate notice.)

C. APPEALS

1. LUCY VOGELE, appealing the Notice of Violation and Order by the Director of Public Works and Environmental Management regarding the reduction of the civil fine and extension of September 12, 2003 deadline at Honokohau Valley, Maui, Hawaii, TMK: (2) 4-1-002:041. (BVA20030018)

D. VARIANCES

1. PAUL L. HORIKAWA, ESQ. OF ING, HORIKAWA & JORGENSEN representing WESTERN APARTMENT SUPPLY & MAINTENANCE CO. & SARENTO'S ON THE BEACH, LLC requesting variances to allow: (1) An existing awning for Sarento's On The Beach, and a replacement thereof, to be less than fifteen (15) feet from the rear yard boundary, as required by

Maui County Code (MCC), Section 19.14.070; (2) A portion of the electrical boxes for the Maui Oceanfront Inn to be less than ten (10) feet from the side yard boundary, as required by MCC, Section 19.14.070; (3) The structures that surround the electrical room, garbage bins, propane tanks and storage area to be less than ten (10) feet from the side yard boundary, as required by the MCC, Section 19.14.050; (4) The lot coverage of buildings and structures on the property to be more than thirty percent (30%), as required by MCC, Section 19.14.050 for the Maui Oceanfront Inn and Sarento's on the Beach, located at 2980 South Kihei Road, Kihei, Maui, Hawaii; TMK: 3-9-004:029. (BVA2005008)

a. Settlement Agreement

- E. APPROVAL OF THE NOVEMBER 10, 2005 MEETING MINUTES (**Members, please bring minutes previously distributed for the November 23, 2005 meeting.**)
- F. DIRECTOR'S REPORT
 - 1. 2006 Meeting Schedule
- G. NEXT MEETING DATE: January 12, 2006
- 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/COMMISSION TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'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.