

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: Daniel Mizner (Chair), Dr. Marilyn Colvin (Vice Chair), Garret Abe, Kathleen Acks, John "Keone" Ball, Lance Holter, Glenn Kunitake, Uwe Schulz, Warren Shibuya

AGENDA

DATE: October 14, 2004

TIME: 1:30 p. m.

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

A. CALL TO ORDER

B. UNFINISHED BUSINESS:

- 1, KARLYNN KAWAHARA of MUNEKIYO & HIRAGA, INC., representing STEPHEN J. LUCZO, requesting approval of variances from the following sections of the Maui County Code: (1) Section 16.08.030(20) and (28) to have three (3) bedrooms, the master bedroom/bath/dressing room, and office/library to be separate from the living, kitchen and dining areas, whereas all rooms are to be accessible from within the dwelling; and (2) Section 16.08.110 to allow the courtyard of the dwelling to be unprotected whereas all portions of a building is required to be weather protected so as to provide shelter for occupants against the elements and to exclude dampness for a dwelling located at 4550 Makena Road, Makena, Maui, Hawaii; TMK: 2-1-011:023 (BVA20040015).

APPROVED W/CONDITIONS.

C. PUBLIC HEARINGS:

1. **ALAN ARKLES** requesting approval of variances from the following sections of the Maui County Code: (1) SECTION 19.30A.030(G) to allow a consolidation and resubdivision of four lots into three lots, of an original parcel which was a portion of eight existing lots, thereby reducing the total lots to seven, which exceeds the maximum subdivision potential of four lots, that may be created from the original parcel; and (2) SECTION 19.30A.040(A) to delete the requirement to record a lot allocation for the proposed A. Arkles Hoolawa Subdivision (DSA #2.2738) located off of Hoolawa Road, Honopou, Haiku, Hawaii; TMK: 2-9-001:071, 072, 074, and

075 (BVA20040016)

REQUESTED DEFERRAL TO NEXT MEETING DATE.

2. MITCH HIRANO, AICP, of MUNEKIYO & HIRAGA, INC., representing HAWAII HEALTH SYSTEMS CORPORATION, requesting an approval of a variance from Maui County Code, Section 19.08.050 to allow a structure within the residential district to exceed the maximum building height of thirty (30) feet by approximately fifty-one (51) feet for the Maui Memorial Medical Center's Phase I Expansion, located at 221 Mahalani Street, Wailuku, Hawaii; TMK: 3-8-046:013 (BVA20040018)

APPROVED W/CONDITIONS.

D. NEW BUSINESS:

1. Discussion on Amendments to Chapter 801, Rules of Practice and Procedure for the Board of Variances and Appeals

BOARD REQUESTED PUBLIC HEARING ON AMENDMENTS.

E. APPROVAL OF MINUTES:

1. September 23, 2004

APPROVED AND ACCEPTED FOR FILING.

F. NEXT MEETING DATE: October 28, 2004

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/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 Naomi Guillermo, Planning Department at 270-7253 at least one day prior to the meeting date.

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