

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

Members: Kevin Tanaka, Rick Tanner, Ray Shimabuku, Bart Santiago, Jr., Bernice Vadla, Jacqueline Haraguchi, Patrick De Ponte, Teddy Espeleta, G. Clark Abbott

AGENDA

DATE: Thursday, August 23, 2012

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. JESSICA I. CAUDILL, TIARE ROBERSON, & JOHN L. ROBERSON requesting variances from (1) Maui County Code (MCC), §18.16.060(C) requiring rights-of-way width for access streets to be at least 24 feet; and (2) MCC, §18.20.040 requiring pavement on existing access streets to be at least 20 feet in width, for an agricultural subdivision (Hui Kuai Aina O Peahi, DSA File No. 2.3128) located at 490 Haumana Road, Haiku, Maui, Hawaii; TMK: (2) 2-8-004:043 (BVAV 20120004).

C. VARIANCES

1. WAYNE I. ARAKAKI representing ANTHONY L. NACUA requesting a variance from Maui County Code, §19.35.050 to allow two 500 square foot accessory dwellings on proposed Lot N-3 whereas a maximum of one accessory dwelling is permitted for the Waiakoa Makai Homesteads (DSA No. 3.2128) located at 373 Kenolio Road, Kihei, Maui, Hawaii; TMK: (2) 3-9-015:008 (BVAV 20060006).
 - a. Request to delete or lower the \$250,000.00 liability insurance requirement from the conditions of the variance approval.

D. APPEALS

1. TOMPIERCE representing MAUI TOMORROW FOUNDATION, INC., SOUTH MAUI CITIZENS FOR RESPONSIBLE GROWTH and DANIEL KANAHELE appealing the Director of the Department of Public Works' decision to issue mass grading permits (G 2012/0030 & 0039) for the Pi'ilani Promenade located at 376, 451 and 524 Kaonoulu Street, Kihei, Maui, Hawaii; TMK: (2) (2) 3-9-001:016, 117, 171, 172, 173, 174. (BVAA 20120006).

- a. Appellee David Goode, Director, Department of Public Works, County of Maui's proposed findings of fact, conclusions of law, and decision and order
- E. APPROVAL OF THE JULY 12, 2012 MEETING MINUTES
- F. DIRECTOR'S REPORT
 - 1. Status Update on BVA's Contested Cases
- G. NEXT MEETING DATE: Thursday, September 13, 2012
- 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 is 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 (Maui), OR 1-800-272-0117 (from Molokai), or 1-800-272-0125 (from Lanai); 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.

Oral or written testimony will be received on each any agenda item subject to the provisions of Chapter 92, Hawaii Revised Statutes and the Rules of Practice and Procedure for the Board of Variances and Appeals. Written testimony should be received at least two business days before the meeting to insure distribution to the Board. Fifteen (15) Copies of written testimony are needed if testimony is presented immediately prior to or at the 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 issued 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 the Planning Department at 270-7253 at least one day prior to the meeting date.