

COUNCIL OF THE COUNTY OF MAUI
**PUBLIC WORKS AND
FACILITIES COMMITTEE**

June 20, 2008

**Committee
Report No.**

08-69

Honorable Chair and Members
of the County Council
County of Maui
Wailuku, Maui, Hawaii

Chair and Members:

Your Public Works and Facilities Committee, having met on June 4, 2008, makes reference to County Communication No. 08-85, from the Director of Public Works, transmitting a proposed resolution entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE MAHA WAO SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE".

The purpose of the proposed resolution is to accept the dedication of road widening Lot 9 in Makawao, Maui, along Maha Road, consisting of approximately 4,042 square feet, TMK: (2) 2-4-06:portion of 028.

Your Committee notes that, pursuant to Section 3.44.015(C), Maui County Code, the Council may accept gifts or donations of real property or any interest in real property by the passage of a resolution, approved by a majority of its members.

At its meeting, your Committee met with the Director of Public Works and a Deputy Corporation Counsel.

There was no public testimony.

The Director stated that the subject lot is located along Maha Road and is approximately 12-feet wide, except near its intersection with Makawao Avenue, where there is sufficient property within the County's right-of-way. He further stated that all required improvements within the roadway lot have been completed and inspected.

Your Committee questioned whether the dwellings within the subdivision were adequately set back from the subject roadway lot.

The Director stated that the existing dwellings within the subdivision are nonconforming, but they were legally constructed through previously issued building permits. He clarified that the existing dwellings do not detract from the planned improvements to the roadway lot.

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Your Committee voted to recommend adoption of the proposed resolution and filing of the communication.

Your Public Works and Facilities Committee **RECOMMENDS** the following:

1. That Resolution No. _____, attached hereto, entitled "ACCEPTING DEDICATION OF A ROAD WIDENING LOT FOR THE MAHA WAO SUBDIVISION, PURSUANT TO SECTION 3.44.015, MAUI COUNTY CODE", be **ADOPTED**; and
2. That County Communication No. 08-85 be **FILED**.

Adoption of this report is respectfully requested.

pwf:cr:08078aa:scj

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DANNY A. MATEO Member

MICHAEL P. VICTORINO Co-Chair

JOSEPH PONTANILLA Member

G. RIKI HOKAMA Member