

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: Randall Endo (Chairman), Warren Shibuya (Vice-Chairman), Kathleen Acks, Uwe Schulz, Harjinder Ajmani, James Shefte, William Kamai, Rachel Ball Phillips, Stephen Castro, Sr.

AGENDA

DATE: Thursday, September 20, 2007

TIME: 1:30 p. m.

PLACE: Planning Department Conference Room, First Floor,
Kalana Pakui Building, 250 South High Street, Wailuku, Hawai'i

A. CALL TO ORDER

B. PUBLIC HEARING

1. Review by the Board of Variances and Appeals of proposed amendments to Chapter 801, Rules of Practice and Procedure for the Board of Variances and Appeals. The proposed amendments are anticipated to streamline the processing of appeals from notices of violations of Titles 12, 14, 16, 18, 19, and 20 of the Maui County Code, including but not limited to zoning violations. The Board may take action to adopt the proposed amendments pursuant to Chapter 91, Hawaii Revised Statutes. **(Members, please bring your previously distributed copy of the amendments with you to the meeting.)**

Copies of the proposed amendments may be sent to anyone who requests copies be mailed or faxed to them and pays the copy costs and postage required. Requests should be made to the Maui Planning Department at (808) 270-7253, fax number (808) 270-7634, or may be picked up at 250 South High Street, Wailuku, Maui, Hawai'i.

C. APPEAL

1. To determine a hearings' officer to preside over the following matter:

B. Martin Luna, Esq., of Carlsmith Ball, LLP representing W2005 Kapalua/Gengate Hotel Realty, LLC appealing the Director of Parks and Recreation's decision to apply the park dedication requirements of Maui County Code, §18.16.320 for the Ritz Carlton renovations located at 1 Ritz Carlton Drive, Kapalua, Maui, Hawai'i; TMK: (2) 4-2-004:014, 015 & 021. (BVAA 20070006)

D, UNFINISHED BUSINESS

1. PEDRO and LUZ ALONZO requesting variances from Maui County Code, §16.08.060(A) and §19.08.060 to allow a two-story dwelling to be located between 9 feet-6 inches to 9 feet-1 inch from the side boundary line, whereas ten (10) feet are required for the second story, for property located at 508 South Kamehameha Avenue, Kahului, Maui, Hawaii; TMK: (2) 3-8-056:009. (BVAV 20070005) ***(Deferred from the August 23, 2007, meeting. Members, please bring your previously distributed materials for this item.)***

E. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

F. NEXT MEETING DATE: October 11, 2007

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, HAWAI'I.

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, HAWAI'I 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.