

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), Harjinder Ajmani, James Shefte, William Kamai, Rachel Ball Phillips, Stephen Castro, Sr., Sandra Duvauchelle, Kevin Tanaka

AGENDA

DATE: Thursday, January 29, 2009

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. APPEALS

1. BLAINE J. KOBAYASHI of CARLSMITH BALL, LLP representing KEHALANI HOLDING COMPANY, INC. appealing the Director of the Department of Public Works' issuance of a Notice of Violation (V 20080036) for the construction of a "shack dwelling" on property located off of Pi'ihana Road, Wailuku, Maui, Hawaii; TMK: (2) 3-4-032:001 (BVAA 20080010) **(Continued from the December 11, 2008 meeting. Members, please bring previously distributed materials with you to the meeting.)**
 - a. County of Maui's Hearing Memorandum; Exhibits 1-7
2. BLAINE J. KOBAYASHI of CARLSMITH BALL, LLP representing KEHALANI HOLDING COMPANY, INC. appealing the Director of the Department of Public Works' issuance of a Notice of Violation (V 20080037) for the storage of junk cars and debris on property located off of Pi'ihana Road, Wailuku, Maui, Hawaii; TMK: (2) 3-4-032:001 (BVAA 20080011) **(Continued from the December 11, 2008 meeting. Members, please bring previously distributed materials with you to the meeting.)**
 - a. County of Maui's Hearing Memorandum; Exhibits 1-7
3. MARK M. MURAKAMI, ESQ. of DAMON KEY LEONG KUPCHAK HASTERT representing TROY AND SUSAN McCASLAND appealing the Director of Planning's Notice of Violation (NOV 20080002) for the operation of a transient vacation rental at property located at 451 'Ilikahi Street, Lahaina, Maui, Hawaii; TMK: (2) 4-6-006:039 (BVAA 20080002) **(Deferred from the November 26, 2009 meeting. Members, please bring previously distributed materials with you to the meeting.)**

4. MAUI'S BEST GIFT & CRAFT FAIR, LLC appeal of the notice of violation issued by the Director of Planning in regard to the use of property located at 270 Lahainaluna Road, Lahina, Maui, Hawaii, TMK: (2) 4-6-010:025. (BVA 20050013, BVA 20050024, BVA 20050027)

- a. County's Prehearing Memorandum

C. APPROVAL OF THE JANUARY 15, 2009 MEETING MINUTES

D. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

E. NEXT MEETING DATE: February 12, 2009

F. 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 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 Board is unable to attend the scheduled meeting, please contact the Planning Department at 270-7253 at least one day prior to the meeting date.