

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: 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: March 12, 2009, Thursday

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. RESOLUTION THANKING OUTGOING MEMBER: WARREN SHIBUYA

C. UNFINISHED BUSINESS

1. ELLIOT AND BARBARA LUKE requesting a variance from Maui County Code, §16.04B.140, Subsection 903.4.2 (as amended) to delete the requirement to provide fire protection with a fire flow of 500 gallons per minute for a two-hour duration for the Luke Family Subdivision located on 233 Anuhea Place, Kula, Maui, Hawaii. (BVAV 20080006) **(Deferred from the February 12, 2009, meeting. Members, please bring previously distributed materials with you to the meeting.)**

D. COMMUNICATIONS

1. 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, Hawai'i; TMK: (2) 4-6-006:039 (BVAA 20080002)
 - a. Discussion on Terms of Settlement Agreement

E. APPROVAL OF THE FEBRUARY 26, 2009 MEETING MINUTES

F. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases
2. Mileage Reimbursement

G. NEXT MEETING DATE: March 25, 2009, **Wednesday**

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 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 the Planning Department at 270-7253 at least one day prior to the meeting date.