

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

AGENDA

DATE: September 10, 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. PUBLIC HEARING - VARIANCES

1. JAMES G. & ELIZABETH P. WHITEHEAD requesting a variance from Maui County Code §19.30A.030(F) to allow an existing wall, approximately five (5) feet in height, to remain within the agricultural setback area whereby a maximum of four (4) feet in height is allowed, for property located at 701 Kai Hele Ku Street, Launiupoko, Lahaina, Maui, Hawaii; TMK: (2) 4-7-010:017 (BVAV 20090007)

C. APPEALS

1. To determine a hearings officer to preside over the following matter:
 - a. MEH LIMITED PARTNERSHIP appealing the Director of Public Works' determination that preliminary subdivision approval for the Sunset Estates Subdivision (DSA Subdivision File No. 3.1834) is null and void for property located off of Waipuilani Street, Kihei, Maui, Hawaii, TMK: (2) 3 9 046:013. (BVAA20090003)
2. MICHAEL BASKIN of SEASHORE PROPERTIES, LLC appealing the Director of Public Works' Notice of Violation (V 20090014) for completing exterior renovations without first obtaining the building permits for property located at 93 Hana Highway, Paia, Maui, Hawaii; TMK: (2) 2-6-002:027. (BVAA 20090001)
 - a. County of Maui's Appeal Hearing Memorandum
 - b. County of Maui's Exhibit List
3. MICHAEL BASKIN of SEASHORE PROPERTIES, LLC appealing the Director of Public Works' Notice of Violation (V 20090018) for completing interior renovations without first obtaining building permits for a commercial building

located at 93 Hana Highway, Paia, Maui, Hawaii; TMK: (2) 2-6-002:027.
(BVAA 20090002)

- a. County of Maui's Appeal Hearing Memorandum
- b. County of Maui's Exhibit List

- D. APPROVAL OF THE JUNE 25, 2009 SITE VISIT MINUTES AND THE AUGUST 27, 2009 MEETING MINUTES
- E. NEXT MEETING DATE: SEPTEMBER 24, 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 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.