

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), William Kamai, Rachel Ball Phillips, Stephen Castro, Sr., Ray Shimabuku, Bart Santiago, Jr., Rick Tanner, Bernice Vadla

AGENDA

DATE: February 24, 2011, Thursday

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. PUBLIC HEARINGS

1. CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS, A UTAH CORPORATION SOLE requesting a variance from Maui County Code, §19.24.030 to allow a church steeple to exceed the 45 feet height limit by 29-feet and 4-inches for the proposed Lahaina Latter-Day Saints Church, to be located off of Ulupono Street, Lahaina, Maui, Hawaii; TMK: (2) 4-5-010:007, 039, 040, 041 and 042 (BVAV 20100020)
2. DAVID JENKINS of CREATION DESIGN COMPANY representing KIHEI SANDS CONDOMINIUM AAO requesting the following variances: (1) from Maui County Code (MCC), §19.36A.010 to allow one (1) parking stall to be used as an ADA access aisle thereby leaving 29 parking stalls whereas 30 stalls are required; and (2) from MCC §16.04B.360 to delete the requirement to install a fire sprinkler system in 30 existing condominium units for the proposed addition of a 177 square foot manager's unit, for property located at 115 North Kihei Road, Maui, Hawaii; TMK: (2) 3-8-013:013 (BVAV 20110001)

C. APPEALS

1. BARBARA A. CIPRO appealing the Department of Public Works' decision to request the payment of \$5,978.33 for the County's removal of obstructions from a sidewalk/shoulder area whereas every property owner whose land abuts or adjoins a County street shall continually maintain and keep clean in a reasonable safe and passable condition the sidewalk or shoulder areas which abut or adjoin the owner's property, for 2597 Lioholo Place, Kihei, Maui, Hawaii; TMK: (2) 3-9-013:009 (BVAA 20100006)
 - a. Determine a Hearing Officer
 - b. Director, Department of Public Works, County of Maui's Motion to

Dismiss Appeal; Exhibits A & B; Certificate of Service

- D. APPROVAL OF THE FEBRUARY 10, 2011 MEETING MINUTES
- E. DIRECTOR'S REPORT
 - 1. Status Update on BVA's Contested Cases
- F. NEXT MEETING DATE: **March 10, 2011 on the Island of Lanai**
- 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, 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.

ORAL OR WRITTEN TESTIMONY WILL BE RECEIVED ON EACH ANY AGENDA ITEM SUBJECT TO THE PROVISIONS OF CHAPTER 92, HAWAII REVISED STATUTES AND THE RULES OF PRACTICE AND PROCEDURE FOR THE BOARD OF VARIANCES AND APPEALS. WRITTEN TESTIMONY SHOULD BE RECEIVED AT LEAST TWO BUSINESS DAYS BEFORE THE MEETING TO INSURE DISTRIBUTION TO THE BOARD. FIFTEEN (15) COPIES OF WRITTEN TESTIMONY ARE NEEDED IF TESTIMONY IS PRESENTED IMMEDIATELY PRIOR TO OR AT THE 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.