

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: Kevin Tanaka (Chair), Rick Tanner (Vice-Chair), Ray Shimabuku, Bart Santiago, Jr., Bernice Vadla, Jacqueline Haraguchi, Patrick De Ponte, Teddy Espeleta, G. Clark Abbott

**AGENDA**

DATE: Thursday, February 14, 2013

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. JEFFREE TRUDEAU for DAVID C. BOLLES requesting variances from the following sections of the Maui County Code: (1) §18.16.060 which states that the right-of-way access street to a subdivision shall have a minimum width of 24-feet; (2) §18.16.050 which states that the owner shall pave a 20-foot wide private driveway; (3) §18.16.130 which states that an agricultural district cul-de-sac shall be as short as possible and shall not be more than 800 feet; and (4) §18.20.040 which states that a subdivision shall have at least 20-feet of paved access, for the David C. Bolles Subdivision (DSA File No. 2.3115) located at 170 Door of Faith Church Road, Huelo, Maui, Hawaii; TMK: (2) 2-9-007:052 (BVAV 20120012).

C. APPEALS

1. Determine a hearings officer to preside over the following matter:  
  
TOM PIERCE, ESQ. representing MAUI TOMORROW FOUNDATION INC., SOUTH MAUI CITIZENS FOR RESPONSIBLE GROWTH and DANIEL KANAHELE appealing the Planning Director's decision to not enforce the conditions of approval established by the State of Hawaii, Land Use Commission, for the Piilani Promenade development located at 376, 451 and 524 Kaonoulou Street, Kihei, Maui, Hawaii; TMK: (2) (2) 3-9-001:016, 117, 171, 172, 173, 174 (BVAA 20120008).
2. RODNEY KILBORN appealing the Director of the Department of Parks and Recreation's decision to not allow a stand up paddle surfing event at Hookipa Beach Park located off of Hana Highway, Haiku, Maui, Hawaii; TMK: (2) 2-5-004:025 (BVAA 20120010).

- a. Proposed Findings of Fact, Conclusions of Law, and Decision and order.
- D. APPROVAL OF THE JANUARY 10, 2013 MEETING MINUTES, AND THE JANUARY 24, 2013 SITE VISIT AND MEETING MINUTES.
- E. DIRECTOR'S REPORT
  - 1. Status Update on BVA's Contested Cases
  - 2. Financial Disclosure Statements
- F. NEXT MEETING DATE: Thursday, February 28, 2013
- 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 is 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 (Maui), OR 1-800-272-0117 (from Molokai), or 1-800-272-0125 (from Lanai); 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.