

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: 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, March 28, 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 HEARING

1. DAVID JENKINS of CREATION DESIGN COMPANY representing EUGENE WASSON and LINDA WASSON requesting a variance from Maui County Code §19.30A.030 to allow an existing shed to be located 13-feet away from the north-eastern boundary line whereas a 15-foot setback is required within the County's Agricultural District, for property located at 161 Makahiki Street, Paia, Maui, Hawaii; TMK: (2) 3-8-002:115 (BVAV 20130001).

C. APPEALS

1. WILLIAM C. BYRNS of MACDONALD RUDY BYRNS O'NEILL & YAMAUCHI representing LINEX INVESTMENTS, LLC appealing the Planning Director's decision to require a fifteen (15) foot agricultural setback for a garage/storage structure on property located at 3412 Kalua Koi Road, Kaluakoi, Molokai, Hawaii; TMK: (2) 5-1-007:064 (BVAA 20120001).

a. Stipulation to Dismiss Appeal

2. MAUI BEACH RESORT LIMITED PARTNERSHIP appealing the Director of the Department of Public Works' decision to require a letter of authorization from every property owner for a condominiumized property (Honua Kai) in order to subdivide land for conveyance to the State of Hawaii (North Beach Subdivision IIA, Subdivision File No. 4.960) for property located at 130 Kai Malina Parkway, Lahaina, Maui, Hawaii; TMK: (2) 4-4-014:006 & 008 (BVAA 20100002).

a. Stipulation to Dismiss Appeal

- D. APPROVAL OF THE MARCH 14, 2013 MEETING MINUTES
- E. DIRECTOR'S REPORT
 - 1. Status Update on BVA's Contested Cases
- F. NEXT MEETING DATE: Thursday, April 11, 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 Maui 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 Maui Planning Department 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 issued 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 Maui Planning Department at 270-7253 at least one day prior to the meeting date.