

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: 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: Thursday, July 24, 2008

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. APPEALS

1. Determine a Hearings Officer to preside over the following matter:

PAUL R. MANCINI, ESQ., of MANCINI, WELCH & GEIGER representing MICHAEL MANCINI appealing the Planning Director's decision to deny the proposed relocation of a farm dwelling for property located at 718 Holopuni Road, Kula, Maui, Hawai'i (BVAA 20080007)

2. Determine a Hearings Officer to preside over the following matter:

JAMES W. GEIGER, ESQ., of MANCINI, WELCH & GEIGER representing UWE H. H. SCHULZ appealing the Department of Fire and Public Safety's decision to require an automatic sprinkler system for an existing lanai enclosure (Building permit application no. B T20080351) at the Ka'anapali Royal Condominium located at 2560 Keka'a Drive, Ka'anapali, Lahaina, Maui, Hawai'i; TMK: (2) 4-4-008:023-0059

3. Stipulation for Dismissal With Prejudice for the following matters:

a. JAMES W. GEIGER, ESQ., of MANCINI, WELCH & GEIGER, representing HANO HANO, LLC, appealing (1) the decision of the Director of the Department of Public Works and Environmental Management, to amend his letter dated June 6, 2005, which granted approval to the preliminary plat for the consolidation and resubdivision; and (2) the decision of the Director of Planning that the zoning is Interim or otherwise improper for the uses permitted under the R-3 Residential District for two (2) parcels of land situated at

Keahua, Kula, Maui, Hawaii, TMK: 2-3-011:001 and 002.
(BVAA2006002)

- b. JAMES W. GEIGER, ESQ., of MANCINI, WELCH & GEIGER, representing HANOHANO, LLC, appealing the Director of Public Works and Environmental Management's decision to deem the Kualono Subdivision (DSA File No. 2.2896) null and void for property located off of Haleakala Highway, Keahua, Kula, Maui, Hawai'i; TMK: (2) 2-3-011:001 and 002. (BVAA20060003)
- c. JAMES W. GEIGER, ESQ., of MANCINI, WELCH & GEIGER, representing HANOHANO, LLC, appealing (1) the decision of the Director of Public Works and Environmental Management that the consolidation and resubdivision of two parcels of land situated at Keahua, Kula, Maui, Hawaii, bearing Tax Map Key Numbers (2) 2-3-011:001 and (2) 2-3-011:002 do not comply with Maui County Code, §18.04.030; and (2) the decision of the Planning Director that the zoning of those two parcels of land, situated at Keahua, Kula, Maui, Hawaii, bearing Tax Map Key Numbers (2) 2-3-011:001 and (2) 2-3-011:002 is Interim. (BVAA 20060004)

C. APPROVAL OF THE JULY 10, 2008 MEETING MINUTES

D. DIRECTOR'S REPORT

- 1. Status Update on BVA's Contested Cases

E. NEXT MEETING DATE: August 14, 2008

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, 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.

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PLEASE NOTE: If any member of the Commission is unable to attend the scheduled meeting, please contact Tremaine Balberdi, Planning Department at 270-7253 at least one day prior to the meeting date.