

**BOARD OF VARIANCES AND APPEALS  
REGULAR MEETING  
February 14, 2019**

**(HYPERLINKS TO AUDIO RECORDING OF THE MEETING)**

A. CALL TO ORDER

(Item A begins at 00:00:25 of the Audio Recording)

The regular meeting of the Board of Variances and Appeals (Board) was called to order by Chairman Raymond Sung at approximately, 1:55 p.m., Thursday, February, 2019, in the Planning Department Conference Room, first floor, Kalana Pakui Building, 250 South High Street, Wailuku, Island of Maui.

A quorum of the Board was present. (See Record of Attendance).

(Item B begins at 00:01:15 of the Audio Recording,. Ms. Christi Keliikoa reads item into record)

B. PUBLIC HEARING

**JAMIE LYNN LAWRENCE** is requesting a variance from the following Maui County Code section §19.08.060 “Yards” for Variance request pertaining to side and rear yard setbacks related to existing structures composed of a wooden roof patio and concrete planter, along with concrete counter tops and appliances; for property located at 78 Auoli Drive, Makawao, Hawaii 96768 (BVAV 2018/0004). (C. Kellikoa)

(00:02:43-00:35:45 of the Audio Recording,. Mr. Jamie Lawrence gives presentation, takes questions and further discussions).

1. **Public Hearing:** To avoid unnecessary cumulative evidence or to ensure that each individual has an equal amount of time to testify, testimony is limited to three (3) minutes. Should members of the Board or a Party wish to question a public testifier, seek leave of the Chair.

(00:35:54-00:36:06 of the Audio Recording, public testimony is open, seeing none, public testimony was closed).

(00:36:13-00:38:21 of the Audio Recording, staff discussion and staff’s recommendation).

(00:38:43-01:28:19 of the Audio Recording, applicant makes more comments and has further discussion with Board).

(01:28:20 of the Audio Recording, motion was made by Member Trisha Egge to Approve

*the subject variance as stated by Corporation Counsel and subject to additional conditions in the Staff Report and Recommendations, and to include the Liability Insurance and Hold Harmless Agreement ).*

*(01:29:37 of the Audio Recording, motion was seconded by Member Sandra Duvauchelle).*

*(01:29:50-01:35:13 of the Audio Recording, further discussion)*

*(At 01:36:15 of the Audio Recording a vote was taken-5 “ayes”, 0 “opposed”, 4 “excused”)*

**VOTED: Motion passes to Approve D&O (BVAV 2018/0002)**  
*(Assenting: R. Sung, J. Borge, W. Kamai, T. Egge, S. Duvauchelle)*

*(Excused: J. Reyher-Colon, M. Kincaid, W. Greig, R. Shimabuku)*

*(Item C finishes at 01:36:27 of the Audio Recording)*

*(01:36:43-01:36 of the Audio Recording, Chariman Sung requests for a five minute recess)*

*(Item C begins at 01:36:52-01:51:18 of the Audio Recording)*

#### C. DISCUSSION

1. Board discussion of Board powers, duties, and/or procedures, including without limitation regarding: contested hearing procedures; hearing officer assignments; status of and anticipated timetable for availability of written minutes (including substantially full transcripts of portions relevant to, and in advance of, anticipated D&O review and discussion and approval) of previous Board meetings; timing and method of distribution of relevant materials to Board members for review in advance of meetings; issues relating to quorum (or lack thereof); miscellaneous questions & answers and/or feedback with Staff and Corporation Counsel.

No public testimony will be received.

*(Item D begins at 01:51:25-01:51:51 of the Audio Recording)*

D. NEXT MEETING DATE: February 28, 2019

*(Item B begins at 01:52:56 of the Audio Recording)*

E. ADJOURNMENT

There being no further discussion brought forward to the Board, the meeting was adjourned at 3:59 p.m.

Respectfully submitted by,

CHALSEY KWON  
Secretary to Boards & Commission II

**RECORD OF ATTENDANCE**

**Members Present:**

Raymond Sung, Chairman  
Jeffrey Borge  
William Kamai  
Trisha Egge  
Sandra Duvauchelle

**Excuse:**

Juanita Reyher-Colon, Vice Chairman  
William Greig  
Ray Shimabuku  
Max Kincaid Jr.

**Others:**

John Rapacz, Planning Program Administrator  
Danny Dias; Supervising Planner  
Ana Lilis; Staff Planner  
Christi Keliikoa; Staff Planner  
Chalsey Kwon, Secretary to Boards & Commission II, Department of Planning  
Richelle Thomson, Deputy Corporation Counsel, Department of the Corporation Counsel