

PURSUANT TO CHAPTERS 91 AND 92, PART I, HAWAII REVISED STATUTES, AS AMENDED, NOTICE IS HEREBY GIVEN OF A MEETING OF THE MAUI COUNTY BOARD OF VARIANCES AND APPEALS.

Members: Daniel Mizner (Chair), Jerry Edlao (Vice Chair), Garret Abe, Kathleen Acks, James Berg, Marilyn Colvin, Lance Holter, Glenn Kunitake, Kirk Tanaka

AGENDA

DATE: July 10, 2003
TIME: 1:30 p.m.
PLACE: KALANA PAKUI CONFERENCE ROOM, FIRST FLOOR,
250 SOUTH HIGH STREET, WAILUKU, HAWAII

A. CALL TO ORDER

B. UNFINISHED BUSINESS

1. APPEALS:

JAMES R. SMITH appealing the decision by the Director of Public Works and Environmental Management to amend the preliminary subdivision approval whereby the subdivision requirement to obtain a community plan amendment from the current designation of single family to agricultural was removed for the proposed 21 agricultural lot Kaunoa II Subdivision, LUCA #3.1638, located on Hana Highway between Alakapa Place and Nonohe Place, Spreckelsville, Maui, Hawaii; TMK: 3-8-001:064 (95-BVA-29).

- a. Hearing Officer's Report Setting Forth Proposed Findings of Fact, Conclusions of Law and Decision and Order; Certificate of Service
- b. Motion for Extension of Time for Filing of Exceptions to Hearing Officer's Report Setting Forth Proposed Findings of Fact, Conclusions of Law and Decision and Order; Memorandum in Support; Certificate of Service
- c. Order Denying Appellant's Motion for Hearing Officer to Amend its Report Setting Forth Findings of Fact, Conclusions of Law and Decision and Order.
- d. Appellant's Proposed Findings of Fact, Conclusions of Law, Decision and Order
- e. Appellee County of Maui's Memorandum in Opposition to Appellant's Motion for Extension of Time for Filing of Exceptions to Hearing Officer's Report Setting Forth Proposed Findings of Facts,

Conclusions of Law, Decision and Order

- f. Appellee County of Maui's Comments upon Appellant's Proposed Findings of Fact, Conclusions of Law, Decision and Order filed on June 26, 2003

C. PUBLIC HEARING

VARIANCE:

1. BARRY AND NORMONDA GAY requesting approval of a variance from Maui County Code Section 19.08.040, "Area Regulations" to allow an additional single-family dwelling on a 19,739 square feet lot whereas a minimum of 10,000 square feet is required for each dwelling unit situated in the R-3 Residential District at 83 Kulalani Drive, Kula, Hawaii TMK: 2-3-022:042 (BVA030010).

D. APPROVAL OF MINUTES:

1. July 11, 2003

E. NEXT MEETING DATE: July 24, 2003

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, 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.

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/COMMISSION TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE COMMISSION'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES.

PLEASE NOTE: If any member of the commission is unable to attend the scheduled meeting, please contact Naomi Guillermo, Planning Department at 270-7253 at least

one day prior to the meeting date.

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