

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

Members: Daniel Mizner (Chair), Jerry Edlao (Vice Chair), Garret Abe, Kathleen Acks, Warren Shibuya, Marilyn Colvin, Lance Holter, Glenn Kunitake

**AGENDA**

DATE: April 8, 2004

TIME: 1:30 p. m.

PLACE: Kalana Pakui Conference Room, First Floor  
250 South High Street, Wailuku, Hawaii

A. CALL TO ORDER

B. INTRODUCTION OF NEW BOARD MEMBER:

\_\_\_\_\_ Warren S. Shibuya

C. ELECTION OF CHAIR AND VICE CHAIR

D. UNFINISHED BUSINESS

\_\_\_\_\_ PUBLIC HEARING:

1. PAUL L. HORIKAWA, on behalf of ROBERT BLAINE BOETTNER AND DONALD GENE BRANSFORD, requesting approval of a variance from Maui County Code, Section 19.29.020(D) "Maximum Height Limit", to allow a dwelling to be constructed with a total height of 38.05 feet and an accessory dwelling with a total height of 31.2 feet whereas a maximum height of 30 feet is allowed for property situated in the Rural District at 3279 Kaha Drive, Kihei, Maui, Hawaii TMK: 2-1-019:014 (BVA020012/BVA030013).
  - a. Petition to Intervene; Certificate of Service
  - b. Amended Petition to Intervene; Certificate of Service
  - c. Applicants' Motion in Opposition to Petition to Intervene; Certificate of Service
  - d. Intervenors' Further Memorandum in Support of Petition to Intervene and Reply to Applicants' Motion in Opposition to Petition to Intervene; Certificate of Service

2. Makila Land Co., LLC, appealing the Department of Public Works and Environmental Management's denial of the Makila Farms Subdivision, Phase I, DSA No. 4.880, located at Launiupoko, Lahaina, Maui, Hawaii, TMK: 4-7-001:002(Por.) (BVA20040005)
3. Makila Land Co., LLC, appealing the Department of Public Works and Environmental Management's denial of the Makila Farms Subdivision, Phase II, DSA No. 4.882, located at Launiupoko, Lahaina, Maui, Hawaii, TMK: 4-7-001:002(Por.) (BVA20040006)

E. APPROVAL OF MINUTES:

1. March 25, 2004

F. NEXT MEETING DATE: April 22, 2004

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 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 Guillemo, Planning Department at 270-7253 at least one day prior to the meeting date.