

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, Glenn Kunitake, Kirk Tanaka

AGENDA

DATE: May 8, 2003 (THURSDAY)

TIME: 1:30 p.m.

PLACE: KALANA PAKUI CONFERENCE ROOM, FIRST FLOOR,
250 SOUTH HIGH STREET, WAILUKU, HAWAII

A. CALL TO ORDER

AA. ORIENTATION FOR BOARDS AND COMMISSIONS

1. Parliamentary Procedures Simplified in Accordance with Roberts Rules of Order, Newly Revised
2. Sexual Harassment Policy

B. UNFINISHED BUSINESS

APPEALS APPLICATION

1. 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 Hearing Officer to Amend its Report Setting Forth Proposed Findings of Fact, Conclusions of Law and Decision and Order; Memorandum in Support; Certificate of Service
 - c. 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

- d. Appellee County of Maui's Memorandum in Opposition to Appellant's Motion for Hearing Officer to Amend its Report Setting Forth Proposed Findings of Fact, Conclusions of Law and Decision and Order; Certificate of Service
- e. Response to Appellee's Memorandum in Opposition to Appellant's Motion for the Hearing's Officer to Amend its Report Setting Forth Proposed Findings of Fact, Conclusions of Law and Decision and Order; Certificate of Service
- f. Order Denying Appellant's Motion for Hearing Officer to Amend its Report Setting Forth Findings of Fact, Conclusions of Law and Decision and Order.

VARIANCE APPLICATION

- 2. CHRIS HART & PARTNERS, on behalf of TRUNK FAMILY TRUST AND GEORGE M. AND ELEANOR K. YANAGI, requesting approval of variances from Maui County Code Sections 19.29.020 (B) "Minimum Lot Width" to create a lot with an approximate width of 95 feet whereas 100 feet is required, and 19.29.020 (C) "Minimum Yards" to allow for the existing two-story dwelling to be situated ten (10) feet from the side property line and the existing one-story detached accessory dwelling and existing detached garage to be situated six (6) feet from the side property line whereas fifteen (15) feet is required in the rural district at 3407 and 3391 Kaha Drive, Kihei, Maui, Hawaii, TMK: 2-1-018:096 & 097 (BVA020023)
 - a. Letter dated April 30, 2003 from Rory Frampton, Senior Planner re: Request for Site Plan amendment and removal of the lot width variance affecting parcel 96

C. PUBLIC HEARING

1. VARIANCE APPLICATION

CHRIS HART & PARTNERS, INC. on behalf of COSTCO WHOLESALE CORPORATION (Lessee) requesting approval of a variance from Maui County Code, Chapter 16.26 adopting the Uniform Building Code (UBC) 1997 Edition, Section 505.2, "Unlimited Area" to allow for a public way or yard (i.e. no build area) of approximately 31 feet 10 inches whereas 60 feet is the minimum required public way or yard for the type of building being proposed at 540 Haleakala Highway, Kahului, Maui, Hawaii; TMK: 3-8-079:022 (BVA030008).

D. APPROVAL OF MINUTES:

1. April 24, 2003

E. NEXT MEETING DATE: May 22, 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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