

APPENDIX MAUI-38(a)

Board of Variance & Appeals (BVA) Application - Appeals County of Maui Department of Planning Zoning Administration & Enforcement Section

Permit Packet Includes:

1. Process Overview
2. Variance and Appeals Applications Procedures (Notice of Appeal) & instructions

Resources:

- Charter of the County of Maui (2003), Sect. 8-8.7 (See Appendix CCM – Chap. 8)

Approval or Permit Required: To appeal a decision or order of, or alleged error by, any department charged with the enforcement of zoning, subdivision, and building ordinances.

Contact Information:

Department of Planning
Zoning Administration and Enforcement Division
250 South High Street
Kalana Pakui Building, 2nd Floor
Wailuku, HI 96793
Phone: 808-270-7735

Website:

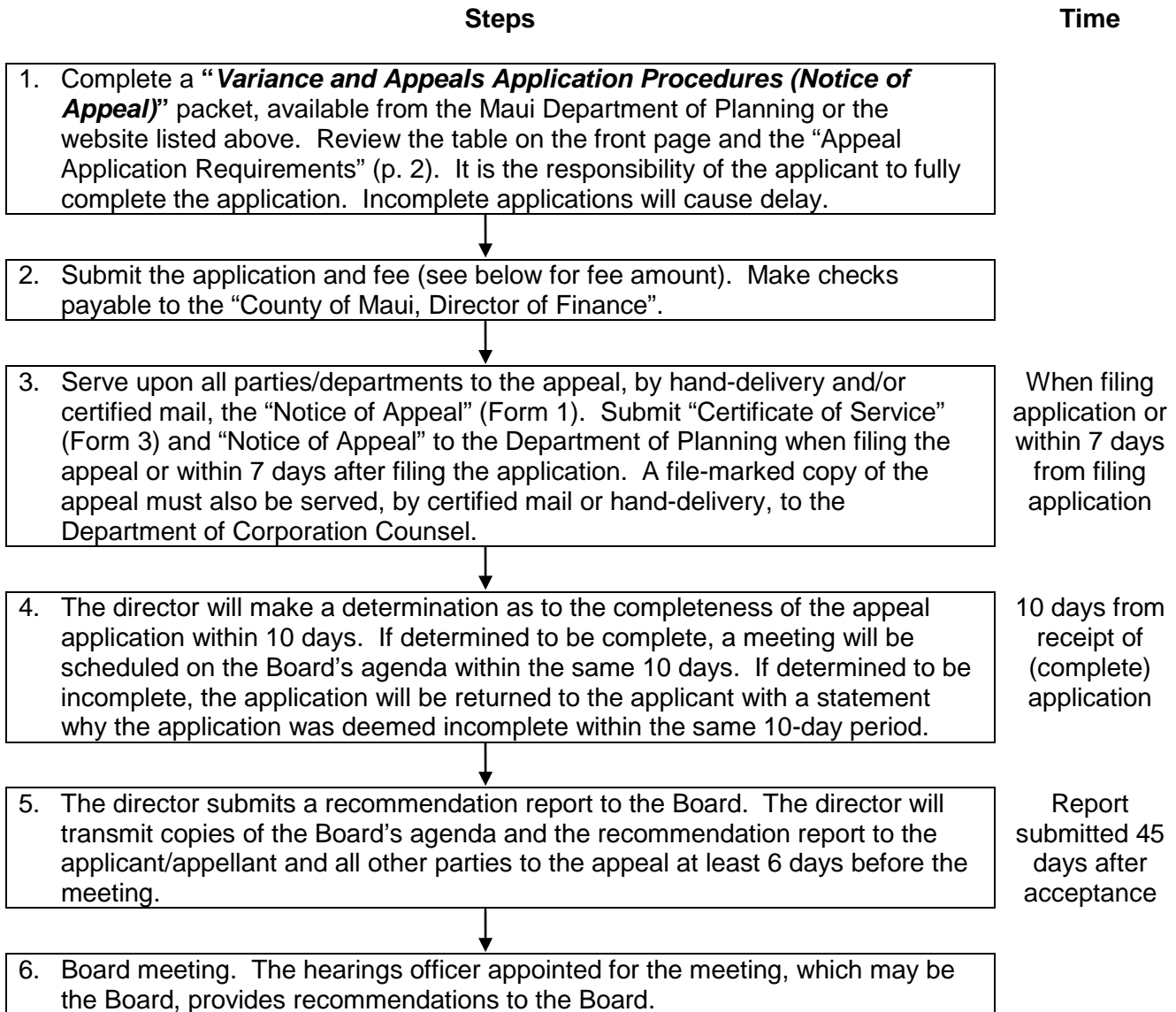
<http://www.co.maui.hi.us/index.aspx?NID=1292>

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NOTE:

- Unless specified otherwise by the “Appeal Regulations and General Deadlines” table in the application packet, appeals must be filed not later than 30 days after the date of the written decision or order from which the appeal is sought.
- The City Council may by ordinance confer to another county agency the authority to hear and determine appeals from the decisions of the building official in the administration of the County of Maui building code, plumbing code, electrical code, and housing code; from any order made by the County Fire Chief concerning the Fire Code; and, from any decision made by the Director of Water Supply concerning matters involving any denial of the use of new or alternate materials, types of construction, equipment, devices or appliances.



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7. The Board issues its written decision and order, taking into consideration the hearing officer's recommendations.	45 days from Step 7
8. Final decisions or orders by the Board may be appealed with the Circuit Court of the Second Judicial Circuit within 30 days from date of mailing of said final decision or order by certified mail.	30 days from final decision or order

Total Time Period (Notices of Violations): 2–3 months
Total Time Period (Department Decisions): 6–12 months

<p>Fees dependent on cost of project. Please refer to Fee Schedule, Table A for complete listing.</p> <p>Board meeting is required.</p> <p>*Applicant is responsible for all fees for notice requirements, including all publication and mail fees.</p> <p>*The processing fee for appeals shall be refunded to the appellant if and only if the Board of Variances and Appeals renders a final decision and order in favor of the appellant.</p> <p>* No fee for appeals submitted by county agencies.</p>	<p align="center">\$550</p> <p align="center">~</p>	
Total Fees:	<p align="center">\$550 (minimum)</p>	<p align="center">No maximum</p>