

**Variance from Standards, Procedures, & Requirements  
County of Maui, Department of Planning (DP), Current Planning Division**

**Purpose:** This permit allows projects to receive relief from standards, procedures, and requirements. Typical variance requests for renewable energy projects are for a reduced front, side, and/or back yard setbacks, reduced height setback requirements, and a larger maximum building area.

**Approval Authority:** Maui County Code Variance Standards in Titles 12, 16, 18, and 19; Rules of Practice and Procedure of the Board of Variances and Appeals

**Fees:** Application Fee is required – Review permit link below.

**For Permit Application, Guidelines and Fees:** <http://www.co.maui.hi.us/index.aspx?NID=1292>

**Master Application Form:**

[http://www.co.maui.hi.us/documents/17/111/Title19\\_Zoning\\_online\\_201410101315387402.pdf](http://www.co.maui.hi.us/documents/17/111/Title19_Zoning_online_201410101315387402.pdf)

**Contact Information:** Maui Department of Planning (DP) (808) 270-7735

**Estimated Time for Permit Approval Decision from Application Acceptance:** See Checklist / Process below:

Checklist / Process	Chronology
1. Complete and submit an application to DP which includes all content requirements listed in the application checklist.	Generally 3 months
2. The DP will review the application for submittal requirements.	1 month
3. Mail the Notice of Application, which is included in the application packet, to all adjacent owners and lessees and those across the street of the project property boundaries. Provide the Affidavit of Mailing, which is included in the application packet.	
4. The DP reviews the application for completeness.	1 month
5. The DP will notify the applicant of the date of the public hearing.	Not less than 30 calendars prior to the public hearing
6. Mail the Notice of Public Hearing to all adjacent owners and lessees and those across the street of the project property boundaries. Submit the certified or registered mailing receipts and the Notarized Affidavit of Mailing of Notice of Public Hearing to the DP not less than 10 business days prior to the public hearing.	Not less than 10 business days prior to the public hearing
7. Publish the Notice of Public Hearing to a newspaper. Submit a certified copy of the publications to the DP not less than 6 calendar days prior to the public hearing.	Once a week for 3 consecutive weeks prior to the public hearing
8. The DP will publish the Notice of Public Hearing to the Maui News.	Not less than 30 calendar days prior to the public hearing

<p>9. The DP transmits their staff report and recommendations to the Planning Commission.</p>	<p>Not more than 45 calendar days after the application is deemed complete (Step 4) and not less than 6 business days prior to the public hearing date</p>
<p>10. The Board of Variance and Appeals (BVA) holds a public hearing.</p> <p>At the public hearing, the BVA shall recommend to approve, approve with conditions, or deny the application.</p>	
<p>11. The DP will transmit a decision and order of the BVA.</p>	<p>1 month</p>
<p><b>Estimated Time from Submittal of Application</b></p>	<p><b>3 to 6 months</b></p>

**Other Application Considerations:**

1. Review the relevant community development plan(s) to help identify sensitive areas requiring detailed consideration and assessment.
2. Consultation with the Planning Department is recommended *before* project investments or commitments are obtained.