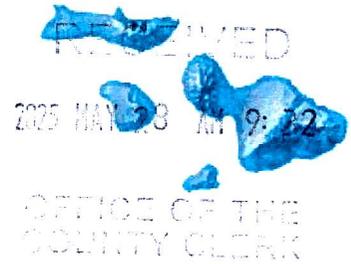
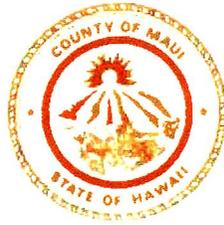


RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director



**DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAI'I 96793**

May 22, 2025

Honorable Richard T. Bissen Jr., Mayor
County of Maui
200 South High Street
Wailuku, Hawai'i 96793

APPROVED FOR TRANSMITTAL

Richard T. Bissen Jr. 5-28-25
Mayor Date

For Transmittal to:

Honorable Alice L. Lee, Chair
and Members of the Maui County Council
200 South High Street
Wailuku, Hawai'i 96793

Dear Chair Lee and Members:

**SUBJECT: APPLICATION FOR A CHANGE OF ZONING FOR A
PROPERTY LOCATED AT 1550 NUKUNA PLACE,
WAILUKU, MAUI, HAWAI'I; TMK: (2) 3-6-007:010
(CIZ20210002)**

The Department of Planning (Department) is transmitting for your review and action the Change of Zoning (CIZ) for a property located at 1550 Nukuna Place in Wailuku. The property is a 0.7099 acre lot located in the County Agricultural District. The CIZ will change the Zoning District from Agricultural to R-2 Residential and bring the property into conformance with its current use and Community Plan designation of Single Family.

The Maui Planning Commission (MPC) has reviewed this CIZ application and recommends that the Maui County Council (Council) approve the CIZ subject to no conditions.

A summary of the application is as follows:

Honorable Richard T. Bissen Jr., Mayor
 For Transmittal to:
 Honorable Alice L. Lee, Chair
 May 22, 2025
 Page 2

| APPLICATION SUMMARY | | | | |
|-----------------------|---|--------------------|----------|-------|
| Application - CIZ | Change of Zoning | | | |
| | TMK | Maui County Zoning | | MAP # |
| | | Existing | Proposed | |
| (2) 3-6-007:010 | Agricultural | R-2 Residential | L-427 | |
| Applicant | Dr. Robyn M. Garner | | | |
| Owner | Dr. Robyn M. Garner | | | |
| Tax Map Key | (2) 3-6-007:010 | | | |
| Address | 1550 Nukuna Place, Wailuku, Maui, Hawai'i | | | |
| Area | 0.7099 acres | | | |
| Land Use Designations | State Land Use District - Urban Maui Island Plan – Small Town (Outside Protected Areas) Community Plan Single Family Maui County Zoning - Proposed R-2 Residential to match the Community Plan designation. (Currently Agricultural) | | | |
| Brief Description | The Applicant is requesting a CIZ of 0.7099 acres from the Agricultural District to R-2 Residential District that would bring the property into conformance with its current use and its Community Plan Designation of Single Family. | | | |
| Public Hearing | Held by the MPC on November 12, 2024 | | | |
| Testimony | Time for verbal testimony was offered during the hearing. There was one testifier in support of the project, and no one opposed. | | | |
| Recommendation | The MPC recommended approval of the proposed CIZ application by a vote of five ayes with two Commissioners excused. The MPC recommended that the Maui County Council approve the CIZ subject to no conditions. | | | |

In as much as Council approval is required for the CIZ, the Department transmits the subject application to the Council for consideration. Accordingly, attached for your review are the following documents:

1. Proposed bill entitled, "A BILL FOR AN ORDINANCE TO CHANGE ZONING FROM AGRICULTURAL DISTRICT TO R-2 RESIDENTIAL DISTRICT FOR PROPERTY SITUATED AT 1550 NUKUNA PLACE, WAILUKU, MAUI, HAWAII, TAX MAP KEY (2) 3-6-007:010.

Honorable Richard T. Bissen Jr., Mayor
For Transmittal to:
Honorable Alice L. Lee, Chair
May 22, 2025
Page 3

2. Letter from Kate L. K. Blystone, Planning Director to Dr. Robyn Garner, dated November 21, 2024, with the Maui Planning Commission's recommendation for Council approval of the CIZ.
3. Department's Staff Report and Recommendation to the MPC, dated November 12, 2024.
4. MPC minutes of the November 12, 2024, meeting.
5. Application for the CIZ.

Thank you for your attention to this matter. Should you have any questions, please transmit them to the Department of Planning via transmittal through the Office of the Mayor.

Sincerely,



KATE L. K. BLYSTONE
Director

Attachments: Proposed Bill
Letter dated November 21, 2024
Department's Staff Report and Recommendation
November 21, 2024 MPC minutes
CIZ Application

cc: Danny Dias, Planning Program Administrator (PDF)
Carolyn Cortez, Interim Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Land Use Planning Supervisor (PDF)
Aliko Biniaris, Planner (PDF)
Dr. Robyn M. Garner, Applicant/Owner (PDF)

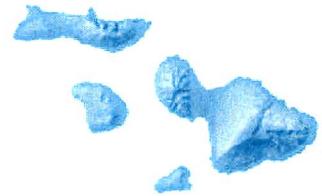
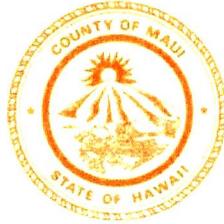
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RICHARD T. BISSEN, JR.
Mayor

KATE L. K. BLYSTONE
Director

ANA LILLIS
Deputy Director



DEPARTMENT OF PLANNING
COUNTY OF MAUI
ONE MAIN PLAZA
2200 MAIN STREET, SUITE 315
WAILUKU, MAUI, HAWAI'I 96793

November 21, 2024

CERTIFIED MAIL: #9589 0710 5270 1030 7904 63

Ms. Robyn Garner
1550 Nukuna Place
Wailuku, Hawai'i 96793

Dear Ms. Garner:

SUBJECT: MAUI PLANNING COMMISSION RECOMMENDATION OF APPROVAL FOR A CHANGE IN ZONING FOR A PROPERTY LOCATED AT 1550 NUKUNA PLACE, WAILUKU, HAWAI'I, IDENTIFIED AS MAUI TAX MAP KEY NUMBER (TMK): (2) 3-6-007:010 (CIZ20210002)

At its regular meeting on November 12, 2024, the Maui Planning Commission reviewed the above application and recommended that the Maui County Council (Council) approve Change in Zoning (CIZ) subject to no conditions. The application will be forwarded to the Council for final review and action.

Thank you. If additional clarification is required, please contact Staff Planner Aliko Biniaris at aliki.biniaris@mauicounty.gov or at (808) 270-5570.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kate L. K. Blystone".

KATE L. K. BLYSTONE
Planning Director

Copy To: Danny A. Dias, Planning Program Administrator (PDF)
Jordan E. Hart, Planning Program Administrator (PDF)
Kurt F. Wollenhaupt, Staff Planning Supervisor (PDF)
Aliko Biniaris, Staff Planner (PDF)
Robyn Garner, Applicant/Owner (PDF)

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BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAII

In the Matter of the Application of

ROBYN GARNER

To obtain a Change in Zoning from Agricultural District to R-2 Residential District for a substandard agricultural lot, approximately 30,922 square feet in size (0.7099 acres), located at 1550 Nukuna Place, Wailuku, Maui, Hawaii, TMK: (2) 3-6-007:010.

DOCKET NO. CIZ 2021/0002

ROBYN GARNER

(A. Biniaris)

DEPARTMENT OF PLANNING
REPORT AND RECOMMENDATION
NOVEMBER 12, 2024 MEETING

Change in Zoning

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BEFORE THE MAUI PLANNING COMMISSION

COUNTY OF MAUI

STATE OF HAWAI'I

In the Matter of the Application of

ROBYN GARNER

To obtain a Change in Zoning from Agricultural District to R-2 Residential District for a substandard agricultural lot, approximately 30,922 square feet in size (0.7099 acres), located at 1550 Nukuna Place, Wailuku, Maui, Hawai'i, TMK: (2) 3-6-007:010.

DOCKET NO. CIZ 2021/0002

ROBYN GARNER

(A. Biniaris)

DESCRIPTION OF THE PROJECT

This matter arises from an application for a Change in Zoning filed by Robyn Garner (Applicant and Owner) on November 26, 2021. The property is a 30,922 square foot (0.7099 acre) lot located in the County Agricultural District. The Change in Zoning from Agricultural District to R-2 Residential District would bring the property into conformance with its current use and its Community Plan designation of Single Family.

The existing main dwelling was built in 1952, and the Applicant plans to renovate it and add an additional 400 sf. The main dwelling has a garage and carport. There are three housing units, two of which have carports, that are used as long-term rentals. The property also has a pavilion, a Quonset hut, a shed, two shipping containers, and another building that is labeled as a utility shed in the architectural plans for the house addition labeled as a utility shed. A location map, site survey, site photographs and architectural plans for the future house addition, are attached **(Exhibits 1-4)**.

With the proposed new zoning of R-2 Residential, the potential build out of the lot would be four main dwellings and two accessory dwellings. This would be contingent on meeting all State and County requirements. If the property were to be subdivided, the potential build out with regards to zoning would be four dwellings and eight accessory dwelling units.

HISTORY OF APPLICATION

The Change in Zoning application was submitted on November 26, 2021, requesting a change in zoning from Agricultural District to R-2 Residential to conform with the Community Plan designation and current use. The property has a long-standing use as a residential property. The four dwellings were built in 1930, 1952, and two in 1970.

DESCRIPTION OF THE PROPERTY

1. The Property, which is approximately 30,922 square feet, is located at 1550 Nukuna Place, Wailuku, Maui, Hawai'i, at Tax Map Key (TMK) (2)3-6-007:010. The property is lot 7 of Waikapū Tract Subdivision, (Subdivision file no. 3.535).

2. **Land Use Designations:**

- a. State Land Use District.....Urban
- b. Maui Island Plan.....Small Town (Outside Protected Areas)
- c. Community PlanSingle Family
- d. County ZoningAgricultural District

3. **Surrounding Uses:**

- NorthR-2 Residential
- EastAgricultural District
- SouthAgricultural District
- WestWaikapū Country Town

4. The parcel is located in Flood Zone X and AE (431'). The parcel is outside of the tsunami hazard zone, SMA and outside of the 3.2-foot sea level rise exposure area. (See, **Exhibit 5** for Zoning and Flood Confirmation Form and **Exhibit 6** for flood map).

The applicant has plans for a house addition which will involve some grading work.

5. The property has a main dwelling with a garage and a carport (built against the property line). There are three housing units, two of which have carports, and are used as long-term rentals. The property also has a pavilion, a Quonset hut, a shed, two shipping containers, and a utility shed. Given the size of the lot, (0.7099 acres), and the structures existing on the property, there is little area for agricultural activities. (See, **Exhibit 2** for the site survey).

APPLICABLE REGULATIONS FOR A CHANGE IN ZONING

Pursuant to Title 19, Chapter 19.510, General Application Procedures, Chapter 19.510.020 Applications which require a public hearing and Section 19.510.040 Change of zoning of the Maui County Code, the appropriate planning commission shall hold a public hearing on all applications for zoning changes and make a recommendation to the County Council. The County Council may grant a change of zoning if all the following criteria are met:

- 1. *The proposed request meets the intent of the general plan and the objectives and policies of the community plans of the county;*
- 2. *The proposed request is consistent with the applicable community plan land use map of the county;*
- 3. *The proposed request meets the intent and purpose of the district being requested;*
- 4. *The application, if granted, would not adversely affect or interfere with public or private schools, parks, playgrounds, water systems, sewage and solid waste disposal, drainage,*

roadway and transportation systems, or other public requirements, conveniences and improvements;

5. *The application, if granted, would not adversely impact the social, cultural, economic, environmental, and ecological character and quality of the surrounding area; and*
6. *If the application change in zoning involves the establishment of an agricultural district with a minimum lot size of two acres, an agricultural feasibility study shall be required and reviewed by the Department of Agriculture and the United States Soil and Conservation Service.*

In the case in which the owners or lessees of 40 percent or more of the land located within a five-hundred-foot distance from the boundaries of the subject parcel have filed written protests, the ordinance which grants the application shall not become effective unless approved by a vote of at least six members of the County Council.

Pursuant to Title 19, Chapter 19.510, Section 19.510.050 Conditional zoning of the Maui County Code, the County Council may impose conditions upon the applicant's use of the property. The conditions shall be imposed if the Council finds them necessary to prevent circumstances which may be adverse to the public health, safety, convenience and welfare. The conditions shall be reasonably conceived to mitigate the impacts emanating from the proposed land use and shall meet the following criteria:

1. *That the public shall be protected from the potentially deleterious effects of the proposed use; and*
2. *That the need for public services created by the proposed use shall be fulfilled.*

PROCEDURAL MATTERS

1. On October 15, 2021, the Applicant mailed a "Notice of Application" to all owners and recorded lessees within 500 ft. of the subject property notifying them of the applicant's intent to file the application with the County of Maui. A copy of the Notarized Affidavit of Mailing of "Notice of Application" is on file in the Maui Planning Department.
2. On September 18, 2023, the Maui County Planning Department sent a request for comment to appropriate state and county agencies.
3. The project was sent to the State Historic Preservation Division (SHPD) architecture and archeology, who determined "No historic properties affected." (See, **Exhibit 7**).
4. On October 8, 2024, the Applicant mailed a letter of notification and location map to all owners and recorded lessees within 500 ft. of the subject property describing the application and notifying them of the scheduled hearing date, time and place by certified mail, return receipt requested. Copies of the letter, location map, list of owners and recorded lessees, certified and registered mail receipts are on file in the Planning Department.
5. The June 20, 27 and July 4, 2024, the Applicant published a Notice and location map in the Maui News once a week for three consecutive weeks prior to the date of the hearing. Due to Maui Planning Commission scheduling conflicts, the Applicant's initial hearing date

was moved. As such, the County paid for the noticing requirement for the applicant's new hearing date. The ad was placed in the Honolulu Star Advertiser on October 11, 18, and 25, 2024.

6. On October 11, 2024, a notice of hearing on the application was published in the Honolulu Star Advertiser by the Maui County Planning Department.
7. The subject application for a Change in Zoning does not trigger review under Chapter 343, Hawai'i Revised Statutes, relating to Environmental Impact Statements.

REVIEWING AGENCIES

| State Agencies: | Comment | Exhibit Number |
|--|----------------|-----------------------|
| Department of Land and Natural Resources, State Historic Preservation, Archeology and Architecture | Comments | 7 |
| Department of Land and Natural Resources – SHPD – DLNR Land Division | No Response | 8 |
| Department of Transportation, Maui Highways | No Comments | 9 |
| HI- Department of Transportation - Highways | No Response | 10 |
| Department of Health | Comments | 11 |

| County Agencies & Commissions: | Comment | Exhibit Number |
|---|----------------|-----------------------|
| Department of Fire & Public Safety | Comments | 12 |
| Department of Environmental Management | Comments | 13 |
| Police Department | Comments | 14 |
| Department of Public Works | No Response | 15 |
| Department of Water Supply | No Comment | 16 |

Applicant's response to agency comments. See **Exhibit 17**.

ANALYSIS

LAND USE

1. The proposed project is in conformance with the goals, objectives and policies of the Hawai'i State Plan.
2. The subject property is in the State Urban District. The proposed uses are consistent with the Urban designation of the property.
3. As stated in the Maui County Charter, as amended in 2002:

The General Plan shall indicate desired population and physical development patterns for each island and region within the county; shall address the unique problems and needs of each island and region; shall explain the opportunities and the social, economic, and environmental

consequences related to potential developments; and shall set forth the desired sequence, patterns, and characteristics of future developments. The general plan shall identify objectives to be achieved, and priorities, policies, and implementing actions to be pursued with respect to population density, land use maps, land use regulations, transportation systems, public and community facility locations, water and sewage systems, visitor destinations, urban design, and other matters related to development.

The County of Maui 2030 General Plan Countywide Policy Plan, adopted by the Maui County Council on March 19, 2010, is the first component of the decennial General Plan update. The Countywide Policy Plan replaces the General Plan as adopted in 1990 and amended in 2002. The Countywide Policy Plan acts as an over-arching values statement and umbrella policy document for the Maui Island Plan and the nine Community Plans that provides broad goals, objectives, policies, and implementing actions that portray the desired direction of the County's future.

The following Countywide Policy Plan goals, objectives, policies, and/or implementing actions are relevant to the proposed project;

THEME: Expand Housing Opportunities for Residents

Goal: Quality, island-appropriate housing will be available to all residents

Objective (2): Increase the mix of housing types in towns and neighborhoods to promote sustainable land use planning, expand consumer choice, and protect the County's rural and small-town character.

Policies:

d. Promote infill housing in urban areas at scales that capitalize on existing infrastructure, lower development costs, and are consistent with existing or desired patterns of development.

Analysis: The property currently has three dwellings that the owners rent out as long-term rentals. The change in zoning would allow potentially more long-term dwelling units to be built and remove additional hardships for the applicant should they decide to further improve the existing dwellings.

Objective (3): Increase and maintain the affordable housing inventory.

Policies:

h. Encourage long-term residential use of existing and future housing to meet residential needs.

Analysis: The property currently has three dwellings that the owners rent out as long-term rentals. The change in zoning would allow potentially more long-term dwelling units to be built and remove additional hardships for the applicant should they decide to further improve the existing dwellings.

THEME: Promote Sustainable Land Use and Growth Management

Goal: Community character, lifestyles, economies, and natural assets will be preserved by managing growth and using land in a sustainable manner.

Objective (1): Improve land use management and implement a directed-growth strategy.

Policies:

e. Encourage redevelopment and infill in existing communities on lands intended for urban use to protect productive farmland and open-space resources.

Analysis: The purpose of the CIZ is to establish consistency between the property's zoning designation and the current Community Plan designations and existing uses on the property. The property has a long-standing residential use, rather than the agricultural use of the County zoning. Standard agricultural lots according to the Maui County Code are typically a minimum of two acres. This lot is 0.7099 acres. The CIZ would potentially allow further residential development on the property assuming there is adequate infrastructure available.

4. The **Maui Island Plan (MIP)** was adopted by the County Council on December 28, 2012. The Plan provides direction for future growth, the economy, and social and environmental decisions through the year 2030. The Plan looks comprehensively at many factors that influence the physical, social and economic development of the island. In addition to establishing a directed growth strategy to identify areas appropriate for future urbanization and revitalization, the Plan also identifies and addresses key environmental, housing, and economic development issues relevant to Maui's current and future generations. The Plan is intended by the County Council, Planning Department, and Maui Planning Commission as a policy foundation for day-to-day decisions and is specifically intended to be used to assist in reviewing discretionary permits.

The subject parcel is in the MIP Small Town Growth Boundary (Outside Protected Areas). The following MIP goals, objective, policies, implementing actions and/or Chapter 5 provisions are relevant to the proposed project.

Chapter 5, Housing

Goal: 5.1 Maui will have safe, decent, appropriate, and affordable housing for all residents developed in a way that contributes to strong neighborhoods and a thriving island community.

Objective: 5.1.1 More livable communities that provide for a mix of housing types, land uses, income levels, and age.

Policies:

5.1.1.c Discourage gated communities.

5.1.1.e Use planning and regulatory approaches to provide higher housing densities.

Analysis: The property currently has three dwellings that the owners rent out as long-term rentals. The change in zoning would allow potentially more long-term dwelling units to be built and remove additional hardships for the applicant should they decide

to further improve the existing dwellings. This is not a gated community and is in close proximity the Kehalani Village Center.

5. According to the **Wailuku-Kahului Community Plan** the property is identified as Single Family and is consistent with the land use map of the Community Plan. The following Community Plan subjects, goals, objectives, policies, and implementing actions are relevant to the proposed action:

Land Use

Goal

An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives and Policies

10. All zoning applications and/or proposed land uses and developments shall conform with the planned use designations, as specified in the adopted Community Plan Land Use Map, and be consistent with the Community Plan policies.

Analysis: The Change in Zoning will establish consistency between the property's zoning designation and the current Community Plan designations and the existing use of the property. This action will help streamline future requests for improvements to the existing dwellings on the property, since the land use designations will be consistent. The Change in Zoning will also allow for potential future residential development.

6. **Zoning.** The applicant proposes to change the zoning from Agricultural District to R-2 Residential. Maui County Code Section 19.08 Residential Districts would then dictate zoning requirements for the property. R-2 has a minimum lot area of 7,500 square feet. Should the property be subdivided into four 7,500 square foot lots, each would be allowed one single-family dwelling and two accessory dwelling units (Chapter 19.35 Accessory Dwellings). That would make for a total build out potential of four single-family dwellings and eight accessory dwelling units. However, R-2 requires a minimum lot width of 65 ft and if easements are needed, full build out of the lot that might be difficult to achieve. There are other State and County requirements that might also impede subdivision.

Information about Residential zoning is as follows:

Pursuant to Title 19, Chapter 19.510, General Application Procedures, Chapter 19.510.020 Applications which require a public hearing and Section 19.510.040 Change of zoning of the Maui County Code, the appropriate planning commission shall hold a public hearing on all applications for zoning changes and make a recommendation to the County Council. The County Council may grant a change of zoning if all the following criteria are met:

1. *The proposed request meets the intent of the general plan and the objectives and policies of the community plans of the county;*

Analysis: The community plan designation is single family and thus, the change in

zoning will be in conformance with the community plan.

2. *The proposed request is consistent with the applicable community plan land use map of the county;*

Analysis: The community plan land use map shows the property as single family residential.

3. *The proposed request meets the intent and purpose of the district being requested;*

Analysis: The proposed request meets the intent and purpose of the district.

4. *The application, if granted, would not adversely affect or interfere with public or private schools, parks, playgrounds, water systems, sewage and solid waste disposal, drainage, roadway and transportation systems, or other public requirements, conveniences and improvements;*

Analysis: The application, if granted, would not adversely affect or interfere with public requirements, conveniences and improvements as the applicant is currently not proposing to construct additional dwellings on the property. Any future build out of the lot would be assessed for any infrastructure upgrades or fees at the time of the building permit application.

5. *The application, if granted, would not adversely impact the social, cultural, economic, environmental, and ecological character and quality of the surrounding area; and*

Analysis: The application, if granted, would not adversely impact the social, cultural, economic environmental, and ecological character and quality of the surrounding area. Wailuku is composed of older residential areas, intermixed with business uses, varying lot sizes, and street patterns representative of older subdivision practices.

6. *If the application change in zoning involves the establishment of an agricultural district with a minimum lot size of two acres, an agricultural feasibility study shall be required and reviewed by the Department of Agriculture and the United States Soil and Conservation Service.*

Analysis: The application does not involve the establishment of an agricultural district.

Assuming all State and County requirements are met, the Change in Zoning would allow for four main dwellings and two accessory dwelling units to be built on the lot.

ARCHAEOLOGICAL, HISTORIC AND CULTURAL RESOURCES

SHPD reviewed the subject permit application. The proposed ground disturbances include excavations for concrete footings (max. 2 ft. deep).

The existing main dwelling was built in 1952 and it is not listed in the Hawai'i or National Register of Historic Places. HRS § 6E-42.2 exempts all projects involving privately-owned, single-family detached dwelling units or townhouses that are 50 years or older, not listed in or nominated for inclusion in the Hawai'i or National Registers of Historic Places, or not located in a listed historic

district. The building envelope for this one-story, main dwelling unit is exempt from HRS § 6E review.

An archaeological inventory survey (AIS) has not been conducted for the project area or the parcel. However, in 2013, Archaeological Services Hawai'i, LLC (ASH) conducted an AIS of 503-acres adjacent to the current project area. The AIS report (Guerriero et al., September 2017) indicates the field work included a pedestrian survey and the excavation of 141 backhoe test trenches. The AIS identified five historic properties consisting of a complex of irrigation features (SIHP # 50-50-04-07881), a remnant L-shaped wall (SIHP # 50-50-04-07882), a World War II bunker (SIHP # 50-50-04-07883), three historic scatters (SIHP # 50-50-04-07884), and the historic Waihe'e Ditch (SIHP # 50-50-04-05197). The nearest historic properties include the Waihe'e Ditch (SIHP Site 50-50-04-05197), a historic refuse scatter (SIHP Site 50-50-04-07884), a remnant L-shaped retaining wall (SIHP Site 50-50-04-07882), and plantation era ditches (SIHP Site 50-50-04-07881). None of these historic properties will be impacted by the current project.

Based on the information provided, SHPD's determination is "No historic properties affected" for the subject project. Additionally, SHPD has no objections to the change in zoning. (See, **Exhibit 7**).

SHPD requests the construction plans be annotated as follows: "In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division, at (808) 652-1510."

INFRASTRUCTURE AND PUBLIC FACILITIES AND SERVICES

1. **Water.** The subject property is currently on the County water system. The current water usage on the site supports four dwellings and onsite landscaping. The CIZ request was sent to the Water Department but they had no comments. (See, **Exhibit 16**).
2. **Sewers.** The County does not have sewer services to the property. Each home has its own separate cesspool located at the side of each house. R-2 zoning would have a maximum development potential for up to four single-family homes and up to eight ADUs. This would represent up to eight additional units on the site compared to what currently exists. A civil engineer was not retained to conduct a sewage disposal analysis. Any future development of additional homes would require provision of necessary infrastructure improvements, including wastewater infrastructure, either by individual wastewater systems or potential connection to the County wastewater system. The details of such infrastructure connection would be developed in conjunction with plans for additional units. The Department of Health (See, **Exhibit 11**) allows Individual Wastewater Systems (IWS) as no sewer is available in the area.

According to Wastewater Reclamation Division (WWRD) the property is currently in a non-sewered area near the Maui Tropical Plantation business. The property has three cesspools (priority 2) per the state database. An expansion of the sewer system to this area is proposed to commence once the Central Maui Wastewater Treatment Facility is constructed in Waikapū. This expansion is currently targeted for about 2030. Once this sewer expansion is completed the owner will have six months to connect to the County system. WWRD has no objection to the proposed zoning change. (See, **Exhibit 13**).

3. **Drainage.** There is no grading proposed with the change in zoning. The applicant is in the process of applying for a building permit to expand and renovate the main dwelling which will require some grading work but that will be reviewed during the building permit process. The flood zone is X and AE. Most of the property is in Zone X and only a small portion, where there are no structures is in AE. (See, **Exhibit 6**).
4. **Roadways, Curbs, Gutters and Sidewalks.** This is an older neighborhood. The Waikapū Tract 3.535 subdivision was approved in 1969. There are no sidewalks or gutters on Nukuna place, which is a dead-end road with little traffic aside from those who live on the street.

The project was sent to the Department of Fire and Public Safety who had the following comments. The Fire Prevention Bureau recommends meeting the subdivision land use requirements for water supply and access for parcel frontage and any proposed internal roads. (See, **Exhibit 12**).

For R-2 townhouse land use the requirements are:

1. Service roads to proposed properties shall have a clear width of 20 feet, with an all-weather surface relative to grade. Any dead-end roads if greater than 150 feet in length, shall be provided with an approved fire apparatus turn-around. All turns and required turnarounds shall have an outside turning radius of 40.5 feet. The maximum grade for the service roads shall meet the Department of Public Works standards.
2. Water supply for fire protection shall have a minimum flow of 1500 gallons per minute for a two-hour duration with hydrant spacing a maximum of 250 feet between hydrants. Dead-ends shall have a hydrant within 125 feet. Once construction of buildings are planned, there shall be at least one hydrant within 400 feet of any building to be constructed.

Lastly, the Department of Fire & Public Safety will provide formal review comments in response to the subdivision and/or building permit applications.

The Applicant's response can be found in Exhibit 17. The applicant states that the current fire hydrant is on Lehuapueo Place and is about 236.86 ft from the dead end and 385.15 ft to the end of the last house on the property.

The Police Department had the following comments and/or recommendations.

- The project will need to meet minimal standards set forth by county codes and state laws.
- If any roads will be temporarily closed for alternating traffic, we request the project manager utilize flag men to conduct traffic control and have proper signage posted along the routes during construction. (**See, Exhibit 14**).

The applicant reported that there will be no impact to traffic as they have no plans to build new housing on the property. However, as a result of rezoning, this property will have the possibility of building an additional eight dwelling units. This may increase traffic by the number of future tenants that may reside there, should the property ever be built to capacity. The request for a change in zoning was sent to the Department of Transportation

Maui Highways and they had no comments for this application. (**See, Exhibit 9**).

5. **Electrical and Telephone.** Maui Electric services the property and Hawaiian Telecom has fiber and phone lines to the property.
6. **Parks.** The Waikapū area has the Waikapū Community Center and Park. The proposed use is not of a scope or in a location that would affect this facility.
7. **Schools.** The region is served by the Hawai'i Department of Education. The change in zoning will create a potential to build an additional eight dwelling units whose residents may in the future be served by neighborhood schools, however no significant impacts are anticipated.
8. **Solid Waste.** The nearest landfill site is Central Maui Landfill. The solid waste generated by the existing houses is accounted for.
9. **Public Services.** The property is served by the Wailuku Fire Station, approximately 2.9 miles away from the property. The applicant states that the current fire hydrant is on Lehuapueo Place and is about 236.86 ft from the dead end and 385.15 ft to the end of the last house on the property.

The site is served by Wailuku Public Library.

The site is served by the Wailuku Police Station.

The nearest hospital facility is Maui Memorial Hospital Medical Center.

SOCIO ECONOMIC IMPACTS

The effect of rezoning the subject property on Waikapū's population will be negligible. The CIZ offers potential for more long-term residential housing to be developed assuming infrastructure and other State and County requirements are met.

Community services are characterized as social services for the young or elderly, those needing help with paying rent, vocational training, schools, shelter needs, healthcare, etc. Changing the zoning of this property is not anticipated to either increase or decrease the demand for community services to a substantial effect. The Community Plan has designated this area as single-family.

ENVIRONMENTAL IMPACTS

There should be no environmental impacts with the change in zoning. Future construction on the property due to the change in zoning will be short term noise and air quality impacts during the construction phases of future projects. Best management practices should be incorporated in accordance with Federal, State and County standards. The property is located in flood zones X and AE. However, the AE portion is only a small corner of the property that does not have any buildings.

The nearest historic properties include the Waihe'e Ditch (SIHP Site 50-50-04-05197), a historic refuse scatter (SIHP Site 50-50-04-07884), a remnant L-shaped retaining wall (SIHP Site 50-50-04-

07882), and plantation era ditches (SIHP Site 50-50-04-07881). None of these historic properties will be impacted by the current project.

There are no impacts to scenic resources with this project.

The property is far from the shoreline and no impacts to marine resources are anticipated with the rezoning of this property. The site is already developed with four dwellings and as a result there will be no loss of open space resources. If the property is built out to its full potential it has the possibility to increase the housing density by eight units.

Short term impacts may occur with the planned renovation of the main buildings and improvements to the site.

For further information, see **Exhibit 18** for the change in zoning application and revisions in **Exhibit 19**.

OTHER GOVERNMENTAL APPROVALS, REGULATIONS, POLICIES, PLANS

The change in zoning to use the site for residential purposes will require review by the Maui Planning Commission, and ultimately the passing of an ordinance by the Maui County Council.

Building permits will need to be obtained in accordance with Maui County Code for renovations to the existing structures and construction of any new structures.

TESTIMONY

As of October 18, 2024, the Planning Department has received no testimony regarding this application.

ALTERNATIVES

- **Deferral.** The Commission may defer action to another meeting date in order to obtain additional information that will assist in their deliberation on the request.
- **Recommend Approval With No Conditions.** The Commission may recommend to the Maui County Council, approval of the request without any conditions.
- **Recommend Approval With Conditions.** The Commission may recommend to the Maui County Council, approval of the request with conditions.
- **Recommend Denial.** The Commission may recommend to the Maui County Council, denial of the request.

CONCLUSIONS OF LAW

Pursuant to Sections 19.510.040 and 19.510.050 of the Maui County Code, the proposed request meets the criteria for a Change in Zoning as follows: 19.510, Section 19.510.040

1. *The proposed request meets the intent of the general plan and the objectives and policies of the community plans of the county;*
2. *The proposed request is consistent with the applicable community plan land use map of the county;*
3. *The proposed request meets the intent and purpose of the district being requested;*
4. *The application, if granted, would not adversely affect or interfere with public or private schools, parks, playgrounds, water systems, sewage and solid waste disposal, drainage, roadway and transportation systems, or other public requirements, conveniences, and improvements;*
5. *The application, if granted, would not adversely impact the social, cultural, economic, environmental, and ecological character and quality of the surrounding area.*

Conclusion: The Title 19 Change in Zoning will change the zoning from Agricultural District to R-2 Residential. The Applicant's proposed action is consistent with and is supported by the above listed criteria for a CIZ pursuant to, Maui County Code, Title 19, Chapter 19.510, Section 19.510.040, Change in Zoning.

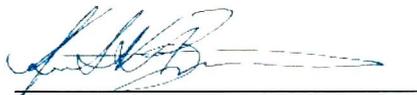
RECOMMENDATION

CHANGE IN ZONING

The Planning Department recommends that the Maui Planning Commission recommend "approval" to the Maui County Council for the CIZ from Agricultural District to R-2 Residential.

In consideration of the foregoing, the Planning Department recommends that the Maui Planning Commission adopt the Planning Department's Report and Recommendation prepared for the November 12, 2024, meeting as the Findings of Fact, Conclusion of Law and Decision and Order and authorize the Director of Planning to transmit said Report and Recommendation to the Maui County Council.

APPROVED:



KATE L. K. BLYSTONE
Planning Director

Exhibit 1

Location Maps

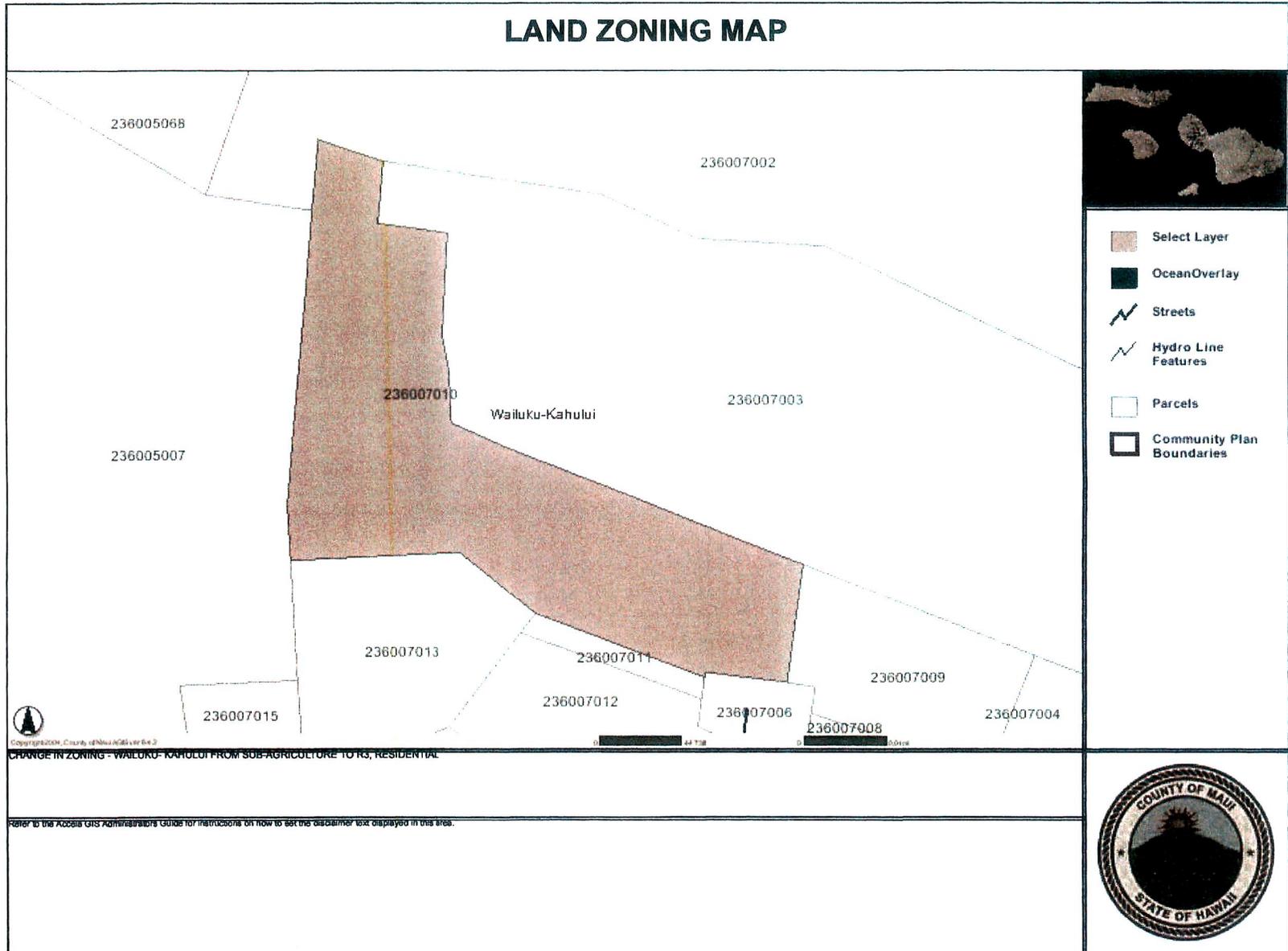
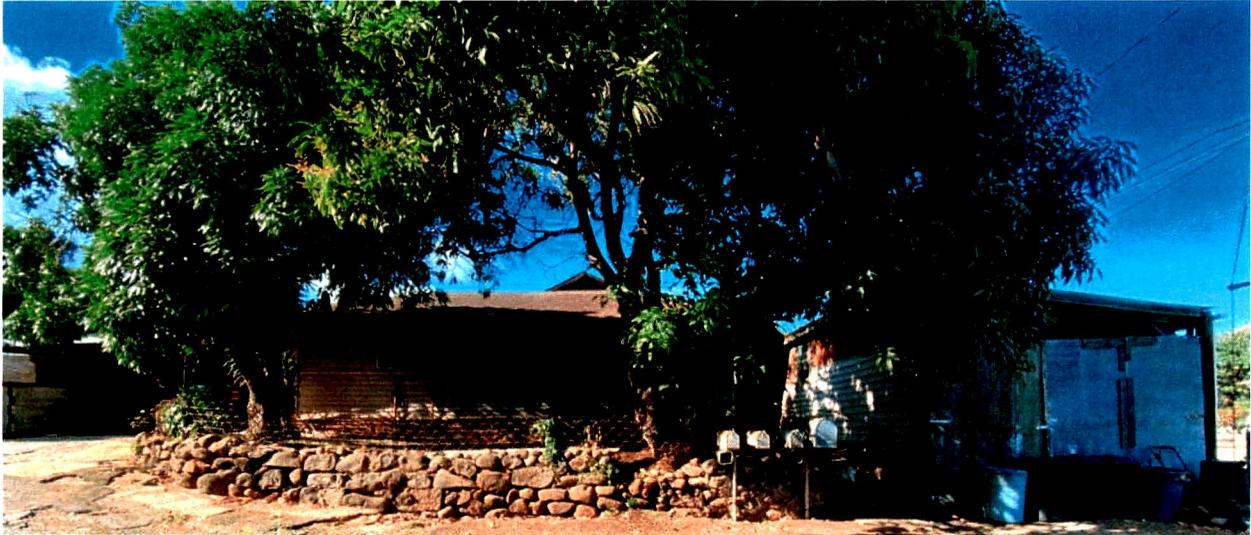


Exhibit 2

Site Survey

Exhibit 3 Site Photographs

D19. Dated photographs of site structure.



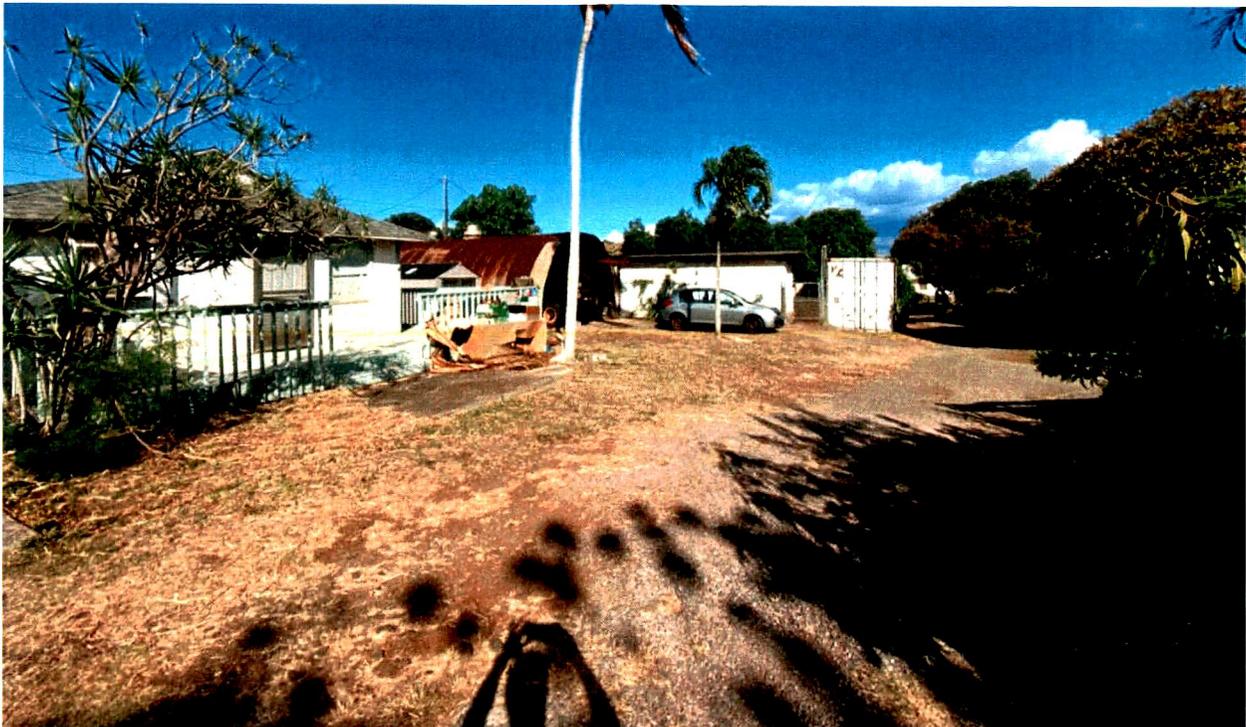
1. Photo taken from Nukuna Place facing the main house. Photo taken 12 September 2021.



2. Photo taken at end of private road facing the three Ohana units. Nukuna place is behind the photographer. Photo taken 12 September 2021.



3. Photo taken at the far end of the property facing the end of the property. The three Ohana units are behind the photographer. Photo taken 12 September 2021.



4. Photo taken from corner of property facing the private road. Ohana Unit B, behind photographer, Ohana Unit A on the left of the picture. Photo taken 12 September 2021.

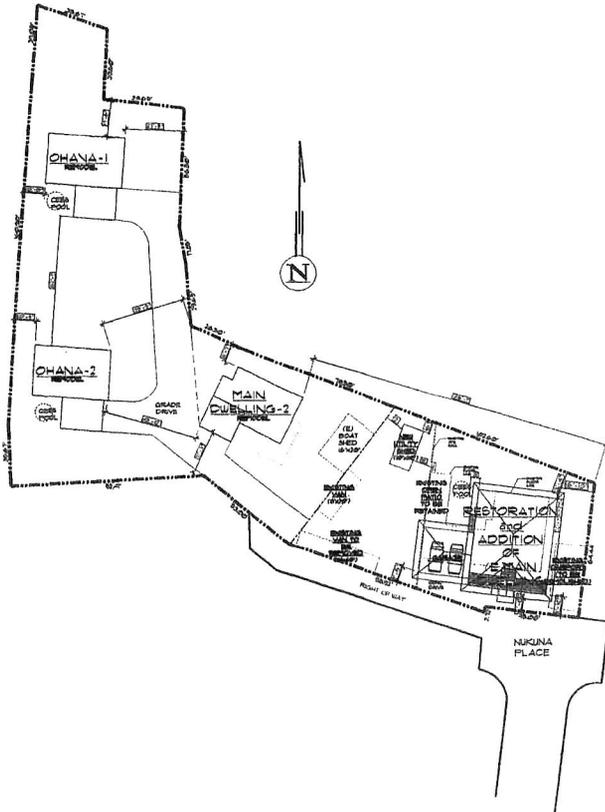
Attachment E: D19 – Additional Photo of the Property



Exhibit 4
Architectural Plans

CONSTRUCTION DRAWINGS FOR:
GARNER RESIDENCE

1550 NUKUNA PLACE
WAILUKU, HI 96793
TMK: (2) 3 - 6 - 007.010
LOT AREA 30922 SF.



1 **PLOT PLAN**
SCALE: 1"=25'-0"

NOTE:
IT IS THE CONTRACTOR'S AND/OR OWNER'S RESPONSIBILITY TO NOTIFY THE SPECIAL INSPECTOR IN ADVANCE OF WHEN THE INSPECTIONS ARE REQUIRED. THE CONTRACTOR'S AND/OR OWNER SHALL NOT COVER ANY WORK THAT REQUIRES INSPECTION BEFORE THE INSPECTOR APPROVES THE WORK.

THE SPECIAL INSPECTOR SHALL...

1. OBSERVE WORK FOR CONFORMANCE WITH APPROVED DESIGN DRAWINGS AND SPECIFICATIONS.
2. FURNISH INSPECTION REPORTS. ALL DISCREPANCIES SHALL BE BROUGHT TO THE SPECIFIC ATTENTION OF THE CONTRACTOR/OWNER FOR CORRECTION.
3. SUBMIT A FINAL BONDED REPORT.

INSPECTION NOTES:

1. ALL MAUI COUNTY COURSE OF CONSTRUCTION INSPECTIONS SHALL BE DONE IN A TRULY MANNER. IT IS THE RESPONSIBILITY OF THE OWNER TO CALL FOR THESE INSPECTIONS.
2. IN ADDITION TO THE COUNTY OF MAUI COURSE OF CONSTRUCTION INSPECTIONS, SHEAR DIAGRAM AND LOAD PATH SPECIAL INSPECTIONS ARE REQUIRED.
3. BEFORE CONSTRUCTION BEGINS IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONTACT CMA, INC. A 808-810-3374 TO VERIFY THE INSPECTIONS REQUIRED FOR THIS PROJECT.
4. SAID INSPECTIONS ARE NOT WITHIN THE SCOPE OF THE ARCHITECT'S SERVICES AND SHALL BE PROVIDED BY THE GENERAL CONTRACTOR UNDER A SEPARATE CONTRACT WITH A QUALIFIED INSPECTOR OF HIS/HER CHOICE.

BUILDING CODE REQUIREMENTS FOR SPECIAL INSPECTIONS

THE SPECIAL INSPECTOR SHALL PROVIDE INSPECTIONS DURING CONSTRUCTION FOR THE FOLLOWING TYPES OF WORK:

| ITEM NO. | TYPE OF WORK |
|----------|--|
| 1 | CONCRETE CONSTRUCTION (HOUSE, GARAGE) |
| 2 | CONCRETE CONSTRUCTION (HOUSE, GARAGE, STORAGE and POOL) |
| 3 | MASONRY CONSTRUCTION (SITE WALLS, HOUSE, GARAGE, STORAGE and POOL) |
| 4 | WOOD CONSTRUCTION (HOUSE, GARAGE and STORAGE) |
| 5 | COMPLETE LOAD PATH AND WIND RES. (HOUSE, GARAGE and STORAGE) |

COUNTY OF MAUI
MAUI COUNTY CODE CHAPTER 61.03 ENERGY CODE
RESIDENTIAL PROVISIONS
COMPLIANCE METHOD
CHECK APPLICABLE METHOD

R421.21 R421.21 THROUGH R424 (PRESCRIPTIVE)
 R421.21 R424, R424 THROUGH R424 Labeled MANDATORY (Simplified PERFORMANCE ALTERNATIVE)
 R421.21 R424 (ENERGY RATED) INDEX COMPLIANCE ALTERNATIVE
 R421.21 R421.21 THROUGH R424 (ENERGY RATED) INDEX COMPLIANCE ALTERNATIVE
 R421.21 R421.21 THROUGH R424 (ENERGY RATED) INDEX COMPLIANCE ALTERNATIVE
 R421.21 R421.21 THROUGH R424 (ENERGY RATED) INDEX COMPLIANCE ALTERNATIVE

TO THE BEST OF MY KNOWLEDGE, THIS PROJECT'S DESIGN SUBSTANTIALLY COMPLIES WITH THE ENERGY CODE.

Distribution: *[Signature]* Date: 8/21/2020
 Name: *[Signature]*
 Title: *[Signature]*
 License No.: 7280A

NOTE: VERIFY ALL LOT DIMENSIONS FOR ITS CORRECTNESS PRIOR TO PROCEEDING WITH WORK. ALL WORK TO CONFORM TO CURRENT CODES AND MAUI COUNTY.

GENERAL CONDITIONS

A. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE COVENANTS AND REGULATIONS OF THE SUBDIVISION AND COMPLY WITH THEM AS THEY RELATE TO HIS WORK.

1. ALL DETAILS, SECTIONS, AND NOTES SHOWN ON THE DRAWINGS ARE TYPICAL & SHALL APPLY TO SIMILAR SITUATIONS ELSEWHERE UNLESS NOTED OTHERWISE.

2. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS & CONDITIONS AT THE SITE PRIOR TO COMMENCEMENT OF CONSTRUCTION.

3. ALL OMISSIONS OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS OF THE WORKING DRAWINGS AND/OR THE SPECIFICATION SHALL BE BROUGHT TO THE ATTENTION OF THE CONSULTANT BEFORE PROCEEDING WITH ANY OF THE WORK.

4. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE 2006 INTERNATIONAL BUILDING CODE IN EFFECT AT THE TIME WITH LOCAL AMENDMENTS.

D. SUPPLEMENTARY CONDITIONS:

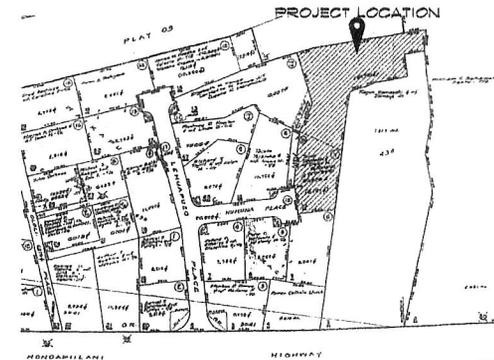
1. CONTRACTOR SHALL CONFORM HIS CONSTRUCTION OPERATION, MATERIALS, EQUIPMENT, AND APPLIANCES TO WITHIN THE SUBJECT PROPERTY AND TAKE MEASURES TO PROTECT THE PUBLIC FROM INJURY OR HARM.

7. TEMPORARY TOILET, WATER AND ELECTRICAL SERVICES, BARRICADES FOR TEMPORARY FACILITIES AND SERVICES AND PAY ALL EXPENSES IN CONNECTION THEREWITH.

3. DISCREPANCIES IN THE EVENT OF A DISCREPANCY IN THE DOCUMENTS, IMMEDIATELY NOTIFY THE CONSULTANT FOR A DECISION BEFORE PROCEEDING WITH THE WORK. WORK CARRIED OUT DISREGARDING THESE INSTRUCTIONS, IS SUBJECT TO REMOVAL AND REPLACEMENT AT THE EXPENSE OF THE CONTRACTOR.

4. COMPLIANCE WITH GOVERNING LAWS AND REGULATIONS. ALL WORK SHALL BE IN CONFORMANCE WITH THE LATEST ADOPTED 2006 INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS, THE MAUI COUNTY PLUMBING & ELECTRICAL CODES, REGULATIONS, AND ALL APPLICABLE ORDINANCE/REGULATIONS.

8. THE OWNER SHALL OBTAIN ALL APPROVALS FROM ANY CURRENT HOME OWNERS ASSOCIATION IN EFFECT AND BE RESPONSIBLE TO OBTAIN HOME PER THEIR APPROVAL.



2 **VICINITY MAP**
NOT TO SCALE

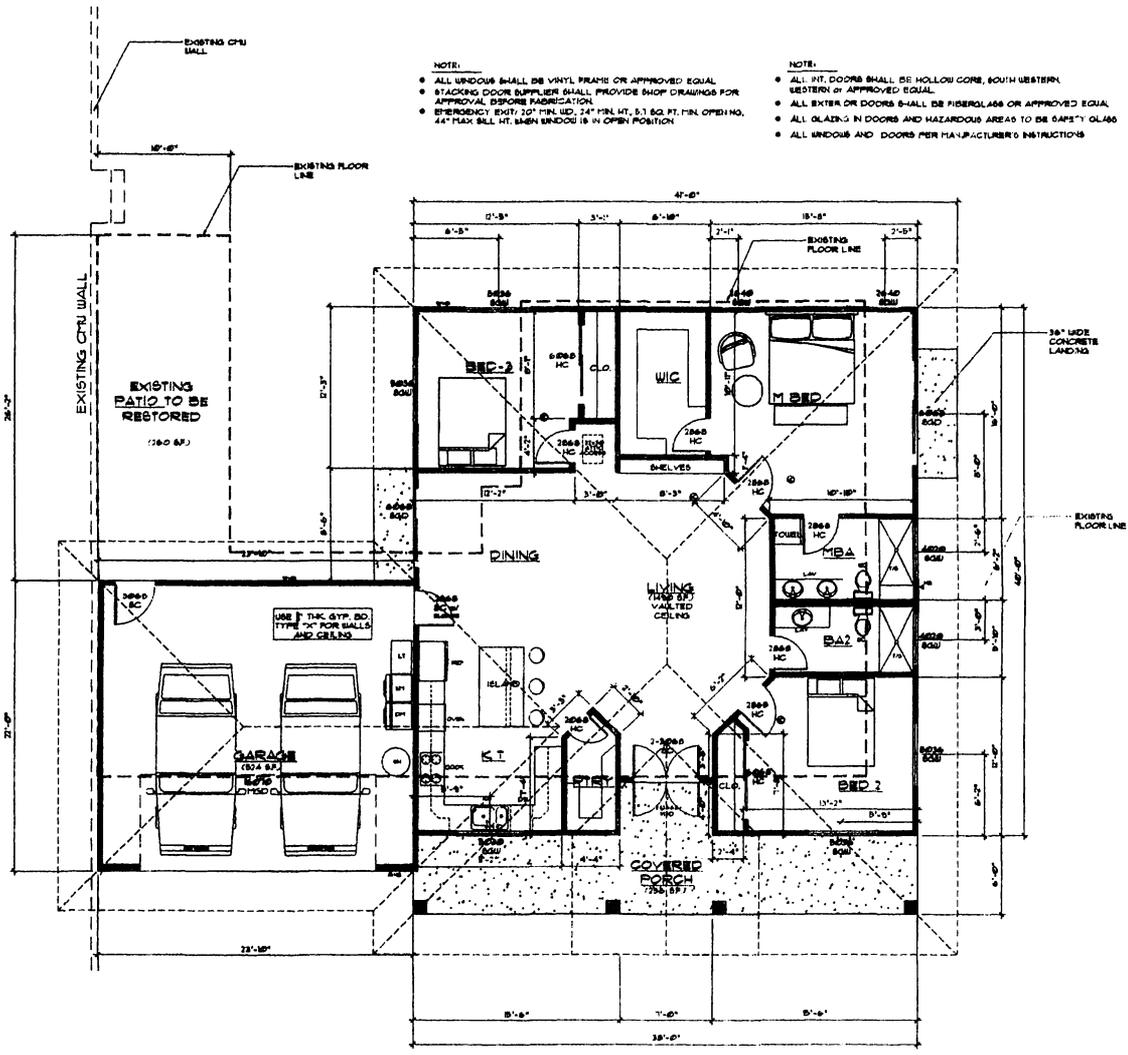
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| | | The work was prepared by an architect registered and licensed by the State of Hawaii. License No. 7280A Date: 8/21/2020 | CONSTRUCTION DRAWING FOR: GARNER RESIDENCE | DATE: AUGUST 10, 2020 SCALE: NOTED DRAWN: NIK JOB: GARNER SHEET: A1 |
| | | | 1550 NUKUNA PLACE WAILUKU, HI 96793 TMK: 3 - 6 - 07.010 | |

MAIN DWELLING FLOOR AREA CALCULATIONS

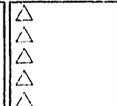
| | |
|---------------|-----------------|
| LIVING | 1490 SF. |
| CARPORT | 534 SF. |
| COVERED PORCH | 728 SF. |
| TOTAL | 2752 SF. |

- NOTE:
- ALL WINDOWS SHALL BE VINYL FRAME OR APPROVED EQUAL
 - SLIDING DOOR SUPPLIER SHALL PROVIDE SHOP DRAWINGS FOR APPROVAL BEFORE FABRICATION
 - EMERGENCY EXIT: 20" MIN. HD., 24" MIN. HT., 5.1 SQ. FT. MIN. OPENING, 44" MAX. BALL HT. WHEN WINDOWS IS IN OPEN POSITION

- NOTE:
- ALL INT. DOORS SHALL BE HOLLOW CORE, SOUTH WESTERN WESTERN OR APPROVED EQUAL
 - ALL EXTER. OR DOORS SHALL BE FIBERGLASS OR APPROVED EQUAL
 - ALL GLAZING IN DOORS AND HAZARDOUS AREAS TO BE SAFETY GLASS
 - ALL WINDOWS AND DOORS PER MANUFACTURERS INSTRUCTIONS



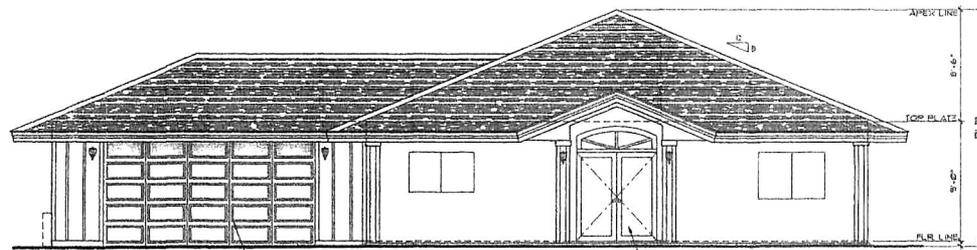
MAIN DWELLING FLOOR PLAN
SCALE: 1/8" = 1'-0"



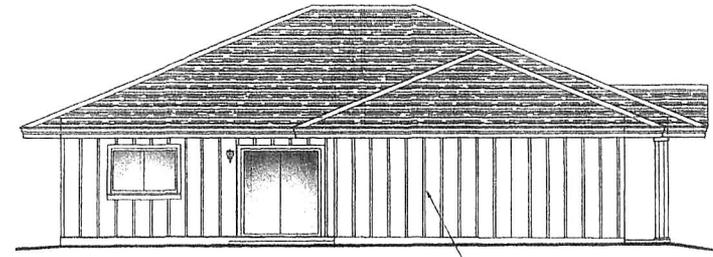
This work was prepared by me or under my direct supervision and I am a duly Licensed Professional Engineer in the State of Hawaii.

CONSTRUCTION DRAWING FOR
GARNER RESIDENCE
1550 NUKUNA PLACE
WAILUKU HI 96793
TRK 3 - 6 - 01 010

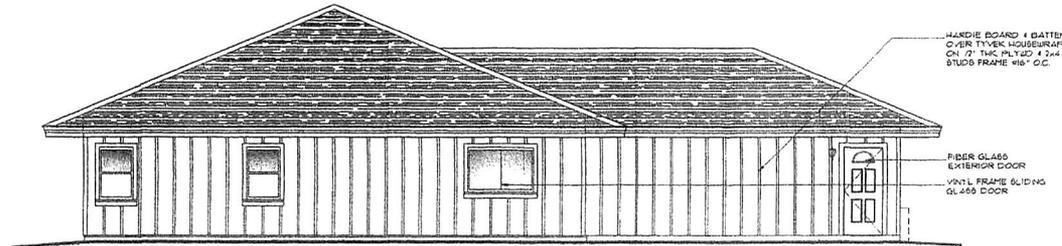
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| SCALE: NOTED |
| DRAWN: NGA |
| JOB: GARNER |
| SHEET: A2 |



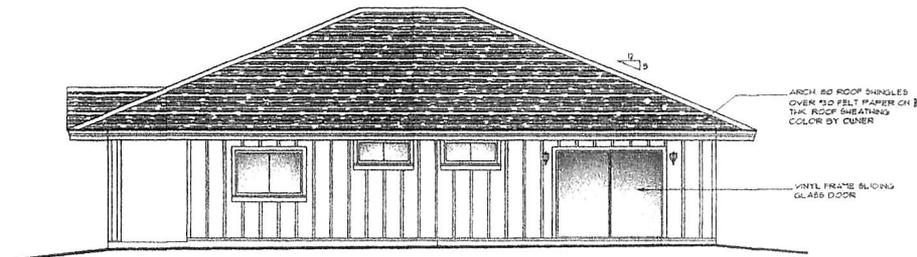
FRONT



LEFT



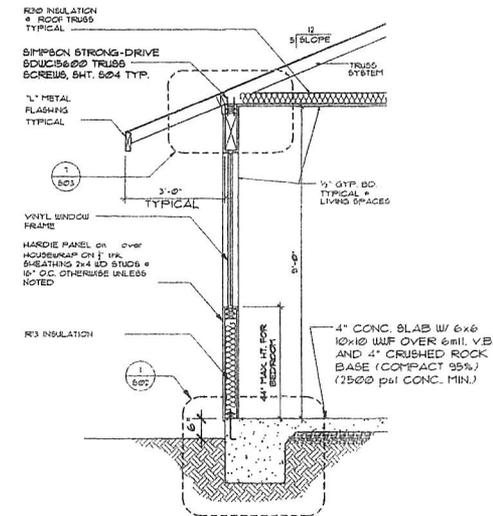
REAR



RIGHT

1 MAIN DWELLING EXTERIOR ELEVATIONS

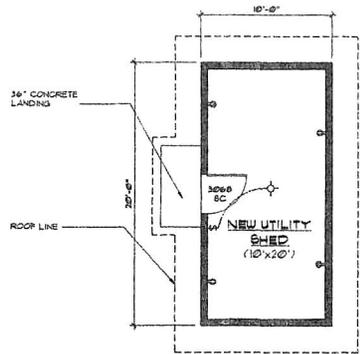
SCALE 1/4" = 1'-0"



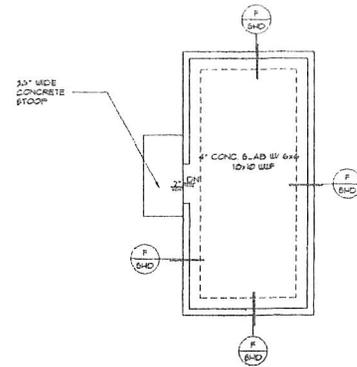
2 MAIN DWELLING TYP. 1-STORY WALL SECTION
3/8" SCALE

| | | | | | |
|--|--|--|--|-----------------------|--------|
| | | This work was prepared by me or under my direct supervision and I am a duly Licensed Professional Engineer in the State of Hawaii. My License No. is 7303. I am not providing any services in any other state. | CONSTRUCTION DRAWING FOR: | DATE: AUGUST 10, 2020 | |
| | | | GARNER RESIDENCE | SCALE: | NOTE: |
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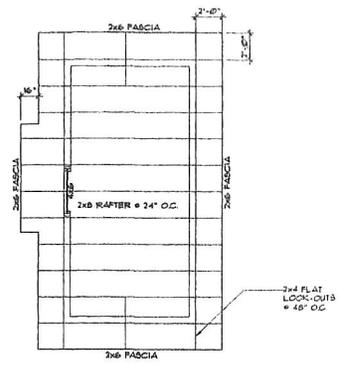
A3



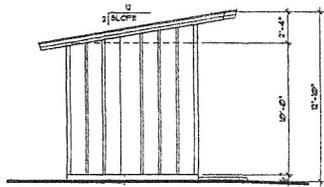
1 UTILITY SHED FLOOR PLAN
SCALE: 1/4"=1'-0"



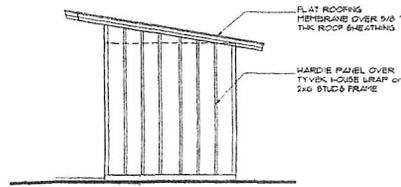
2 UTILITY SHED FOUNDATION PLAN
SCALE: 1/4"=1'-0"



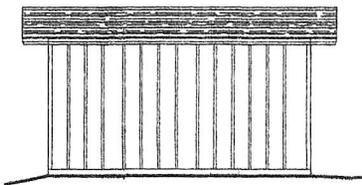
3 UTILITY SHED ROOF FRAMING PLAN
SCALE: 1/4"=1'-0"



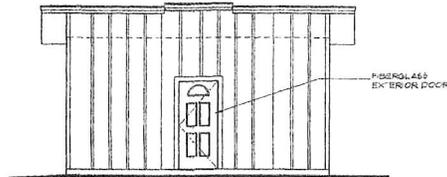
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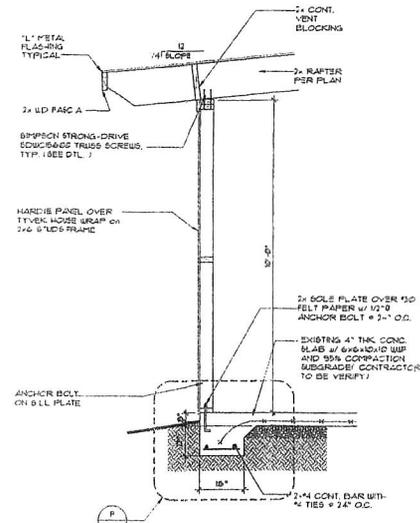


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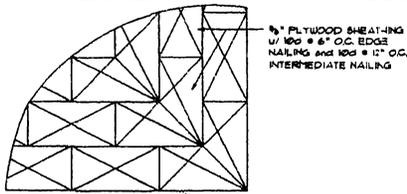
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4 UTILITY SHED EXTERIOR ELEVATIONS
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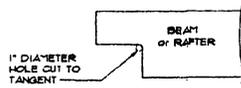


5 UTILITY SHED EXT. WALL SECT.
SCALE: 3/4"=1'-0"

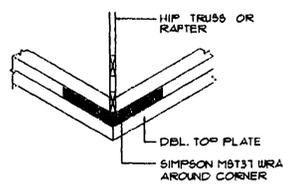
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| | | CONSTRUCTION DRAWING FOR | | DATE: AUGUST 15, 2020 |
| | | GARNER RESIDENCE | | SCALE: NOTED |
| 1550 HUKUNA PLACE WAILUKU, HI 96793 TMK 2-6-071-010 | | | DRAWN: FICAL JOB: GARNER SHEET: | A8 |



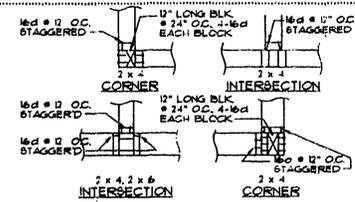
1 TYPICAL PLYWOOD SHEATHING AT ROOF
NOT TO SCALE



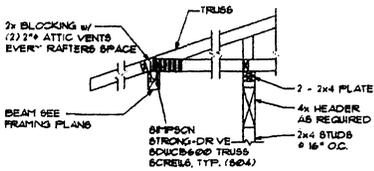
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NOT TO SCALE



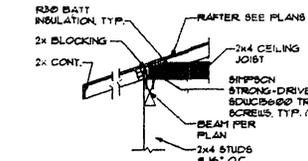
3 MET 37 @ ALL BUILDING EXT. CORNERS, TYP.
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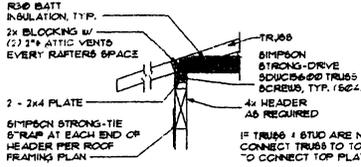
4 TYPICAL STUD WALL CORNER and INTERSECT.
NOT TO SCALE



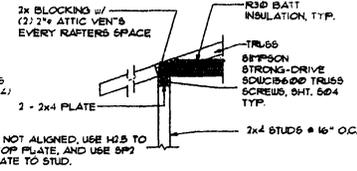
5 WALL FRAMING at BEAM
3/4\"/>



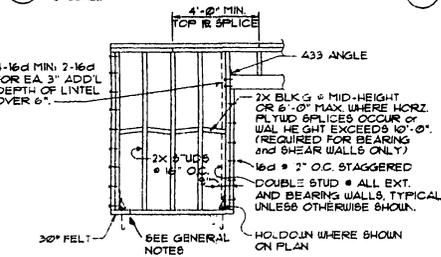
6 TYPICAL SECTION at SUPPORT and OHANG
3/4\"/>



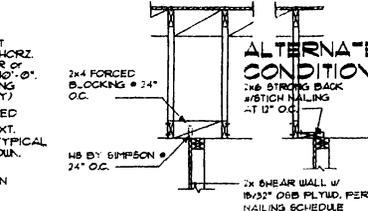
7 WALL FRAMING at TRUSSES
3/4\"/>



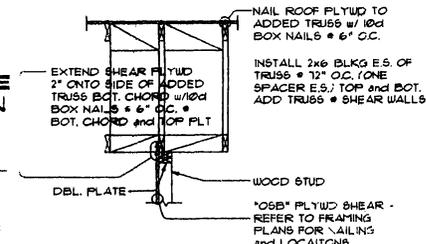
8 STUD WALL PARALLEL TO RAFTERS
3/4\"/>



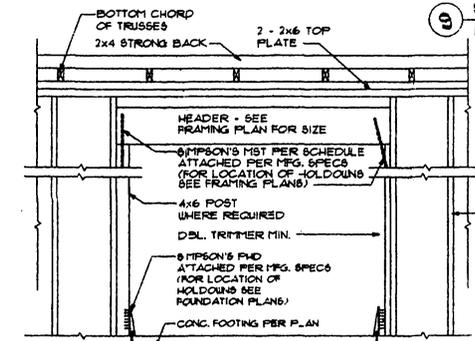
9 STUD WALL FRAMING DET.
NOT TO SCALE



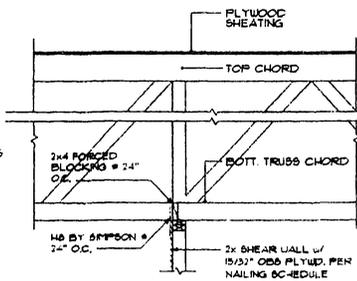
10 SHEAR WALLS PARALLEL TO TRUSSES
NOT TO SCALE



11 SHEAR WALLS PARALLEL TO TRUSSES
NO SCALE

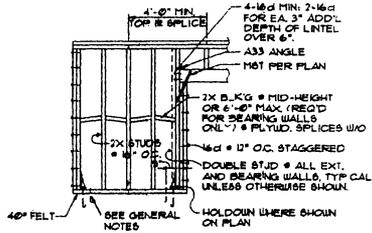


12 TYPICAL WOOD WALL FRAMING
SCALE: 3/4\"/>

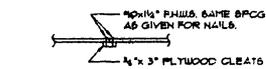
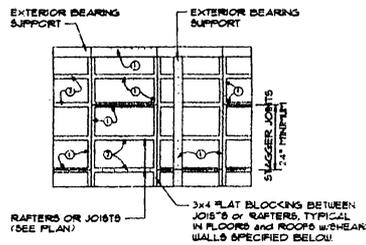


13 SHEAR WALLS PERPENDICULAR TO TRUSSES
NOT TO SCALE

| | | | |
|--|--|---|--|
| | | CONSTRUCTION DRAWING FOR GARNER RESIDENCE 1500 NIHUNA PLACE WAILUKU, HI 96753 THK 3 - 6 - 07 - 010 | DATE: AUGUST 10 2007 SCALE: NOTED DRAWN: MVA JOB: GARNER SHEET: S02 |
| | | DATE: AUGUST 10 2007 SCALE: NOTED DRAWN: MVA JOB: GARNER SHEET: S02 | |



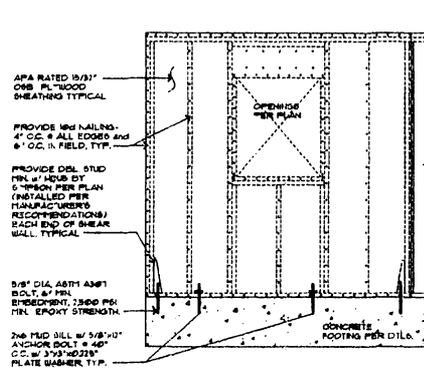
1 STUD WALL FRAMING DET.
NOT TO SCALE



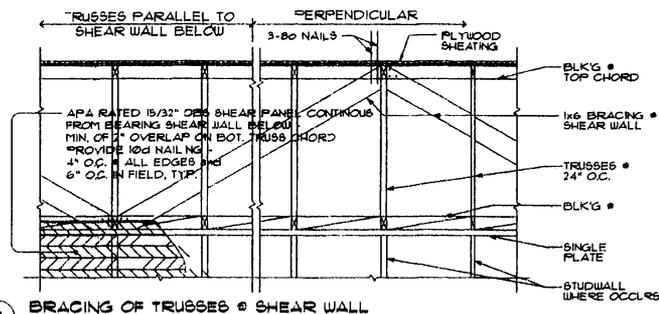
ALTERNATE PLYWOOD EDGE BLOCKING FOR ROOF SHEATHING

- NOTES:
- A. 1) EDGE NAILING (ENJ) AT ALL EDGES OF PLYWOOD SHEETS AND AT BEARING SUPPORTS, SEE PLANS.
 - B. 2) INT. NAILING @ 12" O.C. TYP. USE SAME SIZE AS EN.
 - C. SEE PLAN FOR PLY. THICKNESS AND NAILING SCHED.
 - D. FACE GRAIN SHALL BE PERPENDICULAR TO JOIST/RAFTER.
 - E. MIN. EDGE DIST. FOR NAILS SHALL BE 1/2".
 - F. 2" SOLID BLK.G MAY BE SUBSTITUTED FOR 3"x 4" BLK.G.
 - G. SIMPSON CLIPS MAY BE SUBSTITUTED FOR BLK.G.
 - H. MIN. SIZE OF PLY. SHEET SHALL BE 24' X 48'.
 - I. NAILS SHALL NOT BE OVER-DRIVEN THRU TOP LAYER OF PLY. SHEET.
 - J. T and G EDGE SHALL BE NAILED PERPENDICULAR TO SUPPORTING MEMBERS.

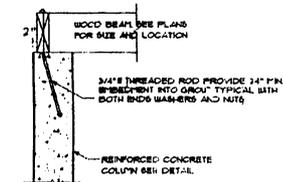
3 EDGE NAILING AND SHEATHING REQUIREMENTS
NOT TO SCALE



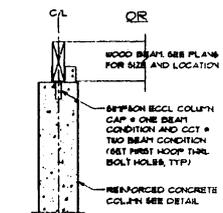
2 SINGLE STORY SHEAR WALL DETAILS
NOT TO SCALE



4 BRACING OF TRUSSES @ SHEAR WALL
SCALE: 1/2" = 1'-0"



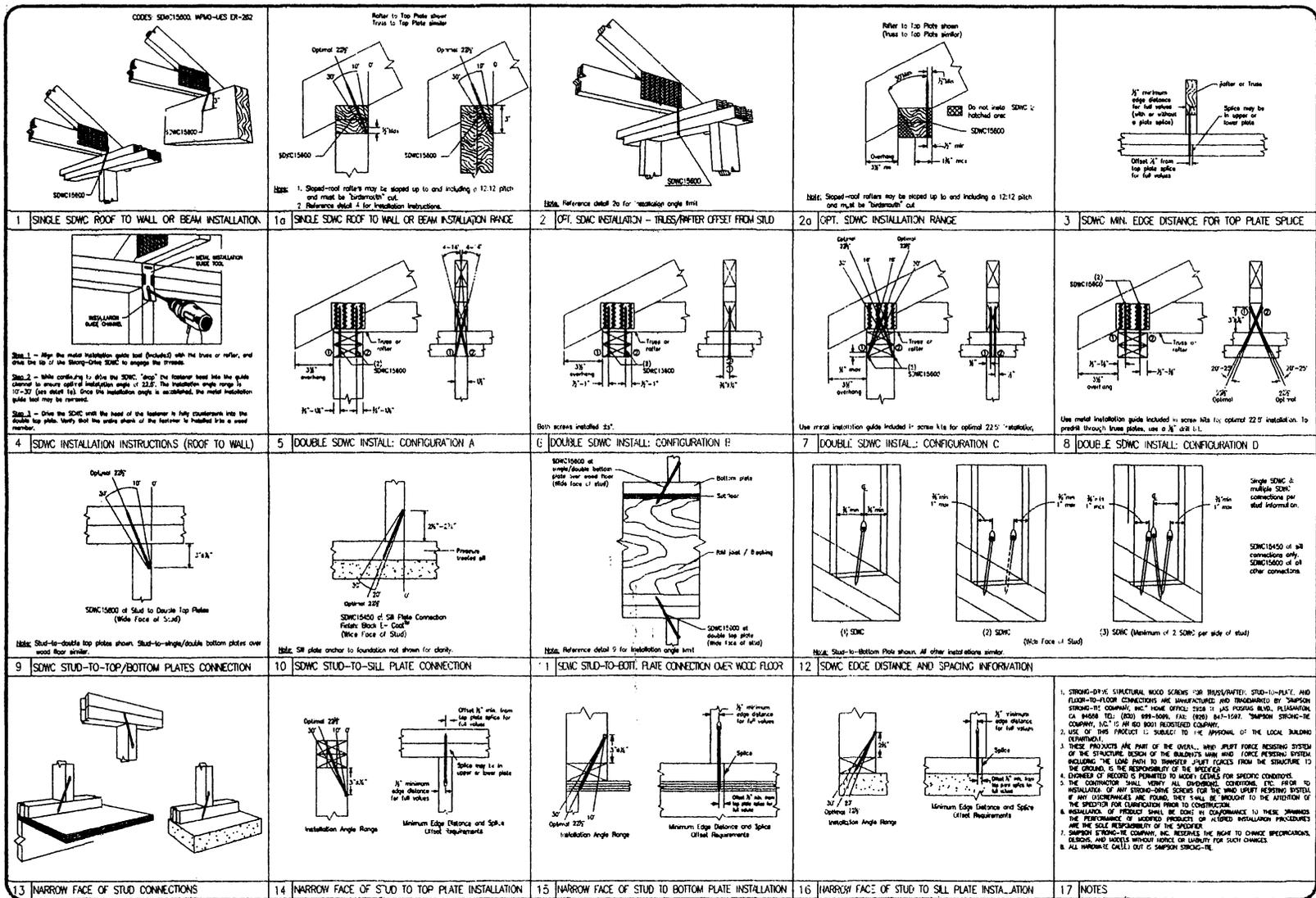
ANCHOR BOLT CONNECTOR



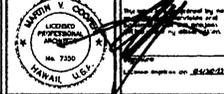
SIMPSON CONNECTOR

5 TYP. CONC. COLUMN & BEAM CONN. DTLS.
NOT TO SCALE

| | | | |
|---|--|--|--|
| | | | |
| CONSTRUCTION DRAWING FOR GARNER RESIDENCE 1550 HUKUNA PLACE WAILUKU, HI 96793 THK 3 - 6 - 2011 - 010 | | | |



WIND UPLIFT RESISTING STRONG-DRIVE® SCREW FASTENING SYSTEMS



CONSTRUCTION DRAWING FOR:
GARNER RESIDENCE
1550 HAWAIIAN PLACE
WAILUKU, HI 96793
TMK 3 - 6 - 011 0 0

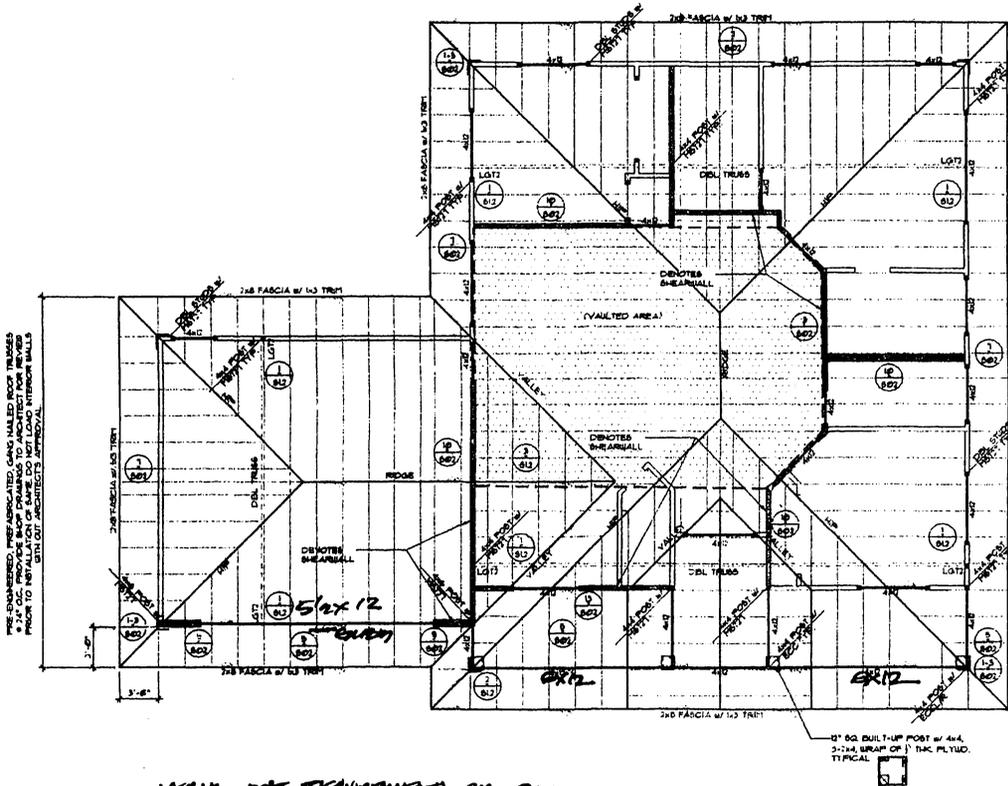
DATE: AUGUST 16, 2017
SCALE: NOTED
DRAWN: HGA
JOB: GARNER
SHEET: 504

- LEGEND:**
- SHEAR AND/OR BEARING WALL
 - DOUBLE UD, STUD
 - UD POST
 - VAULTED CEILING

NOTES:

1. STRONG-DRIVE STRUCTURAL LOAD SCREWS FOR TRUSS-TO-FLOOR AND FLOOR-TO-FLOOR CONNECTIONS ARE MANUFACTURED BY BRIFCON STRONG-TIE COMPANY, INC. HOME OFFICE: 8884 U LAD, MORTARA, BLDG. PLACAMTON, CA 94860 TEL: (925) 946-8884 FAX: (925) 947-0887 BRIFCON STRONG-TIE COMPANY, INC. IS AN ISO 9001 REGISTERED COMPANY.
2. USE OF THIS PRODUCT IS SUBJECT TO THE APPROVAL OF THE LOCAL BUILDING DEPARTMENT.
3. THESE PRODUCTS ARE PART OF THE OVERALL WIND UPLIFT RESISTING SYSTEM OF THE STRUCTURE. DESIGN OF THE BUILDING'S MAIN WIND UPLIFT RESISTING SYSTEM, INCLUDING THE LOAD PATH TO TRANSFER UPLIFT FORCES FROM THE STRUCTURE TO THE GROUND, IS THE RESPONSIBILITY OF THE SPECIFIER.
4. ENGINEER OF RECORD IS PERMITTED TO MODIFY DETAILS FOR SPECIFIC CONDITIONS.

THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS ETC. PRIOR TO INSTALLATION OF ANY STRONG-DRIVE SCREWS FOR THE WIND UPLIFT RESISTING SYSTEM. IF ANY DISCREPANCIES ARE FOUND, THEY SHALL BE BROUGHT TO THE ATTENTION OF THE SPECIFIER FOR CLARIFICATION PRIOR TO CONSTRUCTION. INSTALLATION OF PRODUCT SHALL BE DONE IN CONFORMANCE TO THESE DRAWINGS, THE PERFORMANCE OF HOOPED PRODUCTS OR ALTERED INSTALLATION PROCEDURES ARE THE SOLE RESPONSIBILITY OF THE SPECIFIER. BRIFCON STRONG-TIE COMPANY, INC. RESERVES THE RIGHT TO CHANGE SPECIFICATIONS, DETAILS, AND MODELS WITHOUT NOTICE OR LIABILITY FOR SUCH CHANGES. ALL HARDWARE CALLED OUT IS BRIFCON STRONG-TIE.



Verify post requirements on S1.1

MAIN DWELLING ROOF FRAMING PLAN

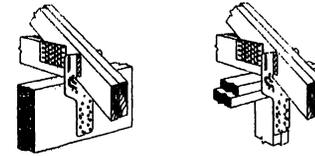
ALL NON-BRIFCON BOLTED CONNECTIONS SHALL BE 1/2" SHOT BARRICATED A508 KIP STEEL W/4 MINIMUM OF (3) 1/2" A325 BOLTS PER PLANE AND PERPENDICULAR TO BEAM OR BEAR TO POST CONNECTIONS WILL BE ACCEPTED UNLESS SPECIFICALLY CALLED OUT ON THE DRAWINGS. ALL TRUSSES SHALL BE PRE-ENGINEERED. PROVIDE SHOP DRAWINGS TO ARCHITECT FOR REVIEW AND APPROVAL. DO NOT LOAD INTERIOR WALLS WITH ROOF OR TRUSS. PROVIDE SHOP ARCHITECT OR STRUCTURAL ENGINEER'S APPROVAL. ALL EXTERIOR ROOF SHEATHING SHALL BE 1/2" CDX EXTERIOR PLYWOOD SHEATHING 48" EDGE AND 8" FIELD NAILING WITH CORROSION NAILS 28" X 213" IN SIZE TYPICAL. PROVIDE SHOP DRAWINGS FOR ALL STL TO STL AND STL TO MASONRY CONNECTIONS.

NOTICE

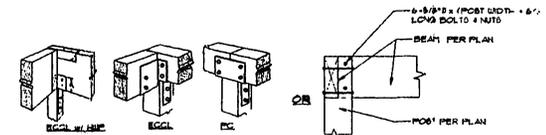
ALL HEADERS 4x12 DPM UNO.

THE CONTRACTOR SHALL REVIEW THE REQUIREMENTS IN THE STRUCTURAL SYSTEM OF THIS RESIDENCE AND MEET WITH THE ARCHITECT ON SITE TO CONFIRM STRUCTURAL DESIGN MEETS THE CODE. ANY CHANGES RECOMMENDED BY THE CONTRACTOR SHALL BE SUBMITTED TO THE ARCHITECT IN WRITING, A MINIMUM OF 5 BUSINESS DAYS PRIOR TO PROPOSED INSTALLATION OF SAME.

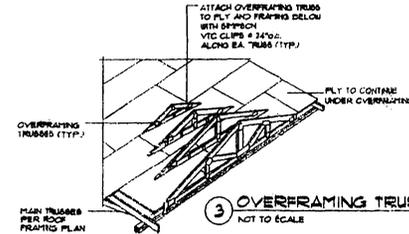
SCALE: 1/4"=1'-0"



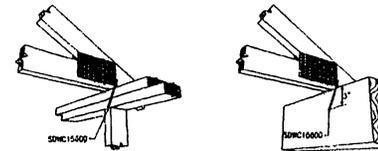
1 LGT2 INSTALLATION UD TO UD. NOT TO SCALE



2 UD POST CAPS INSTALLATION ON NOT TO SCALE



3 OVERFRAMING TRUSS DETAIL NOT TO SCALE



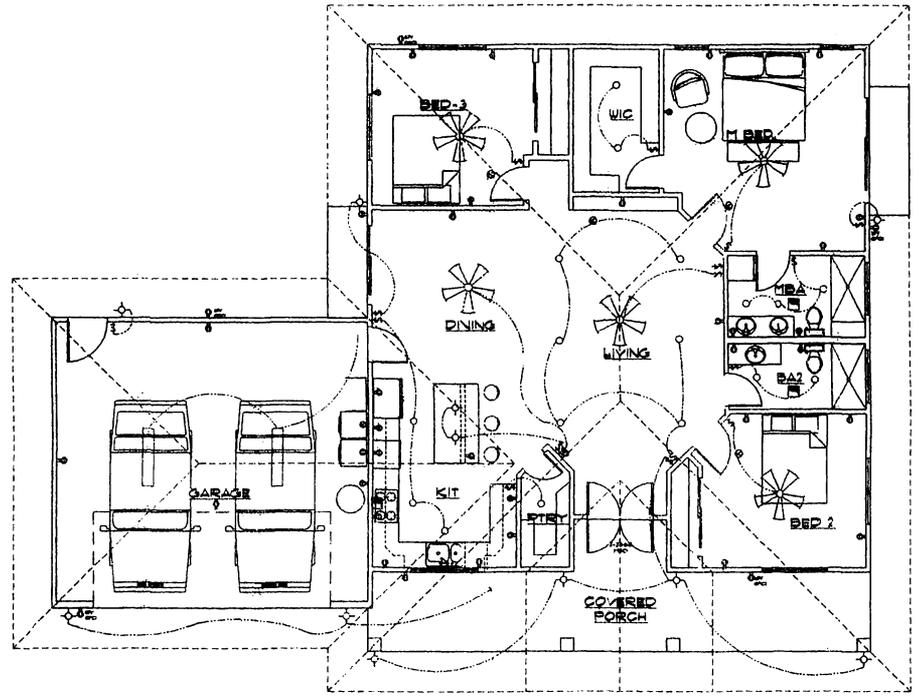
4 SINGLE EDUC ROOF TO WALL OR BEAM INSTALLATION NOT TO SCALE

| | | | | | | |
|--|--|--|--|--|--|---|
| | | | This work was prepared by me or under my supervision and I am a duly licensed professional engineer or architect in the state of Hawaii. | CONSTRUCTION DRAWING FOR: | | DATE: AUGUST 10, 2020 |
| | | | | GARNER RESIDENCE | | SCALE: NOTED |
| Signature: _____ License expires on: 03/31/2023 | | | | 1550 NAUKANA PLACE WAILUKU HI 96793 TDK 3 - 6 - 01 - 010 | | DRAWN: NGA JOB: GARNER SHEET: S1.2 |

100% INC. DETECTION RESIDUAL ALARMS
 THE ALARM DEVICES SHALL BE INTERCONNECTED IN A MANNER THAT THE
 ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE
 INDIVIDUAL UNIT. THE ALARM SHALL BE CLEARLY AUDIBLE IN ALL BEDROOMS
 OVER BACKGROUND NOISE WITH ALL INTERVING DOORS CLOSED.

LEGEND:

- \$ SWITCH
- \$ TWO-WAY SWITCH
- \$ THREE-WAY SWITCH
- ⊖ OUTLET
- ⊖ TELEPHONE
- ⊖ CABLE TV
- ⊖ SECURITY
- ⊖ 220V OUTLET
- ⊖ WATERPROOF OUTLET
- ⊖ SURFACE MOUNT SCONCE
- ⊖ CEILING MOUNT FIXTURE
- ⊖ UNDER CABINET FIXTURE
- ▭ FLOURESCENT
- ⊖ CHANDIELER
- ⊖ SMOKE DETECTOR
- ⊖ CEILING FAN LIGHT
- ⊖ EXHAUST FAN VTR
- ⊖ GARAGE DOOR OPER
- ⊖ POOL LIGHT
- CAN LIGHT



MAIN DWELLING ELECTRICAL FLOOR PLAN

SCALE: 1/4" = 1'-0"

| | | | | | |
|--|-----------------------|--|---|---|---|
| | ▲ ▲ ▲ ▲ ▲ | | This work was prepared by me or under my supervision and as a condition of the practice of the profession of the architect. | CONSTRUCTION DRAWING FOR: GARNER RESIDENCE 1550 HUKUNA PLACE WAILUKU, HI 96793 171K 3 - 6 - 01 - 010 | DATE: AUGUST 12, 1988 SCALE: NOTED DRAWN: MCH JOB: GARNER SHEET: 11 |
|--|-----------------------|--|---|---|---|

Exhibit 5
Zoning and Flood
Confirmation Form

2/16/22

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793



Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7253
Facsimile: (808) 270-7634
E-mail: planning@mauicounty.gov

RECEIVED
FEB 22 2022
COUNTY OF MAUI
DEPARTMENT OF PLANNING

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Robyn M. Garner TELEPHONE 808-497-6219
PROJECT NAME CIZ 20210002 - Garner Residence E-MAIL robynmgarner@gmail.com
PROPERTY ADDRESS 1550 Nukuna Place (Main, A, B, C) TAX MAP KEY 360070100000

Yes No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:
A) Yes No Will it be processed under a consistency exemption from Section 18.04.030(B), MCC?
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____
B) State the purpose of subdivision and the proposed land uses (ie 1-lot into 2-lots for all land uses allowed by law): _____

- INSTRUCTIONS:
- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
 - 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
 - 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹

STATE DISTRICT: Urban Rural Agriculture Conservation (SMA) Special Management Area

MAUI ISLAND PLAN Growth Boundary: ² Urban Small Town Rural Planned Growth Area Outside Growth Boundaries

PLAN Protected Area: ² Preservation Park Greenbelt Greenway Sensitive Land Outside Protected Areas

COMMUNITY PLAN: ² Single family (PD) Planned Development

COUNTY ZONING: Agriculture District (PH) Project District

OTHER/COMMENTS:

FEMA FLOOD INFORMATION: A Flood Development Permit is required if any portion of a parcel is designated V, VE, A, AO, AE, AH, D, or Floodway, and the project is on that portion.

FLOOD HAZARD AREA ZONES ³ & BASE FLOOD ELEVATIONS: Zones X, AE(431') See Additional Comments (Pg.2)

FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH: See Attached LUD Map

SUBDIVISION LAND USE CONSISTENCY: Not Consistent, (LUDs appear to have NO permitted uses in common).

Not Applicable, (Due to processing under consistency exemption No. 1, 2, 3, 4, 5).

Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).

⁴ Consistent, (LUDs appear to have ALL permitted uses in common).

⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

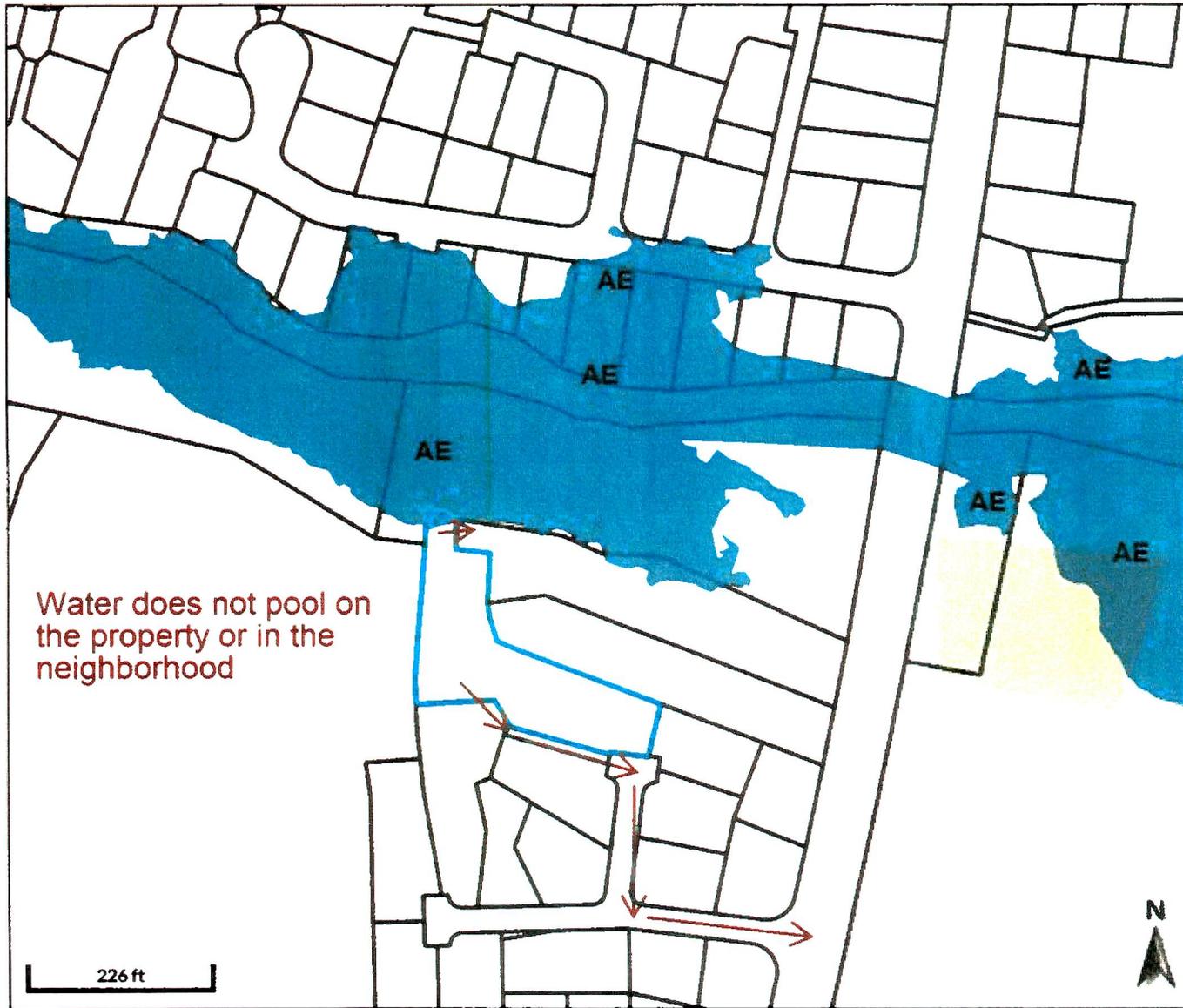
- NOTES:
- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change in Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
 - 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
 - 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
 - 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY: John S Rapacz (Signature) 3/2/22 (Date)

For: John S Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division

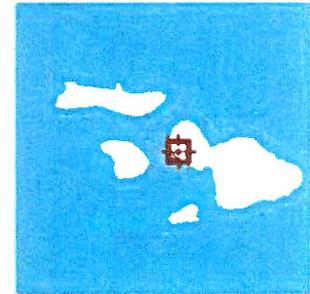
Exhibit 6 Flood Map

Attachment D: D17 – Drainage Pattern on Property



Water does not pool on the property or in the neighborhood

Overview



Legend

- Parcels
- Flood Hazard Areas
 - 0.2 PCT ANNUAL CHANCE FLOOD HAZARD, X
 - X, AREA OF MINIMAL FLOOD HAZARD; AREA WITH REDUCED FLOOD RISK DUE TO LEVEE, X
- A
- AE
- AH
- AO
- V
- VE

Agency Comments

Exhibit 7
SHPD Letter

JOSH GREEN, M.D.
GOVERNOR | KE KIA'AINA

SYLVIA LUKE
LIEUTENANT GOVERNOR | KA HOPE KIA'AINA



STATE OF HAWAII | KA MOKU'AINA 'O HAWAII'I
DEPARTMENT OF LAND AND NATURAL RESOURCES
KA 'OIHANA KUMUWAIWAI 'AINA

STATE HISTORIC PRESERVATION DIVISION
KAKUHIHEWA BUILDING
601 KAMOKILA BLVD, STE 555
KAPOLEI, HAWAII 96707

DAWN N.S. CHANG
CHAIRPERSON
BOARD OF LAND AND NATURAL RESOURCES
COMMISSION ON WATER RESOURCE MANAGEMENT
LAURA H.E. KAAKUA
FIRST DEPUTY
M. KALEO MANUEL
DEPUTY DIRECTOR WATER
AQUATIC RESOURCES
BOATING AND OCEAN RECREATION
BUREAU OF CONVEYANCES
COMMISSION ON WATER RESOURCE MANAGEMENT
CONSERVATION AND COASTAL LANDS
CONSERVATION AND RESOURCES ENFORCEMENT
ENGINEERING
FORESTRY AND WILDLIFE
HISTORIC PRESERVATION
KAHOOLAWE ISLAND RESERVATION COMMISSION
LAND
STATE PARKS

October 5, 2023

Kathleen Aoki, Director
County of Maui
Planning Department
2200 Main Street
One Main Plaza, Suite 315
Wailuku, HI 96793
c/o Aliko Binjaris
Email: aliko.binjaris@mauicounty.gov

IN REPLY REFER TO:
Project No.: 2023PR01137
Doc. No.: 2310IK03
Archaeology, Architecture

Dear Kathleen Aoki:

**SUBJECT: Chapter 6E-42 Historic Preservation Review –
County of Maui Permit Application – CIZ20210002
Garner Residence – Change in Zoning from Agricultural to Residential (R-2)
Applicants: Brian and Robyn Garner
Waikapū Ahupua'a, Pū'ali Komohana District, Island of Maui
TMK: (2) 3-6-007:010**

This letter provides the State Historic Preservation Division's (SHPD) review of the subject permit application for a change in County zoning from Agricultural District to R-2 Residential and proposed main dwelling expansion at 1550 Nukuna Place. SHPD received the submittal on September 20, 2023, which included a County of Maui letter initiating the HRS §6E-42 historic preservation review process, construction plans, an HRS 6E Submittal Form, and permit applications. The project area comprises the entire 30,922-sq.-ft. parcel. The proposed ground disturbances include excavations for concrete footings (max. 2 ft. deep)

The existing main dwelling was built in 1952 and it is not listed in the Hawaii or National Registers of Historic Places. HRS §6E-42.2 exempts all projects involving privately-owned, single-family detached dwelling units or townhouses that are 50 years or older not listed in or nominated for inclusion in the Hawaii or National Registers of Historic Places or not located in a listed historic district and require a County permit from SHPD review. The building envelope for this one-story, main dwelling unit is exempt from HRS §6E review.

Our records indicates that an archaeological inventory survey (AIS) has not been conducted for the project area or parcel. However, in 2013, Archaeological Services Hawaii, LLC (ASH) conducted an AIS of 503-acres adjacent to the current project area. The AIS report (Guerriero et al., September 2017) indicates the field work included a pedestrian survey and the excavation of 141 backhoe test trenches. The AIS identified five historic properties consisting of a complex of irrigation features (SIHP # 50-50-04-07881), a remnant L-shaped wall (SIHP # 50-50-04-07882), a World War II bunker (SIHP # 50-50-04-07883), three historic scatters (SIHP # 50-50-04-07884), and the historic Waihe'e Ditch (SIHP # 50-50-04-05197). The nearest historic properties include the Waihe'e Ditch (SIHP Site 50-50-04-05197), a historic refuse scatter (SIHP Site 50-50-04-07884), a remnant L-shaped retaining wall (SIHP Site 50-50-04-07882), and plantation era ditches (SIHP Site 50-50-04-07881). None of these historic properties will be impacted by the current project.

Kathleen Aoki
October 5, 2023
Page 2

Based on the information provided, SHPD's determination is "**No historic properties affected**" for the subject project. Additionally, SHPD has **no objections** to the change in zoning. Pursuant to HAR §13-284-7(e), when the SHPD agrees that the action will not affect any significant historic properties, this is the SHPD's written concurrence, and the historic preservation review ends. The HRS 6E historic preservation review process is ended. The permit issuance process may continue.

Please annotate the construction plans: In the unlikely event that subsurface historic resources, including human skeletal remains, structural remains, cultural deposits, artifacts, sand deposits, or sink holes are identified during the demolition and/or construction work, cease work in the immediate vicinity of the find, protect the find from additional disturbance, and contact the State Historic Preservation Division, at (808) 652-1510.

Please contact Mary Kodama, Historic Architect, at Mary.Kodama@hawaii.gov for any concerns regarding architectural resources, and 'Iolani Kauhane, Historic Preservation Archaeologist III, at Iolani.Kauhane@hawaii.gov for any matters regarding archaeological resources or this letter.

Aloha,

Alan Downer

Alan S. Downer, PhD
Administrator, State Historic Preservation Division
Deputy State Historic Preservation Officer

cc: County of Maui, public.works@mauicounty.gov
Janet Six, County of Maui, janet.six@co.maui.hi.us
Robyn Garner, Landowner, robynmgarner@gmail.com

Exhibit 8
SHPD - DLNR Land Division

AGENCY COMMENTS:

(Viewable in MAPPS Workflow)

Commenting Agency: DLNR Land Division

Assigned Reviewer:

Date Completed in MAPPS:

Overall Comments: No Response

I sent the first request for review and comment on 9/18/23.

I sent an email with the second request on 12/15/23.

I received no response to my requests.

Exhibit 9
Department of
Transportation,
Maui Highways

Aliki Biniaris - FW: [EXTERNAL] Agency Review for - CIZ20210002 - GARNER RESIDENCE

From: "Krueger, Joseph K" <joseph.k.krueger@hawaii.gov>
To: "aliki.biniaris@co.maui.hi.us" <aliki.biniaris@co.maui.hi.us>
Date: 9/18/2023 1:23 PM
Subject: FW: [EXTERNAL] Agency Review for - CIZ20210002 - GARNER RESIDENCE

See below.
Joe

From: DOT HWYM Permits
Sent: Monday, September 18, 2023 1:19 PM
To: aliki.biniaris@co.maui.hi
Cc: Takahashi, Derek T <derek.t.takahashi@hawaii.gov>
Subject: FW: [EXTERNAL] Agency Review for - CIZ20210002 - GARNER RESIDENCE

Hi Aliki,
We have no comment for this application. Let me know if you have any question.
Thank you,
Joe Krueger, CE V

From: MAPPS@co.maui.hi.us <MAPPS@co.maui.hi.us>
Sent: Monday, September 18, 2023 11:20 AM
To: Aliki.Biniaris@co.maui.hi.us; DLNR.CO.PublicDLNR <dlnr@hawaii.gov>; DOT HWY_esign <DOT.HWY_esign@hawaii.gov>; DOT HWYM Permits <DOT.HWYM.Permits@hawaii.gov>; Fire.PlanReview@co.maui.hi.us; jennifer.rivera@co.maui.hi.us; Jordan.K.Molina <Jordan.K.Molina@co.maui.hi.us>; lisa.tomita@mpd.net; robert.schmidt@co.maui.hi.us; Tejano, Roland C. <Roland.Tejano@doh.hawaii.gov>
Subject: [EXTERNAL] Agency Review for - CIZ20210002 - GARNER RESIDENCE

Within 30 days of this notification please provide your agency's comments, clarifications or recommended conditions of approval on the referenced application(s). All County of Maui agencies, please provide your response within the County of Maui Automated Planning and Permitting System (MAPPS). Please upload a letter or memo response within MAPPS and be sure to change the "Update Item Review" Status to "Review Completed" after you have attached the file of your letter or memo response. All other agencies, please provide your response to Biniaris, Aliki, at Aliki.Biniaris@co.maui.hi.us. A letter or memo response attached to an email is preferred, but if the response is very short such as "no comment" a simple email response can also suffice. You can view the application through the County's Customer Self Service (CSS) for MAPPS: https://mapps.co.maui.hi.us/EnerGov_Prod/SelfService#/home. Once on the CSS page click "Search" and enter CIZ20210002. Click on the "Plan Number", then "Attachments". The text of the application is the most recent of any attachments whose name starts with "CoM_CP_ApplicationReport" or similar. All its exhibits and other materials are in the most recent of any attachments whose name starts with "ApplicationMaterials" or similar.

Exhibit 10
HI DOT HWYs

AGENCY COMMENTS:

(Viewable in MAPPS Workflow)

Commenting Agency: HI DOT HWYs

Assigned Reviewer:

Date Completed in MAPPS:

Overall Comments: No Response

I sent the first request for review and comment on 9/18/23.

I sent an email with the second request on 12/15/2023.

I received no response to my requests.

Exhibit 11
Department of Health

AGENCY COMMENTS:

(Viewable in MAPPS Workflow)

Commenting Agency: Hawaii State Department of Health – Maui District Health Office

Assigned Reviewer:

Date Completed in MAPPS: 9/29/23

Overall Comments: Approved

Comments:

IWS are allowed as no available sewer on the area 9/28/23

Exhibit 12
**Department of Fire
and Public Safety**

RICHARD T. BISSEN, JR.
Mayor

KEKUHAPIO R. AKANA
Acting Managing Director

BRADFORD K. VENTURA
Fire Chief

GAVIN L.M. FUJIOKA
Deputy Fire Chief



DEPARTMENT OF FIRE & PUBLIC SAFETY
COUNTY OF MAUI
200 DAIRY ROAD
KAHULUI, MAUI, HAWAII 96732
www.mauicounty.gov

September 26, 2023

VIA EMAIL: Aliki.Biniaris@co.maui.hi.us

SUBJECT: CIZ20210002 Garner Residence

Dear Alik,

Fire Prevention Bureau recommends meeting the subdivision land use requirements for water supply and access for parcel frontage and any proposed internal roads.

For R-2 townhouse land use the requirements are:

1. Service roads to proposed properties shall have a clear width of 20 feet, with an all-weather surface relative to grade. Any dead-end roads if greater than 150 feet in length, shall be provided with an approved fire apparatus turn-around. All turns and required turnarounds shall have an outside turning radius of 40.5 feet. The maximum grade for the service roads shall meet Dept of Public Works standards.
2. Water supply for fire protection shall have a minimum flow of 1500 gallons per minute for a two-hour duration with hydrant spacing a maximum of 250 feet between hydrants. Dead-ends shall have a hydrant within 125 feet. Once construction of buildings are planned, there shall be at least one hydrant within 400 feet of any building to be constructed.

Formal review comments will be provided in response to the subdivision and/or building permit application.

For any questions or comments, please feel free to contact us at (808) 876-4690 or by email at fire.prevention@mauicounty.gov.

Sincerely,

Plans Review - Fire Prevention Bureau

Exhibit 13
Department
of Environmental
Management
WWRD

AGENCY COMMENTS:

(Viewable in MAPPS Workflow)

Commenting Agency: Dept of Environmental Management

Assigned Reviewer: Robert Schmidt

Date Completed in MAPPS: 12/18/2023

Overall Comments: Approved with Conditions

WWRD Comments:

1. Property is currently in a non-sewered area near the Maui Tropical Plantation business.
2. The property has three cesspools (priority 2) per the state database. An expansion of the sewer system to this area is proposed to commence once the Central Maui Wastewater Treatment Facility is constructed in Waikapu and on line. This is currently targeted for about 2030. Once this sewer expansion is completed the owner will have 6 months to connect to the County system.
3. WWRD has no objection to the proposed zoning change.

Exhibit 14
Police
Department



POLICE DEPARTMENT COUNTY OF MAUI

55 MAHALANI STREET
WAILUKU, MAUI, HAWAII 96793
TELEPHONE: (808) 244-6400
FAX: (808) 244-6411



RICHARD T. BISSEN, JR.
MAYOR

JOHN PELLETIER
CHIEF OF POLICE

WADE M. MAEDA
DEPUTY CHIEF OF POLICE

OUR REFERENCE
YOUR REFERENCE

November 29, 2023

MEMORANDUM

TO : ALIKI BINIARIS, STAFF PLANNER
DEPARTMENT OF PLANNING

FROM : JOHN PELLETIER, CHIEF OF POLICE

SUBJECT : PERMIT NO.: CIZ 20210002
 TMK : (2) 3-6-007:010
 Project : Garner Residence
 Applicant : Robyn & Brian Garner

_____ No comments or recommendations to offer at this time.

 X Refer to below comments and/or recommendations.

- The project will need to meet minimal standards set forth by county codes and state laws.
- If any roads will be temporarily closed for alternating traffic, we request the project manager utilize flag men to conduct traffic control and have proper signage posted along the routes during construction.

Thank you for giving us the opportunity to comment on this project.

Assistant Chief Keola Tom
for: JOHN PELLETIER
Chief of Police

Exhibit 15
Department
of Public Works

AGENCY COMMENTS:

(Viewable in MAPPS Workflow)

Commenting Agency: Dept of Public Works

Assigned Reviewer:

Date Completed in MAPPS:

Overall Comments: No Response

I sent the first request for review and comment on 9/18/23.

Comment in MAPPS: Pending RC review. Sent an email to John Smith for RC review.

I received no response to my requests.

Exhibit 16
Department
of Water Supply

AGENCY COMMENTS:

(Viewable in MAPPS Workflow)

Commenting Agency: Dept of Water Supply

Assigned Reviewer: Benjamin Buttaro

Date Completed in MAPPS: 11/16/23

Overall Comments: No Comments

Comment:

Eva Blumenstein signed November 9, 2023

Exhibit 17
Applicant's Response
to Agency Comments

Aliki Biniaris - Re: Change of Zoning

From: Robyn Garner <robynmgarner@gmail.com>
To: Aliki Biniaris <Aliki.Biniaris@co.maui.hi.us>
Date: 4/13/2024 10:23 AM
Subject: Re: Change of Zoning
Cc: Brian Garner <brianegarner@gmail.com>
Attachments: Fire and Public Safety.pdf; MPD.pdf; Dept Environmental Management.docx

Aloha Aliki,

Please find the requested responses below:

Planning Commission Questions

1. Are you on the county water system? How many and what size water meters do you have?
 - a. Yes, we are on the county water system.
 - b. There are four (4) Tier 1 = 3Kgal meters.
2. Electrical and Telephone information: How is power provided to the site?
 - a. Electric: Maui Electric services the property.
 - b. Telephone: Hawaiian Telecom has Fiber and Phone Lines to the property.
3. Do any endangered or threatened plant species or their habitat exist on the site?
 - a. No.

Department of Fire & Public Safety

1. Does Kukuna Place have a clear width of 20 ft with an all-weather surface relative to grade? Is the dead-end road greater than 150 ft in length? If so, does it meet the standards to provide an approved fire apparatus turn-around? All turns and required turnarounds shall have an outside turning radius of 40.5 feet. Maximum grade for the service road shall meet Dept. of Public Works standards. What are the dimensions of the t-shaped turn around at the end of your road? Does it have a 40.5 ft outside turn radius? Does it meet those requirements? Are there any fire hydrants and how far are they from your property?
 - a. Correction – It's Nukuna place, not Kukuna place
 - b. I believe the answer to the questions above are "yes". The reason I believe we are in compliance is because on 08 August 2023 there was a fire on the property. The Fire Department was able to drive their rig past the dead-end road, hook the fire hose to the hydrant on Lehuapueo place, pull the hose to the end of the last house on the property, and save South Waikapu from becoming another potential disaster that evening. Thus, there is an all-weather surface relative to grade, the fire apparatus can turn-around, and there is a fire hydrant near the property. Police report 23-04675 can verify the incident and provide evidence of compliance with fire and public safety.
2. Please provide enough information to address all the requirements mentioned in their comment letter including the following:
 - a. Water supply for fire protection shall have a minimum flow of 1500 gallons per minute for a two-hour duration with hydrant spacing a maximum of 250 feet between hydrants. Dead-ends shall have a hydrant within 125 feet. Once

construction of buildings are planned, there shall be at least one hydrant within 400 feet of any building to be constructed.

- b. The current fire hydrant on Lehuapueo place is about 236.86ft from the end of the dead end and 385.15ft to the end of the last house on the property.

Please respond to the following agency comments with a letter and be sure to send the Planning Department a copy of your letter so it can be added as an exhibit in the report.

Police Department

1. Understood.
2. No roads will need to be closed.

Department of Environmental Management

1. Understood on potential requirements in 2030.
2. Correction – there are four (4) cesspools on the property per the state database.

Please let me know if you need additional information. Thank you.

Very Respectfully,
Robyn “Tenacious-G” Garner

Dr. Robyn Misaye Garner, DM, MBA, PMP
Owner | Kamasaki-Garner Properties, LLC
robynmgarner@gmail.com

On Apr 4, 2024, at 11:58 AM, Aliko Biniaris <Aliko.Biniaris@co.maui.hi.us> wrote:

Aloha,

There is a bit more information I would like to add to the report for Maui Planning Commission. Please provide the following information, as the Planning Commission will expect these items to be addressed prior to reviewing the project.

- Are you on the county water system? How many and what size water meters do you have?
- Electrical and Telephone information: How is power provided to the site?
- Do any endangered or threatened plants species or their habitat exist on the site?

Please address the comments provided by the Department of Fire & Public Safety:

- Does Kukuna Place have a clear width of 20 ft with an all-weather surface relative to grade? Is the dead-end road greater than 150 ft in length? If so, does it meet the standards to provide an approved fire apparatus turn-around? All turns and required turnarounds shall have

an outside turning radius of 40.5 feet. Maximum grade for the service road shall meet Dept. of Public Works standards. What are the dimensions of the t-shaped turn around at the end of your road? Does it have a 40.5 ft outside turn radius? Does it meet those requirements? Are there any fire hydrants and how far are they from your property?

- These questions come from trying to see if you meet the requirements for R-2 land use as stated in the Department of Fire & Public Safety's letter providing agency comments. See attached letter.
 - Please provide enough information to address all the requirements mentioned in their comment letter including the following:
 - Water supply for fire protection shall have a minimum flow of 1500 gallons per minute for a two-hour duration with hydrant spacing a maximum of 250 feet between hydrants. Dead-ends shall have a hydrant within 125 feet. Once construction of buildings are planned, there shall be at least one hydrant within 400 feet of any building to be constructed.
- **Please respond to the following agency comments with a letter and be sure to send the Planning Department a copy of your letter so it can be added as an exhibit in the report.**
 - Dept. of Environmental Management, Fire and Public Safety, and Maui Police Department
 - I have attached the comments from the above agencies for your reference.

Best Regards,
Aliko Biniaris
Small Town Planner
direct line: [808.270.5570](tel:808.270.5570)

Department of Planning
Current Division
[2200 Main Street, Suite 619](https://www.mauicounty.gov/2200-Main-Street-Suite-619)
[Wailuku, Hawaii 96793](https://www.mauicounty.gov/Wailuku-Hawaii-96793)
www.mauicounty.gov

Exhibit 18

Application

***CHANGE IN ZONING APPLICATION
(R2, RESIDENTIAL)***

**Garner Residence
TMK: (2) 3-6-007:010**

***Applicants: Robyn & Brian Garner
Owner***

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1. Change in Zoning Application – Required Submittals

1.1 Required Submittals Checklist

REQUIRED SUBMITTALS CHECKLIST

1. This Change Of Zoning Application with all pages completed.
- (See Sect. 1.3) 2. Evidence that the Applicant is the owner of the real property to be reclassified; OR, if the Applicant is not the owner, a notarized letter of authorization from the owner authorizing the applicant to act on the owner's behalf AND evidence that identify the legal owner.
- (See Sect. 1.4) 3. A copy of the **Notice of Application**, location map and **Notarized Affidavit of Mailing of Notice of Application**.
- (See Sect. 1.5) 4. List of owners and lessees of real property within a 500 feet radius of the subject parcel boundaries shall be obtained from the most current available list at the Maui County Department of Finance, Real Property Tax Division. This list should include the tax map key numbers and the names and addresses of all owners, lessees, and members of the Board of Directors or managing agents to be notified, including a *parcel notification map* (The *parcel notification map* is a map drawn to scale, clearly identifying the 500 foot boundary surrounding the subject parcel and the parcels within the notification boundary).
- (See Sect. 1.6) 5. **Zoning and Flood Confirmation form** (pg 5) completed and signed by Planning Dept.
- (See Sect. 1.7) 6. Legal metes and bounds description of the subject property.
- (See Sect. 1.8) 7. Map of the subject property and its surrounding properties, including their Tax Map Key numbers, on regular paper (8 ½" x 11" format). The map will not include the metes and bounds on it, nor signature lines or dates for any approvals (see sample on page 15).
- (See Sect. 2) 8. Two (2) hard copies of a **Project Assessment** document which contains all the items listed in the **Project Assessment Requirements Checklist**.
Note: The Department will review the application and request additional copies for agency transmittal.
- (See Sect. 1.10) 9. Any other information, as may be required.
- (See Sect. 1.9) 10. A copy of the **Notice of Public Hearing**.
11. An electronic copy in PDF format of the entire application package on a compact disk or flash drive.
12. A **non refundable** filing fee payable to *County of Maui, Director of Finance*.
(see Fee Schedule, Table A found on the Maui County website)

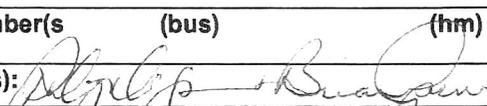
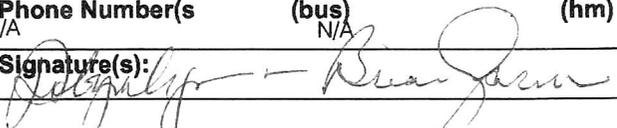
After reviewing the application packet and certifying that it is ready for processing the Applicant will be notified of the number of additional hard and digital copies to be provided for agency review.

1.2 Change in Zoning Application Form

CHANGE OF ZONING APPLICATION

Please print legibly or type the following.

Permit Number(s): CIZ _____ - _____

| PROPERTY ADDRESS & INFORMATION | | | |
|---|---|---|--------------|
| Project Name: Garner Residence | Tax Map Key No.: (2)3-6-007:010 | | |
| Total Area: 30922 SF | Valuation*: ~\$600,000 | | |
| Physical Address/Location of Project: 1550 Nukuna Place, Wailuku, HI 96793 | | | |
| <small>* Total cost or fair market value, as estimated by an architect, engineer, or contractor licensed by the State of Hawaii Dept. of Commerce and Consumer Affairs; or, by the administrator of Dept. of Public Works, Development Services Administration.</small> | | | |
| DESCRIPTION OF PROPOSED ACTIVITY OR DEVELOPMENT | | | |
| Describe the existing use: Residential Main House, Residential Ohana-A, Residential Ohana-B, Residential Ohana-C | | | |
| Describe the proposed use: The Applicant proposes to restore and expand the main dwelling and keep a temporary storage structure. The purpose of the Change in Zoning is to establish consistency between the zoning and the existing uses on the property and the existing Community Plan Designation. | | | |
| LAND USE DESIGNATIONS | Existing | Proposed | |
| State Land Use District Boundary | Urban | No Change | |
| Maui Island Plan | Small Town, Outside Protected Areas | No Change | |
| Community Plan | Single Family | No Change | |
| County Zoning | Agricultural District | R2, Residential | |
| Other (i.e. SMA) | N/A | | |
| CONTACT INFORMATION | | | |
| APPLICANT INFORMATION | | | |
| Name(s): Robyn & Brian Garner | | Email: robynmgarner@gmail.com | |
| Mailing Address: 1550 Nukuna Place, Wailuku, Hawaii 96793 | | | |
| Phone Number(s) | | (cell) | (fax) |
| | | (808) 497-6219/3781 | |
| Signature(s):  | | Date: 11 September 2021 | |
| CONSULTANT INFORMATION | | | |
| Name(s): N/A | | Email: N/A | |
| Mailing Address: N/A | | | |
| Phone Number(s) | | (cell) | (fax) |
| N/A | | N/A | N/A |
| Signature(s): | | Date: N/A | |
| | | | |
| OWNER INFORMATION | | | |
| Name(s): Robyn & Brian Garner | | Email: robynmgarner@gmail.com | |
| Mailing Address: 1550 Nukuna Place, Wailuku, Hawaii 96793 | | | |
| Phone Number(s) | | (cell) | (fax) |
| N/A | | (808) 497-6219/3781 | N/A |
| Signature(s):  | | Date: 11 September 2021 | |

1.3 Land Ownership Documentation

ORIGINAL

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED September 27, 2019 3:29 PM
Doc No A72090776
CONVEYANCE TAX: \$0

/s/ LESLIE T. KOBATA, Registrar
KEO 11

LAND COURT SYSTEM

REGULAR SYSTEM

RETURN BY: MAIL (X) PICKUP ()

TO: Rhonda M. Fosbinder, Attorney
Island Legal Group LLLC
24 N. Church St., Suite 307
Wailuku, Hawaii 96793
Tel: 808-242-4956

TYPE OF DOCUMENT:

CORRECTION DEED

GRANTOR: CYNTHIA ANN MCCARTHY and CLAIRE S. KAMASAKI, Co-Trustees of the EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, having all powers under said Trust Agreement, including full power to sell, convey, exchange, mortgage, lease, assign or otherwise deal with and dispose of all lands of the trust estate and interests therein

GRANTEE: BRIAN E. GARNER and ROBYN M. GARNER, husband and wife

ADDRESS: 1550 Nukuna Place, Wailuku, Hawaii 96793

AFFECTS TAX MAP KEY: (2) 3-6-007-010

This document has 11 pages

CORRECTION DEED

THIS CORRECTION DEED, made this 26th day of September, 2019, by and between CYNTHIA ANN MCCARTHY and CLAIRE S. KAMASAKI, Co-Trustees of the EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, having all powers under said Trust Agreement, including full power to sell, convey, exchange, mortgage, lease, assign or otherwise deal with and dispose of all lands of the trust estate and interests therein, whose respective mailing addresses are 1550 Nukuna Place, Wailuku, Hawaii 96793, and 117 Woodward Avenue, Lowell, MA 01854, hereinafter called the "Grantor", and BRIAN E. GARNER and ROBYN M. GARNER, husband and wife, mailing address is 1550 Nukuna Place, Wailuku, Hawaii 96793, hereinafter called the "Grantee",

RECITALS:

1. By Limited Warranty Deed dated May 18, 2018, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 67250788, Grantor CYNTHIA ANN MCCARTHY and CLAIRE S. KAMASAKI, Co-Trustees of the EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, conveyed to Grantee BRIAN E. GARNER And ROBYN M. GARNER all of the property described in Exhibit "A" which is attached to said Limited Warranty Deed.

2. On Page 7 of said Limited Warranty Deed, which is the first page of Exhibit "A" of said Limited Warranty Deed, the subject real property being conveyed was incorrectly described, in relevant part, as: "All of Grantor's portion of the property described herein, being only the property on which Grantor's single family dwelling sits, ..." The subject real property being conveyed should have been described as "All of grantor's right, title and interest in and to that certain parcel of land..." Therefore, Grantor and Grantee seek to correct the Limited Warranty Deed as hereinafter set forth:

AGREEMENT:

IT IS HEREBY MUTUALLY UNDERSTOOD AND AGREED that in consideration of the foregoing, Grantor and Grantee do hereby correct and amend the Limited Warranty Deed by DELETING Exhibit "A" in its entirety and SUBSTITUTING in the place thereof Exhibit "A" which has been revised and is attached hereto.

IT IS FURTHER MUTUALLY UNDERSTOOD AND AGREED that except as expressly corrected and amended hereby, the Limited Warranty Deed as recorded as aforesaid, is hereby ratified and confirmed and shall remain in full force and effect.

The parties hereto agree that this instrument may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the parties hereto,

notwithstanding all of the parties are not signatory to the original or the same counterpart. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded, and the remaining pages assembled as one document.

IN WITNESS WHEREOF, the undersigned have executed these presents on the day and year first written.

EVELYN N. KAMASAKI 2012 GIFT TRUST
DATED JULY 6, 2012

By: 
CYNTHIA ANN MCCARTHY
Its Co-Trustee

By: _____
CLAIRE S. KAMASAKI
Its Co-Trustee

"Grantor"


BRIAN E. GARNER


ROBYN M. GARNER

"Grantee"

notwithstanding all of the parties are not signatory to the original or the same counterpart. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded, and the remaining pages assembled as one document.

IN WITNESS WHEREOF, the undersigned have executed these presents on the day and year first written.

EVELYN N. KAMASAKI 2012 GIFT TRUST
DATED JULY 6, 2012

By: _____
CYNTHIA ANN MCCARTHY
Its Co-Trustee

By: *Claire S. Kamasaki*
CLAIRE S. KAMASAKI
Its Co-Trustee

"Grantor"

BRIAN E. GARNER

ROBYN M. GARNER

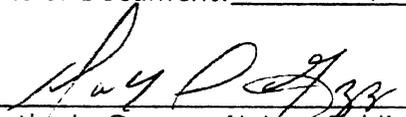
"Grantee"

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this 26th day of September, 2019, before me personally appeared CYNTHIA ANN MCCARTHY, Co-Trustee under that certain unrecorded EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, to me known to be the person described in and/or satisfactorily proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, as Co-Trustee.

Second Circuit of Hawaii No. of Pages: 8 Date of Document: 9/26/19
Document Description: Correction Deed

L.S-



Dorothy L. Guazzo, Notary Public
Maui County, Hawaii
My commission expires 10/29/2022

STATE OF MASSACHUSETTS)
)
COUNTY OF MIDDDDLESEX) SS.

On this 26th day of September, 2019, before me personally appeared CLAIRE S. KAMASAKI, Co-Trustee under that certain unrecorded EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, to me known to be the person described in and/or satisfactorily proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, as Co-Trustee.

Name:
Notary Public, State of Massachusetts
My commission expires

STATE OF HAWAII)
)
COUNTY OF MAUI)

SS.

On this _____ day of _____, 2019, before me personally appeared CYNTHIA ANN MCCARTHY, Co-Trustee under that certain unrecorded EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, to me known to be the person described in and/or satisfactorily proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, as Co-Trustee.

Second Circuit of Hawaii No. of Pages: _____ Date of Document: _____
Document Description: Correction Deed

Dorothy L. Guazzo, Notary Public
Maui County, Hawaii
My commission expires 10/29/2022

STATE OF MASSACHUSETTS)
)
COUNTY OF MIDDLESEX)

SS.

On this 13th day of September, 2019, before me personally appeared CLAIRE S. KAMASAKI, Co-Trustee under that certain unrecorded EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, to me known to be the person described in and/or satisfactorily proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, as Co-Trustee.

Dianne M. Roy
Name: Dianne M. Roy
Notary Public, State of Massachusetts
My commission expires



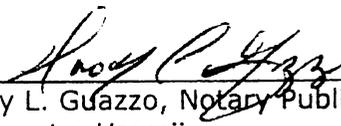
DIANNE M. ROY
Notary Public
Commonwealth of Massachusetts
My Commission Expires
December 3, 2021

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this 26th day of September, 2019, before me personally appeared BRIAN E. GARNER and ROBYN M. GARNER, to me known to be the persons described in and/or satisfactorily proved to me to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Second Circuit of Hawaii No. of Pages: 8 Date of Document: 9/26/19
Document Description: Correction Deed

L.S.



Dorothy L. Guazzo, Notary Public
Maui County, Hawaii
My commission expires 10/29/2022

EXHIBIT "A"

All of grantor's right, title and interest in and to that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 102, Land Commission Award Number 432, Apana 1 to A. Sylva) situate, lying and being at Lehuapueo, Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 7-A and thus bounded and described as per survey of Robert T. Tanaka, Registered Professional Land Surveyor, dated June 2, 1969, to-wit:

Beginning at a pipe at the Southwest corner of this lot, being also the Northwest corner of Parcel 13-A of this Subdivision, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,156.81 feet South and 3,150.06 feet West and running by azimuth measured clockwise from true South:

1. 177° 05' 29.65 feet along Grant 1146;
2. 184° 14' 160.90 feet along the same to a "+" cut on a stone;
3. 184° 14' 39.08 feet along the land owned by Tokuichi Sakamoto Estate;
4. 288° 32' 35.67 feet along the same;
5. 2° 58' 33.60 feet along land owned by Kazuo Kamasaki and wife Shimoyo;
6. 276° 43' 38.65 feet along the same to a pipe;
7. 2° 20' 56.50 feet along the same;
8. 350° 18' 17.85 feet along the same;
9. 355° 37' 29.65 feet along the same;
10. 293° 47' 26.50 feet along the same;
11. 290° 59' 78.50 feet along the same;
12. 290° 39' 102.60 feet along the same;
13. 6° 53' 64.44 feet along Lot 6 of Waikapu Tract Subdivision;
14. 96° 53' 45.00 feet along Lehuapueo Road;
15. 6° 53' 2.72 feet along the same;

16. 109° 04' 98.92 feet along Lot 20 of Waikapu Tract Subdivision;
17. 128° 00' 53.00 feet along Parcel 13-A of this Subdivision;
18. 87° 05' 92.41 feet along the same to the point of beginning and containing an area of 30,922 square feet, more or less.

Together with the free use of the twelve (12) feet Right-of-Way, designated as Lot 20 of the Waikapu Tract Subdivision owned by Russel Newton and wife Helen and described as follows:

Beginning at a pipe at the northwest corner of this lot, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE", being 10,184.74 feet south and 3,016.01 feet west and running by azimuth measured clockwise from true South:

1. 289° 04' 98.92 feet along Lot 7-A of this Subdivision;
2. 6° 53' 12.28 feet along Lehuapueo Road;
3. 109° 04' 105.54 feet along Lot 8 of Waikapu Tract Subdivision;
4. 217° 36' 12.66 feet along Parcel 13-A of this Subdivision to the point of beginning and containing an area of 1,227 square feet, more or less.

Together with a Right-of-Way designated as Easement "A" upon Lot 13-A of this Subdivision and described as follows:

Beginning at a pipe at the northeast corner of this Easement, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,184.74 feet south and 3,016.01 feet west, and running by azimuth measured clockwise from true South:

1. 37° 36' 12.66 feet along Lot 20 of Waikapu Tract Subdivision;
2. 128° 00' 17.00 feet;
3. 180° 00' 16.06 feet;
4. 308° 00' 26.80 feet along Lot 7-A of this Subdivision to the point of beginning and containing an area of 277 square feet, more or less.

Together with a perpetual non-exclusive easement and right of access for ingress and egress purposes, over and across all of that certain parcel of land, situate at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, known as Lehuapueo Place and Nukuna Place, being LOT 18 of the Waikapu Tract Subdivision, containing an area of 20,809 square feet, and identified on the Tax Map of the Second Taxation Division as Tax Map Key 3-6-07-6, as granted by instrument dated July 29, 1992, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 92-154221.

Being all of the property conveyed by the following:

Limited Warranty Deed

Grantor : Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement

Grantee : Brian E. Garner and Robyn M. Garner, husband and wife, as Tenants by the Entirety

Dated : May 18, 2018
Recording Date : May 31, 2018
Recording No. : A67250788

SUBJECT, HOWEVER, to the following:

1. Real property taxes not yet required by law to be paid.
2. Mineral and water rights of any nature in favor of the State of Hawaii
3. An agreement, upon and subject to all of the provisions contained therein.

By and Between : Teruo Kamasaki and Evelyn Kamasaki, husband and wife, and County of Maui, Department of Water Supply

Dated : October 28, 1985
Recording Date : November 4, 1985
Recording No. : Liber 19054, Page 635.

4. Lease

Lessor : Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement

Lessee : Evelyn N. Kamasaki, widow of Teruo Kamasaki

Dated : July 6, 2012
Recording Date : July 24, 2012
Recording No. : A-45881176

Said Lease was amended by Amended Lease dated September 26, 2019, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A72090773.

5. All liens, mortgage, encumbrances, assessments, easements, terms, conditions, covenants, restrictions, reservations, and/or other matters affecting title of the said property presently of record, if any.

END OF EXHIBIT "A"
TAX MAP KEY: (2) 3-6-007-010

1.4 Copy of Notice of Filing of Application, Location Map, & Notarized Affidavit of Mailing of Notice of Application

NOTICE OF APPLICATION

Date: 15 October 2021

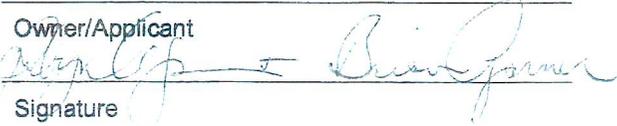
TO: OWNERS/LESSEES

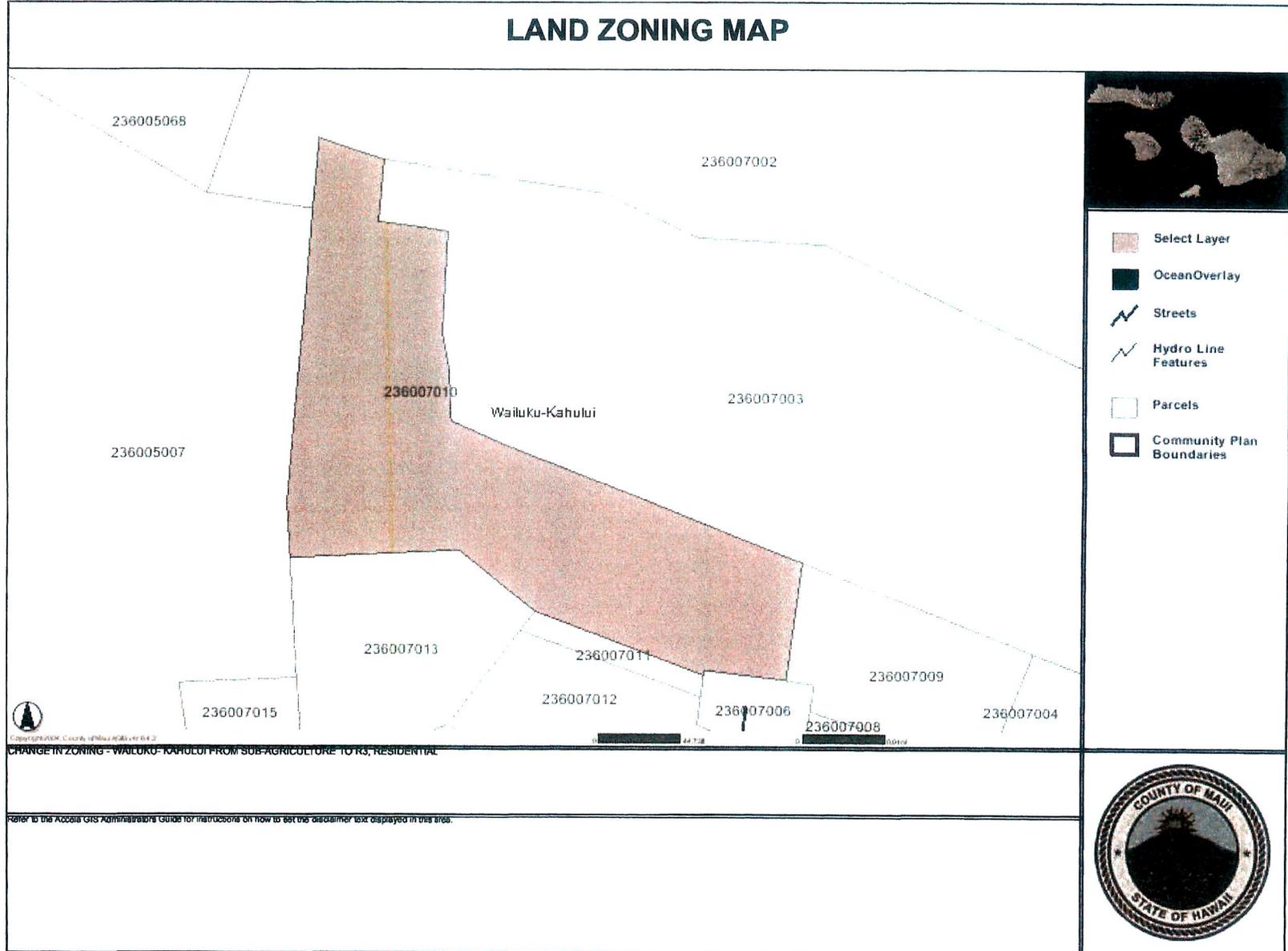
Please be advised that the undersigned has filed an application for a **Change Of Zoning** to change the land use designation(s) (and/or plain text) for the following parcel:

- 1. Tax Map Key Number: (2) 3-6-007:010
- 2. Location (street address): 1550 Nukuna Place
- 3. Change of Zoning from: Agriculture
to: R-2, Residential
- Other (i.e. SMA): _____

4. Description of the existing uses on the Property:
Residential Main House, Residential Ohana-A, Residential Ohana-B, Residential Ohana-C

5. Description of the proposed uses on the Property:
The Applicant proposes to restore and expand the main dwelling and keep a temporary storage structure. The purpose of the Change in Zoning is to establish consistency between the zoning and the existing uses on the property and the existing Community Plan Designation.

| | |
|---|---|
| The Applicant is responsible for ensuring accuracy of the information. | |
| Robyn & Brian Garner | N/A |
| Owner/Applicant | Applicant (if not also Owner) |
|  | Signature |
| Signature | Signature |
| 1550 Nukuna Place | N/A |
| Mailing Address, No. & Street or PO Box | Mailing Address, No. & Street or PO Box |
| Wailuku, Hawaii, 96793 | N/A |
| City, State, Zip Code | City, State, Zip Code |
| 808-497-6219 | N/A |
| Telephone | Telephone |



NOTARIZED AFFIDAVIT OF MAILING OF NOTICE OF APPLICATION

I, Robyn Garner, being first duly sworn on oath, deposes and says that:

- Affiant is the applicant for a **Change Of Zoning** for land situated at 1550 Nukuna Place, Wailuku, TMK (2): 3-6-007:010
- Affiant did on October 15, 2021, deposit in the United States mail, postage prepaid, a copy of a Notice of Filing of Application with a location map, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified in the list of recorded owners and lessees identified as "Exhibit B," attached hereto and made a part hereof.

Further, Affiant sayeth naught.

Robyn Garner

subscribed and sworn to before me this

15th day of October, 20 21.



Tracy Nakamoto
Notary Public, State of Hawaii

Print Name: Tracy Nakamoto

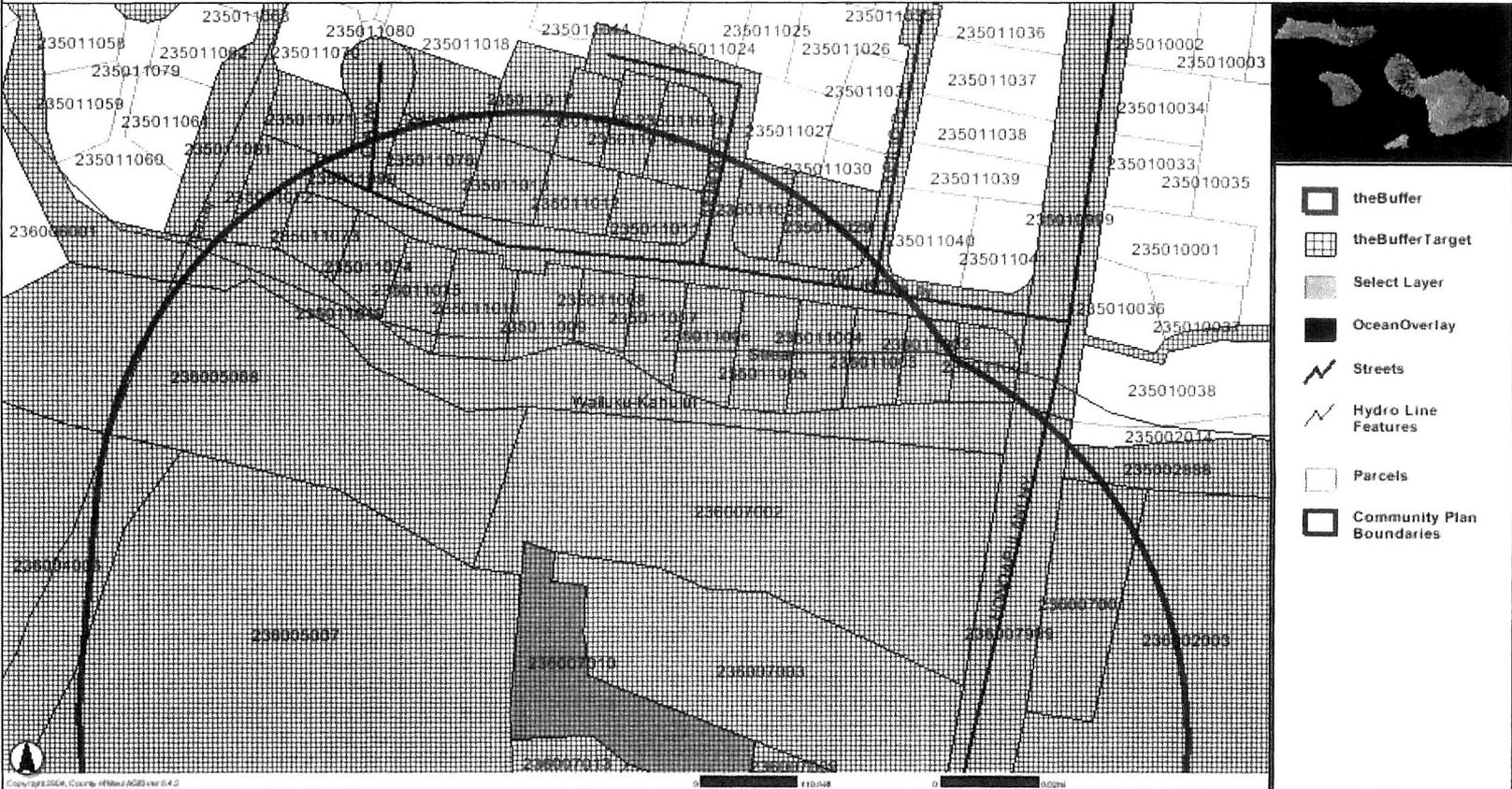
My commission expires: 10/15/2024

| NOTARY PUBLIC CERTIFICATION | | | |
|-----------------------------|--|-------------------|---------------|
| Doc. Date: | <u>10/15/21</u> | # Pages: | <u>10</u> |
| Notary Name: | <u>Tracy Nakamoto</u> | Judicial Circuit: | <u>second</u> |
| Doc. Description: | <u>Notarized Affidavit of Mailing of Notice of Application</u> | | |
| Notary Signature: | <u><i>Tracy Nakamoto</i></u> | | |
| Date: | <u>10/15/2021</u> | | |



1.5 List of Owners and Lesees Within 500 Feet of Subject Parcel

Garner_Rezoning_R3, Residential



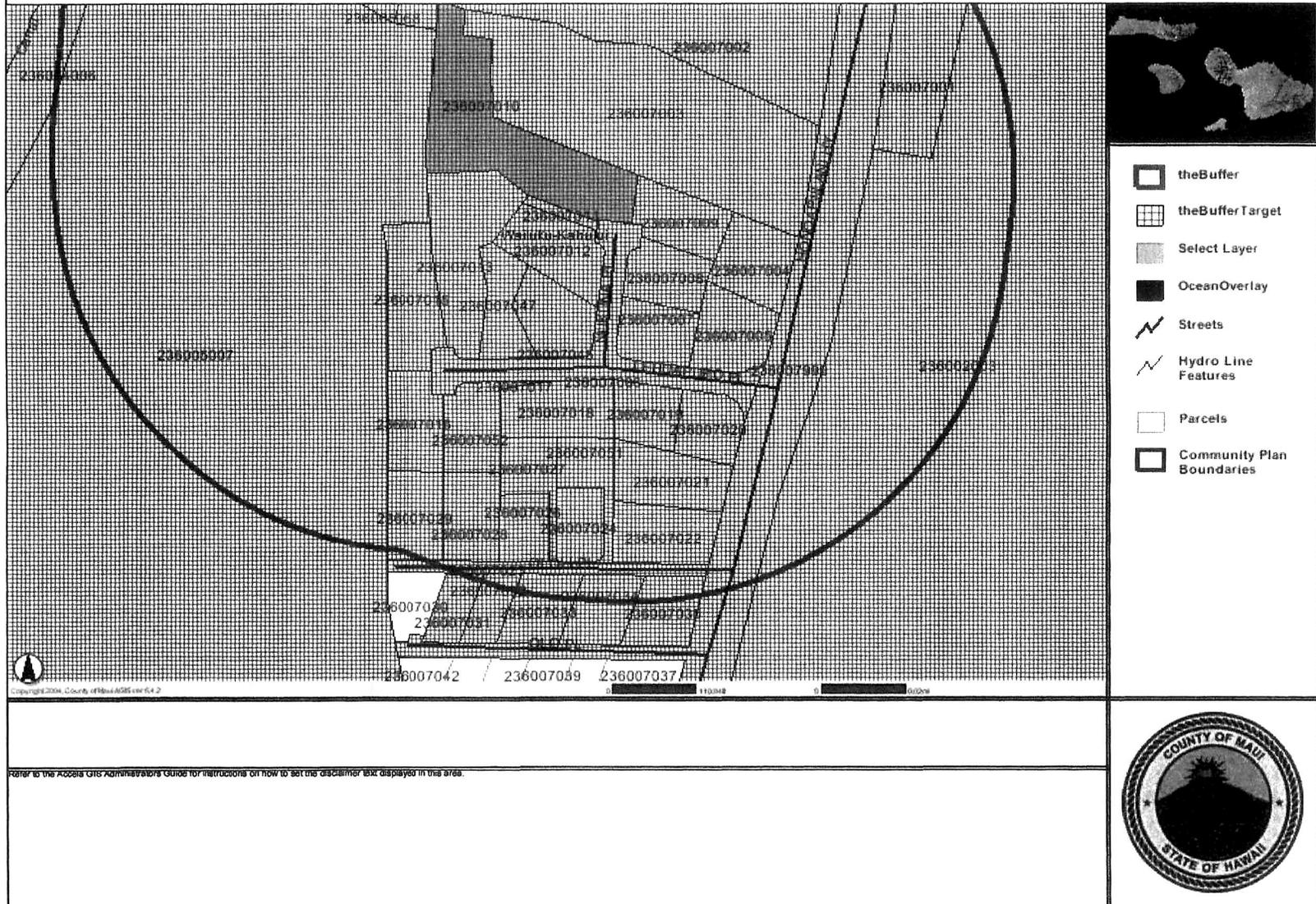
Copyright 2012, County of Maui GIS version 04.0

Scale: 1:10000

Refer to the Access GIS Administrator's Guide for instructions on how to set the disclaimer text displayed in this area.



Garner_Rezoning_R3, Residential



**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|---|---------------------------------|--------------------|
| 1 | 2350028880000 | NO MATCH (LOOKS LIKE THE WAIKAPU RIVER) | NO TMK LISTED ON RPT WEBSITE | |
| 2 | 2350109990000 | NO MATCH (LOOKS LIKE HONOAPIILANI HWY) | NO TMK LISTED ON RPT WEBSITE | |
| 3 | 2350110010000 | CABEBE, ROGELIO RUDY JR ETAL | 5 WILIKONA PL | WAILUKU, HI, 96793 |
| 4 | 2350110020000 | EVANGELISTA, ELIAS A TR ETAL | 582 S PAPA AVE | KAHULUI, HI, 96732 |
| 5 | 2350110030000 | ALVARADO, ALBERT ETAL | 17 WILIKONA PL | WAILUKU, HI, 96793 |
| 6 | 2350110040000 | VERTIDO, ANTHONY SCOTT ETAL | 23 WILIKONA PL | WAILUKU, HI, 96793 |
| 7 | 2350110040000 | HOOPAI, CHERYL ANN | 875 KUHIO PL | WAILUKU HI 96793 |
| 8 | 2350110040000 | VERTIDO, MEGAN DELOSO | 1462 KALOTE PL | HILO HI 96720 |
| 9 | 2350110050000 | SENTANI, ERIC | 31 WILIKONA PL | WAILUKU, HI, 96793 |
| 10 | 2350110060000 | OLIVEIRA FAMILY TRUST | 35 WILIKONA PL | WAILUKU, HI, 96793 |
| 11 | 2350110070000 | SENTANI, ROGERS ETAL | 41 WILIKONA PL | WAILUKU, HI, 96793 |
| 12 | 2350110080000 | SMITH, SCOTT HAL | 2486 W VINEYARD ST | WAILUKU, HI, 96793 |
| 13 | 2350110080000 | LEWIS, HANNAH ALLYSON | 47 WILIKONA PL | WAILUKU, HI, 96793 |
| 14 | 2350110090000 | SERRANO, HAROLD SABUGO ETAL | 125 HAMAU PL | LAHAINA, HI, 96761 |
| 15 | 2350110090000 | MONTENEGRO, VIRGINIA SERRANO | 4394 252ND PL SE | SAMMAMISH WA 98029 |
| 16 | 2350110100000 | ODIORNE FAMILY TRUST | 59 WILIKONA PL | WAILUKU, HI, 96793 |
| 17 | 2350110110000 | VICENTE, ELIZABETH TRUST | 54 WILIKONA PL | WAILUKU, HI, 96793 |
| 18 | 2350110120000 | VICENTE, ELIZABETH TRUST | 54 WILIKONA PL | WAILUKU, HI, 96793 |

**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|---|---|-------------------------------|
| 19 | 2350110130000 | DEUTSCHE BANK NATIONAL TRUST CO TTEE ATTN:OCWEN LOAN SERVICING LLC | 1661 WORTHINGTON RD STE 100 | WEST PALM BEACH, FL, 33409 |
| 20 | 2350110140000 | SANCHEZ, LEONA | 1455 KEMOA PL | WAILUKU, HI, 96793 |
| 21 | 2350110150000 | RACOMA, VICTORIA R TRUST | 1437 KEMOA PL | WAILUKU, HI, 96793 |
| 22 | 2350110160000 | CHONG KEE, GREG R TR | 1782 KAAHUMANU AVE | WAILUKU, HI, 96793 |
| 23 | 2350110170000 | ORIFON, TIMOTEO L JR ETAL | 1431 KEMOA PL | WAILUKU, HI, 96793 |
| 24 | 2350110280000 | ROLA, DINO ROJAS REVOC TRUST ETAL | 1460 KEMOA PL | WAILUKU, HI, 96793 |
| 25 | 2350110290000 | KINZLE, CHRISTIAN SAMUEL | PO BOX 2826 | WAILUKU, HI, 96793 |
| 26 | 2350110490000 | WAIKAPU PARTNERS | NO MAILING ADDRESS LISTED ON RPT WEBSITE | |
| 27 | 2350110710000 | MOORE, ROBERTA L ETAL | 15 OIA WAY | WAILUKU, HI 96793 |
| 28 | 2350110720000 | HELLE, BARRY ETAL | 105 WILIKONA PL | WAILUKU, HI, 96793 |
| 29 | 2350110730000 | STRONA, KORY KAIKOA ETAL | 95 WILIKONA PL | WAILUKU, HI, 96793 |
| 30 | 2350110740000 | SUTHERLAND, LUCAS HILTON ETAL | 85 WILIKONA PL | WAILUKU, HI, 96793 |
| 31 | 2350110750000 | PALOMA, ARLENE LABOT | 721 EDGEWATER DR UNIT D | CHULA VISTA, CA, 91913 |
| 32 | 2350110760000 | SOTO, ROBERT J ETAL | 10 OIA WAY | WAILUKU, HI, 96793 |
| 33 | 2350110770000 | TOYAMA, JARRET ISOKICHI ETAL | 30 OIA WAY | WAILUKU, HI, 96793 |
| 34 | 2350110810000 | WAIKAPU PARTNERS | PO BOX 130 | KIHEI, HI, 96753 |
| 35 | 2350119990000 | NO MATCH (LOOKS LIKE WILIKONA PL) | NO TMK LISTED ON RPT WEBSITE | |
| 36 | 2360020030000 | WAIKAPU PARTNERS LLC | PO BOX 1870 | MANTECA, CA, 95336 |

**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|--|---|--------------------|
| 37 | 2360040060000 | WAIKAPU PROPERTIES, LLC | PO BOX 1870 | MANTECA, CA, 95336 |
| 38 | 2360050070000 | MTP LAND PARTNERS LLC ETAL | PO BOX 1870 | MANTECA, CA, 95336 |
| 39 | 2360050680000 | HAWAII TROPICAL PLANTAION - CONDO MASTER | NO MAILING ADDRESS | |
| 40 | 2360050680001 | FORDYCE, JENNIFER M | P O BOX 1612 | WAILUKU HI 96793 |
| 41 | 2360050680002 | MAYER, KYLE | PO BOX 385 | WAILUKU HI 96793 |
| 42 | 2360070010000 | EISENBURGER, MAXIMILIAN H ETAL | PO BOX 6304 | KAHULUI, HI, 96733 |
| 43 | 2360070020000 | OCEANAS HUI LLC | 62 UAHAA PL | WAILUKU, HI, 96793 |
| 44 | 2360070030000 | BUMANGLAG, MANUEL/MILAGROS TRUST | 1510 HONOAPIILANI HWY | WAILUKU, HI, 96793 |
| 45 | 2360070040000 | ROMAN CATHOLIC MISSION C/O FIRST HAWAIIAN BANK - AGENT FOR RCCH | PO BOX 1550 - TRUST REAL ESTATE SVC | HONOLULU, HI 96806 |
| 46 | 2360070050000 | UDARBE, MOIRA | 6 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 47 | 2360070060000 | NO MATCH (LOOKS LIKE THE NUKUNA PL) | NO TMK LISTED ON RPT WEBSITE | |
| 48 | 2360070070000 | ECHALAS, CLAVELINA R TRUST | 12 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 49 | 2360070080000 | KOZAKI, EDWIN Y ETAL | PO BOX 49 | WAILUKU, HI, 96793 |
| 50 | 2360070090000 | KOZAKI, EDWIN Y ETAL | PO BOX 49 | WAILUKU, HI, 96793 |
| 51 | 2360070100000 | GARNER, BRIAN E ETAL | 1550 NUKUNA PL | WAILUKU, HI, 96793 |
| 52 | 2360070110000 | VERTIDO, ANTHONY S ETAL | NO MAILING ADDRESS LISTED ON RPT WEBSITE | |
| 53 | 2360070120000 | YOSHIOKA, IRENE MAPUANA TR - ESTATE C/O LATU, IRIS TRS | PO BOX 330434 | KAHULUI, HI, 96733 |
| 54 | 2360070130000 | NEW DIRECTION IRA INC FBO D T TING ATTN DONNA P TING | 1962 WELLS ST | WAILUKU, HI, 96793 |

**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|----------------------------------|---|--------------------|
| 55 | 2360070150000 | HOOPAI, DAVID K TRUST | 44 LEHUAPUEO ST | WAILUKU, HI, 96793 |
| 56 | 2360070160000 | PAULS, ANSELM | PO BOX 1693 | MAKAWAO, HI 96768 |
| 57 | 2360070170000 | SAIKI, DORIS S TRUST | 25 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 58 | 2360070180000 | SAIKI, DORIS S TRUST ETAL | 25 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 59 | 2360070190000 | KOZAKI, JAYSON M & SANDY S TR | 15 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 60 | 2360070200000 | KOZAKI, JAYSON M & SANDY S TR | 15 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 61 | 2360070210000 | SUEHIRO, DEREK K ETAL | PO BOX 1815 | WAILUKU, HI, 96793 |
| 62 | 2360070220000 | LAU, HENRY HING TONG ETAL | PO BOX 341 | WAILUKU, HI, 96793 |
| 63 | 2360070230000 | VARIOUS OWNERS | NO MAILING ADDRESS LISTED ON RPT WEBSITE | |
| 64 | 2360070240000 | COCKETT, EDMUND KALOI TRUST ETAL | 18 OLOLI PL | WAILUKU, HI, 96793 |
| 65 | 2360070260000 | HELGE, JOEL | 26 OLOLI PL | WAILUKU, HI, 96793 |
| 66 | 2360070270000 | DELOS REYES, COLIN W ETAL | 24 OLOLI ST | WAILUKU, HI, 96793 |
| 67 | 2360070280000 | ORIKASA, WARREN K/HELEN M TRUST | 32 OLOLI PL | WAILUKU, HI, 96793 |
| 68 | 2360070290000 | VAN RITCHIE, KIM TRUST | 40 OLOLI PL | WAILUKU, HI, 96793 |
| 69 | 2360070310000 | GARCIA, ROBERT KAIPO ETAL | 33 OLO PL | WAILUKU, HI, 96793 |
| 70 | 2360070320000 | MILLER, NICHOLAS WAYDE ETAL | 28 OLO PL | WAILUKU, HI, 96793 |
| 71 | 2360070330000 | AWEAU, NORMAN TOBY PAAHANA ETAL | 466 MIKIOI PL | KIHEI, HI, 96753 |
| 72 | 2360070340000 | MCCLURE, NOELE D | 12 OLO PL | WAILUKU, HI, 96793 |

**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|--|---------------------------------|--------------------|
| 73 | 2360070350000 | HENRY, JOHN F & GWEN H FAMILY TRUST | 4 OLO PL | WAILUKU, HI, 96793 |
| 74 | 2360070450000 | RAMOS, KIM ETAL | PO BOX 12966 | LAHAINA, HI, 96761 |
| 75 | 2360070470000 | KAPLAN, LINDA DARNEL | 32 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 76 | 2360070510000 | ANDERSEN, DANE KAMUELA ETAL | 22 OLOLI PL | WAILUKU, HI, 96793 |
| 77 | 2360070520000 | YOSHIZAWA, HELEN K TRUST | 35 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 78 | 2360079990000 | NO MATCH (LOOKS LIKE HONOAPIILANI HWY) | NO TMK LISTED ON RPT WEBSITE | |

1.6 Zoning and Flood Confirmation

2044820

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793



Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7253
Facsimile: (808) 270-7634
E-mail: planning@mauicounty.gov

RECEIVED

NOV 9 2020

COUNTY OF MAUI
DEPARTMENT OF PLANNING

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Robyn M. Garner TELEPHONE 8084976219
PROJECT NAME B T2020 1150-1154 Garner Residence E-MAIL robymgarner@gmail.com
PROPERTY ADDRESS 1550 Nukuna Place (Main, A, B, C) TAX MAP KEY 360070100000

Yes No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:
A) Yes No Will it be processed under a consistency exemption from Section 18.04.030(B), MCC?
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____
B) State the purpose of subdivision and the proposed land uses (ie 1-lot into 2-lots for all land uses allowed by law): _____

- INSTRUCTIONS:
- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
 - 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
 - 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹

STATE DISTRICT: Urban Rural Agriculture Conservation (SMA) Special Management Area

MAUI ISLAND PLAN Growth Boundary: ² Urban Small Town Rural Planned Growth Area Outside Growth Boundaries

Protected Area: ² Preservation Park Greenbelt Greenway Sensitive Land Outside Protected Areas

COMMUNITY PLAN: ² Single family (PD) Planned Development

COUNTY ZONING: Agriculture District (PH) Project District

OTHER/COMMENTS: _____ See Additional Comments (Pg.2)

FEMA FLOOD INFORMATION: A Flood Development Permit is required if any portion of a parcel is designated V, VE, A, AO, AE, AH, D, or Floodway, and the project is on that portion.

FLOOD HAZARD AREA ZONES ³ Zone X See Attached LUD Map

& BASE FLOOD ELEVATIONS: _____

FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH: _____

SUBDIVISION LAND USE CONSISTENCY: Not Consistent, (LUDs appear to have NO permitted uses in common).

Not Applicable, (Due to processing under consistency exemption No. 1, 2, 3, 4, 5).

(Signature) Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).

⁴ Consistent, (LUDs appear to have ALL permitted uses in common).

⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

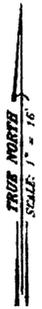
⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

- NOTES:
- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change In Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
 - 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
 - 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
 - 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY:

John S Rapacz (Signature) 11/12/20 (Date)
For: John S Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division

1.7 Metes and Bounds Description



TOPOGRAPHIC SURVEY OF
LOT 7 OF
WAIKAPU TRACT SUBDIVISION
(SUBDIVISION FILE NO. 3.535)
 Being portions of Royal Patent 102,
 Land Commission Award 432
 to Anthony Sylva and Grant 3041
 to Heirs of Antone Sylva Senior

SITUATE AT LEHIAPUAO,
 WAILUKU, MAUI, HAWAII

DATE: OCTOBER 30, 2000 SCALE: 1" = 16'
 REVISION: FEBRUARY 23, 2001

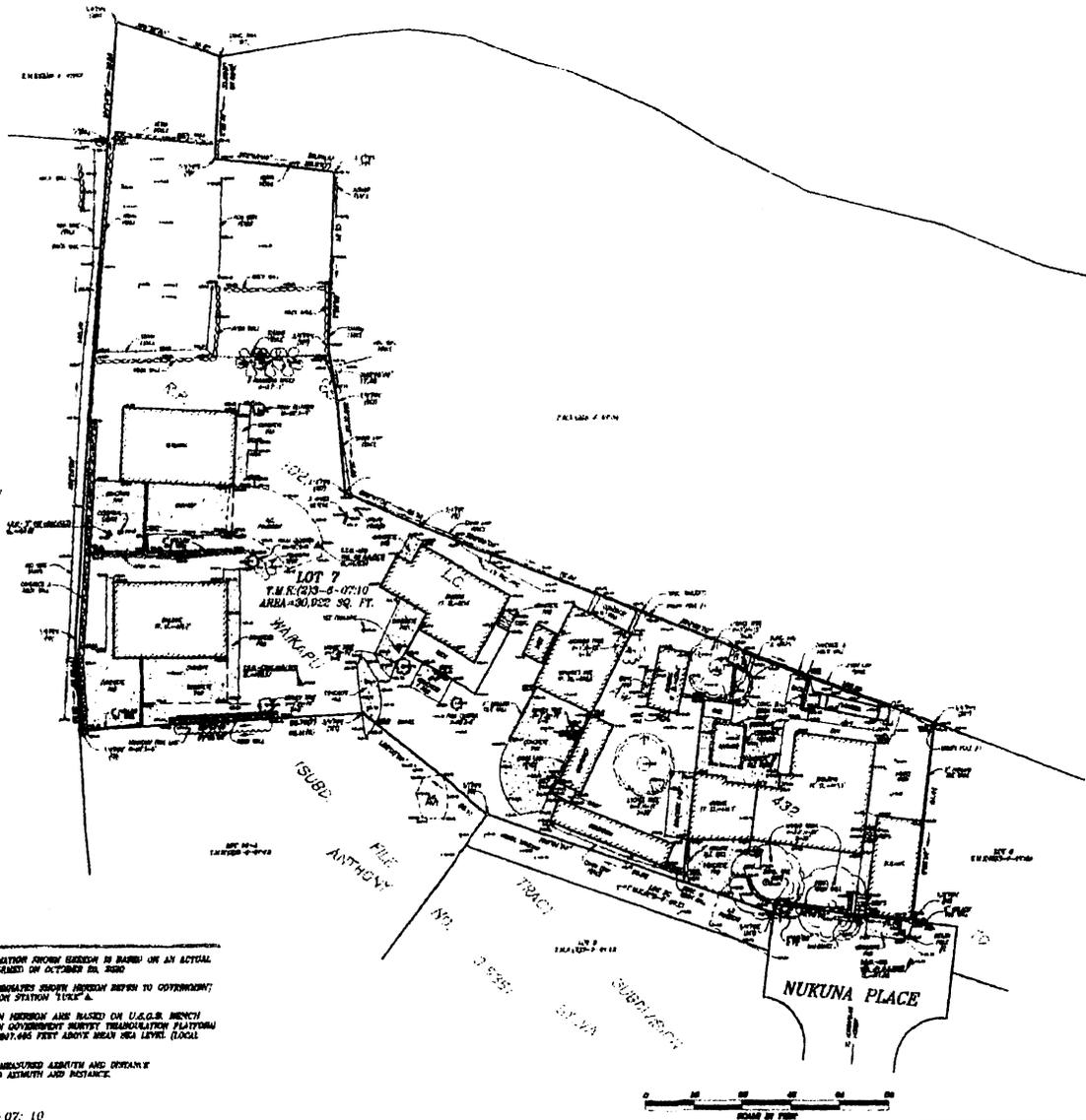
AKAMAI LAND SURVEYING, INC.

P.O. BOX 1140
 HALEKALOA MAUI, HAWAII 96741
 (808) 277-1177

PROPERTY OWNER & ADDRESS:
 JAMES E. & SUZAN M. GARNER
 1240 NUKUNA PLACE
 WAILUKU, HI 96793



STATE OF HAWAII
 DEPARTMENT OF LAND AND NATURAL RESOURCES
 BUREAU OF CONVEYANCE
 OFFICE OF LAND SURVEYING
 1500 KALANOAU AVENUE, SUITE 100
 HONOLULU, HAWAII 96813
 TELEPHONE: (808) 586-2500
 FAX: (808) 586-2501
 WWW.DLN.RIS.HAWAII.GOV



- NOTES:**
1. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED ON OCTOBER 30, 2000.
 2. ELEVATIONS AND COORDINATES SHOWN HEREON REFER TO GOVERNMENT SURVEY TRIANGULATION STATION TULU'U.
 3. ELEVATIONS SHOWN HEREON ARE BASED ON U.S.G.S. MENCH MARKS OR BM ON GOVERNMENT SURVEY TRIANGULATION PLATFORMS. ELEVATION TAPE AS NOTED FEET ABOVE MEAN SEA LEVEL (LOCAL TIDAL DATUM).
 4. (A) SHOWS FIELD MEASURED AZIMUTH AND DISTANCE.
 (B) SHOWS RECORD AZIMUTH AND DISTANCE.

T.M.K. (2) 3-6-07: 10

SHEET 1 OF 1

FOR NO. 2000-0000-0000-0000-0000

EXHIBIT "A"

All of grantor's right, title and interest in and to that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 102, Land Commission Award Number 432, Apana 1 to A. Sylva) situate, lying and being at Lehuapueo, Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 7-A and thus bounded and described as per survey of Robert T. Tanaka, Registered Professional Land Surveyor, dated June 2, 1969, to-wit:

Beginning at a pipe at the Southwest corner of this lot, being also the Northwest corner of Parcel 13-A of this Subdivision, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,156.81 feet South and 3,150.06 feet West and running by azimuth measured clockwise from true South:

1. 177° 05' 29.65 feet along Grant 1146;
2. 184° 14' 160.90 feet along the same to a "+" cut on a stone;
3. 184° 14' 39.08 feet along the land owned by Tokuichi Sakamoto Estate;
4. 288° 32' 35.67 feet along the same;
5. 2° 58' 33.60 feet along land owned by Kazuo Kamasaki and wife Shimoyo;
6. 276° 43' 38.65 feet along the same to a pipe;
7. 2° 20' 56.50 feet along the same;
8. 350° 18' 17.85 feet along the same;
9. 355° 37' 29.65 feet along the same;
10. 293° 47' 26.50 feet along the same;
11. 290° 59' 78.50 feet along the same;
12. 290° 39' 102.60 feet along the same;
13. 6° 53' 64.44 feet along Lot 6 of Waikapu Tract Subdivision;
14. 96° 53' 45.00 feet along Lehuapueo Road;
15. 6° 53' 2.72 feet along the same;

16. 109° 04' 98.92 feet along Lot 20 of Waikapu Tract Subdivision;
17. 128° 00' 53.00 feet along Parcel 13-A of this Subdivision;
18. 87° 05' 92.41 feet along the same to the point of beginning and containing an area of 30,922 square feet, more or less.

Together with the free use of the twelve (12) feet Right-of-Way, designated as Lot 20 of the Waikapu Tract Subdivision owned by Russel Newton and wife Helen and described as follows:

Beginning at a pipe at the northwest corner of this lot, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE", being 10,184.74 feet south and 3,016.01 feet west and running by azimuth measured clockwise from true South:

1. 289° 04' 98.92 feet along Lot 7-A of this Subdivision;
2. 6° 53' 12.28 feet along Lehuapueo Road;
3. 109° 04' 105.54 feet along Lot 8 of Waikapu Tract Subdivision;
4. 217° 36' 12.66 feet along Parcel 13-A of this Subdivision to the point of beginning and containing an area of 1,227 square feet, more or less.

Together with a Right-of-Way designated as Easement "A" upon Lot 13-A of this Subdivision and described as follows:

Beginning at a pipe at the northeast corner of this Easement, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,184.74 feet south and 3,016.01 feet west, and running by azimuth measured clockwise from true South:

1. 37° 36' 12.66 feet along Lot 20 of Waikapu Tract Subdivision;
2. 128° 00' 17.00 feet;
3. 180° 00' 16.06 feet;
4. 308° 00' 26.80 feet along Lot 7-A of this Subdivision to the point of beginning and containing an area of 277 square feet, more or less.

Together with a perpetual non-exclusive easement and right of access for ingress and egress purposes, over and across all of that certain parcel of land, situate at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, known as Lehuapueo Place and Nukuna Place, being LOT 18 of the Waikapu Tract Subdivision, containing an area of 20,809 square feet, and identified on the Tax Map of the Second Taxation Division as Tax Map Key 3-6-07-6, as granted by instrument dated July 29, 1992, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 92-154221.

Being all of the property conveyed by the following:

Limited Warranty Deed

Grantor : Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement

Grantee : Brian E. Garner and Robyn M. Garner, husband and wife, as Tenants by the Entirety

Dated : May 18, 2018
Recording Date : May 31, 2018
Recording No. : A67250788

SUBJECT, HOWEVER, to the following:

1. Real property taxes not yet required by law to be paid.
2. Mineral and water rights of any nature in favor of the State of Hawaii
3. An agreement, upon and subject to all of the provisions contained therein.

By and Between : Teruo Kamasaki and Evelyn Kamasaki, husband and wife, and County of Maui, Department of Water Supply

Dated : October 28, 1985
Recording Date : November 4, 1985
Recording No. : Liber 19054, Page 635.

4. Lease

Lessor : Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement

Lessee : Evelyn N. Kamasaki, widow of Teruo Kamasaki

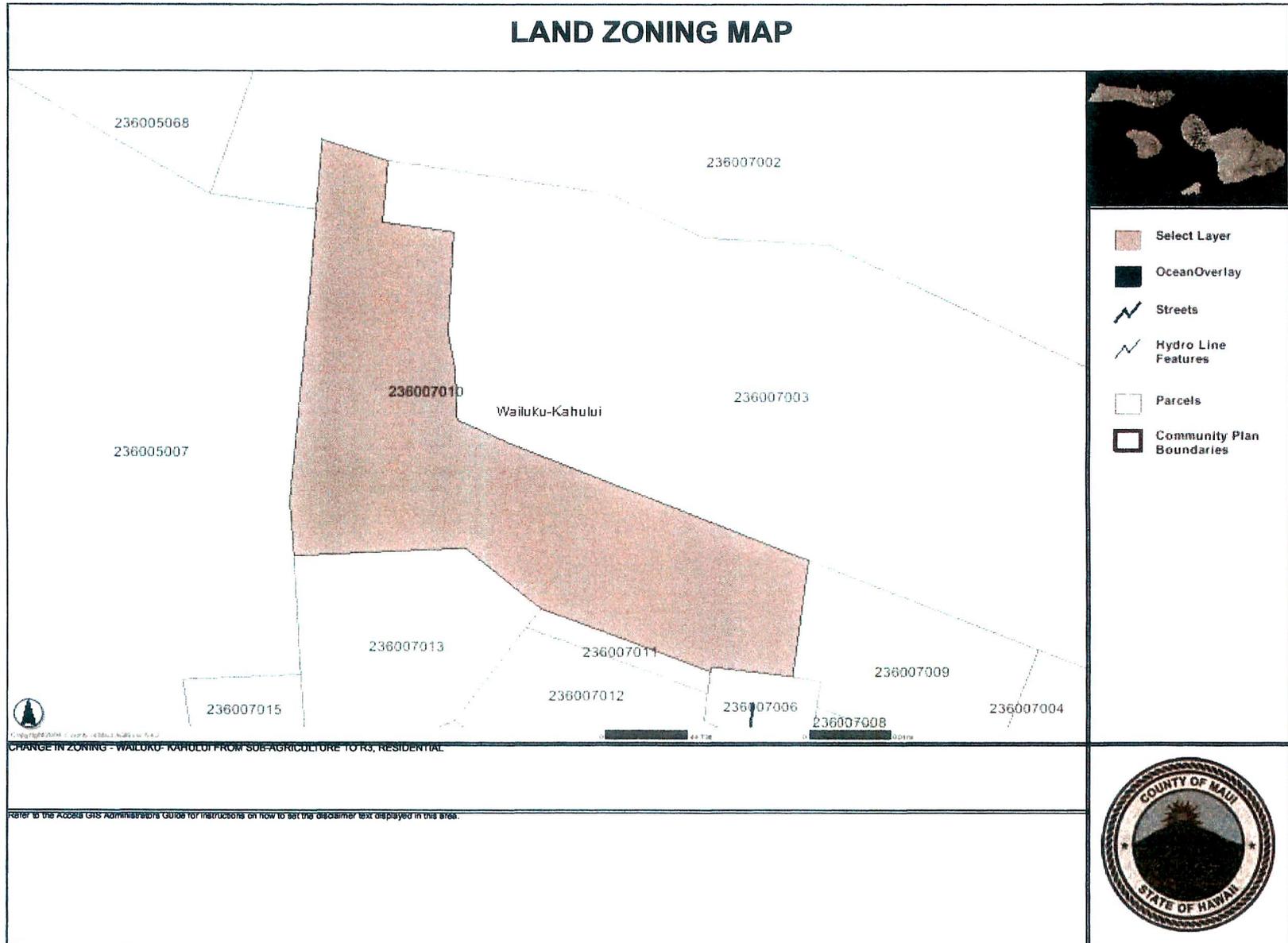
Dated : July 6, 2012
Recording Date : July 24, 2012
Recording No. : A-45881176

Said Lease was amended by Amended Lease dated September 26, 2019, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A72090773.

5. All liens, mortgage, encumbrances, assessments, easements, terms, conditions, covenants, restrictions, reservations, and/or other matters affecting title of the said property presently of record, if any.

END OF EXHIBIT "A"
TAX MAP KEY: (2) 3-6-007-010

1.8 Map of Property



1.9 Copy of the Notice of Public Hearing

NOTICE OF PUBLIC HEARING

DATE: 11 September 2021

For: Mailing To Owners /Lessees and Publication in Newspaper

Please be informed that the undersigned has applied to the Wailuku Planning Commission for a **Change Of Zoning** for the following parcel(s):

- a. Tax Map Key No: (2) 3-6-007:010 Sq.Ft./Acreage: 30922 SF
- b. Street Address: 1550 Nukuna Place, Wailuku, Hawaii 96793
- c. Land Use Designation:
 - County Zoning from: Agriculture
 - to: Residential R-2
- d. Proposed Development: _____

The Applicant proposes to restore and expand the main dwelling and keep a temporary storage structure. The purpose of the Change in Zoning is to establish consistency between the zoning and the existing uses on the property and the existing Community Plan Designation.

TO BE COMPLETED BY THE DEPARTMENT OF PLANNING:

Public Hearing Date: _____ Time: _____

Place: _____

Attached please find a *location map* identifying the location of the specific parcel(s) being considered in the request for a **Change of Zoning**.

The public hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 19 of the Maui County Code, and the appropriate Planning Commission rules.

Testimony relative to this request may be submitted in writing prior to the hearing to the appropriate Planning Commission c/o the County of Maui, Department of Planning, 2200 Main Street Suite 315, Wailuku, Maui, Hawaii, 96793, or presented in person at the time of the public hearing.

Information relative to the application is available for review at the Department of Planning, 2200 Main Street Suite 315, Wailuku, Maui, Hawaii; telephone (808) 270-7735; toll free from Molokai 1-800-272-0117 extension 7735; toll free from Lanai 1-800-272-0125, extension 7735.

Robyn & Brian Garner 808-497-6219/3781

Name of Applicant Telephone

Robyn Garner + *Brian Garner*

Signature

1550 Nukuna Place

Mailing Address, No. & Street or PO Box

Wailuku, Hawaii, 96793

City, State, Zip Code

1.10 Plans for Proposed Renovation of Main Dwelling

CONSTRUCTION DRAWINGS FOR:
GARNER RESIDENCE

1550 NUKUNA PLACE
 WAILUKU, HI 96793
 TRK. (2) 3 - 6 - 0071 C10
 LOT AREA 30927 SF.

GENERAL CONDITIONS

1. THE CONTRACTOR SHALL FAMILIARIZE HIMSELF WITH THE COVENANTS AND REGULATIONS OF THE SUBDIVISION AND COMPLY WITH THEM AS THEY RELATE TO THE WORK.
 2. ALL DETAILS, SECTIONS AND NOTES SHOWN ON THE DRAWINGS ARE TYPICAL & SHALL APPLY TO SIMILAR SITUATIONS ELSEWHERE UNLESS NOTED OTHERWISE.
 3. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS & CONDITIONS AT THE SITE PRIOR TO COMMENCEMENT OF CONSTRUCTION.
 4. ALL OMISSIONS OR CONFLICTS BETWEEN THE VARIOUS ELEMENTS TO THE WORKING DRAWINGS AND/OR THE SPECIFICATION SHALL BE BROUGHT TO THE ATTENTION OF THE CONSULTANT BEFORE PROCEEDING WITH ANY OF THE WORK.
 5. ALL WORK SHALL CONFORM TO THE REQUIREMENTS OF THE 2006 INTERNATIONAL BUILDING CODE IN EFFECT AT THE TIME WITH LOCAL AMENDMENTS.
1. TEMPORARY TOILET, WATER AND ELECTRICAL SERVICES ARRANGE FOR TEMPORARY FACILITIES AND SERVICES AND PAY ALL EXPENSES IN CONNECTION THEREWITH.
 2. DISCREPANCIES IN THE EVENT OF A DISCREPANCY IN THE DOCUMENTS, IMMEDIATELY NOTIFY THE CONSULTANT FOR A DECISION BEFORE PROCEEDING WITH THE WORK. WORK CARRIED OUT DISREGARDING THESE INSTRUCTIONS, IS SUBJECT TO REMOVAL AND REPLACEMENT AT THE EXPENSE OF THE CONTRACTOR.
 3. COMPLIANCE WITH GOVERNING LAWS AND REGULATIONS: ALL WORK SHALL BE IN CONFORMANCE WITH THE LATEST ADOPTED 2006 INTERNATIONAL RESIDENTIAL CODE WITH AMENDMENTS, THE MAUI COUNTY PLUMBING & ELECTRICAL CODES, REGULATIONS, AND ALL APPLICABLE ORDINANCE REGULATIONS.
 4. THE OWNER SHALL OBTAIN ALL APPROVALS FROM ANY CURRENT HOME OWNERS ASSOCIATION IN EFFECT AND BE RESPONSIBLE TO CONSTRUCT HOME PER THEIR APPROVAL.

B. SUPPLEMENTARY CONDITIONS:

1. CONTRACTOR SHALL CONFINE HIS CONSTRUCTION OPERATION, MATERIALS, EQUIPMENT, AND APPLIANCES TO WITHIN THE SUBJECT PROPERTY AND TAKE MEASURE TO PROTECT THE PUBLIC FROM HAZARD OR HARM.

NOTE:
 IT IS THE CONTRACTOR AND/OR OWNER'S RESPONSIBILITY TO NOTIFY THE SPECIAL INSPECTOR IN ADVANCE OF WHEN THE INSPECTIONS ARE REQUIRED. THE CONTRACTOR AND/OR OWNER SHALL NOT COVER ANY WORK THAT REQUIRES INSPECTION BEFORE THE INSPECTOR APPROVES THE WORK.

- THE SPECIAL INSPECTOR SHALL:
1. OBSERVE WORK FOR CONFORMANCE WITH APPROVED DESIGN DRAWINGS AND SPECIFICATIONS.
 2. FURNISH INSPECTION REPORTS. ALL DISCREPANCIES SHALL BE BROUGHT TO THE IMMEDIATE ATTENTION OF THE CONTRACTOR/OWNER FOR CORRECTION.
 3. SUBMIT A FINAL SIGNED REPORT.

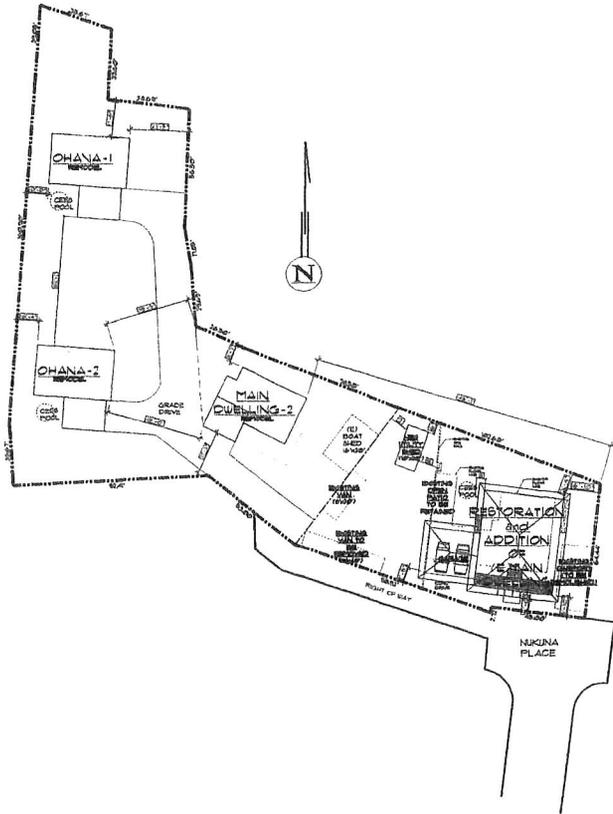
INSPECTION NOTES:

1. ALL MAUI COUNTY COURSE OF CONSTRUCTION INSPECTIONS SHALL BE DONE IN A TRIPLE MANNER. IT IS THE RESPONSIBILITY OF THE OWNER TO CALL FOR THESE INSPECTIONS.
2. IN ADDITION TO THE COUNTY OF MAUI COURSE OF CONSTRUCTION INSPECTIONS, SHEAR DIAPHRAGM AND LOAD PATH SPECIAL INSPECTIONS ARE REQUIRED.
3. BEFORE CONSTRUCTION BEGINS IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONTACT CMA, INC. 800-810-0314 TO VERIFY THE INSPECTIONS REQUIRED FOR THIS PROJECT.
4. SAID INSPECTIONS ARE NOT WITHIN THE SCOPE OF THE ARCHITECT'S SERVICES AND SHALL BE PROVIDED BY THE GENERAL CONTRACTOR UNDER A SEPARATE CONTRACT WITH A QUALIFIED INSPECTOR OF HIS/HER CHOICE.

BUILDING CODE REQUIREMENTS FOR SPECIAL INSPECTIONS

THE SPECIAL INSPECTOR SHALL PROVIDE INSPECTIONS DURING CONSTRUCTION FOR THE FOLLOWING TYPES OF WORK:

| ITEM NO. | TYPE OF WORK | LOCATION(S) |
|----------|-------------------------------------|--|
| 1 | CONCRETE CONSTRUCTION | (HOUSE ONLY) |
| 2 | MASONRY CONSTRUCTION | (HOUSE, GOTTAGE, STORAGE and POOL) |
| 3 | WOOD CONSTRUCTION | (FIRE WALLS, HOUSE, GOTTAGE, STORAGE and POOL) |
| 4 | COMPOSITE LOAD PATH and LEVEL FLOOR | (HOUSE, GOTTAGE and STORAGE) |



1 PLOT PLAN
 SCALE: 1"=25'-0"

COUNTY OF MAUI
 MAUI COUNTY CODE CHAPTER 8.08 ENERGY CODE
 RESIDENTIAL PROVISIONS

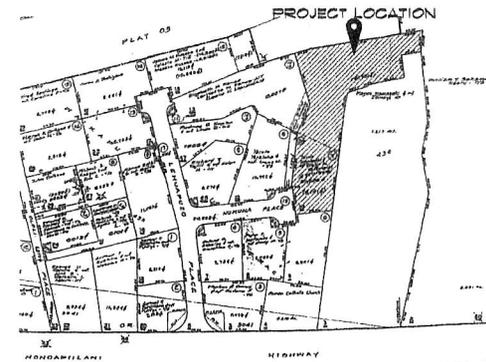
COMPLIANCE METHOD
 CHECK APPLICABLE METHOD

RADIANT RATED THROUGH RATED (PRESCRIPTIVE)
 RADIANT RATED THROUGH RATED LABELED MANDATORY (REGULATED PERFORMANCE ALTERNATIVE)
 RADIANT RATED (ENERGY RATING INDEX COMPLIANCE ALTERNATIVE)
 RADIANT RATED (TROPICAL ZONE)

REST (ALTERNATIVE)
 TO THE BEST OF HIS/HER KNOWLEDGE THIS PROJECT'S DESIGN SUBSTANTIALLY COMPLIES WITH THE ENERGY CODE

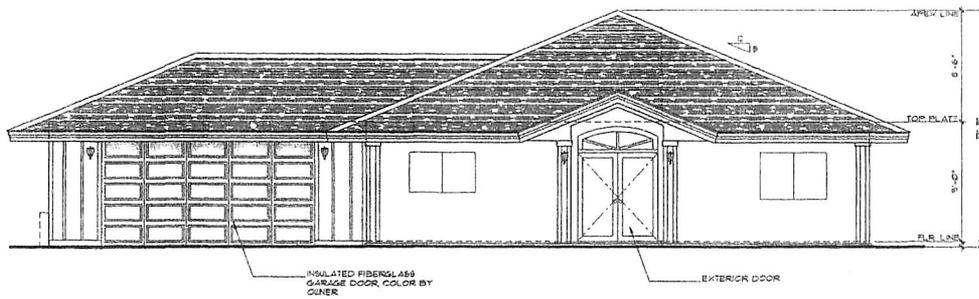
Signature: *[Handwritten Signature]* Date: 01/21/2023
 Title: ARCHITECT
 License No: 12800

NOTE: VERIFY ALL LOT DIMENSIONS FOR ITS CORRECTNESS PRIOR TO PROCEEDING WITH WORK. ALL WORK TO CONFORM TO CURRENT CODES AND MAUI COUNTY

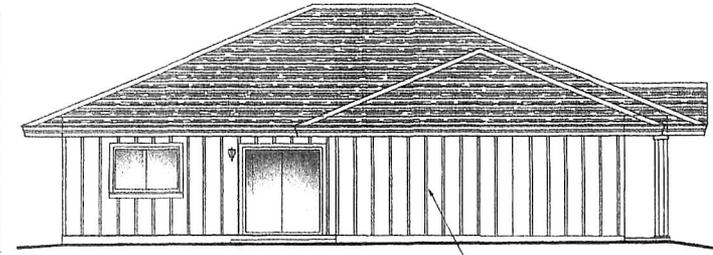


2 VICINITY MAP
 NOT TO SCALE

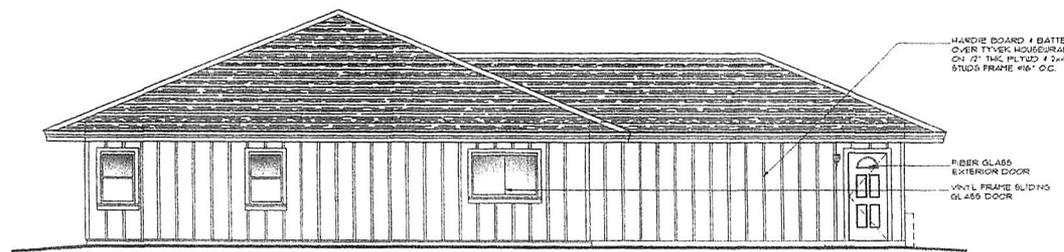
| | | | |
|---|--|--|-----------------------|
| | | This drawing was prepared by me or under my direct supervision and I am a duly licensed professional architect in the State of Hawaii. Signature: <i>[Handwritten Signature]</i> License No. 12800 | DATE: AUGUST 10, 2023 |
| | | | SCALE: NOTED |
| CONSTRUCTION DRAWING FOR: GARNER RESIDENCE | | | DRAWN: RECA |
| 1550 NUKUNA PLACE WAILUKU, HI 96793 TRK. 3 - 6 - 07 - 010 | | | JOB: GARNER |
| | | | SHEET: |



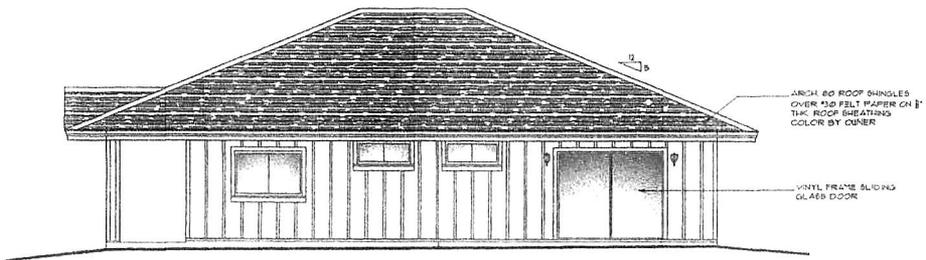
FRONT



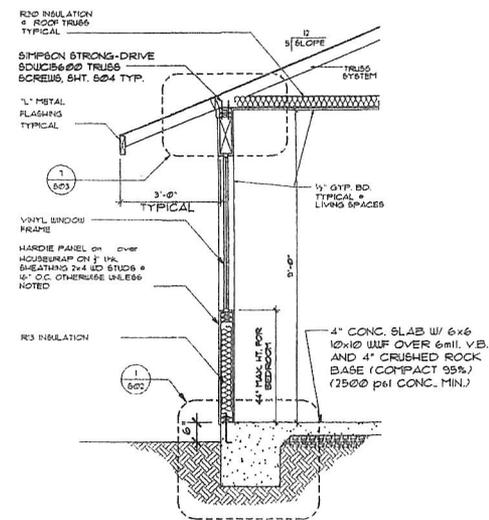
LEFT



REAR



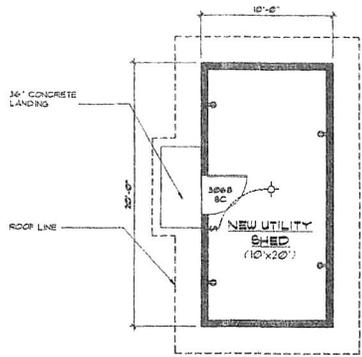
RIGHT



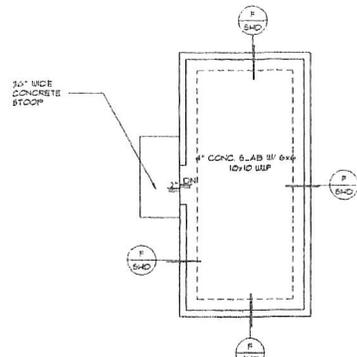
2 MAIN DWELLING TYP. 1-STORY WALL SECTION
3/8" SCALE

1 MAIN DWELLING EXTERIOR ELEVATIONS
SCALE: 1/4" = 1'-0"

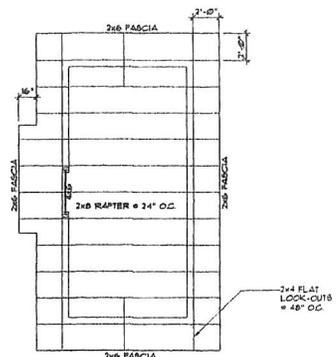
| | | | |
|---|--|---|-------------------------------------|
| | | This work was prepared by me or under my direct supervision and I am a duly Licensed Professional Engineer in the State of Hawaii. My license number is 7350. Date of expiration is 12/31/2021. | DATE: AUGUST 10, 2020 |
| | | | SCALE: NOTED |
| CONSTRUCTION DRAWING FOR: GARNER RESIDENCE | | | DRAIN: 15% JOB: GARNER SHEET: |
| 1550 NUKUNA PLACE WAILUKU, HI 96793 THK. 3 - 6 - 07 - 010 | | | A3 |



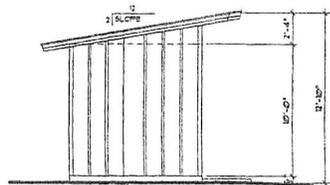
1 UTILITY SHED FLOOR PLAN
SCALE: 1/4" = 1'-0"



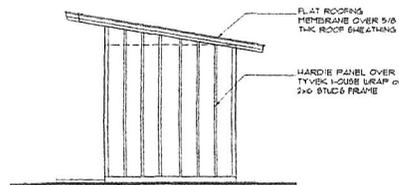
2 UTILITY SHED FOUNDATION PLAN
SCALE: 1/4" = 1'-0"



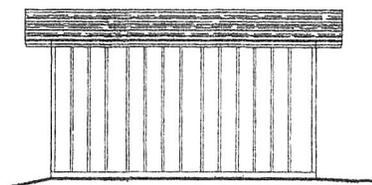
3 UTILITY SHED ROOF FRAMING PLAN
SCALE: 1/4" = 1'-0"



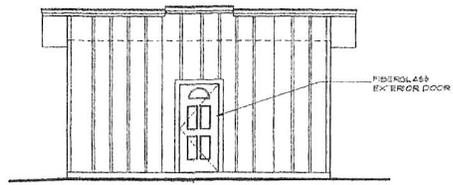
REAR



FRONT

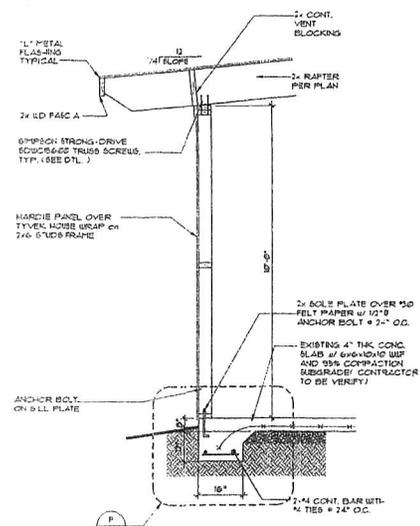


RIGHT



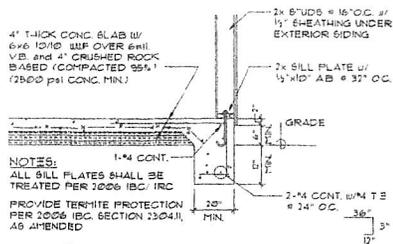
LEFT

4 UTILITY SHED EXTERIOR ELEVATIONS
SCALE: 1/4" = 1'-0"

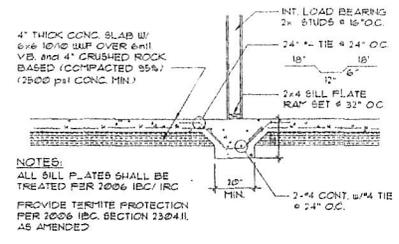


5 UTILITY SHED EXT. WALL SECT.
SCALE: 3/4" = 1'-0"

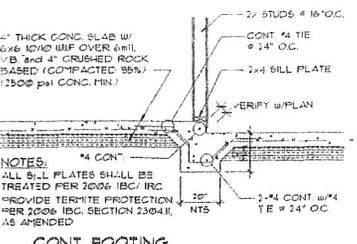
| | | | | |
|--|--|--|---|-----------------------|
| | | This work was prepared by me or under my direct supervision and I am a duly Licensed Professional Engineer in the State of Hawaii. | CONSTRUCTION DRAWING FOR: | DATE: AUGUST 16, 2010 |
| | | | GARNER RESIDENCE | SCALE: NOTED |
| | | | 1550 NIUKUNA PLACE WAILUKU, HI 96793 | DRAWN: TRICK |
| | | | THK 3 - 6 - 01 - 010 | JOB: GARNER |
| | | | SHEET: A8 | |



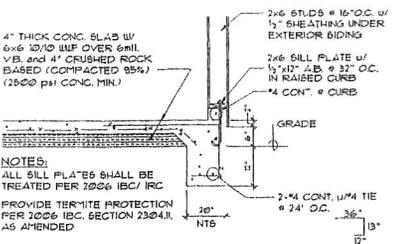
1 CONT. FTG. @ EXTERIOR WALL
3/4" SCALE



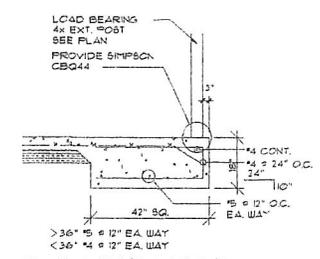
2 FTG. @ INT. LOAD BEARING WALL
3/4" SCALE



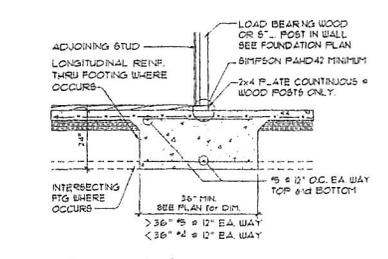
3 CONT. FOOTING @ DEPRESSED SLAB
3/4" SCALE



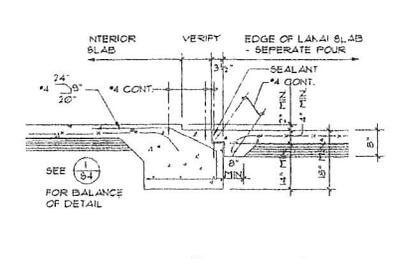
4 CURB FTG. @ EXTERIOR WALL
3/4" SCALE



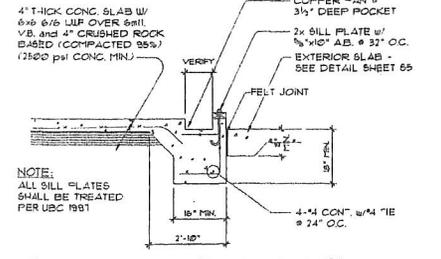
5 EXT. POST FOOTING
NOT TO SCALE



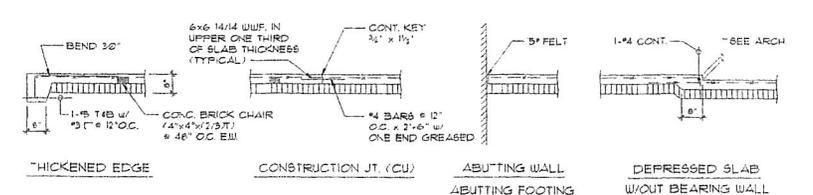
6 DROP FTG. @ POST COND.
NOT TO SCALE



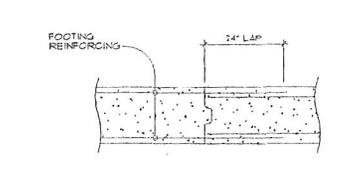
7 CONG. CURB @ "S.B. TRACK"
3/4" SCALE



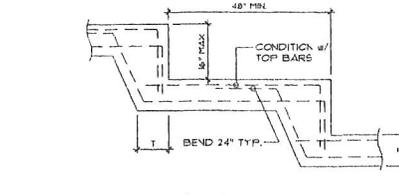
8 CONG. CURB @ "STACK-BACKS"
3/4" SCALE



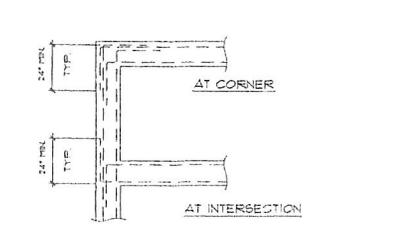
9 TYPICAL SLAB ON GRADE DETAILS
NOT TO SCALE



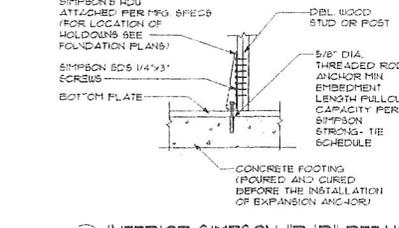
10 CONSTRUCTION DETAIL @ FTG
NOT TO SCALE



11 TYPICAL 6-STEP FOOTING
NOT TO SCALE

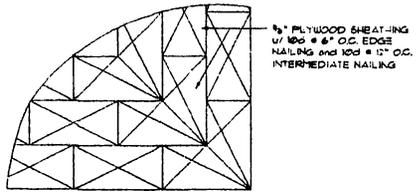


12 TYP. FOOTING INTERSECTION DTL
NOT TO SCALE

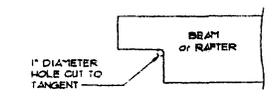


13 INTERIOR SIMPSON 'P-D' DETAILS
SCALE: 3/4" = 1'-0"

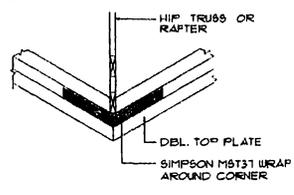
| | | | | |
|---|--|---------------------------|--|---|
| | | CONSTRUCTION DRAWING FOR: | | DATE: AUGUST 12, 2010 |
| | | GARNER RESIDENCE | | SCALE: NOTED |
| 1550 HUKUNA PLAGE WAILUKU, HI 96793 TMK: 3-6-07-010 | | | | DRAWN: NPG JOB: GARNER SHEET: 501 |



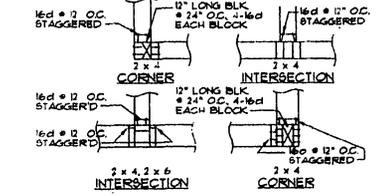
1 TYPICAL PLYWOOD SHEATHING AT ROOF
NOT TO SCALE



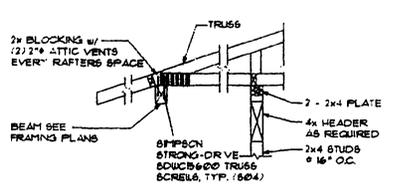
2 TYPICAL NOTCH IN BEAM or RAFTER
NOT TO SCALE



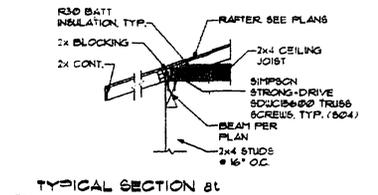
3 M&T 31 @ ALL BUILDING EXT. CORNERS, TYP.
NOT TO SCALE



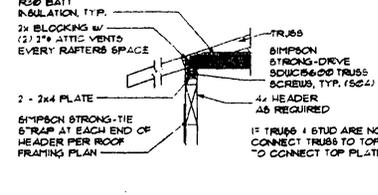
4 TYPICAL STUD WALL CORNER and INTERSECT.
NOT TO SCALE



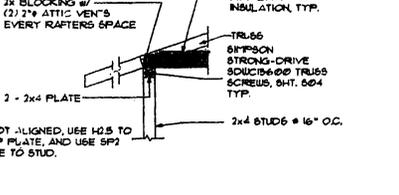
5 WALL FRAMING at BEAM
3/4\"/>



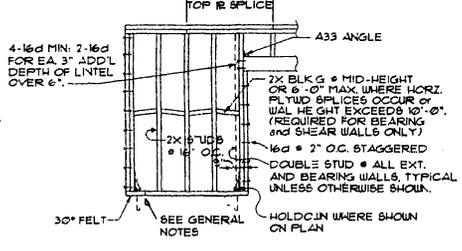
6 TYPICAL SECTION at SUPPORT and CHANGE
3/4\"/>



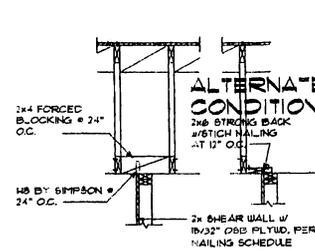
7 WALL FRAMING at TRUSSES
3/4\"/>



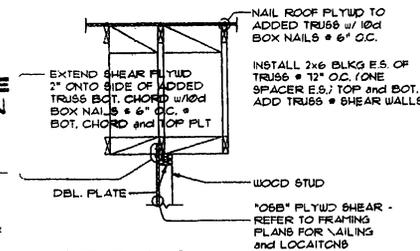
8 STUD WALL PARALLEL TO RAFTERS
3/4\"/>



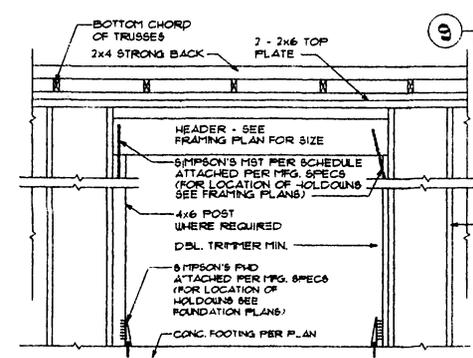
9 STUD WALL FRAMING DET.
NOT TO SCALE



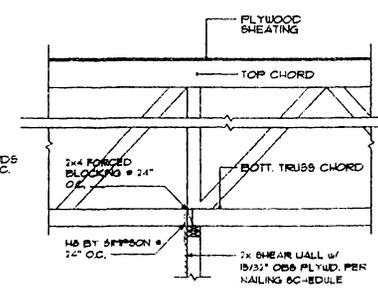
10 SHEAR WALLS PARALLEL TO TRUSSES
NOT TO SCALE



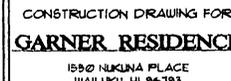
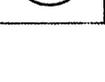
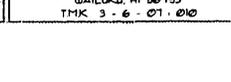
11 SHEAR WALLS PARALLEL TO TRUSSES
NO SCALE



12 TYPICAL WOOD WALL FRAMING
SCALE: 3/4\"/>

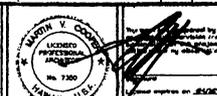


13 SHEAR WALLS PERPENDICULAR TO TRUSSES
NOT TO SCALE

| | | | |
|---|---|---|--|
|  |  |  | DATE: AUGUST 16, 2020 |
| | | | SCALE: NOTED |
|  |  |  | DRAWN: NGA |
| | | | JOB: GARNER |
|  | | | 1590 NIKUNA PLACE WAILUKU, HI 96793 TMK 3 - 6 - 07 - 010 |
|  | | | SHEET: S02 |

| | | | | |
|---|--|---|---|---|
| <p>CODES: SDWC15600, WPA4-4ES, ER-262</p> | <p>Refer to Top Plate shown Truss to Top Plate similar</p> <p>NOTE: 1. Sloped-roof rafters may be sloped up to and including a 12/12 pitch and must be "birdsmouth" cut. 2. Reference detail 2a for installation instructions.</p> | <p>NOTE: Reference detail 2a for "installation angle limit"</p> | <p>Refer to Top Plate shown (Truss to Top Plate similar)</p> <p>NOTE: Sloped-roof rafters may be sloped up to and including a 12/12 pitch and must be "birdsmouth" cut.</p> | <p>NOTE: 3/8" minimum edge distance for full values (with or without a plate splice). Splice may be in upper or lower plate. Offset "A" from top plate splice for full values.</p> |
| 1 SINGLE SDWC ROOF TO WALL OR BEAM INSTALLATION | 1a SINGLE SDWC ROOF TO WALL OR BEAM INSTALLATION RANGE | 2 OPT. SDWC INSTALLATION - TRUSS/AFTER OFFSET FROM SILL | 2a OPT. SDWC INSTALLATION RANGE | 3 SDWC MIN. EDGE DISTANCE FOR TOP PLATE SPLICE |
| <p>Step 1 - Align the metal installation guide leaf (includes) with the truss or rafter, and place the top of the Strong-Drive SDWC to engage the brackets.</p> <p>Step 2 - While continuing to drive the SDWC "into" the beam head into the guide channel to ensure optimal installation angle (12.5). The installation angle range is 10°-20° (see detail 1a). Once the installation angle is established, the metal installation guide leaf may be removed.</p> <p>Step 3 - Once the SDWC is at the head of the beam, the fully threaded end of the double top plate is inserted into the double top plate. Verify that the end of the fastener is installed into a stud member.</p> | | <p>Both screws installed 18"</p> | <p>Use metal installation guide included in screw kits for optimal 22.5° installation.</p> | <p>Use metal installation guide included in screw kits for optimal 22.5° installation. To provide through-base plates, use a "3/8" drill bit.</p> |
| 4 SDWC INSTALLATION INSTRUCTIONS (ROOF TO WALL) | 5 DOUBLE SDWC INSTALL: CONFIGURATION A | 6 DOUBLE SDWC INSTALL: CONFIGURATION B | 7 DOUBLE SDWC INSTALL: CONFIGURATION C | 8 DOUBLE SDWC INSTALL: CONFIGURATION D |
| <p>NOTE: Stud-to-double top plates shown. Stud-to-single/double bottom plates over wood floor similar.</p> | <p>NOTE: Sill plate anchor to foundation not shown for clarity.</p> | <p>NOTE: Reference detail 11 for installation angle limit.</p> | <p>NOTE: Stud-to-Bottom Plate shown. All other installations similar.</p> | <p>Single SDWC & multiple SDWC connections per stud information.</p> <p>SDWC15450 of all connections only, SDWC15600 of all other connections.</p> |
| 9 SDWC STUD-TO-TOP/BOTTOM PLATES CONNECTION | 10 SDWC STUD-TO-SILL PLATE CONNECTION | 11 SDWC STUD-TO-BOTTOM PLATE CONNECTION OVER WOOD FLOOR | 12 SDWC EDGE DISTANCE AND SPACING INFORMATION | |
| | <p>Installation Angle Range</p> <p>Minimum Edge Distance and Splice Offset Requirements</p> | <p>Installation Angle Range</p> <p>Minimum Edge Distance and Splice Offset Requirements</p> | <p>Installation Angle Range</p> <p>Minimum Edge Distance and Splice Offset Requirements</p> | <p>1. STRONG-DRIVE STRUCTURAL WOOD SCREWS FOR TRUSS/AFTER, STUD-TO-PLATE, AND FLOOR-TO-FLOOR CONNECTIONS ARE MANUFACTURED AND FINISHED BY TAMPSON STRONG-DRIVE COMPANY, INC. HOME OFFICE: 2258 N. JAY AVENUE, BLYTHE, CALIFORNIA, CA 94504. TEL: (925) 999-3006, FAX: (925) 841-1547. TAMPSON STRONG-DRIVE COMPANY, INC. IS AN ISO 9001 REGISTERED COMPANY.</p> <p>2. USE OF THIS PRODUCT IS SUBJECT TO THE APPROVAL OF THE LOCAL BUILDING DEPARTMENT.</p> <p>3. THESE PRODUCTS ARE PART OF THE OVERALL WIND UPLIFT FORCE RESISTING SYSTEM OF THE STRUCTURE. DESIGN OF THE BUILDING'S WIND UPLIFT FORCE RESISTING SYSTEM INCLUDING THE LOAD PATH TO TRANSFER UPLIFT FORCES FROM THE STRUCTURE TO THE GROUND IS THE RESPONSIBILITY OF THE SPECIFIER.</p> <p>4. DESIGNER OF RECORD IS PERMITTED TO MODIFY DETAILS FOR SPECIFIC CONDITIONS.</p> <p>5. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS, ETC. PRIOR TO INSTALLATION OF ANY STRONG-DRIVE SCREWS FOR WIND UPLIFT RESISTING SYSTEM. IF ANY DISCREPANCIES ARE FOUND, THEY SHALL BE BROUGHT TO THE ATTENTION OF THE SPECIFIER FOR CLARIFICATION PRIOR TO CONSTRUCTION.</p> <p>6. INSTALLATION OF PRODUCT SHALL BE DONE IN ACCORDANCE TO THESE INSTRUCTIONS AND THE PERFORMANCE OF ACCEPTED PRACTICES OF ALIGNED INSTALLATION PROCEDURES ARE THE SOLE RESPONSIBILITY OF THE SPECIFIER.</p> <p>7. TAMPSON STRONG-DRIVE COMPANY INC. RESERVES THE RIGHT TO CHANGE SPECIFICATIONS, DESIGN, AND MODELS WITHOUT NOTICE OR LIABILITY FOR SUCH CHANGES.</p> <p>8. ALL WARRANTIES CALLED OUT IN TAMPSON STRONG-DRIVE.</p> |
| 13 NARROW FACE OF STUD CONNECTIONS | 14 NARROW FACE OF STUD TO TOP PLATE INSTALLATION | 15 NARROW FACE OF STUD TO BOTTOM PLATE INSTALLATION | 16 NARROW FACE OF STUD TO SILL PLATE INSTALLATION | 17 NOTES |

**WIND UPLIFT RESISTING
STRONG-DRIVE® SCREW
FASTENING SYSTEMS**



CONSTRUCTION DRAWING FOR:
GARNER RESIDENCE
1550 NUKUNA PLACE
WAILUKU, HI 96793
THK 3 - 6 - 01.040

DATE: AUGUST 16, 2017
SCALE: NOTED
DRAWN: MCH
JOB: GARNER
SHEET: **S04**

INSPECTION NOTES:

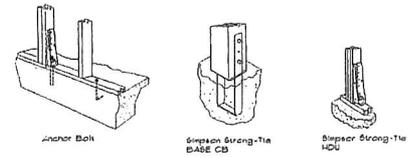
1. ALL HALF COURSE OF CONSTRUCTION INSPECTIONS SHALL BE DONE IN A TIMELY MANNER. IT IS THE RESPONSIBILITY OF THE OWNER TO CALL FOR THESE INSPECTIONS.
2. IN ADDITION TO THE COUNTY OF FULL COURSE OF CONSTRUCTION INSPECTIONS, SHEAR DIAGRAM AND LOAD PATH SPECIAL INSPECTIONS ARE REQUIRED.
3. BEFORE CONSTRUCTION BEGINS IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONTACT CMA, INC. # 888-813-0922 TO VERIFY THE INSPECTIONS REQUIRED FOR THIS PROJECT.
4. SAID INSPECTIONS ARE NOT WITHIN THE SCOPE OF THE ARCHITECT'S SERVICES AND SHALL BE PROVIDED BY THE GENERAL CONTRACTOR UNDER A SEPARATE CONTRACT WITH A QUALIFIED INSPECTOR OF HIS/HER CHOICE.

LEGEND:

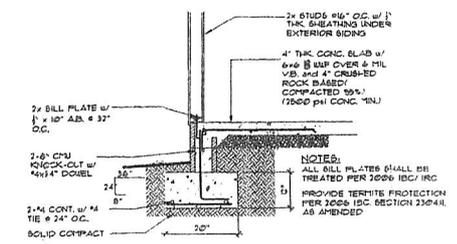
-  SHEAR AND/OR BEARING WALL
-  DOUBLE WALL STUD
-  WALL POST
-  C/W WALL POST

NOTE:
 COMPACTED FILL SHALL BE IN 6" LIFTS AND COMPACTED TO 4% LIFT PER ASTM 999 DRY DENSITY STANDARD. SITE CONTRACTOR SHALL ENSURE COMPACTED FILL IS FREE OF DEBRIS AND ORGANIC MATERIAL. PROVIDE INDEPENDENT SOIL'S ENGINEER COMPACTION TEST REPORTS TO ARCHITECT FOR APPROVAL.

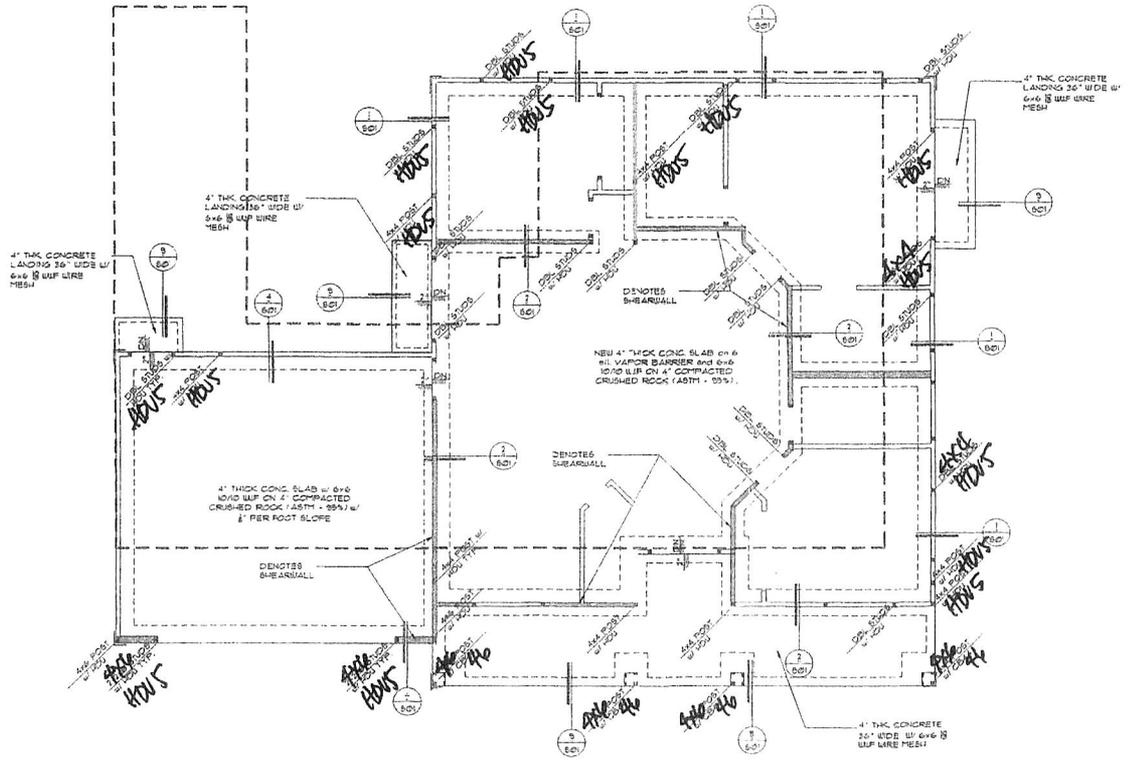
NOTE:
 6"X 6" CUTS @ 20" FT. ON CENTERS BOTH WAYS, 4" BETWEEN EXPANSION JOINTS



1. A.B., CBS and HDU TYPICAL INSTALLATION
 NO SCALE



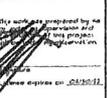
2. ALTERNATE CON. FTG. @ EXTERIOR WALL
 NOT TO SCALE



MAIN DWELLING FOUNDATION PLAN

REFER TO CONCRETE DETAIL SHEETS FOR TYPICAL DETAILS. COORDINATE ANY VARIATIONS OF SLAB WITH ARCHITECT @ SITE. VERIFY ALL HARDWARE TO BE INSTALLED IN SLAB WITH ARCHITECT @ SITE. CONTRACTOR SHALL ALLOW FOR ~~CONCRETE~~ - VERIFY LOCATIONS IN FOUNDATION WITH ARCHITECT @ SITE PRIOR TO FINISHING STUD WALLS.

HOUS @ ALL POSTS/2X6 SUPPORTING BEAMS SPANNING OVER 6'-6" CLEAR

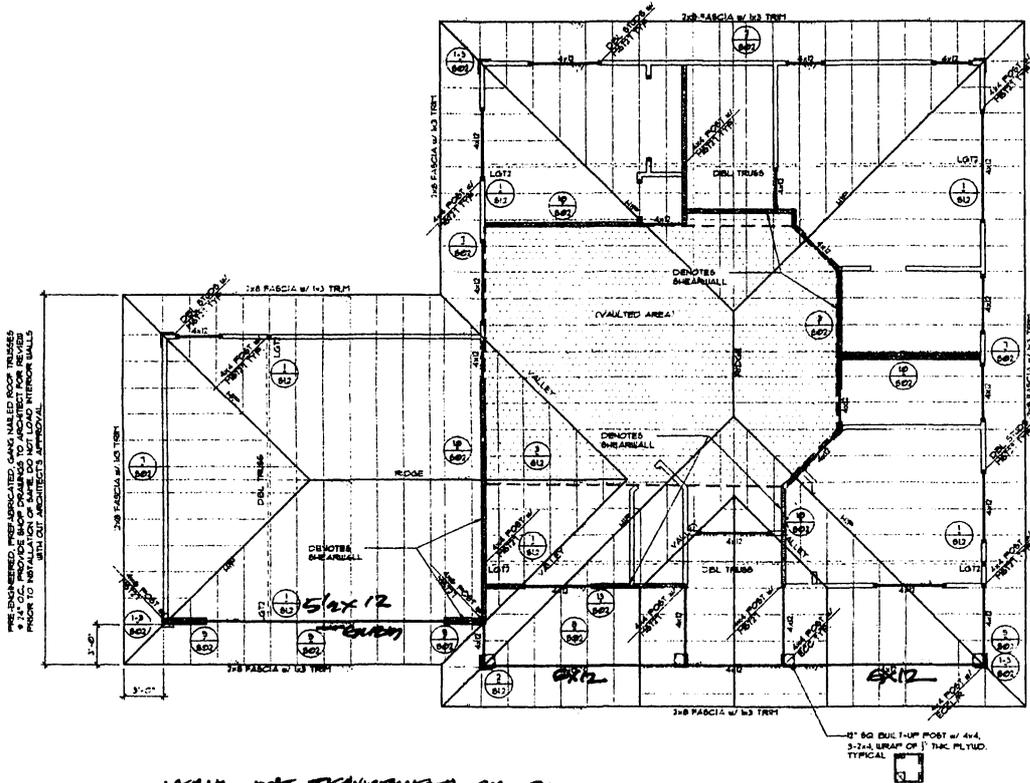
| | | | | |
|---|---|---|---|---|
|  |  |  | CONSTRUCTION DRAWING FOR: | DATE: AUGUST 12, 2018 |
| | | | GARNER RESIDENCE | SCALE: NOTED |
| | | | 1550 NIROUNA PLACE WAILUKU, HI 96793 THK 3 - 8 - 011, 010 | DRAWN: MCK JOB: GARNER SHEET: S1 |

- LEGEND:**
- SHEAR AND/OR BEARING WALL.
 - DOUBLE LD. STUD.
 - UD POST.
 - VAULTED CEILING.

NOTES:

1. STRONG-DRIVE STRUCTURAL LOAD SCREWS FOR TRUSS/RAFTER STUD-TO-PLATE AND FLOOR-TO-FLOOR CONNECTIONS ARE MANUFACTURED AND TRADE-NAMED BY: STRONG-DRIVE FASTENING COMPANY, INC. HOME OFFICE: 5554 W. LAS POSITAS BLVD., PLEASANTON, CA 94566 TEL: (925) 799-8900 FAX: (925) 841-9881 "STRONG-DRIVE FASTENING COMPANY, INC." IS AN ISO 9001 REGISTERED COMPANY.
2. USE OF THIS PRODUCT IS SUBJECT TO THE APPROVAL OF THE LOCAL BUILDING DEPARTMENT.
3. THESE PRODUCTS ARE PART OF THE OVERALL WIND UPLIFT FORCE RESISTING SYSTEM OF THE STRUCTURE. DESIGN OF THE BUILDING'S MAIN WIND FORCE RESISTING SYSTEM INCLUDING THE LOAD PATH TO TRANSFER UPLIFT FORCES FROM THE STRUCTURE TO THE GROUND IS THE RESPONSIBILITY OF THE ARCHITECT.
4. ENGINEER OF RECORD IS PERMITTED TO MODIFY DETAILS FOR SPECIFIC CONDITIONS.

5. THE CONTRACTOR SHALL VERIFY ALL DIMENSIONS, CONDITIONS, ETC. PRIOR TO INSTALLATION OF ANY STRONG-DRIVE SCREWS FOR THE WIND UPLIFT RESISTING SYSTEM. IF ANY DISCREPANCIES ARE FOUND, THEY SHALL BE BROUGHT TO THE ATTENTION OF THE ARCHITECT FOR CLARIFICATION PRIOR TO CONSTRUCTION.
6. INSTALLATION OF PRODUCT SHALL BE DONE IN CONFORMANCE TO THESE DRAWINGS, THE PERFORMANCE OF MODIFIED PRODUCTS OR ALTERED INSTALLATION PROCEDURES ARE THE SOLE RESPONSIBILITY OF THE ARCHITECT.
7. STRONG-DRIVE FASTENING COMPANY, INC. RESERVES THE RIGHT TO CHANGE SPECIFICATIONS, DESIGNS, AND MODELS WITHOUT NOTICE OR LIABILITY FOR SUCH CHANGES.
8. ALL HARDWARE CALLED OUT IS STRONG-DRIVE FASTENING COMPANY, INC. PRODUCT.



ALL DIMENSIONS, FABRICATED, GALV. NAILLED ROOF TRUSSES PRIOR TO INSTALLATION OF SAME DO NOT LOAD INTERIOR WALLS UNLESS ARCHITECT'S APPROVAL.

VERIFY POST REQUIREMENTS ON S1.1

MAIN DWELLING ROOF FRAMING PLAN

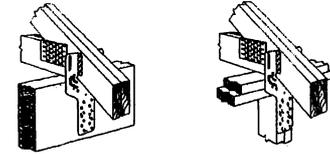
ALL NON-STRONG DRIVEN BOLTED CONNECTIONS SHALL BE 1/2" SHIP FABRICATED A36 KIP STEEL WITH MINIMUM OF (3) 1/2" A325 BOLTS PER FLANGE AND MEMBER (TYPICAL). NO NAILLED STRONG BEAM TO BEAM OR BEAM TO POST CONNECTIONS WILL BE ACCEPTED UNLESS SPECIFICALLY CALLED OUT ON THE DRAWINGS. ALL TRUSSES SHALL BE PRE-ENGINEERED. PROVIDE SHOP DRAWINGS TO ARCHITECT FOR REVIEW AND APPROVAL. DO NOT LOAD INTERIOR WALLS WITH ROOF OR TRUSS MEMBERS WITHOUT ARCHITECT OR STRUCTURAL ENGINEER'S APPROVAL. ALL EXTERIOR ROOF SHEATHING SHALL BE 1/2" CDX EXTERIOR PLYWOOD SHEATHING @ 4" EDGE AND 6" FIELD NAILING W/ 6D COMMON NAILS @ 12" @ 12" @ 6" @ 12" TYPICAL. PROVIDE SHOP DRAWINGS FOR ALL STL TO STL AND STL TO MASSIVE CONNECTIONS.

NOTICE:

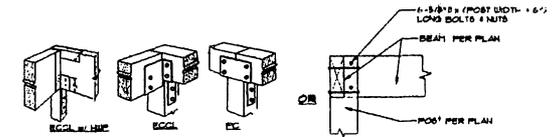
ALL HEADERS @ 6x12 DIM UNDO.

THE CONTRACTOR SHALL REVIEW THE REQUIREMENTS IN THE STRUCTURAL SYSTEM OF THIS RESIDENCE AND POST WITH THE ARCHITECT ON SITE TO CORRECT STRUCTURAL DESIGN PER TO THE CODE. ANY CHANGES RECOMMENDED BY THE CONTRACTOR SHALL BE SUBMITTED TO THE ARCHITECT IN WRITING, IN FORM OF A WORKING DRAWING PRIOR TO PROPOSED INSTALLATION OF SAME.

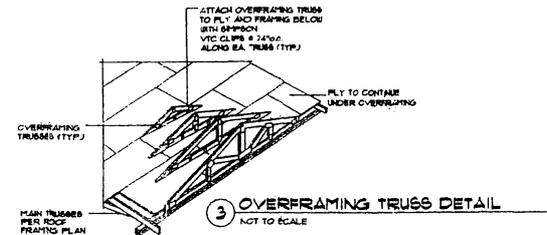
SCALE: 1/4"=1'-0"



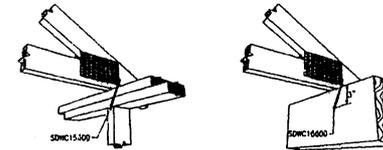
1 LGT2 INSTALLATION UD TO UD.
NOT TO SCALE



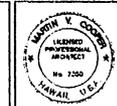
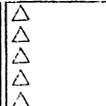
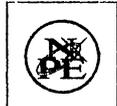
2 UD POST CAPS INSTALLATION
NOT TO SCALE



3 OVERFRAMING TRUSS DETAIL
NOT TO SCALE



4 SINGLE 6x12 ROOF TO WALL OR BEAM INSTALLATION
NOT TO SCALE



THIS DOCUMENT IS PREPARED BY ME OR UNDER MY SUPERVISION AND I AM A LICENSED PROFESSIONAL ENGINEER IN THE STATE OF HAWAII.

DATE: 08/26/10
PROJECT: GARNER RESIDENCE

CONSTRUCTION DRAWING FOR:
GARNER RESIDENCE

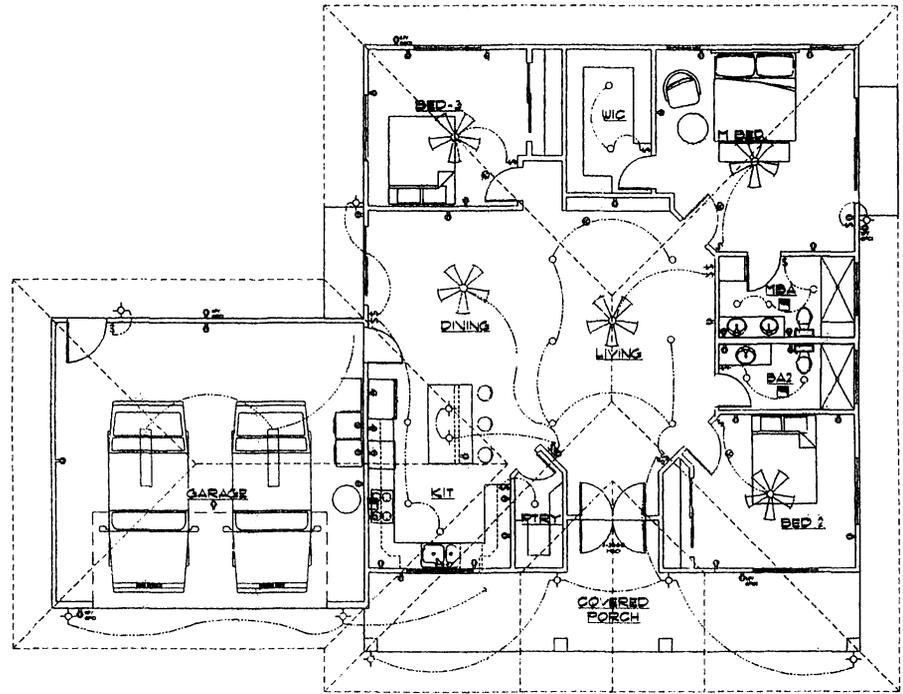
1550 NUKUNA PLACE
WAILUKU HI 96793
TRK 3 - 6 - 01 - 010

DATE: AUGUST 26, 2010
SCALE: NOTED
DRAWN: M.A.
JOB: GARNER
SHEET: **S1.2**

INSTALLING DETECTOR BELL/CODE ALARMS
 THE ALARM DEVICES SHALL BE INTERCONNECTED IN A MANNER THAT THE
 ACTIVATION OF ONE ALARM SHALL ACTIVATE ALL OF THE SLAMERS IN THE
 INDIVIDUAL UNIT. THE ALARMS SHALL BE CLEARLY AUDIBLE IN ALL BEDROOMS
 OVER BACKGROUND NOISE WITH ALL INTERVENEING DOORS CLOSED.

LEGEND:

- ⊕ 24" CH
- ⊕ 24" CH
- ⊕ THREE-WAY SWITCH
- ⊕ OUTLET
- ⊕ TELEPHONE
- ⊕ CABLE TV
- ⊕ SECURITY
- ⊕ 220V OUTLET
- ⊕ WATERPROOF OUTLET
- ⊕ SURFACE MOUNT SCIENCE
- ⊕ CEILING MOUNT FIXTURE
- ⊕ UNDER CABINET FIXTURE
- ▭ FLOURESCENT
- ⊕ CHANDELIERS
- ⊕ SMOKE DETECTOR
- ⊕ CEILING FAN LIGHT
- ⊕ EXHAUST FAN VTR
- ⊕ GARAGE DOOR OPENER
- POOL LIGHT
- CAN LIGHT



MAIN DWELLING ELECTRICAL FLOOR PLAN

SCALE: 1/4" = 1'-0"

| | | | | | |
|--|-----------------------|--|--|--|---|
| | ▲ ▲ ▲ ▲ ▲ | | This work was prepared by me or under my supervision and I am responsible for the project as the leader of the profession. | CONSTRUCTION DRAWING FOR: GARNER RESIDENCE 1550 NUKUNA PLACE WAILUKU, HI 96793 THX 3 - 6 - 01 / 010 | DATE: AUGUST 12 2010 SCALE: NOTED DRAWN: MCA JOB: GARNER SHEET: E1 |
|--|-----------------------|--|--|--|---|

2. Change of Zoning Application – Project Assessment Requirements

2.1 Project Assessment Requirements Checklist

PROJECT ASSESSMENT REQUIREMENTS CHECKLIST

Refer to Chapter 19.510, MCC. Compile the items listed below into a Project Assessment document, which may include elements of the Chapter 343, HRS environmental assessment or impact statement. In the "Location" column list the document and page number where each item is found.

| D# | Assessment Content Description | Location |
|-----|--|-----------|
| D1 | Owner identification and signature or written authorization documents. | Section 1 |
| D2 | Owner's name, address, and phone number. | Section 1 |
| D3 | Agent's name, address, and phone number, if applicable. | N/A |
| D4 | Tax map key and street address, if available. | Section 1 |
| D5 | <i>Locational map</i> identifying the site, adjacent roadways, and landmarks (The purpose of <i>locational map</i> is to give an overview depicting the project site in relation to adjacent landmarks and geographic features. Possible formats include marked-up aerial photographs and the <i>location map</i> described on Page 2, among others.). | Section 1 |
| D6 | List of owners and lessees of record within 500 feet and the <i>parcel notification map</i> (described on Page 5). | Section 1 |
| D7 | Analysis of ways in which application conforms to policies and objectives of General Plan, Community Plan and applicable district. | Section 2 |
| D8 | Detailed land use history of parcel(s) to include former and existing state and county land use designations, violations and uses. | Section 2 |
| D9 | Preliminary archaeological and historical data and comments from the Department of Land and Natural Resources (DLNR) and Office of Hawaiian Affairs (OHA). If applicable, a preservation /mitigation plan approved by DLNR and OHA. | Section 2 |
| D10 | Analysis of secondary impacts of the proposed use on surrounding uses. | Section 2 |
| D11 | Traffic impact analysis and, if applicable, a traffic master plan with comments from the Department of Transportation (DOT) and the Department of Public Works (DPW). | Section 2 |
| D12 | If applicable, an assessment of the impact the proposed use may have on agricultural use of the property with comments from The Department of Agriculture (DOA) and Natural Resources Conservation Service (NRCS). | Section 2 |
| D13 | Water source, supply and distribution analysis, and, if applicable, a water master plan which includes comments from the DLNR, Department of Water Supply (DWS), and DPW. | Section 2 |
| D14 | Sewage disposal analysis, and comments, if applicable, from the Department of Health (DOH), DLNR, Department of Environmental Management (DEM), and DWS. | Section 2 |
| D15 | Solid waste disposal analysis and comments, if applicable, from DOH, DLNR, DEM, and DWS. | Section 2 |

PROJECT ASSESSMENT REQUIREMENTS CHECKLIST

| D# | Assessment Content Description | Location |
|-----------|---|-----------------|
| D16 | Identification of environmentally sensitive areas, habitat and botanical features, such as wetlands, streams, endangered plants, etc., and comments, if applicable, from DLNR, US Fish and Wildlife Service (USFWS), and US Army Core of Engineers (USACE). | Section 2 |
| D17 | Identification of the existing topographical and drainage patterns and any alterations proposed. | Section 2 |
| D18 | Identification and summary of all meetings held between Applicant and any community group. | N/A |
| D19 | Dated photographs of site or structure. | Section 2 |
| D20 | Development schedule. | N/A |
| D21 | Schematic site development plans, if applicable, drawn to scale, which identify property lines and easements; location, size, spacing, setback and dimensions of all existing and proposed building, structures, improvements and uses; existing and proposed building elevations, sections, floor plans and site sections; topographic information showing existing features and conditions and proposed grading; existing and proposed landscaping which depicts open spaces, plantings and trees; existing and proposed roadways and accesses to the project and parking layout with dimensions; and shoreline, shoreline setback lines, stream and other setback lines. | Section 2 |
| D22 | Operations and management of proposed use which may include: number of employees, housing plan, hours of operation, provisions for off-site parking. | Section 2 |
| D23 | Identification of traditional beach and mountain access trails and additional trails which may be required for public access, and, if applicable, a preservation/mitigation plan and comments from DLNR and OHA. | Section 2 |
| D24 | Identification and assessment of chemicals and fertilizers used, and, if applicable, a mitigation plan and maintenance program and schedule, and comments from DOH, DLNR, USFWS, and US Environmental Protection Agency (USEPA). | Section 2 |
| D25 | Any other information necessary to assess the application. | N/A |

2.2 Project Assessment Requirements Report Addressing Planning and Technical Requirements

2.2. PROJECT ASSESSMENT REQUIREMENTS REPORT ADDRESSING PLANNING AND TECHNICAL REQUIREMENTS

INTRODUCTION

The *Project Assessment Requirements Checklist* included in the *Application for Change of Zoning (CIZ)* instructions lists multiple items to be include in the CIZ application. Line items D7-24 provide a list of assessment parameters which relate to land use, environmental, and infrastructural information which are to be analyzed as part of the CIZ application. This report is intended to satisfy the requirements of the, above, listed line items.

PLANNING AND TECHNICAL ANALYSIS

D7. Analysis of ways in which application conforms to policies and objectives of General Plan, Community Plan and applicable district.

The proposed CIZ request has been reviewed with respect to the Countywide Policy Plan. The following goal, objective, and policies of the Countywide Policy Plan are directly applicable to and supported by the proposed CIZ action.

PROMOTE SUSTAINABLE LAND USE AND GROWTH MANAGEMENT

Goal

Community character, lifestyles, economics, and natural assets will be preserved by managing growth and using land in a sustainable manner.

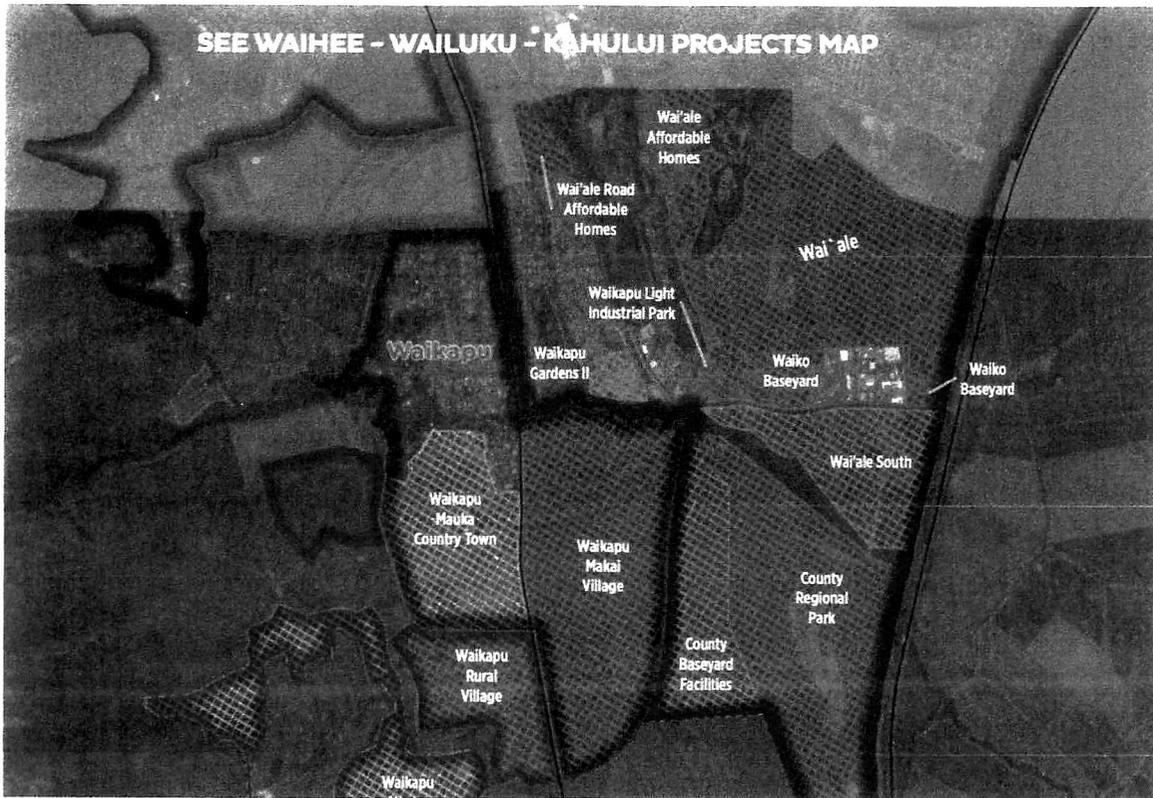
Objective

Improve and increase efficiency in land use planning and management.

Policies

- b. Ensure that new development projects requiring discretionary permits demonstrate a community need, show consistency with the General Plan, and provide an analysis of impacts.
- e. Coordinate with Federal, State, and County officials in order to ensure that land use decisions are consistent with County plans and the vision local populations have for their communities.

Analysis: The purpose of the CIZ is to establish consistency between the property's zoning designation and the current Community Plan designations and existing uses on the property. By doing so, the land use designations and allowed uses for TMK No. (2)3-6-007:010 will be consistent with each other and remove additional hardship for the Applicant, should they decide to further improve the existing dwellings on the property.



The proposed CIZ request has been reviewed with respect to the Wailuku-Kahului Community Plan. The following goals, objectives, and policies of the Wailuku-Kahului Community Plan are directly applicable to and supported by the proposed CIZ action.

GOVERNMENT

LAND USE

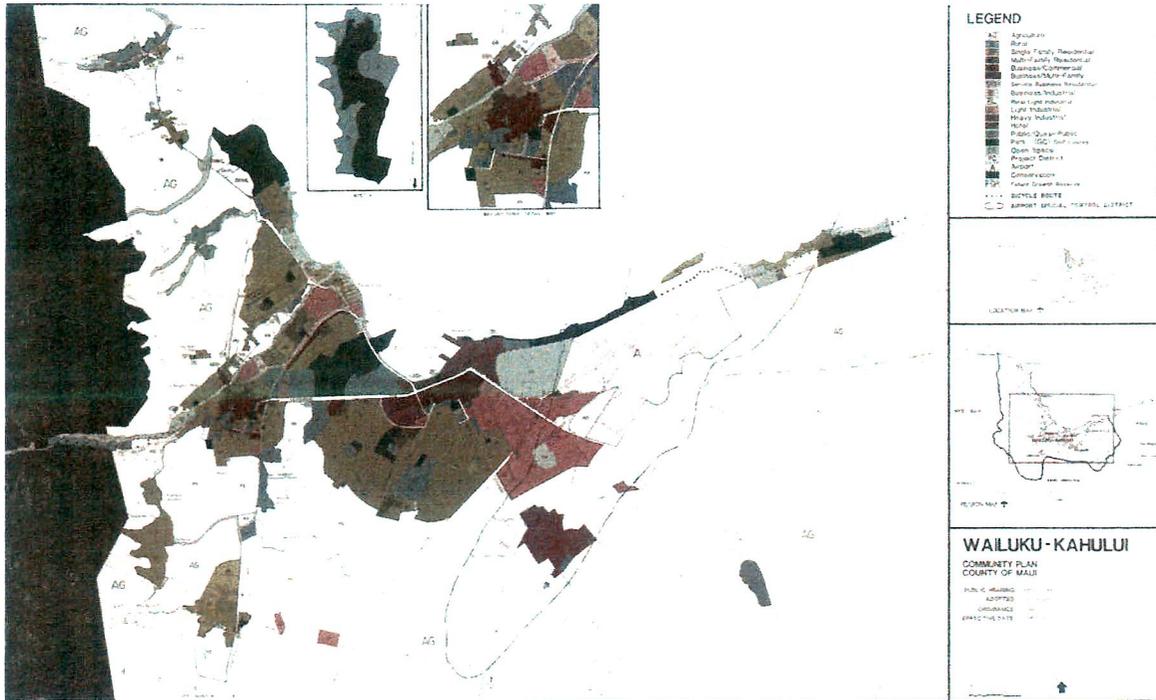
Goal

An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives and Policies

10. All zoning applications and/or proposed land uses and developments shall conform with the planned use designations, as specified in the adopted Community Plan Land Use Map, and be consistent with the Community Plan policies.

Analysis: As previously mentioned, the CIZ for TMK No. (2)3-6-007:010 will establish consistency between the property's zoning designation and the current Community Plan designations and existing uses on the property. This will action will help streamline future requests for improvements to the existing dwellings on the property, since the land use designations—State, County Zoning, Maui Island Plan, Wailuku-Kahului Community Plan—will be consistent with the existing residential use.



D8. Detailed land use history of parcel(s) to include former and existing state and county land use designations, violations and uses.

The parcel involved in the proposed land use request are identified by TMK numbers (2) 3-6-007:010 and owned by Robyn and Brian Garner. The parcel is identified as 1550 Nukuna Place, Wailuku, Hawaii 96793 and is used as a single-family residential property. There are three additional Ohana units which are used as long-term rental properties on the property. The property is designated Urban by the State Land Use Commission and Single-Family Residential by the Wailuku-Kahului Community Plan. Despite these designations and its long-standing use as a single-family residential property, the property is zoned Agricultural by Maui County Zoning. The Agricultural Zoning district has a minimum lot size of two (2) acres. The subject property is less than one (1) acre in size – 30,922 square feet. The property is an existing non-conforming. There are no violations on the property that the owners are aware of. The owners are seeking a R-2, Residential zoning designation to bring consistency with the long-standing use of the property and Community Plan Single-Family designation. The R-2 designation will allow the four (4) existing homes to remain.

D9. Preliminary archaeological and historical data and comments from the Department of Land and Natural Resources (DLNR) and Office of Hawaiian Affairs (OHA). If applicable, a preservation/mitigation plan approved by DLNR and OHA.

There are no surface archaeological features on the property. Current improvements include three Ohana Units being renovated within their current footprint. Additional improvements will include renovations to the main dwelling but will not require significant excavation in connection with the proposed CIZ request.

D10. Analysis of secondary impacts of the proposed use on surrounding uses.

There will not be any secondary impacts to the property value, surrounding housing, community services and facility needs, secondary jobs and employment, and affordable housing. The property will continue to be used as single-family residential property.

D11. Traffic impact analysis and, if applicable, a traffic master plan with comments from the Department of Transportation (DoT) and the Department of Public Works (DPW).

There will not be any impact to traffic. There are no plans to build new housing on the property.

D12. If applicable, an assessment of the impact the proposed use may have on agricultural use of the property with comments from the Department of Agriculture (DoA) and Natural Resources Conservation Services (NRCS).

The property is in an urban, residential area of Wailuku. Therefore, the proposed CIZ request will not impact agricultural uses.

D13. Water source, supply and distribution analysis, and, if applicable, a water master plan which includes comments from the DLNR, Department of Water Supply (DWS), and (DPW).

Water demand on the property will not change. Water use will be limited to irrigation of onsite landscaping and normal house-hold usage. No impacts to water system source, transmission of distribution or distribution systems are anticipated with the proposed CIZ request.

D14. Sewage disposal analysis, and comments, if applicable, from the Department of Health (DoH), DLNR, Department of Environmental Management (DEM), and DWS.

There will be no impacts to wastewater collection and treatment services with the proposed CIZ request.

D15. Solid waste disposal analysis and comments, if applicable, from DoH, DLNR, DEM, and DWS.

The property is currently allotted six waste disposal bins, per county ordinance, and has been, consistently using four bins. Since there is no intent to add new housing on the property, there will be no change in solid waste generation characteristics associated with the CIZ request.

D16. Identification of environmentally sensitive areas, habitat and botanical features, such as wetlands, streams, endangered plants, etc. and comments, if applicable, from DLNR, US fish and Wildlife Service (USFWS), and US Army Core of Engineers (USACE).

There are no environmentally sensitive areas on the project site; the property is located in a residential area in Wailuku. The Waikapu River is within the 500ft radius of the property, but there are no known endangered plants or wildlife, and current residential zoning is located alongside the Waikapu River. Therefore, the proposed CIZ request will not impact any environmentally sensitive areas.

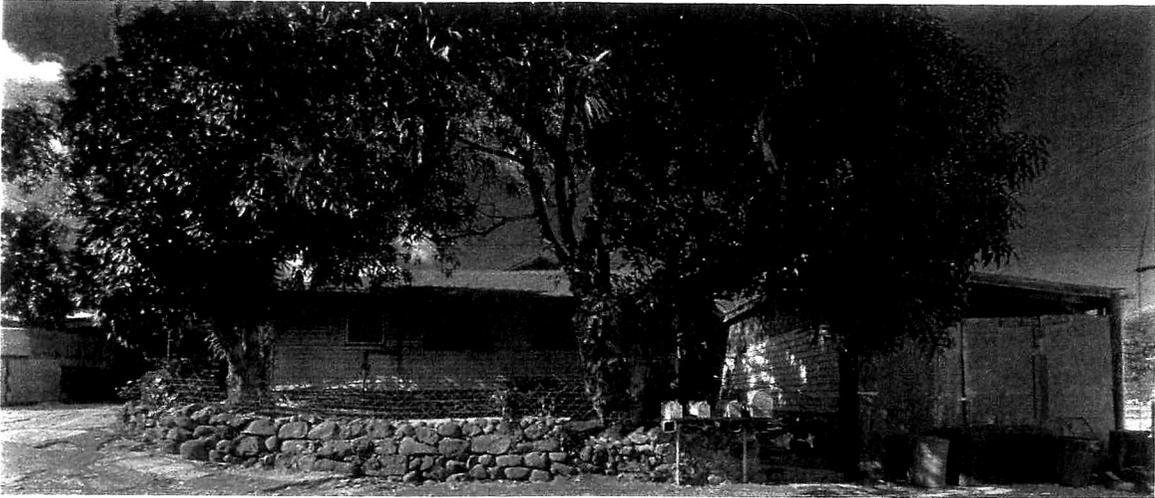
D17. Identification of the existing topographical and drainage patterns and any alterations proposed.

There are no ground disturbing activities associated with the proposed CIZ request. In the future, the existing gravel surfaces of the roadways may be paved. At that time, appropriate storm runoff mitigation measures will be identified and implemented, as applicable.

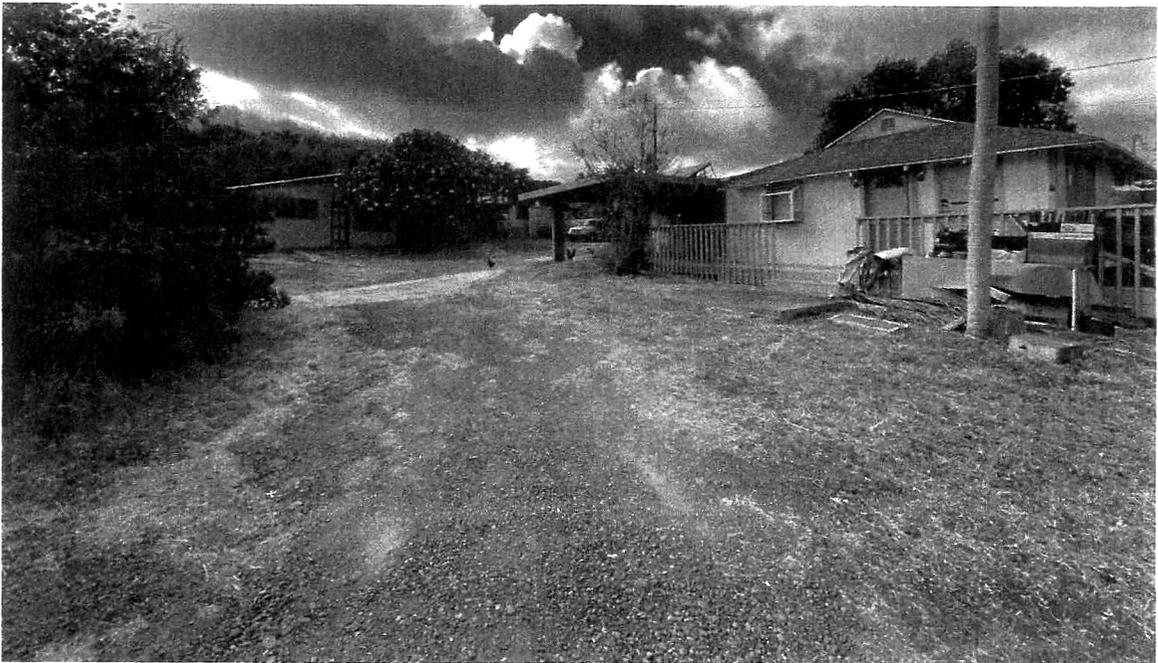
D18. Identification and summary of all meetings held between Applicant and any community group.

There have been no meetings held between the applicant and any community or residential group. The proposed CIZ does not involve any change in use for the property. The request is intended to establish land use consistency with the existing uses on the property.

D19. Dated photographs of site structure.



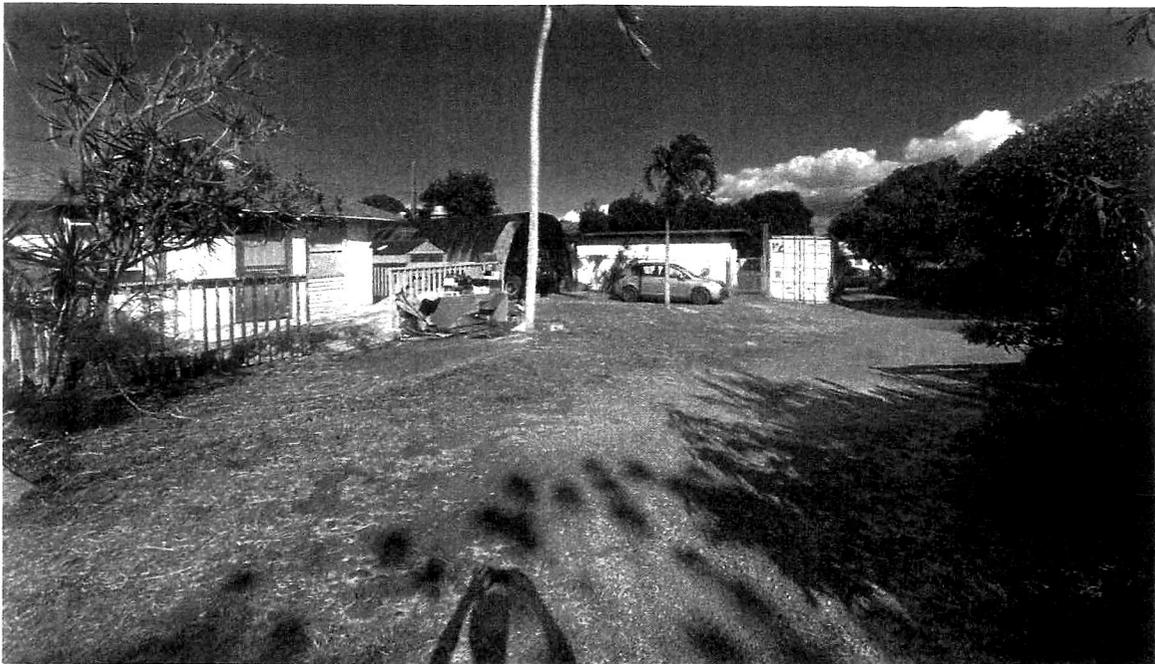
1. Photo taken from Nukuna Place facing the main house. Photo taken 12 September 2021.



2. Photo taken at end of private road facing the three Ohana units. Nukuna place is behind the photographer. Photo taken 12 September 2021.



3. Photo taken at the far end of the property facing the end of the property. The three Ohana units are behind the photographer. Photo taken 12 September 2021.



4. Photo taken from corner of property facing the private road. Ohana Unit B, behind photographer, Ohana Unit A on the left of the picture. Photo taken 12 September 2021.

D22. Operations and management of proposed use which may include: number of employees, housing plan, hours of operations, provisions for off-site parking.

The property is self-managed under the Limited Liability Company, Kamasaki-Garner Properties. There are no employees, as the owners manage the property on their own. There will be no changes in operations or management of the property.

D23. Identification of traditional beach and mountain access trails and additional trails which may be required for public access, and, if applicable, a preservation/mitigation plan and comments from DLNR and OHA.

There are no beaches or mountain access trails in the nearby vicinity of the project site. The property is surrounded by other private properties.

D24. Identification and assessment of chemicals and fertilizers used, and, if applicable, a mitigation plan and maintenance program and schedule, and s=comments from DoH, DLNT, USFWS, and US environmental Protection Agency (USEPA).

The property is used as single-family residential property. Chemicals and fertilizers are not used on the property. Neighboring properties and surrounding flora and fauna are not affected by the existing use of the property.

3. Long Range Division-Project Database Form

LONG RANGE DIVISION – PROJECT DATABASE

PROPOSED PROJECT DATA SUMMARY SHEET

Applicant: Please complete this two (2) sided form. Complete only those items that are appropriate to your application(s). If you have any questions, please contact the **Long Range Planning Division at 270-7214.**

| | |
|---|--|
| Date: 11 September 2021 | Project Name (if applicable): Garner Residence |
| Applicant's Name: Robyn & Brian Garner | What permits are you applying for? Building/Renovation Permits |
| Property Tax Map Key (TMK) number: (2) 3-6-007:010 | Please give us a brief summary of your project, including the existing and proposed uses: No changes in land use; purpose is for consistency between zoning and existing use of the property. |
| Contact Phone Number: 808-497-6219 | Developer Name: Property Owner Name: Robyn & Brian Garner |
| E-mail Address: robymgarner@gmail.com | |

Residential Projects: Single-Family and Multi-Family

- How many single family units (i.e., individual detached homes) are you building? 0
 a. Will accessory dwellings (i.e., ohanas) be permitted? If yes, how many? 5
- How many multi-family units (i.e., condo, apartment, or townhouse) are you building? 0
- Are you subdividing your property? Yes No
 a. If yes, how many buildable lots are you requesting to create? N/A
- How many acres, or square feet, are at the project site? 30922 sqft
- If only a portion of the property is going to be used for this project, how many acres or square feet will be used just for the project area? ~1400 sqft
- Will this project require land use amendments? Please check all that apply and indicate the proposed change
 - State Land Use District Yes No Not Sure from: Urban to: No Change
 - Maui Island Plan Yes No Not Sure from: Small Town to: No Change
 - Community Plan Yes No Not Sure from: Single family to: No Change
 - Zoning Yes No Not Sure from: Agricultural District to: R-2, Residential
- Will you be selling any of the units as "affordable" as defined under the Housing and Urban Development guidelines? Yes No Not Sure
 a. If yes, how many of the units, or percentage of units, will fall under this category? N/A
- From the date of filing the application with the Planning Department, how long do you estimate the project to reach complete build-out? Please check one (1) box.
 0 - 5 years 6 - 10 years
 11 - 15 years 16 - 20 years
 21+ years

Industrial/Commercial Projects

- Will this project be used for (please list all that apply by indicating the amount of square footage proposed):
 - Retail purposes: N/A
 - Office space/lease: N/A
 - Industrial purposes: N/A

continued on next page...

LONG RANGE DIVISION – PROJECT DATABASE

PROPOSED PROJECT DATA SUMMARY SHEET

Visitor Accommodations

Hotels and Timeshares

1. Will this project have hotel units? Yes No
a. If yes, how many hotel units/rooms are proposed? _____
2. Will this project have timeshare units? Yes No
a. If yes, how many timeshare units/rooms are proposed? _____
3. Will there be "lock-off" units (i.e., a unit which can be partitioned to create two separate units)? Yes No
a. If yes, how many units will have "lock-off units"? _____

Bed and Breakfast (B&B) and Transient Vacation Rentals (TVRs)

1. Will (any of) the unit(s) be owner occupied? Yes No
2. How many bedrooms are proposed for rental? Yes No
 one (1) bedroom two (2) bedrooms three (3) bedrooms
 four (4) bedrooms 5+ bedrooms entire unit (i.e., condo/house/accessory dwelling)
3. Will this project be newly constructed? Yes No

Exhibit 19
Revisions to Application

1721/241
Dr. Robyn M. Garner
1550 Nukuna Pl
Wailuku, HI 96793

'23 SEP 11 P1:43

11 September 2023

Ms. Ann T. Cua
Planning Program Administrator
County of Maui
Department of Planning
220 Main Street, Suite 315
Wailuku, HI 96793

Dear Ms. Cua,

On February 28, 2023 the Department of Planning requested revisions to my Change of Zoning application. Please find below, the responses, corrections, and additional information as requested on the Project Assessment Requirements Checklist:

- 1. D5. Location map identifying the site, adjacent roadways, and landmarks (The purpose of locational map is to give an overview depicting the project site in relation to adjacent landmarks and geographic features. Possible formats include marked-up aerial photographs and the location map described on Page 2, among others.).**

Response:

As required by the *Change in Zoning Application – Requirements Submittals* list and as noted on the *Project Assessment Requirement Checklist* (page 59), the original application has maps in Section 1, specifically in Section 1.4, page 22; Section 1.5, page 25 and 26; Section 1.7, page 35; Section 1.8, page 41; Section 1.10 page 45 which include identification of the site, adjacent roadways, and landmarks. The majority of these maps were pulled from the County of Maui's Real Property website:

<https://qpublic.schneidercorp.com/Application.aspx?AppID=1029&LayerID=21689&PageTypeID=1&PageID=9248&Q=387067531&KeyValue=360070100000>

See Attachment A for an additional map.

- 2. D8. Detailed land use history of parcel(s) to include former and existing state and county land use designations, violations and uses.**

Response:

The parcel involved in the proposed land use request are identified by TMK numbers (2) 3-6-007:010 and owned by Robyn and Brian Garner. The parcel is

identified as 1550 Nukuna Place, Wailuku, Hawaii 96793 and is used as a single-family residential property. Three additional Ohana units are used as long-term rental properties on the property. The property is designated Urban by the State Land Use Commission and Single-Family Residential by the Wailuku-Kahului Community Plan. Despite these designations and its long-standing use as a single-family residential property, the property is zoned Agricultural by Maui County Zoning. The Agricultural Zoning district has a minimum plot size of (2) acres. The subject property is less than one (1) acre in size – 30,922 square feet. The property is existing and non-conforming to current ordinances since the structures were built in the 1920s, 1950s, and 1970s when set-back requirements were different or not required. There are no cited violations on the property that the owners are aware of since the homes were built prior to the county's permitting laws or when ordinance requirements were less detailed. The owners are seeking a R-2 Residential zoning designation to bring consistency with the long-standing use of the property and Community Plan Single-Family designation. The R-2 designation will allow the four (4) existing homes to remain, the main house to be renovated and add 400-sq.ft., and the temporary storage shed to stay in its current location. The subject property is 30,922 sq. ft. and R-2 zoning requires a minimum lot area of 7,500 sq.ft. per dwelling, for a maximum of 4 main dwellings and 8 additional units on the property.

See Attachment B for a modified site plan. Per the *Code of the County of Maui, Hawaii, A Codification of the General Ordinances of the County of Maui, Hawaii* the oldest, found recorded date requiring building permitting started in 1980. Therefore, none of the homes on the property will have permits for the structures to prove that they are non-conforming. Per the County of Maui's Real Property website, the only recorded permits are for the current (2022) and ongoing renovations to three of the homes. The current, existing structures are non-conforming because they do not adhere to current set-back requirements for structures on agricultural land, such as the structure built right to the property line with no setback.

3. **D9. Preliminary archaeological and historical data and comments from the Department of Land and Natural Resources (DLNR) and Office of Hawaiian Affairs (OHA). If applicable, a preservation/mitigation plan approved by DLNR and OHA.**

Response:

There are no surface archaeological features on the property. Current improvements include three Ohana Units being renovated within their current footprint. Additional improvements will include renovations to the main dwelling. Page 54 (Attachment C) of the submitted application depicts the difference between the current house plan and the future house plan. The additional 400 sqft is being

added to areas of the plot where the ground has already been disturbed by existing driveways and pavements. Therefore, the renovations to the main dwelling will require minimal excavation, if any, in connection with the proposed CIZ request. The applicant understands that as part of the CIZ review process, the Department of Planning may request review but the State Historic Preservation Division (SHPD). The Applicant will comply with review and mitigation requirements outlined by SHPD pursuant to the Chapter 6E, HRS process.

4. D10. Analysis of secondary Impacts of the proposed use on surrounding uses

Response:

There will not be any secondary impacts to the property value, surrounding housing, community services and facility needs, secondary jobs and employment, and affordable housing. The property will continue to be used as a single-family residential property. The *Code of the County of Maui, Hawaii, A Codification of the General Ordinances of the County of Maui, Hawaii* 19.35.050 provides that up to two accessory dwelling units (ADUs) may be developed on lots that are 7,500 sq. ft. or greater. It is noted that the Applicant does not have plans to develop additional homes or ADUs on the property and is simply seeking this rezoning to bring the long-standing residential uses on the land into conformance with zoning requirements. However, it is noted that if the property is rezoned, up to two ADUs could be added to the lot. Further, while the Applicant has no plans to do so if the 30,922 square foot parcel were subdivided into four separate lots, zoning would allow for one single-family home on each lot and two ADUs on each lot. Based on the foregoing, the subject property could support up to four single-family homes and eight ADUs. Any future development of additional homes would require the provision of necessary infrastructure improvement, including potable water service and wastewater infrastructure, either by individual wastewater system or potential connection to the County wastewater system. The details of such infrastructure connection would be developed in conjunction with plans for additional homes and are not available now as the Applicant does not intend to develop additional units. If the property were developed to the maximum density allowed by zoning, with four single-family units and eight ADUs, such development would be deemed consistent with the surrounding residential community, including the adjacent property to the north, which is also zoned R-2. The property is situated amongst an existing residential community and any future residential development would be infill development that would be consistent with surrounding uses and not present secondary impacts to surrounding uses.

5. D11. Traffic impact analysis and, if applicable, a traffic master plan with comments from the Department of Transportation (DoT) and the Department of Public Works (DPW).

Response:

There will not be any impact to traffic. There are no plans to build new housing on the property. As noted above, while the Applicant does not have plans to develop additional dwelling units on the property, the R-2 zoning would have a maximum development potential of up to four single-family homes and up to eight ADUs if the property were subdivided into four lots. This would represent up to eight additional units on the site compared to what is presently existing. Inasmuch as the Applicant is seeking this rezoning to allow the long-standing residential uses on the property to continue and does not propose additional units, a traffic engineer was not retained to conduct a traffic assessment. However, it is the Applicant's opinion that the hypothetical addition of up to eight units on the property would not present significant traffic impacts.

- 6. D13. Water source, supply and distribution analysis, and, if applicable, a water master plan which includes comments from the DLNR, Department of Water Supply (DWS), and (DPW).**

Response:

Water demand on the property will not change. Water use will be limited to irrigation of onsite landscaping and normal house-hold usage. No impacts to water system source, transmission of distribution or distribution systems are anticipated with the proposed CIZ request. As noted above, while the Applicant does not have plans to develop additional units on the property, the R-2 zoning would have a maximum development potential of up to four single-family homes and up to eight ADUs if the property were subdivided into four lots. This would represent up to eight additional units on the site compared to what is presently existing. Inasmuch as the Applicant is seeking this rezoning to allow the long-standing residential uses on the property to continue and does not propose additional units, a civil engineer was not retained to conduct a water source, supply and distribution analysis. Any future development of additional homes would require provision of necessary infrastructure improvements, including potable water service. The details of such infrastructure connection would be developed in conjunction with plans for additional homes and are not available at the moment as the Applicant does not intend to develop additional units. If the property were developed to the maximum density allowed by zoning, with four (4) single-family units and eight (8) ADUs, such development would be deemed consistent with the surrounding residential community, including the adjacent property to the north, which is also zoned R-2.

- 7. D14. Sewage disposal analysis, and comments, if applicable, from the Department of Health (DoH), DLNR, Department of Environmental Management (DEM), and DWS.**

Response:

There will be no impacts to wastewater collection and treatment services with the proposed CIZ requests as the county does not have sewage services to the property.

Each home has its own separate cesspool located to the side of each house. As noted above, while the Applicant does not have plans to develop additional units on the property, the R-2 zoning would have a maximum development potential of up to four single-family homes and up to eight ADUs if the property were subdivided into four lots. This would represent up to eight additional units on the site compared to what is presently existing. Inasmuch as the Applicant is seeking this rezoning to allow the long-standing residential uses on the property to continue and does not propose additional units, a civil engineer was not retained to conduct a sewage disposal analysis. Any future development of additional homes would require provision of necessary infrastructure improvements, including wastewater infrastructure, either by individual wastewater system or potential connection to the County wastewater system. The details of such infrastructure connection would be developed in conjunction with plans for additional homes and are not available at the moment as the Applicant does not intend to develop additional units. If the property were developed to the maximum density allowed by zoning, with four single-family units and eight ADUs, such development would be deemed consistent with the surrounding residential community, including the adjacent property to the north, which is also zoned R-2.

- 8. D15. Solid waste disposal analysis and comments, if applicable, from DoH, DLNR, DEM, and DWS.**

Response:

The property is currently allotted six waste disposal bins, per county ordinance, and has been, consistently using four bins. As previously noted, the Applicant does not have plans to add additional residential units to the property. However, the R2 zoning would allow the addition of up to eight ADUs if the property were to be subdivided. Future residential units, if developed, would secure solid waste disposal services from the County. The addition of up to eight residential units would not present a significant impact to the County's solid waste disposal services or capacity.

- 9. D17. Identification of the existing topographical and drainage patterns and any alterations proposed.**

Response:

There will be no change in existing draining patterns on the site. The drainage pattern currently flows downhill from the property. In the future, the existing gravel surfaces of the roadways may be paved. At that time, appropriate storm runoff mitigation measures will be identified and implemented, as applicable. See Attachment D for drainage patterns on the site.

- 10. D19. Dated photographs of site structure.**

Response:

See Attachment E.

11. D20. Development schedule.

Response:

The proposed improvements to the residential structure on the property will proceed upon receipt of necessary County permits and approvals. The Applicant has no plans for subdivision of the property or development of additional ADUs or other structures.

12. D21. Schematic site development plans, if applicable, drawn to scale, which identify property lines and easements; location, size, spacing, setback and dimensions of all existing and proposed building, structures, improvements and uses; existing and proposed building elevations, sections, floor plans and site sections; topographic information showing existing features and conditions and proposed grading; existing and proposed landscaping which depicts open spaces, plantings and trees; existing and proposed roadways and accesses to the project and parking layout with dimensions; and shoreline, stream and other setback lines.

Response:

The original submission included a topographic survey on page 35 (also included in this response as Attachment B) and two hard copies of the construction drawings (site plan) on page 45, in addition to the CD (also included in this response as Attachment F). The County of Maui Planning Division also has 24"x36" hard copies of the construction drawings on page 45 as they were part of the permitting requirements for the current renovation projects that were approved in 2022. Easements, setbacks, square footage, usage, parking layout, and demolition are all included between both the topographic survey and construction drawings.

Please let me know if you need digital copies of this response.

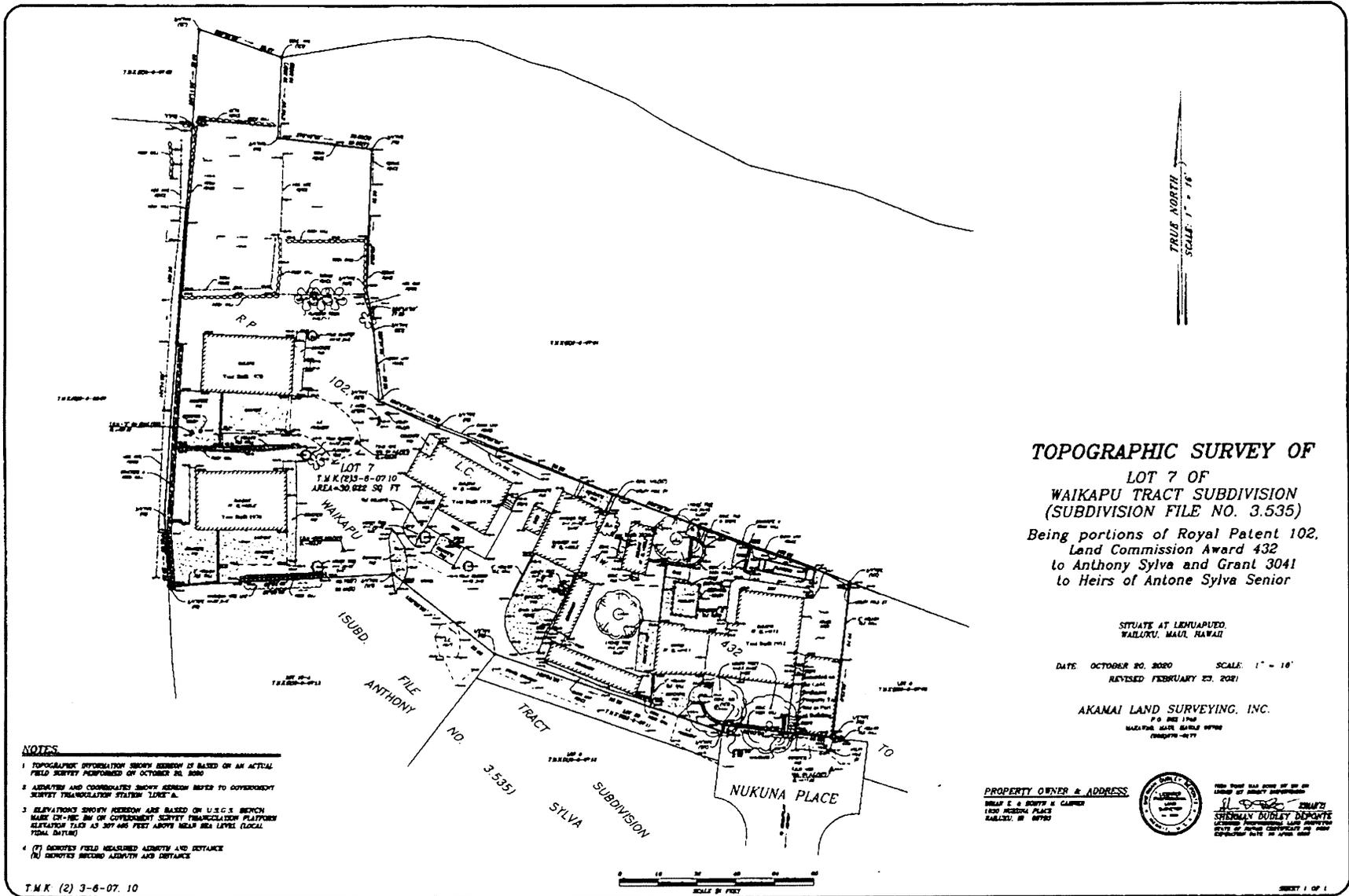
Thank you for your continued support and consideration.

Sincerely,



Dr. Robyn M. Garner
Owner | Kamasaki-Garner Properties, LLC
robymgarner@gmail.com
(808) 497-6219

Attachment B: D8 – Site Plan



TOPOGRAPHIC SURVEY OF
LOT 7 OF
WAIKAPU TRACT SUBDIVISION
(SUBDIVISION FILE NO. 3.535)
 Being portions of Royal Patent 102,
 Land Commission Award 432
 to Anthony Sylva and Grant 3041
 to Heirs of Antone Sylva Senior

SITUATE AT LEHIAPILED,
 WAILUKU, MAUI, HAWAII

DATE: OCTOBER 20, 2020 SCALE: 1" = 16'
 REVISED: FEBRUARY 23, 2021

AKAMAI LAND SURVEYING, INC.
 P.O. BOX 1740
 WAILUKU, MAUI, HAWAII 96793

PROPERTY OWNER & ADDRESS
 SYLVA E & SIBERT & COMPANY
 1820 NUKUNA PLACE
 WAILUKU, HI 96793



THIS PLAN HAS BEEN PREPARED BY ME OR UNDER MY CLOSE PERSONAL SUPERVISION AND I AM A LICENSED SURVEYOR IN THE STATE OF HAWAII.
 SHERMAN DUDLEY DEPORTE
 LICENSE NO. 10000
 STATE OF HAWAII

- NOTES**
1. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED ON OCTOBER 20, 2020.
 2. BEARINGS AND COORDINATES SHOW BEARING MEASUREMENT TO GOVERNMENT SURVEY TRIANGULATION STATION "LAKA A".
 3. ELEVATIONS SHOWN HEREON ARE BASED ON U.S.C.S. BENCH MARK CH-18C BM OF GOVERNMENT SURVEY TRIANGULATION PLATFORM. ELEVATION IS IN FEET ABOVE MEAN SEA LEVEL (LOCAL TIDAL DATUM).
 4. (T) DENOTES FIELD MEASURED BEARING AND DISTANCE
 (R) DENOTES BEARING AND DISTANCE

T.M.K. (2) 3-6-07. 10

Attachment C: D9 - Renovation Plan

INSPECTION NOTES:

1. ALL PAJ COUNTY COURSE OF CONSTRUCTION INSPECTIONS SHALL BE DONE IN A WRITTEN FORMAT. IT IS THE RESPONSIBILITY OF THE OWNER TO CALL FOR THESE INSPECTIONS.
2. IN ADDITION TO THE COURSE OF THE COURSE OF CONSTRUCTION INSPECTIONS A SUBMITTAL AND LOAD PLAN SPECIFIC INSPECTIONS ARE REQUIRED.
3. VERIFY CONSTRUCTION BEING # 2 IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONTACT OMA, INC. # 408-473-4333 TO VERIFY THE INSPECTIONS REQUESTED FROM THE PROJECT.
4. SAID INSPECTIONS ARE NOT WITHIN THE SCOPE OF THE ARCHITECT'S SERVICES AND SHALL BE PROVIDED BY THE GENERAL CONTRACTOR UNDER A SEPARATE CONTRACT WITH A QUALIFIED INSPECTOR OF OWNER'S CHOICE.

LEGEND:

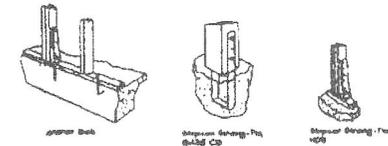
- 4" THICK CONCRETE LANDING 30" SIDE BY SIDE @ 2' PER FOOT CLEAR
- DOUBLE END FWC
- 40 POST
- 2X6 WALL POST

NOTE:

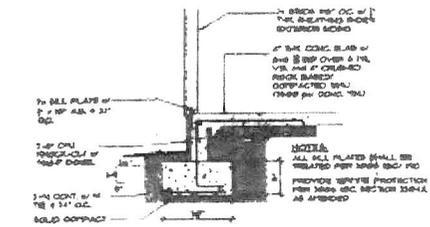
COMPACTED FILL SHALL BE 18" IF LIFE AND COMPACTED TO 4" LIPS PER ASTM TEST CITY DENSITY REQUIREMENTS AND CONTRACTOR SHALL VERIFY COMPACTED FILL IS FREE OF DEBRIS AND ORGANIC MATERIALS. PROVIDE EVIDENCE OF SOIL'S ENGINEER CONTRACTOR TEST REPORTS TO ARCHITECT FOR APPROVAL.

NOTE:

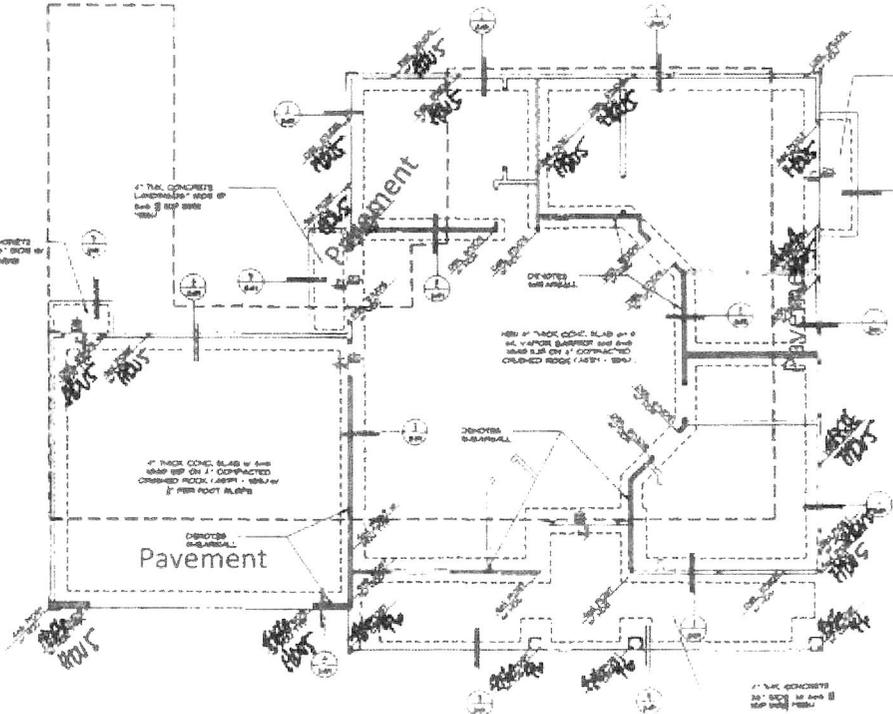
5/8" COTS @ 30" O.C. CONTIGUOUS BORE MATS @ SPAN/SPAN JOINTS



AB, C56 and HDU
TYPICAL INSTALLATION
NOT TO SCALE



ALTERNATE CONT. FTG. @ EXTERIOR WALL
NOT TO SCALE



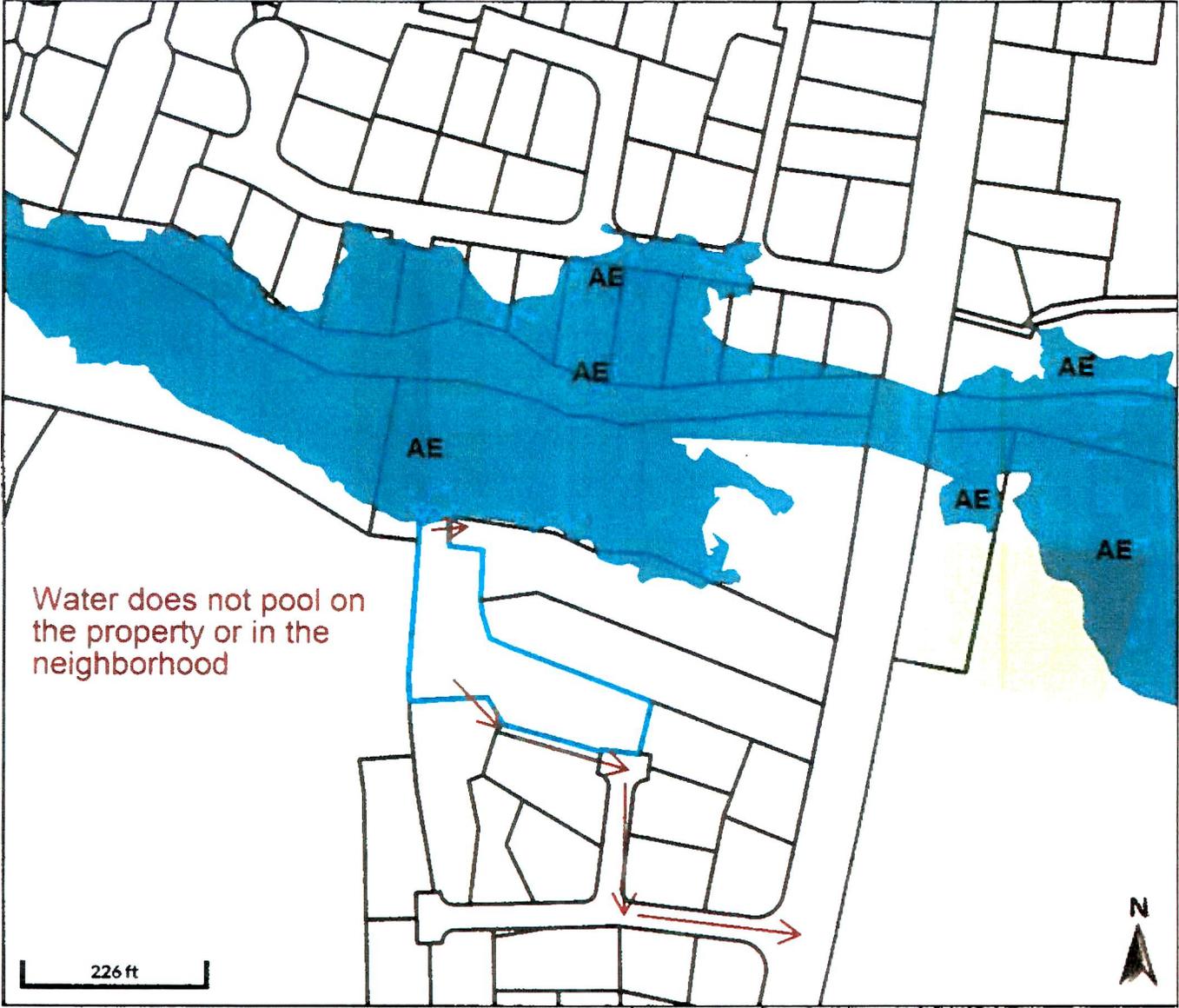
MAIN DWELLING FOUNDATION PLAN

REFER TO CONCRETE DETAIL SHEETS FOR TYPICAL DETAILS. COORDINATE ANY VARIATIONS OF SAME WITH ARCHITECT & ETC. VERIFY ALL DIMENSIONS TO BE USED IN SLAB WITH ARCHITECT & ETC. CONTRACTOR SHALL ALLOW FOR APPROXIMATE 1/2\"/>

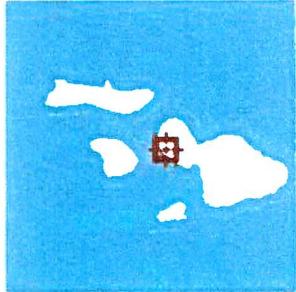
Handwritten note: HOUSE & ALL POSTS/2X6 SUPPORTING BEAMS SPANNING OVER 6'-6\"/>

| | | | | | |
|--|--|--|--|--|------------------|
| | | | CONSTRUCTION DRAWING FOR GARNER RESIDENCE 6860 NIQUAN PLACE LAS VEGAS, NV 89123 1/14/23 - 6 - 27 - 2023 | DATE: 06/27/2023 SCALE: NOTED DESIGNED: LUNA CHECKED: LUNA JOB NUMBER: SHEET: SI | |
| | | | DATE: 06/27/2023 | SCALE: NOTED | DESIGNED: LUNA |
| | | | CHECKED: LUNA | JOB NUMBER: | SHEET: SI |
| | | | SHEET: SI | JOB NUMBER: | SHEET: SI |

Attachment D: D17 – Drainage Pattern on Property



Overview



Legend

-  Parcels
- Flood Hazard Areas**
-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD, X
-  X, AREA OF MINIMAL FLOOD HAZARD; AREA WITH REDUCED FLOOD RISK DUE TO LEVEE, X
-  A
-  AE
-  AH
-  AO
-  V
-  VE

Attachment E: D19 – Additional Photo of the Property



**MAUI PLANNING COMMISSION
PORTION OF REGULAR MINUTES
ITEM B.1.
NOVEMBER 12, 2024**

A. CALL TO ORDER AND ROLL CALL

The regular meeting of the Maui Planning Commission was called to order by Chair Kim Thayer at approximately 9:14 a.m., Tuesday, November 12, 2024, in the Planning Department Conference Room, Kalana Pakui Building, 250 South High Street, Wailuku, Maui Hawai'i 96793 and online via Webex; Meeting ID: 2663 496 6853 and Password: 111224.

Roll call was taken by Director Kate Blystone. Chair Thayer, Vice-Chair Thompson and Commissioners Kealoha and Ward were in attendance in-person. Commissioner Hipolito Jr. was in attendance via Webex. Excused Absence for Commissioners Deakos and Lindsey.

Ms. Kim Thayer: Aloha. Kakahiaka kakou. Good morning, everybody. Thank you for your patience with us. We had some technical difficulties to work through, but I think we are all good now. So welcome to our Maui Planning Commission of Tuesday, November 12th, 2024. Director, roll call please?

Ms. Kate Blystone: Good morning. Commissioner Hipolito?

Mr. Mel Hipolito, Jr.: Good morning, Chair, Vice Chair, fellow Commissioners, Director. I'm in my office in Kahului, alone.

Ms. Blystone: Mahalo. Commissioner Kealoha?

Dr. Andrea Kealoha: Good morning. Wonderful to see everybody this morning.

Ms. Blystone: Good morning. Commissioner Ward?

Mr. Brian Ward: Good morning, everyone. Good to see everyone.

Ms. Blystone: Good morning. Vice Chair Thompson.

Mr. Dale Thompson: Aloha. Top of the morning to all.

Ms. Blystone: Aloha. Chair Thayer?

Ms. Thayer: Yes, I am here. Good morning, again. Alright, so, just going through our agenda for today, we have one public hearing item, two communications items, and an orientation work workshop. But a note on item C.2., we need six members present to be able to take action on that. So, C.2. is going to get deferred to our next meeting when we hopefully have at least six members present. But for now we will go into our public hearing item B.1. Director, please read us into the record.

B. PUBLIC HEARINGS

1. **ROBYN GARNER requesting a Change of Zoning from Agricultural to R-2 Residential for a substandard agricultural lot of 30,922 sf (0.7099 acres), located at 1550 Nukuna Place, Wailuku, Maui, Hawai'i at TMK (2) 3-6-007:010 (CIZ2021-0002) (A. Biniaris)**

Ms. Blystone: Robyn Garner requesting a Change of Zoning from Agricultural to R2 Residential for a substandard agricultural lot of 30,922 square feet, 0.7099 acres, located at 1550 Nukuna Place, Wailuku, Maui, Hawaii, at TMK: 2-3-6-007:010. This is CIZ 2021-0002, and Aliko is the planner.

Ms. Thayer: Please go ahead.

Ms. Aliko Biniaris: Good morning, Commissioners. As stated by Director Blystone, the item before you this morning is a Change in Zoning from Agricultural District to R2 Residential District for a substandard agricultural lot, approximately 30,922 square feet in size, which is roughly 0.71 acres located at 1550 Nukuna Place in Wailuku, Maui. The subject property is look, located in the County Agricultural District. The Change in Zoning from Agricultural District to R2 Residential District would bring the property into conformance with its current use and its community plan designation of single-family. The existing main dwelling was built in 1952 and the applicant plans to renovate, renovate it and add an additional 400 square feet. The main dwelling has a garage and carport. There are three other housing units on the property, two of which have carports that are used for long-term rentals. The parcel is State Land Use Urban. The Community Plan designation is Single-Family. The Maui Island Plan is Small Town. And the County Zoning is Agricultural. The Change in Zoning application requesting a Change in Zoning from Agricultural District to R2 Residential will conform with the community plan designation and current use. The property has a long-standing use as a residential property. The four dwellings were built in 1930, 1952, and two in 1970. The project will be explained in further detail by the applicant and owner, Robyn Garner. Thank you.

Ms. Thayer: Thank you. Is Ms. Garner here? Online? Oh, there we go. Oh her?

Dr. Robyn M. Garner: Good morning.

Ms. Thayer: Oh, I can --. Yes.

Dr. Garner: Can you hear me?

Ms. Thayer: I think we can hear you.

Dr. Garner: Awesome. Okay, sorry. It's, it is cutting in and out here, so hopefully I can get through the presentation in time before it cuts out. Aloha members of the board. Thank you for the opportunity to present this request today. My name is Dr. Robyn Garner and I am the owner of the property located at 1550 Nukuna Place in Wailuku. My family has lived in Waikapu for about 150 and over 80 of those years on this particular plot of land. So this property is not just land to us, it's part of our legacy, a tangible connection to our ancestors and a cornerstone of our commitment to this community.

Today I'm here to request a zoning change from Agriculture to Residential. This change will bring our property into alignment with its current and intended future use and will allow us to continue improving and maintaining the land for our future generations. Our family has always viewed ourselves as caretakers of this land and the zoning request is part of our ongoing

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stewardship of the property ensuring that it will continue to serve our family and the broader community for generations to come.

I have a simple quad chart that's available for this presentation. Are you able to see it?

Ms. Thayer: Oh, we don't see you on screen right now.

Dr. Garner: Okay, let me see if I can share my screen. Is my screen being shared?

Ms. Thayer: Yes.

Dr. Garner: I can see that. You can see everything now, yourselves, with the presentation and my speech.

Ms. Thayer: Yes. Yes.

Dr. Garner: Awesome. Okay, sounds good. So top right quad, the primary goal of the zoning change is not to add new dwellings or increase the overall density of the property.

Ms. Thayer: Sorry, one second.

Dr. Garner: Yes.

Ms. Thayer: It's showing up really small on our screen.

Dr. Garner: Okay.

Ms. Thayer: Do you think --

Dr. Garner: Okay let me try this.

Ms. Blystone: You may want to try just sharing the one application instead of your entire screen because that way it will fill up the whole screen for us. So if you stop share and then just share the one application, it should be better. It is also in the Commissioner's packets as well.

Dr. Garner: It is. It doesn't give me the option to share just the one power point application.

Ms. Blystone: Okay.

Dr. Garner: Would it be better if I not share and reference the package?

Ms. Thayer: I think for everybody online, it's got to be the same.

Ms. Blystone: It is in the packet, so you should be able, for those online, you can take a look at the packet. Candace, do you have a suggestion?

Ms. Candace Thackerson: Yeah, I, I can run it from here or Alike -- excuse me -- Alike can run it from here, the presentation. Oh, although look. Oh no, no that was my screen. We can run it. I'm

like, oh, it looks big because that's what I'm looking at. We can share my screen and then the applicant, Dr. Garner, if you just say next for the next slide, then Aiki, staff planner Aiki can click it for you.

Dr. Garner: Perfect. Okay, easy day for her then because there's only one slide. And I'll just go through the different quads. Okay, let me know when you're ready.

Ms. Blystone: She's just loading it. One second.

Dr. Garner: Sounds good. Okay. Awesome. I can see it on my end.

Ms. Thayer: Yep.

Dr. Garner: Alright, is it good to continue?

Ms. Thayer: One second. Okay yes, go ahead.

Dr. Garner: Okay. Sounds good. Okay, so top right quad, the primary goal of the zoning change is not to add new dwellings or increase the overall density of the property, but to improve the existing structures and make the property safer for both my tenants and my family. The land's narrow width combined with the other factors make it physically challenging to accommodate the full build out potential that R2 zoning might allow. So instead I am focusing on enhancing the four existing dwellings that are already on the property. This includes necessary renovations to update and improve safety features as well as addressing some of the infrastructure needs to ensure that the property remains habitable and up to code for the long term. The zoning change will allow me to streamline the permitting process for these improvements and make the necessary upgrades to the property ensuring it continues to serve as a safe and viable residence for everyone living here. It is important to emphasize that the intent is not to add additional units but to enhance the quality of life for the current tenants and maintain the property in a way that aligns with the charter of the surrounding neighborhood.

I'm going to move to the bottom left quad for impact assessments. Currently the property is connected to the County's water system. It supports four existing dwellings and the surrounding landscape. However, there's no County sewer system available at this time. Instead, the property uses individual cesspools. I understand that as part of the zoning change future development could involve the expansion of the wastewater systems and we're planning to connect to that when it's ready. I have been in discussions with the Department of Health and their guidance is clear. Individual wastewater systems will be required for any future construction until the plant sewer expansion is completed, which is expected around 2030. Additionally, the property is located in flood zones X and AE. While that AE zone covers only a small corner of the property in the very back end, there are no structures located in that area, so we don't anticipate significant impact from flooding. But I will ensure that all necessary drainage and flooding management measures are met when developing the property.

I'm going to move over to the bottom right quad, which is community engagement. We understand that the community -- we understand that community impacts such as public safety and infrastructure are important considerations. The property is located in a quiet residential neighborhood that is already served by the Wailuku Fire Station and the Maui County Police

Station, as well as healthcare facilities like the Maui Memorial Hospital. The fire department has provided feedback and recommended ensuring adequate fire protection measures such as access for emergency vehicles and hydrant placement, which I will fully comply with. I'm committed to ensuring that any future construction will meet these and other public safety requirements. We do have an unfortunate example that the fire department is able to service the property well. Unfortunately, on August 8th, we also had a fire at the far end of our property and the fire department did an outstanding job pulling the water from the fire hydrant at the bottom in . . . (inaudible) . . . all the way up to the back corner of our property and was able to put out the fire. So that was a fantastic job on their end.

And then in terms of traffic, this area is already a low traffic, it dead end. It's a residential. And any future development will --. I'm sorry. Go ahead.

Ms. Thayer: Oh, that was somebody else. You can keep going.

Dr. Garner: Thank you. So, any future development will be carefully designed to minimize disruptions while the zoning change would allow for the potential to build up to twelve residential units. I don't see it possible and I don't anticipate any major changes to the traffic patterns or strain on public services out here.

And, I believe I may have actually just, I did actually go over the planning and technical analysis as I was going to the left quad. So, if there are any other questions for the top right quad, I'm happy to address them. Otherwise, I'll conclude and summarize. So, in conclusion the request of the rezone, rezoning of this property from Ag to R2 is about more than just compliance with the zoning regulations. It's about honoring a deeply personal family legacy. This change will allow us to improve the existing dwellings and provide a safer, more livable environment for our tenants and family without subdividing or selling a property.

This project began with the goal of creating a safe space for my grandmother and my mother, both of whom have passed away unfortunately. Their vision was to provide stability and security for the future generations, and the zoning request is a step forward to fulfilling that vision. So as a family, we are committed to staying here, improving the property and ensuring it remains the stable home for years to come. We are invested in this community and want this property to continue to serve positively and sustainably. So, I request, respectfully request your favorable recommendation for the zoning change and I'm happy to answer any questions at this time.

Ms. Thayer: Thank you very much. Clarifying questions from the Commission before we open up public testimony. Commissioner Thompson, Vice Chair.

Mr. Thompson: Thank you. And thanks for coming today or being online and my question for you is how many people reside at that property already?

Dr. Garner: So as of right now, it's actually just me and my husband. When, the renovations are complete, it is able to, it, there's, there will, there will be three, three-bedroom homes available for rent in addition to the three-bedroom main house. But right now, it's just two of us.

Mr. Thompson: Okay, and one other is, did you look at putting a, a septic instead of cesspool?

Dr. Garner: Yes, so there are those considerations. We have one more building permit to go through and I'm working with the Health Department on what's actually required. But the cesspools according to the health department for the three rental units are, are sufficient.

Mr. Thompson: Okay, thank you.

Ms. Thayer: Okay. So, no further questions at this point we can check for public testimony. Has anybody signed up to testify? Okay, last call for testimony. You can sign your name in the chat if you wish to testify. Otherwise, public testimony will be closed. Okay, it looks like we have one person signed up to testify, Mr. Johann Lall. Please go ahead, you have three minutes.

Mr. Johann Lall: Aloha. Johann Lall testifying on behalf of myself, and I support this change of zoning. I don't have any relationship with these folks or, or anything like that, but I think this is kind of what we, we want is renewal and redevelopment of places that are already developed. And if this can result in housing that is a little better for the people who live there and stuff like that. It kind of goes along with all the, the General Plan, the Community Plan, all that kind of stuff. And this is an area that is close to infrastructure, public transit, shops, jobs, so, I am in full support of their change of zoning. Mahalo.

Ms. Thayer: Mahalo for your testimony. Any questions for the testifier? Okay, seeing none, thanks again. Anybody else signed up to testify? None at this point? Okay, public testimony last call closing in three, two, one. Public testimony is closed. Commissioners, any further questions?

Mr. Thompson: . . . (inaudible) . . . to the County?

Ms. Thayer: Vice Chair?

Mr. Thompson: Sure, maybe to . . . (inaudible) . . . or Director. Do we permit cesspools? I thought we went to septic already. Cesspools are supposedly the big no-no thing.

Ms. Blystone: So, I'm only going to address the issue at hand, which is rezoning. So, I, I can't. Maybe the Planning Department doesn't, doesn't deal with that issue, so I can't, I can't speak to that.

Mr. Thompson: Well, thank you.

Ms. Thayer: Any further questions from the Commission?

Dr. Andrea Kealoha: We don't deal with cesspools and septic, can we put it in as a, can we put it in as a condition of the permit?

Ms. Blystone: So just as a reminder, this is a change in zoning. So all you're doing is making a recommendation to the Council to, to either approve or deny it with conditions if need --

Mr. Michael Hopper: Do you want me to comment?

Ms. Thayer: Oh, Mr. Hopper?

Mr. Hopper: Yeah, just I mean, I, I don't think that's an irrelevant question. I mean, I think you can, if you want to find that information, you can. I don't think the Planning Department would necessarily have that. I think the State Department of Health, if they're in correspondence with them, maybe could provide you that information. I don't know if there's anything in the documents.

The Change in Zoning would, allow the property to be used as a residential use rather than an ag use, and if there's existing cesspools, whether you grant the zoning change or not, I think they're going to have to deal with that issue if you're, they're talking about those, those dwellings. But if you want that information or you think Council should have that information, that's something you can, I guess put in your, in your recommendations. But, I think that's going to be a separate issue for them whether or not they get a Change in Zoning because that's just based on the, the residential use. So, I, I think that's going to exist regardless. But I'm not saying that's not an irrelevant thing if you see that that conversion to residential has the potential for different impacts, and you think cesspools are a problem there, I think you can, you can ask that. But hopefully there's a clear answer for that because they're, if they have to deal with that, they're going to need to deal with that, whether there's a Change in Zoning or, or not.

Dr. Kealoha: Yeah, I, yeah, I guess because we need to switch what is it? 2030, we need to switch to septic, so I guess I just was bringing it up now as something that they might consider thinking about if . . . (inaudible) . . .

Ms. Thayer: Um, Ms. Garner, Mrs. Garner, can you tell us a little bit more about your situation with the cesspools switching to IWS and then connecting to the County waterline? I mean, sewer line.

Dr. Garner: So with my conversations with the State Health Department, for the . . . (inaudible) . . .

Ms. Thayer: Oh, you cut out. Sorry, can you, can you start again? You cut for a few seconds.

Dr. Garner: Sorry, yes. So, for my conversations with the State Health Department regarding the cesspools for the three rental units in the back of the property, they are grandfathered in and sufficient for the size of the home, so they don't need to be changed. For the main house, we are going through the building permit process right now. And, there are discussions on whether or not a septic system does need to be put in place while we wait for the County sewer system to come in, or if, the current use is also grandfathered in since the changes are actually minimal, the renovation changes are minimal. Either way we have been instructed that when the County sewer line comes through in 2030, we are required to connect to the sewer system at that time.

Ms. Thayer: That's good? . . . (inaudible) . . . Vice Chair?

Mr. Thompson: Have you looked into, um, doing leach fields in the septic system there? . . . (inaudible) . . .

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Dr. Garner: Our contractor is specifically looking at the leach fields that we have around, the areas that we have around us right now because there are sufficient areas for leach fields to put in septic systems if that's what's required.

Mr. Thompson: So there is room. My concern is about --

Dr. Garner: Yes.

Mr. Thompson: -- that we have a cumulative problem there. And if we change this, then we're going to open it up to what, six houses. And if we have six places running, we got a problem, we got a problem in the, in the soil.

Dr. Garner: Yeah, actually, for our two, it's interesting. It says we can have up to twelve units on this property just due to its size, but I think physically because the property is so narrow, it's not possible to actually put in any more houses already here. We could only keep the four.

Mr. Thompson: Okay. And thank you.

Dr. Garner: Okay.

Ms. Thayer: Further questions? That's good? Any other questions from the Commission? Okay, seeing none, can we have the recommendation from the Department?

Ms. Biniaris: In consideration of the foregoing, the Planning Department recommends that the Maui Planning Commission adopt the Planning Department's report and recommendation prepared for the November 12th, 2024 meeting and recommends that the Maui Planning Commission recommend approval to the Maui County Council for the Change in Zoning from Agricultural District to R2 Residential subject to no conditions. Thank you.

Ms. Thayer: Thank you. We can entertain a motion. I guess maybe to, you know, address your concerns, you could potentially put in a condition for only four units as there is now.

Mr. Thompson: Yeah, absolutely.

Ms. Thayer: Director?

Ms. Blystone: Just something for consideration. What the applicant said is that the, the current use and arrangement of, of the number of, sorry, the number of dwelling units that are possible on their property is limited already by their ability to access sewer. So, limiting it further to four, I think, let me just say globally, I think adding conditions to zoning is not a great idea overall, that your zoning is your zoning. The reason we have the zoning code is because it has a series of restrictions already built into it and adding additional conditions on top of it makes it more difficult to administer in the future. So, I just encourage you to consider that. Of course, we'll do whatever you ask, but I wanted to, to make that case here briefly.

Ms. Thayer: Vice Chair?

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Mr. Thompson: No, I thought I read it. I was checking here. Isn't there a grading in for another house in here too? Did I read that? They're grading off a lot in here. Was that --?

Mr. Ward: I think it was the, the remodel that was --

Ms. Biniaris: Yeah, there's grading for the --. They're going to add some square footage to the main dwelling, and when you're adding square footage, there's going to have to be some grading of the lot under where they build the addition to the main house.

Mr. Thompson: Okay, that's what it was. Okay, thank you.

Ms. Thayer: Um, further questions or we can entertain a motion? Commissioner Ward?

Mr. Ward: I moved to accept the Planning Department's recommendations as outlined.

Ms. Thayer: Thank you. Is there a second? Second from Vice Chair. Would you like to speak to the motion?

Mr. Ward: Uh, just listening to the testimony for the presentation, I think it's important for us to support the community and maintain the lands and rebuilding on existing properties, specifically with the legacy and the history right there. For that, for that reason specifically, I think it's important that we approve it.

Ms. Thayer: Thank you. From the second?

Mr. Thompson: Nothing to add.

Ms. Thayer: Okay, further discussion from the other Commissioners? Seeing none, I guess I would say that I concur with Commissioner Ward in that this is, you know, a generational family that is trying to do as good as they can with the land that they have. And, you know, given all the conversations we have in our community all the time, even now, this is exactly what we should be enabling, so thank you. I guess there being no further discussion we can call for the vote.

Ms. Blystone: Commissioner Hipolito?

Mr. Hipolito, Jr.: Aye.

Ms. Blystone: Commissioner Kealoha?

Dr. Kealoha: Aye.

Ms. Blystone: Commissioner Ward?

Mr. Ward: Aye.

Ms. Blystone: Vice Chair Thompson?

Mr. Thompson: Aye.

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Ms. Blystone: Chair Thayer?

Ms. Thayer: Aye.

It was moved by Mr. Ward, seconded by Vice-Chair Thompson, then unanimously

VOTED: To support the recommendation by the Planning Department to County Council.

(Assenting: M. Hipolito Jr., A. Kealoha, B. Ward, D. Thompson, K. Thayer)

(Excused: M. Deakos, A. Lindsey)

Ms. Blystone: That's five votes.

Ms. Thayer: Okay, motion carries. Thank you. Temperature check Commissioners? We're only half an hour in, so do you need a break or do we go right into our next item?

Respectfully Submitted by,

LEILANI A. RAMORAN-QUEMADO
Secretary to Boards and Commissions II
For GENO QUEMADO
Secretary to Boards and Commissions II

RECORD OF ATTENDANCE

Present:

Kim Thayer - in person
Dale Thompson – in person
Brian Ward – in person
Mel Hipolito, Jr. – via Webex
Andrea Kealoha – in person

Excused:

Ashley Lindsey
Mark Deakos

Others:

Kate Blystone: Planning Director, in person
Danny Dias: Planning Program Administrator, Current Planning Division, in person
Aliko Binaris: Staff Planner, in person
Wilton Leauanae: Staff Planner, in person
Kurt Wollenhaupt: Staff Planner, in person
Candace Thackerson: Staff Planner, in person
Brailey Gonsalves: Staff Planner, in person

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Brian Bilberry: Deputy Corporation Counsel, in person
Michael Hopper: Deputy Corporation Counsel, in person
Geno Quemado: Secretary to Boards and Commissions II, in person
Leilani Ramoran-Quemado: Secretary to Boards and Commissions II, in person

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***CHANGE IN ZONING APPLICATION
(R2, RESIDENTIAL)***

**Garner Residence
TMK: (2) 3-6-007:010**

***Applicants: Robyn & Brian Garner
Owner***

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1. Change in Zoning Application – Required Submittals

1.1 Required Submittals Checklist

REQUIRED SUBMITTALS CHECKLIST

1. This **Change Of Zoning Application** with all pages completed.
- (See Sect. 1.3) 2. Evidence that the Applicant is the owner of the real property to be reclassified; OR, if the Applicant is not the owner, a notarized letter of authorization from the owner authorizing the applicant to act on the owner's behalf AND evidence that identify the legal owner.
- (See Sect. 1.4) 3. A copy of the **Notice of Application**, location map and **Notarized Affidavit of Mailing of Notice of Application**.
- (See Sect. 1.5) 4. List of owners and lessees of real property within a 500 feet radius of the subject parcel boundaries shall be obtained from the most current available list at the Maui County Department of Finance, Real Property Tax Division. This list should include the tax map key numbers and the names and addresses of all owners, lessees, and members of the Board of Directors or managing agents to be notified, including a *parcel notification map* (The *parcel notification map* is a map drawn to scale, clearly identifying the 500 foot boundary surrounding the subject parcel and the parcels within the notification boundary).
- (See Sect. 1.6) 5. **Zoning and Flood Confirmation form** (pg 5) completed and signed by Planning Dept.
- (See Sect. 1.7) 6. Legal metes and bounds description of the subject property.
- (See Sect. 1.8) 7. Map of the subject property and its surrounding properties, including their Tax Map Key numbers, on regular paper (8 ½" x 11" format). The map will not include the metes and bounds on it, nor signature lines or dates for any approvals (see sample on page 15).
- (See Sect. 2) 8. Two (2) hard copies of a **Project Assessment** document which contains all the items listed in the *Project Assessment Requirements Checklist*.
Note: The Department will review the application and request additional copies for agency transmittal.
- (See Sect. 1.10) 9. Any other information, as may be required.
- (See Sect. 1.9) 10. A copy of the **Notice of Public Hearing**.
11. An electronic copy in PDF format of the entire application package on a compact disk or flash drive.
12. A **non refundable** filing fee payable to *County of Maui, Director of Finance*.
(see Fee Schedule, Table A found on the Maui County website)

After reviewing the application packet and certifying that it is ready for processing the Applicant will be notified of the number of additional hard and digital copies to be provided for agency review.

1.2 Change in Zoning Application Form

CHANGE OF ZONING APPLICATION

Please print legibly or type the following.

Permit Number(s): CIZ _____ - _____

PROPERTY ADDRESS & INFORMATION

| | |
|--|---|
| Project Name: Garner Residence | Tax Map Key No.: (2)3-6-007:010 |
| Total Area: 30922 SF | Valuation*: ~\$600,000 |
| Physical Address/Location of Project: 1550 Nukuna Place, Wailuku, HI 96793 | |

* Total cost or fair market value, as estimated by an architect, engineer, or contractor licensed by the State of Hawaii Dept. of Commerce and Consumer Affairs; or, by the administrator of Dept. of Public Works, Development Services Administration.

DESCRIPTION OF PROPOSED ACTIVITY OR DEVELOPMENT

Describe the existing use:
Residential Main House, Residential Ohana-A, Residential Ohana-B, Residential Ohana-C

Describe the proposed use:

The Applicant proposes to restore and expand the main dwelling and keep a temporary storage structure. The purpose of the Change in Zoning is to establish consistency between the zoning and the existing uses on the property and the existing Community Plan Designation.

| LAND USE DESIGNATIONS | Existing | Proposed |
|---|-------------------------------------|-----------------|
| State Land Use District Boundary | Urban | No Change |
| Maui Island Plan | Small Town, Outside Protected Areas | No Change |
| Community Plan | Single Family | No Change |
| County Zoning | Agricultural District | R2, Residential |
| Other (i.e. SMA) | N/A | |

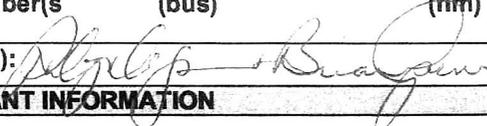
CONTACT INFORMATION

APPLICANT INFORMATION

Name(s): Robyn & Brian Garner **Email:** robynmgarner@gmail.com

Mailing Address: 1550 Nukuna Place, Wailuku, Hawaii 96793

Phone Number(s) (bus) (hm) (cell) (fax)
(808) 497-6219/3781

Signature(s):  **Date:** 11 September 2021

CONSULTANT INFORMATION

Name(s): N/A **Email:** N/A

Mailing Address: N/A

Phone Number(s) (bus) (hm) (cell) (fax)
N/A N/A N/A N/A

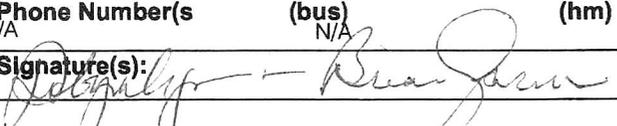
Signature(s): **Date:** N/A

OWNER INFORMATION

Name(s): Robyn & Brian Garner **Email:** robynmgarner@gmail.com

Mailing Address: 1550 Nukuna Place, Wailuku, Hawaii 96793

Phone Number(s) (bus) (hm) (cell) (fax)
N/A N/A (808) 497-6219/3781 N/A

Signature(s):  **Date:** 11 September 2021

1.3 Land Ownership Documentation

ORIGINAL

STATE OF HAWAII
BUREAU OF CONVEYANCES
RECORDED September 27, 2019 3:29 PM
Doc No A72090776
CONVEYANCE TAX: \$0

/s/ LESLIE T. KOBATA, Registrar
KEO 11

LAND COURT SYSTEM

REGULAR SYSTEM

RETURN BY: MAIL (X) PICKUP ()

TO: Rhonda M. Fosbinder, Attorney
Island Legal Group LLLC
24 N. Church St., Suite 307
Wailuku, Hawaii 96793
Tel: 808-242-4956

TYPE OF DOCUMENT:

CORRECTION DEED

GRANTOR: CYNTHIA ANN MCCARTHY and CLAIRE S. KAMASAKI, Co-Trustees of the EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, having all powers under said Trust Agreement, including full power to sell, convey, exchange, mortgage, lease, assign or otherwise deal with and dispose of all lands of the trust estate and interests therein

GRANTEE: BRIAN E. GARNER and ROBYN M. GARNER, husband and wife

ADDRESS: 1550 Nukuna Place, Wailuku, Hawaii 96793

AFFECTS TAX MAP KEY: (2) 3-6-007-010

This document has 11 pages

CORRECTION DEED

THIS CORRECTION DEED, made this 26th day of September, 2019, by and between CYNTHIA ANN MCCARTHY and CLAIRE S. KAMASAKI, Co-Trustees of the EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, having all powers under said Trust Agreement, including full power to sell, convey, exchange, mortgage, lease, assign or otherwise deal with and dispose of all lands of the trust estate and interests therein, whose respective mailing addresses are 1550 Nukuna Place, Wailuku, Hawaii 96793, and 117 Woodward Avenue, Lowell, MA 01854, hereinafter called the "Grantor", and BRIAN E. GARNER and ROBYN M. GARNER, husband and wife, mailing address is 1550 Nukuna Place, Wailuku, Hawaii 96793, hereinafter called the "Grantee",

RECITALS:

1. By Limited Warranty Deed dated May 18, 2018, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 67250788, Grantor CYNTHIA ANN MCCARTHY and CLAIRE S. KAMASAKI, Co-Trustees of the EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, conveyed to Grantee BRIAN E. GARNER And ROBYN M. GARNER all of the property described in Exhibit "A" which is attached to said Limited Warranty Deed.

2. On Page 7 of said Limited Warranty Deed, which is the first page of Exhibit "A" of said Limited Warranty Deed, the subject real property being conveyed was incorrectly described, in relevant part, as: "All of Grantor's portion of the property described herein, being only the property on which Grantor's single family dwelling sits, ..." The subject real property being conveyed should have been described as "All of grantor's right, title and interest in and to that certain parcel of land..." Therefore, Grantor and Grantee seek to correct the Limited Warranty Deed as hereinafter set forth:

AGREEMENT:

IT IS HEREBY MUTUALLY UNDERSTOOD AND AGREED that in consideration of the foregoing, Grantor and Grantee do hereby correct and amend the Limited Warranty Deed by DELETING Exhibit "A" in its entirety and SUBSTITUTING in the place thereof Exhibit "A" which has been revised and is attached hereto.

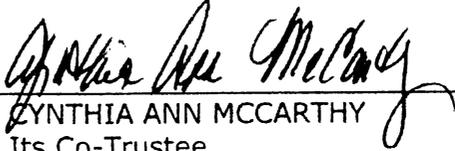
IT IS FURTHER MUTUALLY UNDERSTOOD AND AGREED that except as expressly corrected and amended hereby, the Limited Warranty Deed as recorded as aforesaid, is hereby ratified and confirmed and shall remain in full force and effect.

The parties hereto agree that this instrument may be executed in counterparts, each of which shall be deemed an original, and said counterparts shall together constitute one and the same agreement, binding all of the parties hereto,

notwithstanding all of the parties are not signatory to the original or the same counterpart. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded, and the remaining pages assembled as one document.

IN WITNESS WHEREOF, the undersigned have executed these presents on the day and year first written.

EVELYN N. KAMASAKI 2012 GIFT TRUST
DATED JULY 6, 2012

By: 
CYNTHIA ANN MCCARTHY
Its Co-Trustee

By: _____
CLAIRE S. KAMASAKI
Its Co-Trustee

"Grantor"


BRIAN E. GARNER


ROBYN M. GARNER

"Grantee"

notwithstanding all of the parties are not signatory to the original or the same counterpart. For all purposes, including, without limitation, recordation, filing and delivery of this instrument, duplicate unexecuted and unacknowledged pages of the counterparts may be discarded, and the remaining pages assembled as one document.

IN WITNESS WHEREOF, the undersigned have executed these presents on the day and year first written.

EVELYN N. KAMASAKI 2012 GIFT TRUST
DATED JULY 6, 2012

By: _____
CYNTHIA ANN MCCARTHY
Its Co-Trustee

By: *Claire S. Kamasaki*
CLAIRE S. KAMASAKI
Its Co-Trustee

"Grantor"

BRIAN E. GARNER

ROBYN M. GARNER

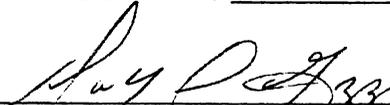
"Grantee"

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this 26th day of September, 2019, before me personally appeared CYNTHIA ANN MCCARTHY, Co-Trustee under that certain unrecorded EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, to me known to be the person described in and/or satisfactorily proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, as Co-Trustee.

Second Circuit of Hawaii No. of Pages: 8 Date of Document: 9/26/19
Document Description: Correction Deed

L.S.



Dorothy L. Guazzo, Notary Public
Maui County, Hawaii
My commission expires 10/29/2022

STATE OF MASSACHUSETTS)
)
COUNTY OF MIDDDDLESEX) SS.

On this 26th day of September, 2019, before me personally appeared CLAIRE S. KAMASAKI, Co-Trustee under that certain unrecorded EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, to me known to be the person described in and/or satisfactorily proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, as Co-Trustee.

Name:
Notary Public, State of Massachusetts
My commission expires

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this _____ day of _____, 2019, before me personally appeared CYNTHIA ANN MCCARTHY, Co-Trustee under that certain unrecorded EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, to me known to be the person described in and/or satisfactorily proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, as Co-Trustee.

Second Circuit of Hawaii No. of Pages: _____ Date of Document: _____
Document Description: Correction Deed

Dorothy L. Guazzo, Notary Public
Maui County, Hawaii
My commission expires 10/29/2022

STATE OF MASSACHUSETTS)
)
COUNTY OF MIDDLESEX) SS.

On this 13th day of September, 2019, before me personally appeared CLAIRE S. KAMASAKI, Co-Trustee under that certain unrecorded EVELYN N. KAMASAKI 2012 GIFT TRUST DATED JULY 6, 2012, to me known to be the person described in and/or satisfactorily proved to me to be the person described in and who executed the foregoing instrument, and acknowledged that she executed the same as her free act and deed, as Co-Trustee.

Dianne M. Roy
Name: Dianne M. Roy
Notary Public, State of Massachusetts
My commission expires _____

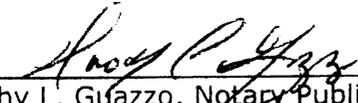
 **DIANNE M. ROY**
Notary Public
Commonwealth of Massachusetts
My Commission Expires
December 3, 2021

STATE OF HAWAII)
)
COUNTY OF MAUI) SS.

On this 26th day of September, 2019, before me personally appeared BRIAN E. GARNER and ROBYN M. GARNER, to me known to be the persons described in and/or satisfactorily proved to me to be the persons described in and who executed the foregoing instrument, and acknowledged that they executed the same as their free act and deed.

Second Circuit of Hawaii No. of Pages: 8 Date of Document: 9/26/19
Document Description: Correction Deed

L.S.



Dorothy L. Guazzo, Notary Public
Maui County, Hawaii
My commission expires 10/29/2022

EXHIBIT "A"

All of grantor's right, title and interest in and to that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 102, Land Commission Award Number 432, Apana 1 to A. Sylva) situate, lying and being at Lehuapueo, Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 7-A and thus bounded and described as per survey of Robert T. Tanaka, Registered Professional Land Surveyor, dated June 2, 1969, to-wit:

Beginning at a pipe at the Southwest corner of this lot, being also the Northwest corner of Parcel 13-A of this Subdivision, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,156.81 feet South and 3,150.06 feet West and running by azimuth measured clockwise from true South:

1. 177° 05' 29.65 feet along Grant 1146;
2. 184° 14' 160.90 feet along the same to a "+" cut on a stone;
3. 184° 14' 39.08 feet along the land owned by Tokuichi Sakamoto Estate;
4. 288° 32' 35.67 feet along the same;
5. 2° 58' 33.60 feet along land owned by Kazuo Kamasaki and wife Shimoyo;
6. 276° 43' 38.65 feet along the same to a pipe;
7. 2° 20' 56.50 feet along the same;
8. 350° 18' 17.85 feet along the same;
9. 355° 37' 29.65 feet along the same;
10. 293° 47' 26.50 feet along the same;
11. 290° 59' 78.50 feet along the same;
12. 290° 39' 102.60 feet along the same;
13. 6° 53' 64.44 feet along Lot 6 of Waikapu Tract Subdivision;
14. 96° 53' 45.00 feet along Lehuapueo Road;
15. 6° 53' 2.72 feet along the same;

16. 109° 04' 98.92 feet along Lot 20 of Waikapu Tract Subdivision;
17. 128° 00' 53.00 feet along Parcel 13-A of this Subdivision;
18. 87° 05' 92.41 feet along the same to the point of beginning and containing an area of 30,922 square feet, more or less.

Together with the free use of the twelve (12) feet Right-of-Way, designated as Lot 20 of the Waikapu Tract Subdivision owned by Russel Newton and wife Helen and described as follows:

Beginning at a pipe at the northwest corner of this lot, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE", being 10,184.74 feet south and 3,016.01 feet west and running by azimuth measured clockwise from true South:

1. 289° 04' 98.92 feet along Lot 7-A of this Subdivision;
2. 6° 53' 12.28 feet along Lehuapueo Road;
3. 109° 04' 105.54 feet along Lot 8 of Waikapu Tract Subdivision;
4. 217° 36' 12.66 feet along Parcel 13-A of this Subdivision to the point of beginning and containing an area of 1,227 square feet, more or less.

Together with a Right-of-Way designated as Easement "A" upon Lot 13-A of this Subdivision and described as follows:

Beginning at a pipe at the northeast corner of this Easement, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,184.74 feet south and 3,016.01 feet west, and running by azimuth measured clockwise from true South:

1. 37° 36' 12.66 feet along Lot 20 of Waikapu Tract Subdivision;
2. 128° 00' 17.00 feet;
3. 180° 00' 16.06 feet;
4. 308° 00' 26.80 feet along Lot 7-A of this Subdivision to the point of beginning and containing an area of 277 square feet, more or less.

Together with a perpetual non-exclusive easement and right of access for ingress and egress purposes, over and across all of that certain parcel of land, situate at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, known as Lehuapueo Place and Nukuna Place, being LOT 18 of the Waikapu Tract Subdivision, containing an area of 20,809 square feet, and identified on the Tax Map of the Second Taxation Division as Tax Map Key 3-6-07-6, as granted by instrument dated July 29, 1992, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 92-154221.

Being all of the property conveyed by the following:

Limited Warranty Deed

Grantor : Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement

Grantee : Brian E. Garner and Robyn M. Garner, husband and wife, as Tenants by the Entirety

Dated : May 18, 2018
Recording Date : May 31, 2018
Recording No. : A67250788

SUBJECT, HOWEVER, to the following:

1. Real property taxes not yet required by law to be paid.
2. Mineral and water rights of any nature in favor of the State of Hawaii
3. An agreement, upon and subject to all of the provisions contained therein.

By and Between : Teruo Kamasaki and Evelyn Kamasaki, husband and wife, and County of Maui, Department of Water Supply

Dated : October 28, 1985
Recording Date : November 4, 1985
Recording No. : Liber 19054, Page 635.

4. Lease

Lessor : Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement

Lessee : Evelyn N. Kamasaki, widow of Teruo Kamasaki

Dated : July 6, 2012
Recording Date : July 24, 2012
Recording No. : A-45881176

Said Lease was amended by Amended Lease dated September 26, 2019, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A72090773.

5. All liens, mortgage, encumbrances, assessments, easements, terms, conditions, covenants, restrictions, reservations, and/or other matters affecting title of the said property presently of record, if any.

END OF EXHIBIT "A"
TAX MAP KEY: (2) 3-6-007-010

1.4 Copy of Notice of Filing of Application, Location Map, & Notarized Affidavit of Mailing of Notice of Application

NOTICE OF APPLICATION

Date: 15 October 2021

TO: **OWNERS/LESSEES**

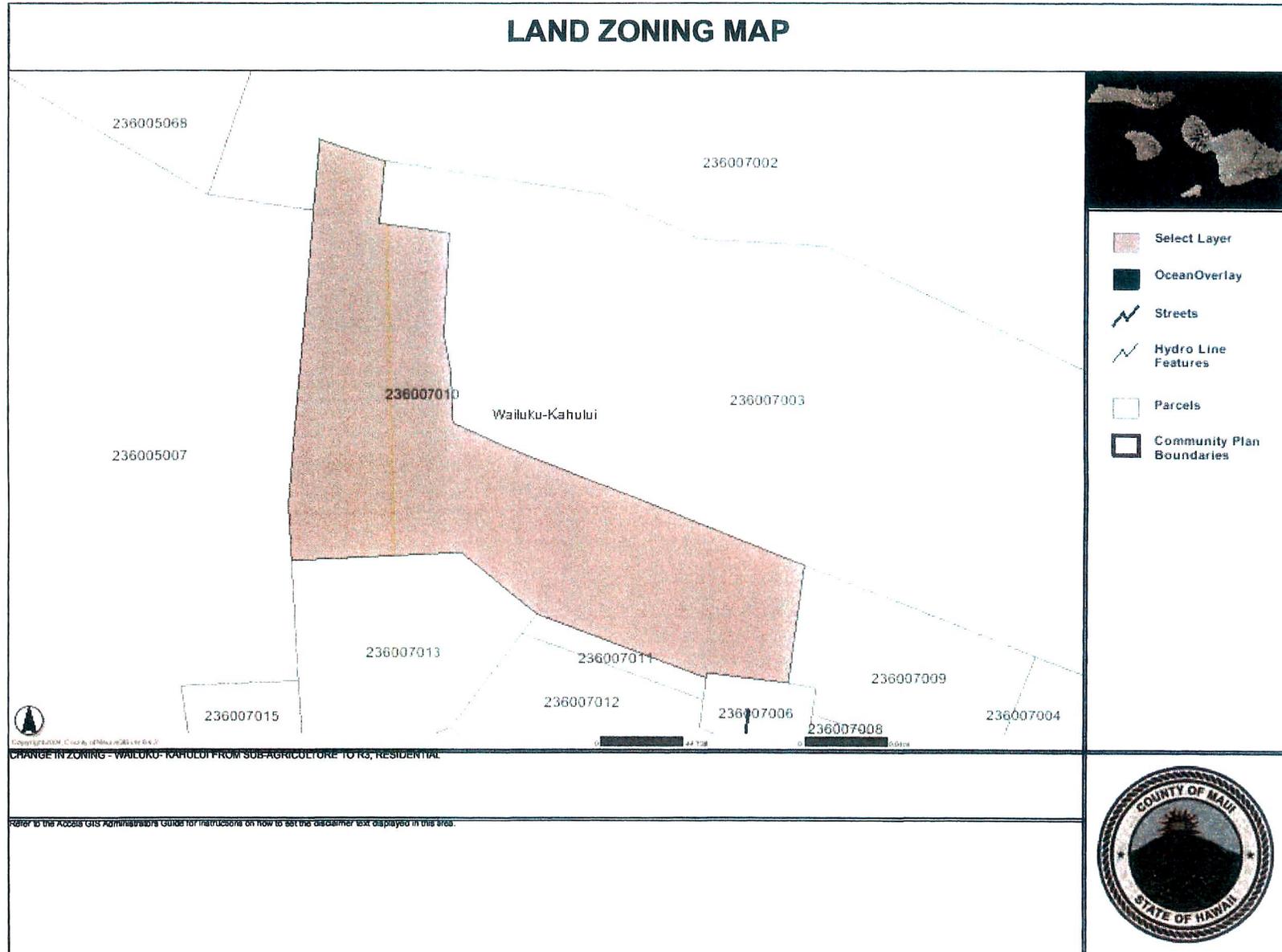
Please be advised that the undersigned has filed an application for a **Change Of Zoning** to change the land use designation(s) (and/or plain text) for the following parcel:

1. Tax Map Key Number: (2) 3-6-007:010
2. Location (street address): 1550 Nukuna Place
3. Change of Zoning from: Agriculture
 to: R-2, Residential
- Other (i.e. SMA): _____

4. Description of the existing uses on the Property:
Residential Main House, Residential Ohana-A, Residential Ohana-B, Residential Ohana-C

5. Description of the proposed uses on the Property:
The Applicant proposes to restore and expand the main dwelling and keep a temporary storage structure. The purpose of the Change in Zoning is to establish consistency between the zoning and the existing uses on the property and the existing Community Plan Designation.

| | |
|--|--|
| The Applicant is responsible for ensuring accuracy of the information. | |
| Robyn & Brian Garner | N/A |
| Owner/Applicant | Applicant (if not also Owner) |
| | _____ |
| Signature | Signature |
| 1550 Nukuna Place | N/A |
| Mailing Address, No. & Street or PO Box | Mailing Address, No. & Street or PO Box |
| Wailuku, Hawaii, 96793 | N/A |
| City, State, Zip Code | City, State, Zip Code |
| 808-497-6219 | N/A |
| Telephone | Telephone |



NOTARIZED AFFIDAVIT OF MAILING OF NOTICE OF APPLICATION

I, Robyn Garner, being first duly sworn on oath, deposes and says that:

- Affiant is the applicant for a **Change Of Zoning** for land situated at 1550 Nukuna Place, Wailuku, TMK (2): 3-6-007:010
- Affiant did on October 15, 2021 deposit in the United States mail, postage prepaid, a copy of a Notice of Filing of Application with a location map, a copy of which is attached hereto as "Exhibit A" and made a part hereof, addressed to each of the persons identified in the list of recorded owners and lessees identified as "Exhibit B," attached hereto and made a part hereof.

Further, Affiant sayeth naught.

Robyn Garner

subscribed and sworn to before me this

15th day of October, 20 21.

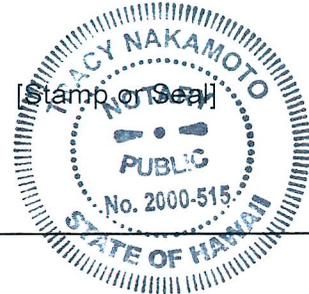


Tracy Nakamoto
Notary Public, State of Hawaii

Print Name: Tracy Nakamoto

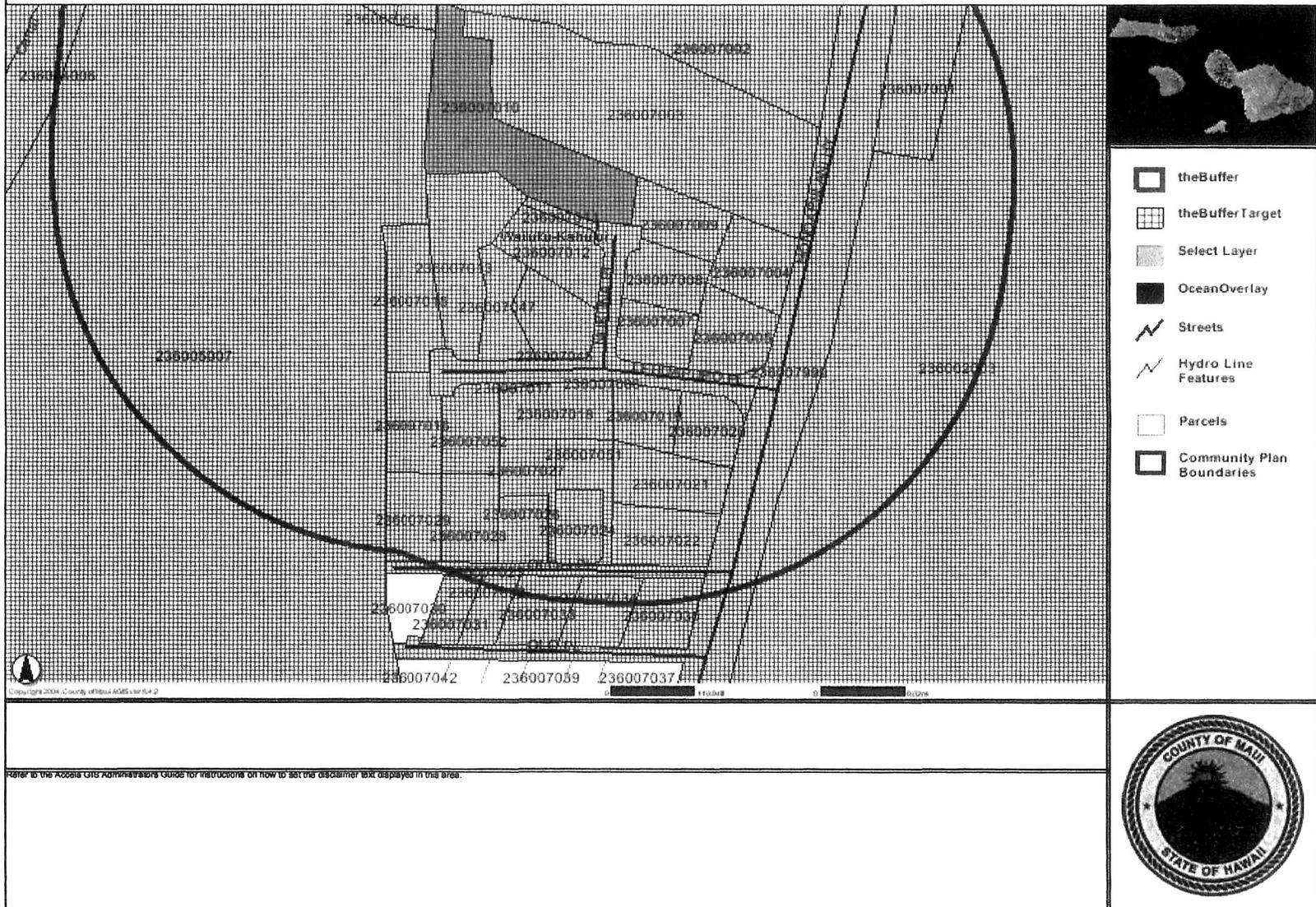
My commission expires: 10/15/2024

| NOTARY PUBLIC CERTIFICATION | | | |
|-----------------------------|--|-------------------|---------------|
| Doc. Date: | <u>10/15/21</u> | # Pages: | <u>10</u> |
| Notary Name: | <u>Tracy Nakamoto</u> | Judicial Circuit: | <u>second</u> |
| Doc. Description: | <u>Notarized Affidavit of Mailing of Notice of Application</u> | | |
| Notary Signature: | <u><i>Tracy Nakamoto</i></u> | | |
| Date: | <u>10/15/2021</u> | | |



1.5 List of Owners and Lesees Within 500 Feet of Subject Parcel

Garner_Rezoning_R3, Residential



**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|---|---------------------------------|--------------------|
| 1 | 2350028880000 | NO MATCH (LOOKS LIKE THE WAIKAPU RIVER) | NO TMK LISTED ON RPT WEBSITE | |
| 2 | 2350109990000 | NO MATCH (LOOKS LIKE HONOAPIILANI HWY) | NO TMK LISTED ON RPT WEBSITE | |
| 3 | 2350110010000 | CABEBE, ROGELIO RUDY JR ETAL | 5 WILIKONA PL | WAILUKU, HI, 96793 |
| 4 | 2350110020000 | EVANGELISTA, ELIAS A TR ETAL | 582 S PAPA AVE | KAHULUI, HI, 96732 |
| 5 | 2350110030000 | ALVARADO, ALBERT ETAL | 17 WILIKONA PL | WAILUKU, HI, 96793 |
| 6 | 2350110040000 | VERTIDO, ANTHONY SCOTT ETAL | 23 WILIKONA PL | WAILUKU, HI, 96793 |
| 7 | 2350110040000 | HOOPAI, CHERYL ANN | 875 KUHIO PL | WAILUKU HI 96793 |
| 8 | 2350110040000 | VERTIDO, MEGAN DELOSO | 1462 KALOTE PL | HILO HI 96720 |
| 9 | 2350110050000 | SENTANI, ERIC | 31 WILIKONA PL | WAILUKU, HI, 96793 |
| 10 | 2350110060000 | OLIVEIRA FAMILY TRUST | 35 WILIKONA PL | WAILUKU, HI, 96793 |
| 11 | 2350110070000 | SENTANI, ROGERS ETAL | 41 WILIKONA PL | WAILUKU, HI, 96793 |
| 12 | 2350110080000 | SMITH, SCOTT HAL | 2486 W VINEYARD ST | WAILUKU, HI, 96793 |
| 13 | 2350110080000 | LEWIS, HANNAH ALLYSON | 47 WILIKONA PL | WAILUKU, HI, 96793 |
| 14 | 2350110090000 | SERRANO, HAROLD SABUGO ETAL | 125 HAMAU PL | LAHAINA, HI, 96761 |
| 15 | 2350110090000 | MONTENEGRO, VIRGINIA SERRANO | 4394 252ND PL SE | SAMMAMISH WA 98029 |
| 16 | 2350110100000 | ODIORNE FAMILY TRUST | 59 WILIKONA PL | WAILUKU, HI, 96793 |
| 17 | 2350110110000 | VICENTE, ELIZABETH TRUST | 54 WILIKONA PL | WAILUKU, HI, 96793 |
| 18 | 2350110120000 | VICENTE, ELIZABETH TRUST | 54 WILIKONA PL | WAILUKU, HI, 96793 |

**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|---|---|-------------------------------|
| 19 | 2350110130000 | DEUTSCHE BANK NATIONAL TRUST CO TTEE ATTN:OCWEN LOAN SERVICING LLC | 1661 WORTHINGTON RD STE 100 | WEST PALM BEACH, FL, 33409 |
| 20 | 2350110140000 | SANCHEZ, LEONA | 1455 KEMOA PL | WAILUKU, HI, 96793 |
| 21 | 2350110150000 | RACOMA, VICTORIA R TRUST | 1437 KEMOA PL | WAILUKU, HI, 96793 |
| 22 | 2350110160000 | CHONG KEE, GREG R TR | 1782 KAAHUMANU AVE | WAILUKU, HI, 96793 |
| 23 | 2350110170000 | ORIFON, TIMOTEO L JR ETAL | 1431 KEMOA PL | WAILUKU, HI, 96793 |
| 24 | 2350110280000 | ROLA, DINO ROJAS REVOC TRUST ETAL | 1460 KEMOA PL | WAILUKU, HI, 96793 |
| 25 | 2350110290000 | KINZLE, CHRISTIAN SAMUEL | PO BOX 2826 | WAILUKU, HI, 96793 |
| 26 | 2350110490000 | WAIKAPU PARTNERS | NO MAILING ADDRESS LISTED ON RPT WEBSITE | |
| 27 | 2350110710000 | MOORE, ROBERTA L ETAL | 15 OIA WAY | WAILUKU, HI 96793 |
| 28 | 2350110720000 | HELLE, BARRY ETAL | 105 WILIKONA PL | WAILUKU, HI, 96793 |
| 29 | 2350110730000 | STRONA, KORY KAIKOA ETAL | 95 WILIKONA PL | WAILUKU, HI, 96793 |
| 30 | 2350110740000 | SUTHERLAND, LUCAS HILTON ETAL | 85 WILIKONA PL | WAILUKU, HI, 96793 |
| 31 | 2350110750000 | PALOMA, ARLENE LABOT | 721 EDGEWATER DR UNIT D | CHULA VISTA, CA, 91913 |
| 32 | 2350110760000 | SOTO, ROBERT J ETAL | 10 OIA WAY | WAILUKU, HI, 96793 |
| 33 | 2350110770000 | TOYAMA, JARRET ISOKICHI ETAL | 30 OIA WAY | WAILUKU, HI, 96793 |
| 34 | 2350110810000 | WAIKAPU PARTNERS | PO BOX 130 | KIHEI, HI, 96753 |
| 35 | 2350119990000 | NO MATCH (LOOKS LIKE WILIKONA PL) | NO TMK LISTED ON RPT WEBSITE | |
| 36 | 2360020030000 | WAIKALE 905 PARTNERS LLC | PO BOX 1870 | MANTECA, CA, 95336 |

**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|--|---|--------------------|
| 37 | 2360040060000 | WAIKAPU PROPERTIES, LLC | PO BOX 1870 | MANTECA, CA, 95336 |
| 38 | 2360050070000 | MTP LAND PARTNERS LLC ETAL | PO BOX 1870 | MANTECA, CA, 95336 |
| 39 | 2360050680000 | HAWAII TROPICAL PLANTAION - CONDO MASTER | NO MAILING ADDRESS | |
| 40 | 2360050680001 | FORDYCE, JENNIFER M | P O BOX 1612 | WAILUKU HI 96793 |
| 41 | 2360050680002 | MAYER, KYLE | PO BOX 385 | WAILUKU HI 96793 |
| 42 | 2360070010000 | EISENBURGER, MAXIMILIAN H ETAL | PO BOX 6304 | KAHULUI, HI, 96733 |
| 43 | 2360070020000 | OCEANAS HUI LLC | 62 UAHAA PL | WAILUKU, HI, 96793 |
| 44 | 2360070030000 | BUMANGLAG, MANUEL/MILAGROS TRUST | 1510 HONOAPIILANI HWY | WAILUKU, HI, 96793 |
| 45 | 2360070040000 | ROMAN CATHOLIC MISSION C/O FIRST HAWAIIAN BANK - AGENT FOR RCCH | PO BOX 1550 - TRUST REAL ESTATE SVC | HONOLULU, HI 96806 |
| 46 | 2360070050000 | UDARBE, MOIRA | 6 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 47 | 2360070060000 | NO MATCH (LOOKS LIKE THE NUKUNA PL) | NO TMK LISTED ON RPT WEBSITE | |
| 48 | 2360070070000 | ECHALAS, CLAVELINA R TRUST | 12 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 49 | 2360070080000 | KOZAKI, EDWIN Y ETAL | PO BOX 49 | WAILUKU, HI, 96793 |
| 50 | 2360070090000 | KOZAKI, EDWIN Y ETAL | PO BOX 49 | WAILUKU, HI, 96793 |
| 51 | 2360070100000 | GARNER, BRIAN E ETAL | 1550 NUKUNA PL | WAILUKU, HI, 96793 |
| 52 | 2360070110000 | VERTIDO, ANTHONY S ETAL | NO MAILING ADDRESS LISTED ON RPT WEBSITE | |
| 53 | 2360070120000 | YOSHIOKA, IRENE MAPUANA TR - ESTATE C/O LATU, IRIS TRS | PO BOX 330434 | KAHULUI, HI, 96733 |
| 54 | 2360070130000 | NEW DIRECTION IRA INC FBO D T TING ATTN DONNA P TING | 1962 WELLS ST | WAILUKU, HI, 96793 |

**TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE**

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|-------|---------------|----------------------------------|---|--------------------|
| 55 | 2360070150000 | HOOPAI, DAVID K TRUST | 44 LEHUAPUEO ST | WAILUKU, HI, 96793 |
| 56 | 2360070160000 | PAULS, ANSELM | PO BOX 1693 | MAKAWAO, HI 96768 |
| 57 | 2360070170000 | SAIKI, DORIS S TRUST | 25 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 58 | 2360070180000 | SAIKI, DORIS S TRUST ETAL | 25 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 59 | 2360070190000 | KOZAKI, JAYSON M & SANDY S TR | 15 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 60 | 2360070200000 | KOZAKI, JAYSON M & SANDY S TR | 15 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 61 | 2360070210000 | SUEHIRO, DEREK K ETAL | PO BOX 1815 | WAILUKU, HI, 96793 |
| 62 | 2360070220000 | LAU, HENRY HING TONG ETAL | PO BOX 341 | WAILUKU, HI, 96793 |
| 63 | 2360070230000 | VARIOUS OWNERS | NO MAILING ADDRESS LISTED ON RPT WEBSITE | |
| 64 | 2360070240000 | COCKETT, EDMUND KALOÏ TRUST ETAL | 18 OLOLI PL | WAILUKU, HI, 96793 |
| 65 | 2360070260000 | HELGE, JOEL | 26 OLOLI PL | WAILUKU, HI, 96793 |
| 66 | 2360070270000 | DELOS REYES, COLIN W ETAL | 24 OLOLI ST | WAILUKU, HI, 96793 |
| 67 | 2360070280000 | ORIKASA, WARREN K/HELEN M TRUST | 32 OLOLI PL | WAILUKU, HI, 96793 |
| 68 | 2360070290000 | VAN RITCHIE, KIM TRUST | 40 OLOLI PL | WAILUKU, HI, 96793 |
| 69 | 2360070310000 | GARCIA, ROBERT KAÏPO ETAL | 33 OLO PL | WAILUKU, HI, 96793 |
| 70 | 2360070320000 | MILLER, NICHOLAS WAYDE ETAL | 28 OLO PL | WAILUKU, HI, 96793 |
| 71 | 2360070330000 | AWEAU, NORMAN TOBY PAAHANA ETAL | 466 MIKIOI PL | KIHEI, HI, 96753 |
| 72 | 2360070340000 | MCCLURE, NOELE D | 12 OLO PL | WAILUKU, HI, 96793 |

TMK LIST OF OWNERS/LESSEES WITHIN 500 FEET OF SUBJECT PROPERTY
GARNER RESIDENCE

| MAP # | TMK | NAME | MAILING ADDRESS | CITY, STATE, ZIP |
|--------------|---------------|--|---------------------------------|-------------------------|
| 73 | 2360070350000 | HENRY, JOHN F & GWEN H FAMILY TRUST | 4 OLO PL | WAILUKU, HI, 96793 |
| 74 | 2360070450000 | RAMOS, KIM ETAL | PO BOX 12966 | LAHAINA, HI, 96761 |
| 75 | 2360070470000 | KAPLAN, LINDA DARNEL | 32 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 76 | 2360070510000 | ANDERSEN, DANE KAMUELA ETAL | 22 OLOLI PL | WAILUKU, HI, 96793 |
| 77 | 2360070520000 | YOSHIZAWA, HELEN K TRUST | 35 LEHUAPUEO PL | WAILUKU, HI, 96793 |
| 78 | 2360079990000 | NO MATCH (LOOKS LIKE HONOAPIILANI HWY) | NO TMK LISTED ON RPT WEBSITE | |

1.6 Zoning and Flood Confirmation

204820

COUNTY OF MAUI
DEPARTMENT OF PLANNING
One Main Plaza Building
2200 Main Street, Suite 315
Wailuku, Hawaii 96793



Zoning Administration and
Enforcement Division (ZAED)
Telephone: (808) 270-7253
Facsimile: (808) 270-7634
E-mail: planning@mauicounty.gov

RECEIVED
NOV 9 2020
COUNTY OF MAUI
DEPARTMENT OF PLANNING

ZONING AND FLOOD CONFIRMATION FORM

(This section to be completed by the Applicant)

APPLICANT NAME Robyn M. Garner TELEPHONE 8084976219
PROJECT NAME B T2020 1150-1154 Garner Residence E-MAIL robymgarner@gmail.com
PROPERTY ADDRESS 1550 Nukuna Place (Main, A, B, C) TAX MAP KEY 360070100000

Yes No Will this Zoning & Flood Confirmation Form be used with a Subdivision Application?
IF YES, answer questions A and B below and comply with instructions 2 & 3 below:
A) Yes No Will it be processed under a consistency exemption from Section 18.04.030(B), MCC?
IF YES, which exemption? (No. 1, 2, 3, 4 or 5) _____
B) State the purpose of subdivision and the proposed land uses (ie 1-lot into 2-lots for all land uses allowed by law): _____

- INSTRUCTIONS:
- 1) Please use a separate Zoning & Flood Confirmation Form for each Tax Map Key (TMK) number.
 - 2) If this will be used with a subdivision application AND the subject property contains multiple districts/designations of (1) State Land Use Districts, (2) Maui Island Plan Growth Boundaries, (3) Community Plan Designations, or (4) County Zoning Districts; submit a signed and dated Land Use Designations Map, prepared by a licensed surveyor, showing the metes & bounds of the subject parcel and of each district/designation including any subdistricts.
 - 3) If this will be used with a subdivision application AND the subject property contains multiple State Land Use Districts; submit an approved District Boundary Interpretation from the State Land Use Commission.

(This section to be completed by ZAED)

LAND USE DISTRICTS/DESIGNATIONS (LUD) AND OTHER INFORMATION: ¹

STATE DISTRICT: Urban Rural Agriculture Conservation (SMA) Special Management Area

MAUI ISLAND PLAN Growth Boundary: ² Urban Small Town Rural Planned Growth Area Outside Growth Boundaries

Protected Area: ² Preservation Park Greenbelt Greenway Sensitive Land Outside Protected Areas

COMMUNITY PLAN: ² Single family (PD) Planned Development

COUNTY ZONING: Agriculture District (PH) Project District

OTHER/COMMENTS: _____ See Additional Comments (Pg.2)

FEMA FLOOD INFORMATION: A Flood Development Permit is required if any portion of a parcel is designated V, VE, A, AO, AE, AH, D, or Floodway, and the project is on that portion.

FLOOD HAZARD AREA ZONES ³ Zone X See Attached LUD Map

& BASE FLOOD ELEVATIONS: _____

FEMA DESIGNATED FLOODWAY For Flood Zone AO, FLOOD DEPTH: _____

SUBDIVISION LAND USE CONSISTENCY: Not Consistent, (LUDs appear to have NO permitted uses in common).

Not Applicable, (Due to processing under consistency exemption No. 1, 2, 3, 4, 5).

(Signature) Interim Zoning, (The parcel or portion of the parcel that is zoned interim shall not be subdivided).

⁴ Consistent, (LUDs appear to have ALL permitted uses in common).

⁴ Consistent, upon obtaining an SMA, PD, or PH subdivision approval from Planning.

⁴ Consistent, upon recording a permissible uses unilateral agreement processed by Public Works (See Pg.2).

- NOTES:
- 1 The conditions and/or representations made in the approval of a State District Boundary Amendment, Community Plan Amendment, County Change In Zoning, SMA Permit, Planned Development, Project District and/or a previous subdivision, may affect building permits, subdivisions, and uses on the land.
 - 2 Please review the Maui Island Plan and the Community Plan document for any goals, objectives, policies or actions that may affect this parcel.
 - 3 Flood development permits might be required in zones X and XS for any work done in streams, gulches, low-lying areas, or any type of drainageway; Flood development permits are required for work in all other zones. Subdivisions that include/adjoin streams, gulches, low-lying areas, or any type of drainageway might require the following designations to be shown on the subdivision map: 100-year flood inundation limits; base flood elevations; drainage reserves.
 - 4 Subdivisions will be further reviewed during the subdivision application process to verify consistency, unilateral agreement requirements, and the conditions associated with a unilateral agreement [Section 18.04.030.D, Maui County Code].

REVIEWED & CONFIRMED BY: _____
(Signature) John S Rapacz (Date) 11/12/20
For: John S Rapacz, Planning Program Administrator, Zoning Administration and Enforcement Division

1.7 Metes and Bounds Description



TOPOGRAPHIC SURVEY OF
LOT 7 OF
WAIKAPU TRACT SUBDIVISION
(SUBDIVISION FILE NO. 3.535)
 Being portions of Royal Patent 102,
 Land Commission Award 432
 to Anthony Sylva and Grant 3041
 to Heirs of Antone Sylva Senior

SITUATE AT LEHIAPUAO,
 WAILIUA, MAUI, HAWAII

DATE: OCTOBER 20, 2000 SCALE: 1" = 10'
 REVISED: FEBRUARY 23, 2001

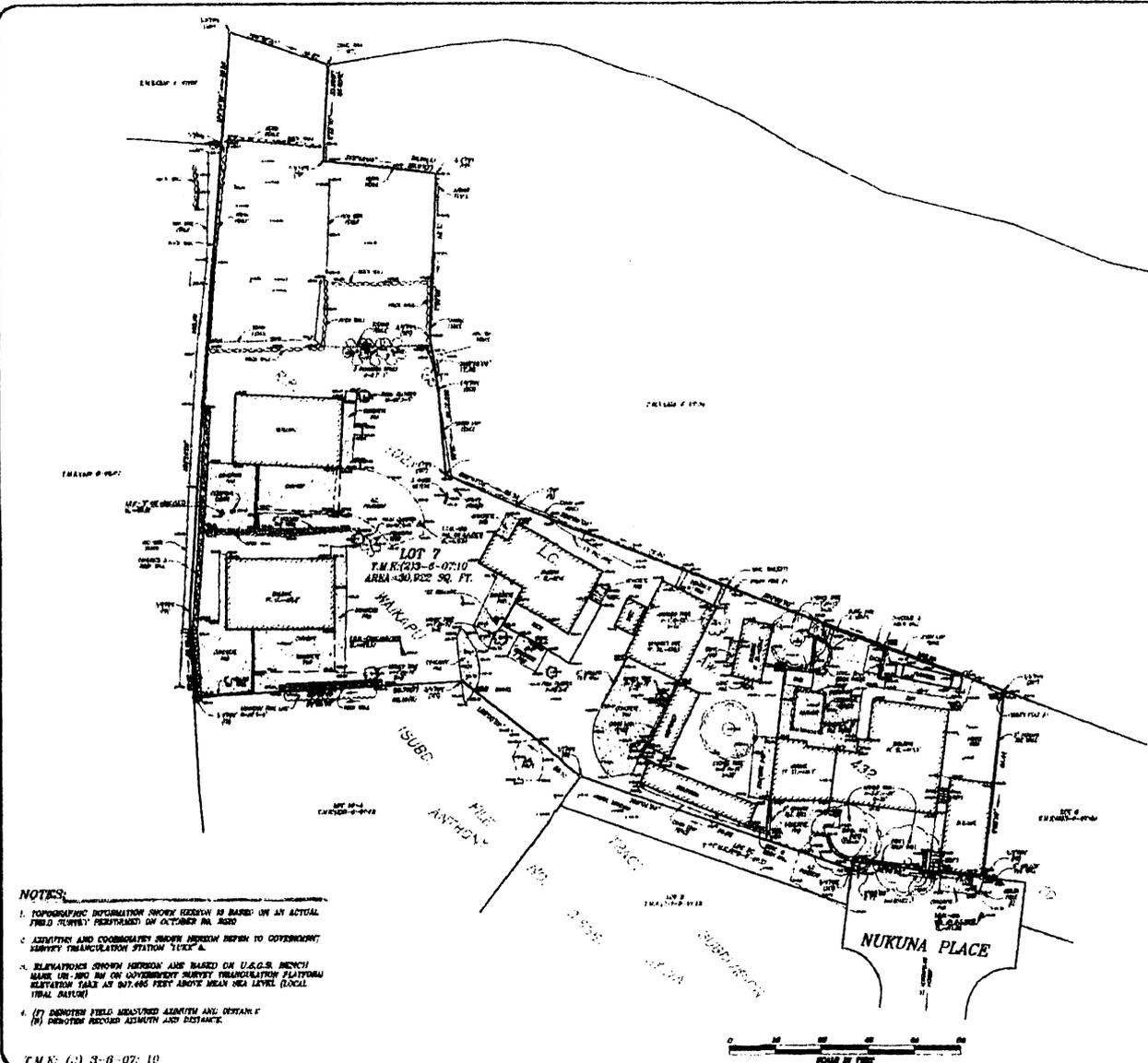
AKAMAI LAND SURVEYING, INC.

P.O. BOX 1748
 HALEKUA MAUI, HI 96748
 (808) 277-1177

PROPERTY OWNER & ADDRESS:
 JAMES E. & BRYAN M. GAMER
 1240 WAIKAPU PLACE
 HALEKUA, HI 96748



REGISTERED PROFESSIONAL LAND SURVEYOR
 STATE OF HAWAII, LICENSE NO. 1417



- NOTES:**
1. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED ON OCTOBER 20, 2000.
 2. AZIMUTHS AND COORDINATES SHOWN HEREON REFER TO GOVERNMENT SURVEY TRIANGULATION STATION TUCKER A.
 3. ELEVATIONS SHOWN HEREON ARE BASED ON U.S.G.S. BENCH MARK US 180 BM ON GOVERNMENT SURVEY TRIANGULATION PLATFORM ELEVATION TABLE 547.460 FEET ABOVE MEAN SEA LEVEL (LOCAL TIDAL DATUM).
 4. (T) DENOTES FIELD MEASURED AZIMUTH AND DISTANCE.
 (M) DENOTES RECORD AZIMUTH AND DISTANCE.

TMK: (2) 3-6-07: 10

SHEET 1 OF 1
 (JOB NO. 00000-1000-10-CHALLO)

EXHIBIT "A"

All of grantor's right, title and interest in and to that certain parcel of land (being portion(s) of the land(s) described in and covered by Royal Patent Number 102, Land Commission Award Number 432, Apana 1 to A. Sylva) situate, lying and being at Lehuapueo, Waikapu, Wailuku, Island and County of Maui, State of Hawaii, being LOT 7-A and thus bounded and described as per survey of Robert T. Tanaka, Registered Professional Land Surveyor, dated June 2, 1969, to-wit:

Beginning at a pipe at the Southwest corner of this lot, being also the Northwest corner of Parcel 13-A of this Subdivision, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,156.81 feet South and 3,150.06 feet West and running by azimuth measured clockwise from true South:

1. 177° 05' 29.65 feet along Grant 1146;
2. 184° 14' 160.90 feet along the same to a "+" cut on a stone;
3. 184° 14' 39.08 feet along the land owned by Tokuichi Sakamoto Estate;
4. 288° 32' 35.67 feet along the same;
5. 2° 58' 33.60 feet along land owned by Kazuo Kamasaki and wife Shimoyo;
6. 276° 43' 38.65 feet along the same to a pipe;
7. 2° 20' 56.50 feet along the same;
8. 350° 18' 17.85 feet along the same;
9. 355° 37' 29.65 feet along the same;
10. 293° 47' 26.50 feet along the same;
11. 290° 59' 78.50 feet along the same;
12. 290° 39' 102.60 feet along the same;
13. 6° 53' 64.44 feet along Lot 6 of Waikapu Tract Subdivision;
14. 96° 53' 45.00 feet along Lehuapueo Road;
15. 6° 53' 2.72 feet along the same;

16. 109° 04' 98.92 feet along Lot 20 of Waikapu Tract Subdivision;
17. 128° 00' 53.00 feet along Parcel 13-A of this Subdivision;
18. 87° 05' 92.41 feet along the same to the point of beginning and containing an area of 30,922 square feet, more or less.

Together with the free use of the twelve (12) feet Right-of-Way, designated as Lot 20 of the Waikapu Tract Subdivision owned by Russel Newton and wife Helen and described as follows:

Beginning at a pipe at the northwest corner of this lot, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE", being 10,184.74 feet south and 3,016.01 feet west and running by azimuth measured clockwise from true South:

1. 289° 04' 98.92 feet along Lot 7-A of this Subdivision;
2. 6° 53' 12.28 feet along Lehuapueo Road;
3. 109° 04' 105.54 feet along Lot 8 of Waikapu Tract Subdivision;
4. 217° 36' 12.66 feet along Parcel 13-A of this Subdivision to the point of beginning and containing an area of 1,227 square feet, more or less.

Together with a Right-of-Way designated as Easement "A" upon Lot 13-A of this Subdivision and described as follows:

Beginning at a pipe at the northeast corner of this Easement, being also the northeast corner of Parcel 13-A, the coordinates of which referred to Government Survey Triangulation Station "LUKE" being 10,184.74 feet south and 3,016.01 feet west, and running by azimuth measured clockwise from true South:

1. 37° 36' 12.66 feet along Lot 20 of Waikapu Tract Subdivision;
2. 128° 00' 17.00 feet;
3. 180° 00' 16.06 feet;
4. 308° 00' 26.80 feet along Lot 7-A of this Subdivision to the point of beginning and containing an area of 277 square feet, more or less.

Together with a perpetual non-exclusive easement and right of access for ingress and egress purposes, over and across all of that certain parcel of land, situate at Waikapu, Wailuku, Island and County of Maui, State of Hawaii, known as Lehuapueo Place and Nukuna Place, being LOT 18 of the Waikapu Tract Subdivision, containing an area of 20,809 square feet, and identified on the Tax Map of the Second Taxation Division as Tax Map Key 3-6-07-6, as granted by instrument dated July 29, 1992, recorded in the Bureau of Conveyances of the State of Hawaii as Document No. 92-154221.

Being all of the property conveyed by the following:

Limited Warranty Deed

Grantor : Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement

Grantee : Brian E. Garner and Robyn M. Garner, husband and wife, as Tenants by the Entirety

Dated : May 18, 2018
Recording Date : May 31, 2018
Recording No. : A67250788

SUBJECT, HOWEVER, to the following:

1. Real property taxes not yet required by law to be paid.
2. Mineral and water rights of any nature in favor of the State of Hawaii
3. An agreement, upon and subject to all of the provisions contained therein.

By and Between : Teruo Kamasaki and Evelyn Kamasaki, husband and wife, and County of Maui, Department of Water Supply

Dated : October 28, 1985
Recording Date : November 4, 1985
Recording No. : Liber 19054, Page 635.

4. Lease

Lessor : Cynthia Ann Mccarthy and Claire S. Kamasaki, Co-Trustees of the Evelyn M. Kamasaki 2012 Gift Trust Dated July 6, 2012, having all powers under said Trust Agreement

Lessee : Evelyn N. Kamasaki, widow of Teruo Kamasaki

Dated : July 6, 2012
Recording Date : July 24, 2012
Recording No. : A-45881176

Said Lease was amended by Amended Lease dated September 26, 2019, and recorded in the Bureau of Conveyances of the State of Hawaii as Document No. A72090773.

5. All liens, mortgage, encumbrances, assessments, easements, terms, conditions, covenants, restrictions, reservations, and/or other matters affecting title of the said property presently of record, if any.

END OF EXHIBIT "A"
TAX MAP KEY: (2) 3-6-007-010

1.8 Map of Property

1.9 Copy of the Notice of Public Hearing

NOTICE OF PUBLIC HEARING

DATE: 11 September 2021

For: Mailing To Owners /Lessees and Publication in Newspaper

Please be informed that the undersigned has applied to the Wailuku Planning Commission for a **Change Of Zoning** for the following parcel(s):

- a. Tax Map Key No: (2) 3-6-007:010 Sq.Ft./Acreage: 30922 SF
- b. Street Address: 1550 Nukuna Place, Wailuku, Hawaii 96793
- c. Land Use Designation:
 - County Zoning from: Agriculture
 - to: Residential R-2
- d. Proposed Development: _____

The Applicant proposes to restore and expand the main dwelling and keep a temporary storage structure. The purpose of the Change in Zoning is to establish consistency between the zoning and the existing uses on the property and the existing Community Plan Designation.

TO BE COMPLETED BY THE DEPARTMENT OF PLANNING:

Public Hearing Date: _____ Time: _____

Place: _____

Attached please find a *location map* identifying the location of the specific parcel(s) being considered in the request for a **Change of Zoning**.

The public hearing is held under the authority of Chapter 92, Hawaii Revised Statutes, Title 19 of the Maui County Code, and the appropriate Planning Commission rules.

Testimony relative to this request may be submitted in writing prior to the hearing to the appropriate Planning Commission c/o the County of Maui, Department of Planning, 2200 Main Street Suite 315, Wailuku, Maui, Hawaii, 96793, or presented in person at the time of the public hearing.

Information relative to the application is available for review at the Department of Planning, 2200 Main Street Suite 315, Wailuku, Maui, Hawaii; telephone (808) 270-7735; toll free from Molokai 1-800-272-0117 extension 7735; toll free from Lanai 1-800-272-0125, extension 7735.

Robyn & Brian Garner 808-497-6219/3781

Name of Applicant Telephone

Robyn Garner + *Brian Garner*

Signature

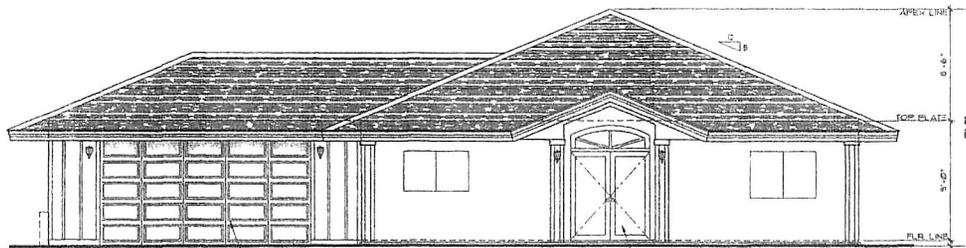
1550 Nukuna Place

Mailing Address, No. & Street or PO Box

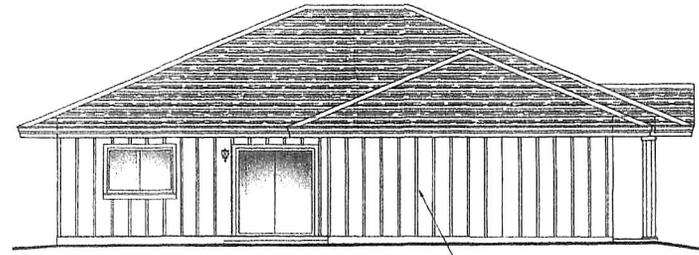
Wailuku, Hawaii, 96793

City, State, Zip Code

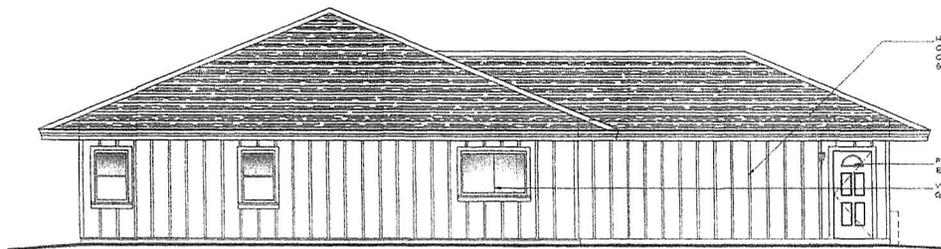
1.10 Plans for Proposed Renovation of Main Dwelling



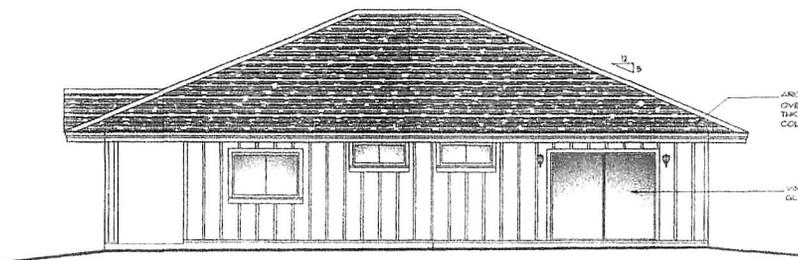
FRONT



LEFT

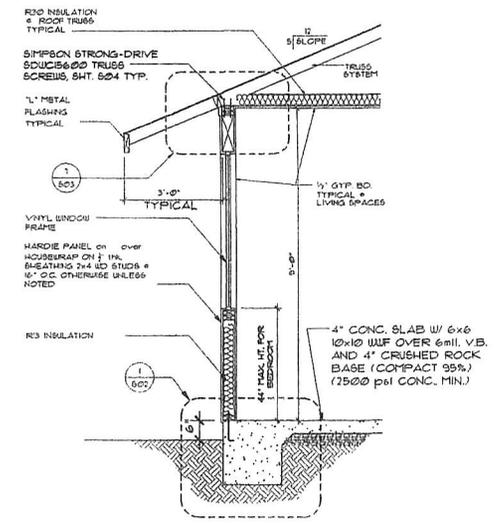


REAR



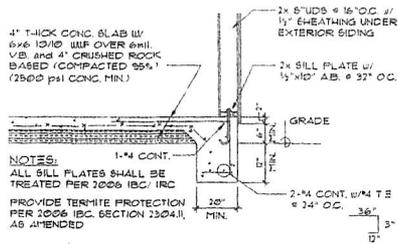
RIGHT

1 MAIN DWELLING EXTERIOR ELEVATIONS SCALE: 1/4" = 1'-0"

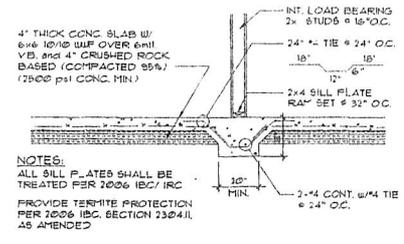


2 MAIN DWELLING TYP. 1-STORY WALL SECTION 3/8\"/>

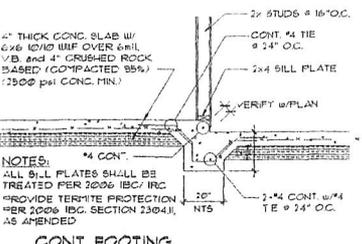
| | | | |
|--|--|---|-----------------------|
| | | <p>This work was prepared by me or under my direct supervision and I am a duly Licensed Professional Engineer in the State of Hawaii on 02/28/2021.</p> | DATE: AUGUST 10, 2020 |
| | | | SCALE: NOTED |
| CONSTRUCTION DRAWING FOR: | | | JOB: GARNER |
| GARNER RESIDENCE | | | SHEET: A3 |
| 1550 NUKUNA PLACE WAILUKU, HI 96793 THK 3-6-01-010 | | | |



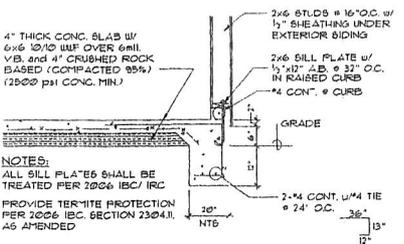
1 CONT. FTG. @ EXTERIOR WALL
3/4" SCALE



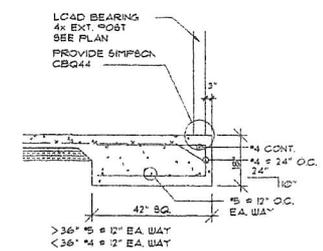
2 FTG. @ INT. LOAD BEARING WALL
3/4" SCALE



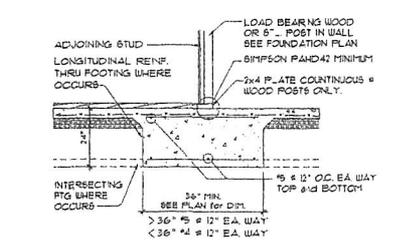
3 CONT. FOOTING @ DEPRESSED SLAB
3/4" SCALE



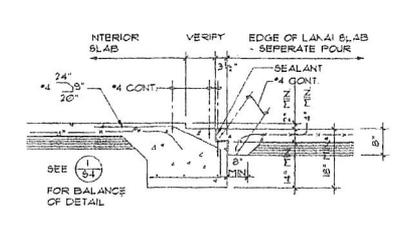
4 CURB FTG. @ EXTERIOR WALL
3/4" SCALE



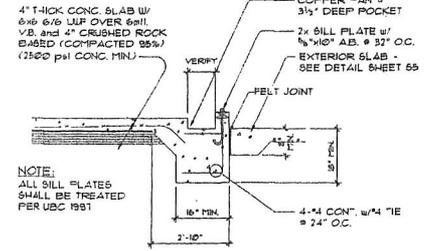
5 EXT. POST FOOTING
NOT AT SCALE



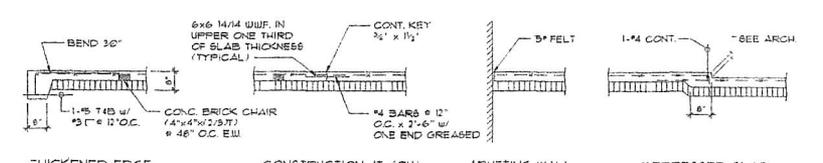
6 DROP FTG. @ POST COND.
NOT AT SCALE



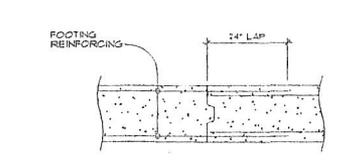
7 CONC. CURB @ "S.B. TRACK"
3/4" SCALE



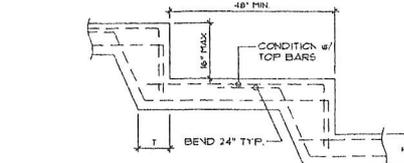
8 CONC. CURB @ "STACK-BACKS"
3/4" SCALE



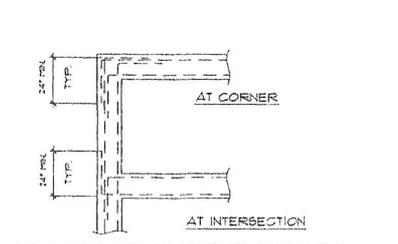
9 TYPICAL SLAB ON GRADE DETAILS
NOT AT SCALE



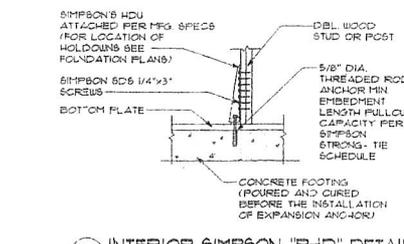
10 CONSTRUCTION DETAIL @ FTG
NOT AT SCALE



11 TYPICAL 6" STEP FOOTING
NOT AT SCALE

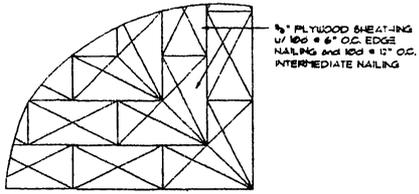


12 TYP. FOOTING INTERSECTION DTL
NOT AT SCALE

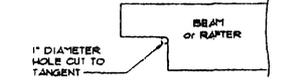


13 INTERIOR SIMPSON "P-D" DETAILS
SCALE: 3/4" = 1'-0"

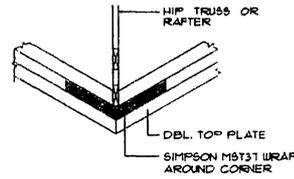
| | | | | |
|--|--|---------------------------|--|-----------------------|
| | | CONSTRUCTION DRAWING FOR: | | DATE: AUGUST 15, 2016 |
| | | GARNER RESIDENCE | | SCALE: NOTED |
| 1550 NIJUNA PLACE WAILUKU, HI 96793 TMK. 3 - 6 - 071 - 010 | | | | DRAWN: IFG |
| | | | | JOB: GARNER |
| | | | | SHEET: 501 |



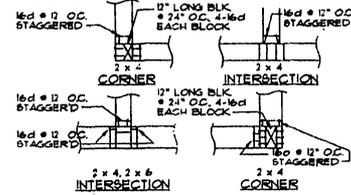
1 TYPICAL PLYWOOD SHEATHING AT ROOF
NOT TO SCALE



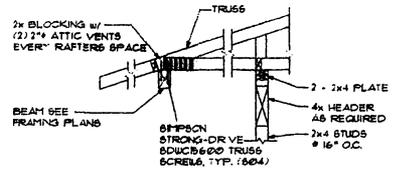
2 TYPICAL NOTCH IN BEAM or RAFTER
NOT TO SCALE



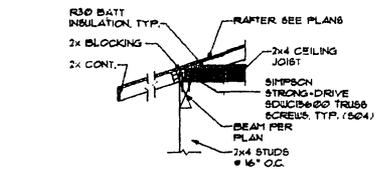
3 MGT 31 @ ALL BUILDING EXT. CORNERS, TYP.
NOT TO SCALE



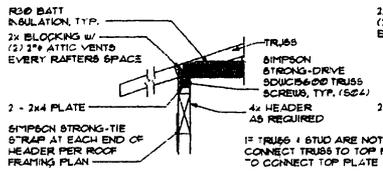
4 TYPICAL STUD WALL CORNER and INTERSECT.
NOT TO SCALE



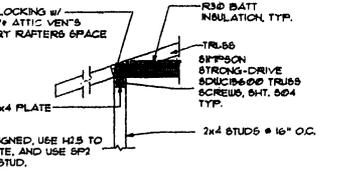
5 WALL FRAMING at BEAM
3/4\"/>



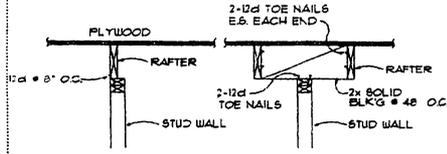
6 TYPICAL SECTION at SUPPORT and CHANGE
3/4\"/>



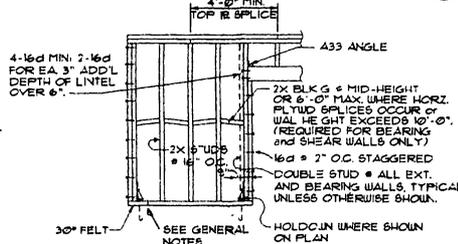
7 WALL FRAMING at TRUSSES
3/4\"/>



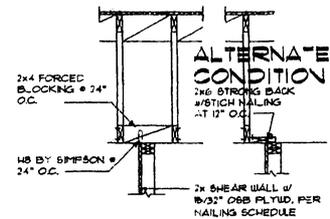
8 STUD WALL PARALLEL TO RAFTERS
3/4\"/>



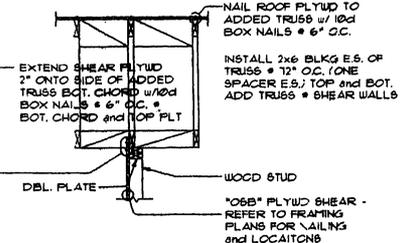
9 STUD WALL PARALLEL TO RAFTERS
3/4\"/>



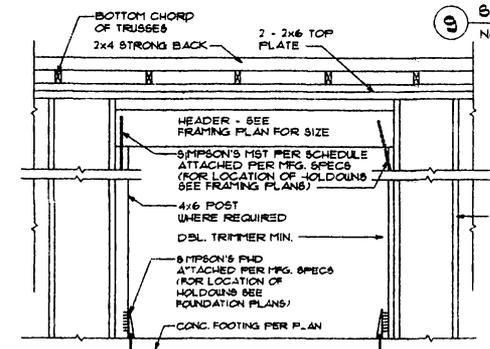
10 STUD WALL FRAMING DET.
NOT TO SCALE



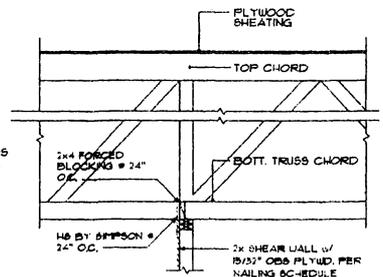
11 SHEAR WALLS PARALLEL TO TRUSSES
NOT TO SCALE



12 SHEAR WALLS PARALLEL TO TRUSSES
NO SCALE

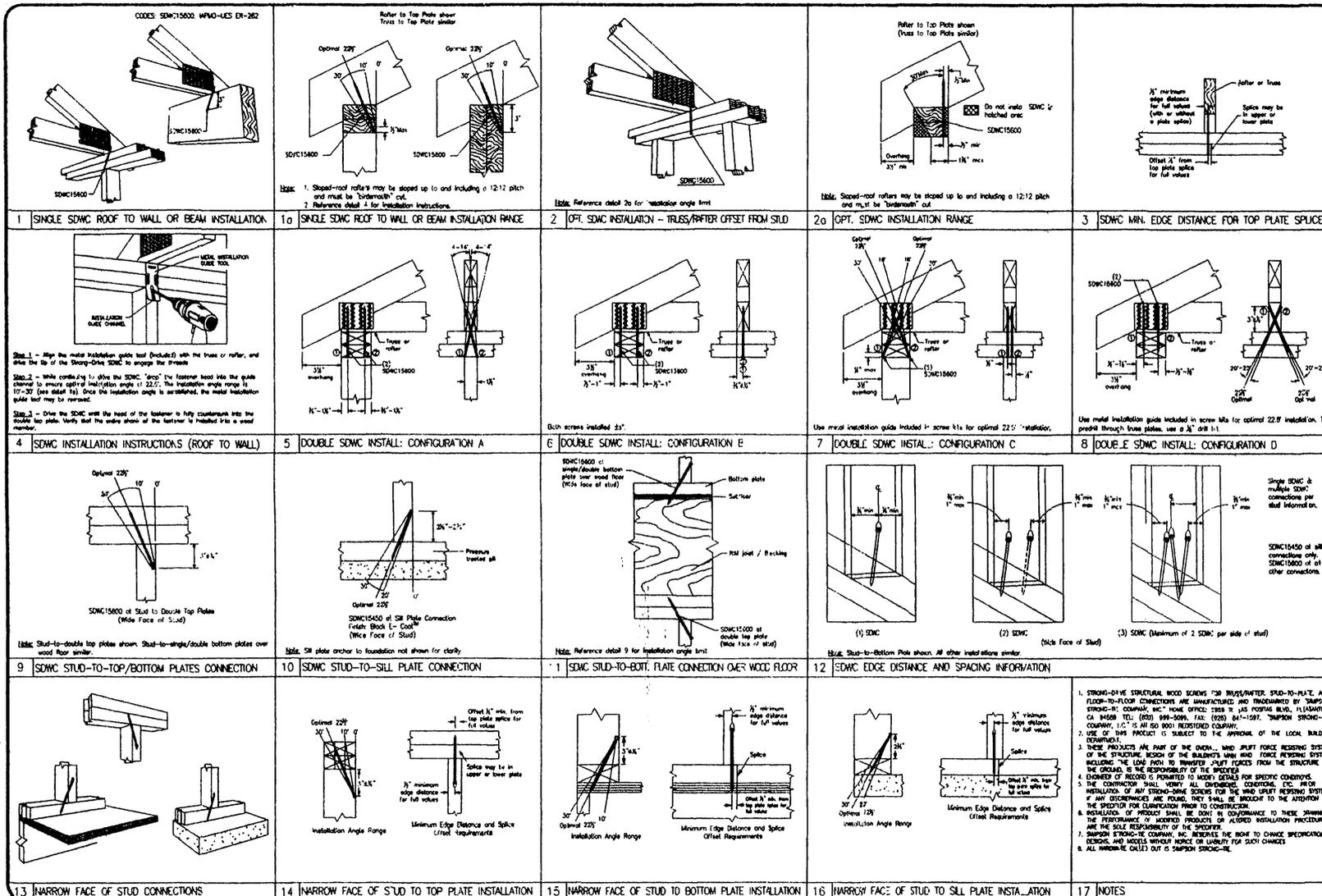


13 TYPICAL WOOD WALL FRAMING
SCALE: 3/4\"/>



14 SHEAR WALLS PERPENDICULAR TO TRUSSES
NOT TO SCALE

| | | | | | |
|--|--|--|--|--|---|
| | | | | CONSTRUCTION DRAWING FOR: | DATE: AUGUST 15, 2010 |
| | | | | GARNER RESIDENCE | SCALE: NOTED |
| | | | | 1550 NUKUNA PLACE WAILUKU, HI 96793 TMK 3 - 6 - 01 - 010 | DRAWN: MGA JOB: GARNER SHEET: 502 |



**WIND UPLIFT RESISTING
STRONG-DRIVE® SCREW
FASTENING SYSTEMS**



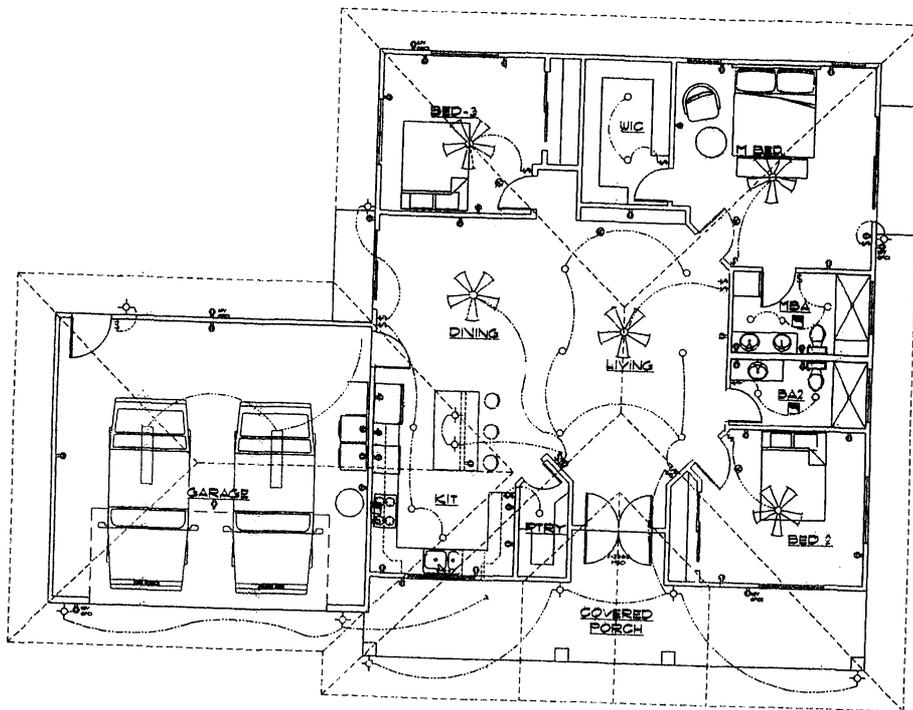
CONSTRUCTION DRAWING FOR:
GARNER RESIDENCE
1550 NUKUNA PLACE
WAILUKU, HI 96793
TMK 3 - 6 - 01 - 010

DATE: AUGUST 16 2024
SCALE: NOTED
DRAWN: HGA
JOB: GARNER
SHEET: 504

100% INTERCONNECTED BIRDHOUSE ALARMS
 THE ALARM DEVICES SHALL BE INTERCONNECTED IN A MANNER THAT THE
 ACTIVATION OF ONE ALARM WILL ACTIVATE ALL OF THE ALARMS IN THE
 INDIVIDUAL UNIT. THE ALARMS SHALL BE CLEARLY LIGHTS IN ALL BEDROOMS
 OVER BACKGROUND NOISE WITH ALL INTERVENING DOORS CLOSED.

LEGEND:

- \$ 50' TCH
- \$, 2-WAY SWITCH
- \$, 3-WAY SWITCH
- OUTLET
- △ TELEPHONE
- ⊕ CABLE TV
- ⊕ SECURITY
- ⊕ 220V OUTLET
- ⊕ WATERPROOF OUTLET
- ⊕ SURFACE MOUNT RECESS
- ⊕ CEILING MOUNT FIXTURE
- ⊕ UNDER CABINET FIXTURE
- ▭ FLUORESCENT
- ⊕ CHANDELER
- ⊕ SMOKE DETECTOR
- ⊕ CEILING FAN LIGHT
- ⊕ EXHAUST FAN VTR
- ⊕ GARAGE DOOR OPENER
- POOL LIGHT
- CAN LIGHT



MAIN DWELLING ELECTRICAL FLOOR PLAN

SCALE: 1/4" = 1'-0"

| | | | | |
|--|--|---|--|--|
| | | This work was prepared by me or under my supervision and I am a duly registered Professional Engineer in the State of Hawaii. License expires on 12/31/2011 | CONSTRUCTION DRAWING FOR: GARNER RESIDENCE 1550 NIHOA PLACE WAILUKU, HI 96793 THK 3 - 6 - 01 - 010 | DATE: AUGUST 19, 2010 SCALE: NOTED DRAWN: MEA JOB: GARNER SHEET: E1 |
|--|--|---|--|--|

2. Change of Zoning Application – Project Assessment Requirements

2.1 Project Assessment Requirements Checklist

PROJECT ASSESSMENT REQUIREMENTS CHECKLIST

Refer to Chapter 19.510, MCC. Compile the items listed below into a Project Assessment document, which may include elements of the Chapter 343, HRS environmental assessment or impact statement. In the "Location" column list the document and page number where each item is found.

| D# | Assessment Content Description | Location |
|-----------|--|-----------------|
| D1 | Owner identification and signature or written authorization documents. | Section 1 |
| D2 | Owner's name, address, and phone number. | Section 1 |
| D3 | Agent's name, address, and phone number, if applicable. | N/A |
| D4 | Tax map key and street address, if available. | Section 1 |
| D5 | <i>Locational map</i> identifying the site, adjacent roadways, and landmarks (The purpose of <i>locational map</i> is to give an overview depicting the project site in relation to adjacent landmarks and geographic features. Possible formats include marked-up aerial photographs and the <i>location map</i> described on Page 2, among others.). | Section 1 |
| D6 | List of owners and lessees of record within 500 feet and the <i>parcel notification map</i> (described on Page 5). | Section 1 |
| D7 | Analysis of ways in which application conforms to policies and objectives of General Plan, Community Plan and applicable district. | Section 2 |
| D8 | Detailed land use history of parcel(s) to include former and existing state and county land use designations, violations and uses. | Section 2 |
| D9 | Preliminary archaeological and historical data and comments from the Department of Land and Natural Resources (DLNR) and Office of Hawaiian Affairs (OHA). If applicable, a preservation /mitigation plan approved by DLNR and OHA. | Section 2 |
| D10 | Analysis of secondary impacts of the proposed use on surrounding uses. | Section 2 |
| D11 | Traffic impact analysis and, if applicable, a traffic master plan with comments from the Department of Transportation (DOT) and the Department of Public Works (DPW). | Section 2 |
| D12 | If applicable, an assessment of the impact the proposed use may have on agricultural use of the property with comments from The Department of Agriculture (DOA) and Natural Resources Conservation Service (NRCS). | Section 2 |
| D13 | Water source, supply and distribution analysis, and, if applicable, a water master plan which includes comments from the DLNR, Department of Water Supply (DWS), and DPW. | Section 2 |
| D14 | Sewage disposal analysis, and comments, if applicable, from the Department of Health (DOH), DLNR, Department of Environmental Management (DEM), and DWS. | Section 2 |
| D15 | Solid waste disposal analysis and comments, if applicable, from DOH, DLNR, DEM, and DWS. | Section 2 |

PROJECT ASSESSMENT REQUIREMENTS CHECKLIST

| D# | Assessment Content Description | Location |
|-----------|---|-----------------|
| D16 | Identification of environmentally sensitive areas, habitat and botanical features, such as wetlands, streams, endangered plants, etc., and comments, if applicable, from DLNR, US Fish and Wildlife Service (USFWS), and US Army Core of Engineers (USACE). | Section 2 |
| D17 | Identification of the existing topographical and drainage patterns and any alterations proposed. | Section 2 |
| D18 | Identification and summary of all meetings held between Applicant and any community group. | N/A |
| D19 | Dated photographs of site or structure. | Section 2 |
| D20 | Development schedule. | N/A |
| D21 | Schematic site development plans, if applicable, drawn to scale, which identify property lines and easements; location, size, spacing, setback and dimensions of all existing and proposed building, structures, improvements and uses; existing and proposed building elevations, sections, floor plans and site sections; topographic information showing existing features and conditions and proposed grading; existing and proposed landscaping which depicts open spaces, plantings and trees; existing and proposed roadways and accesses to the project and parking layout with dimensions; and shoreline, shoreline setback lines, stream and other setback lines. | Section 2 |
| D22 | Operations and management of proposed use which may include: number of employees, housing plan, hours of operation, provisions for off-site parking. | Section 2 |
| D23 | Identification of traditional beach and mountain access trails and additional trails which may be required for public access, and, if applicable, a preservation/mitigation plan and comments from DLNR and OHA. | Section 2 |
| D24 | Identification and assessment of chemicals and fertilizers used, and, if applicable, a mitigation plan and maintenance program and schedule, and comments from DOH, DLNR, USFWS, and US Environmental Protection Agency (USEPA). | Section 2 |
| D25 | Any other information necessary to assess the application. | N/A |

2.2 Project Assessment Requirements Report Addressing Planning and Technical Requirements

2.2. PROJECT ASSESSMENT REQUIREMENTS REPORT ADDRESSING PLANNING AND TECHNICAL REQUIREMENTS

INTRODUCTION

The *Project Assessment Requirements Checklist* included in the *Application for Change of Zoning (CIZ)* instructions lists multiple items to be include in the CIZ application. Line items D7-24 provide a list of assessment parameters which relate to land use, environmental, and infrastructural information which are to be analyzed as part of the CIZ application. This report is intended to satisfy the requirements of the, above, listed line items.

PLANNING AND TECHNICAL ANALYSIS

D7. Analysis of ways in which application conforms to policies and objectives of General Plan, Community Plan and applicable district.

The proposed CIZ request has been reviewed with respect to the Countywide Policy Plan. The following goal, objective, and policies of the Countywide Policy Plan are directly applicable to and supported by the proposed CIZ action.

PROMOTE SUSTAINABLE LAND USE AND GROWTH MANAGEMENT

Goal

Community character, lifestyles, economics, and natural assets will be preserved by managing growth and using land in a sustainable manner.

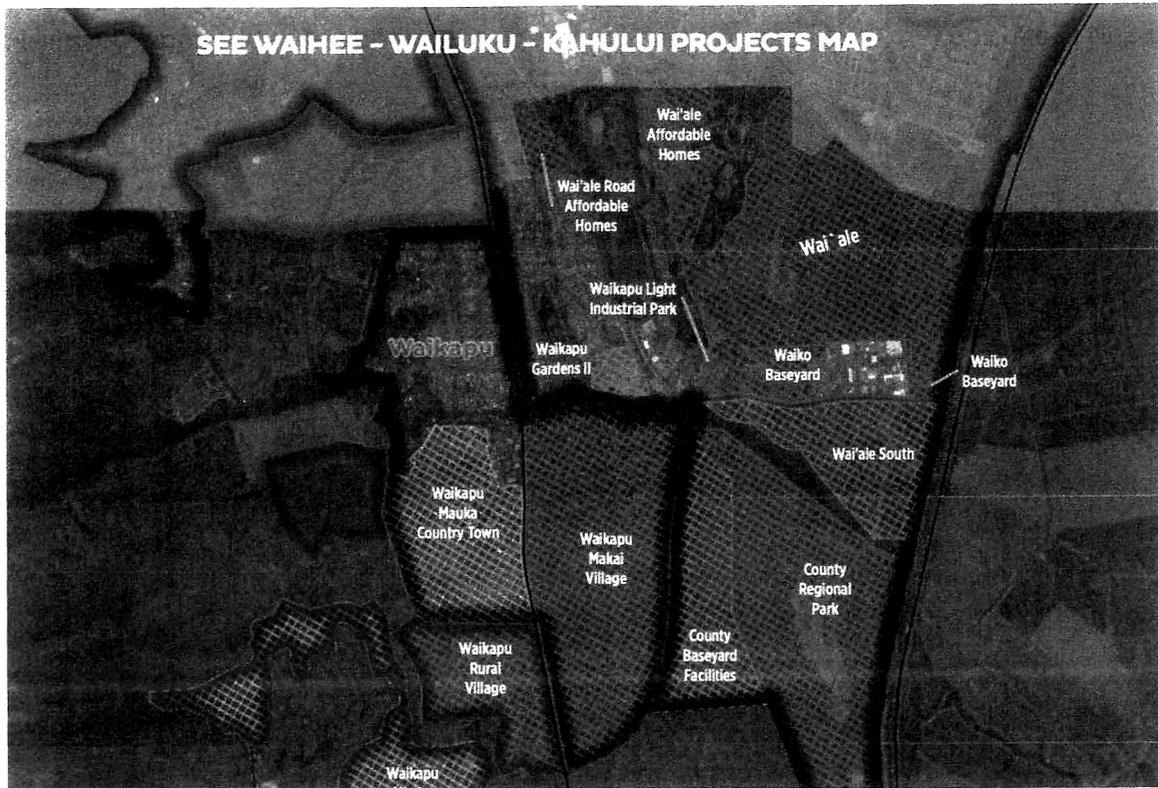
Objective

Improve and increase efficiency in land use planning and management.

Policies

- b. Ensure that new development projects requiring discretionary permits demonstrate a community need, show consistency with the General Plan, and provide an analysis of impacts.
- e. Coordinate with Federal, State, and County officials in order to ensure that land use decisions are consistent with County plans and the vision local populations have for their communities.

Analysis: The purpose of the CIZ is to establish consistency between the property's zoning designation and the current Community Plan designations and existing uses on the property. By doing so, the land use designations and allowed uses for TMK No. (2)3-6-007:010 will be consistent with each other and remove additional hardship for the Applicant, should they decide to further improve the existing dwellings on the property.



The proposed CIZ request has been reviewed with respect to the Wailuku-Kahului Community Plan. The following goals, objectives, and policies of the Wailuku-Kahului Community Plan are directly applicable to and supported by the proposed CIZ action.

GOVERNMENT

LAND USE

Goal

An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives and Policies

10. All zoning applications and/or proposed land uses and developments shall conform with the planned use designations, as specified in the adopted Community Plan Land Use Map, and be consistent with the Community Plan policies.

D9. Preliminary archaeological and historical data and comments from the Department of Land and Natural Resources (DLNR) and Office of Hawaiian Affairs (OHA). If applicable, a preservation/mitigation plan approved by DLNR and OHA.

There are no surface archaeological features on the property. Current improvements include three Ohana Units being renovated within their current footprint. Additional improvements will include renovations to the main dwelling but will not require significant excavation in connection with the proposed CIZ request.

D10. Analysis of secondary impacts of the proposed use on surrounding uses.

There will not be any secondary impacts to the property value, surrounding housing, community services and facility needs, secondary jobs and employment, and affordable housing. The property will continue to be used as single-family residential property.

D11. Traffic impact analysis and, if applicable, a traffic master plan with comments from the Department of Transportation (DoT) and the Department of Public Works (DPW).

There will not be any impact to traffic. There are no plans to build new housing on the property.

D12. If applicable, an assessment of the impact the proposed use may have on agricultural use of the property with comments from the Department of Agriculture (DoA) and Natural Resources Conservation Services (NRCS).

The property is in an urban, residential area of Wailuku. Therefore, the proposed CIZ request will not impact agricultural uses.

D13. Water source, supply and distribution analysis, and, if applicable, a water master plan which includes comments from the DLNR, Department of Water Supply (DWS), and (DPW).

Water demand on the property will not change. Water use will be limited to irrigation of onsite landscaping and normal house-hold usage. No impacts to water system source, transmission of distribution or distribution systems are anticipated with the proposed CIZ request.

D14. Sewage disposal analysis, and comments, if applicable, from the Department of Health (DoH), DLNR, Department of Environmental Management (DEM), and DWS.

There will be no impacts to wastewater collection and treatment services with the proposed CIZ request.

D15. Solid waste disposal analysis and comments, if applicable, from DoH, DLNR, DEM, and DWS.

The property is currently allotted six waste disposal bins, per county ordinance, and has been, consistently using four bins. Since there is no intent to add new housing on the property, there will be no change in solid waste generation characteristics associated with the CIZ request.

D16. Identification of environmentally sensitive areas, habitat and botanical features, such as wetlands, streams, endangered plants, etc. and comments, if applicable, from DLNR, US fish and Wildlife Service (USFWS), and US Army Core of Engineers (USACE).

There are no environmentally sensitive areas on the project site; the property is located in a residential area in Wailuku. The Waikapu River is within the 500ft radius of the property, but there are no known endangered plants or wildlife, and current residential zoning is located alongside the Waikapu River. Therefore, the proposed CIZ request will not impact any environmentally sensitive areas.

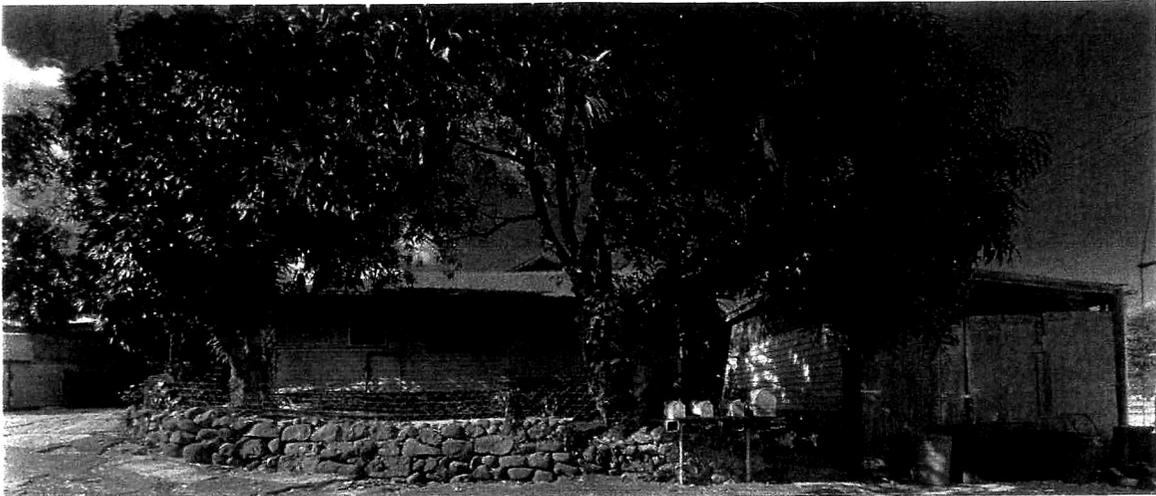
D17. Identification of the existing topographical and drainage patterns and any alterations proposed.

There are no ground disturbing activities associated with the proposed CIZ request. In the future, the existing gravel surfaces of the roadways may be paved. At that time, appropriate storm runoff mitigation measures will be identified and implemented, as applicable.

D18. Identification and summary of all meetings held between Applicant and any community group.

There have been no meetings held between the applicant and any community or residential group. The proposed CIZ does not involve any change in use for the property. The request is intended to establish land use consistency with the existing uses on the property.

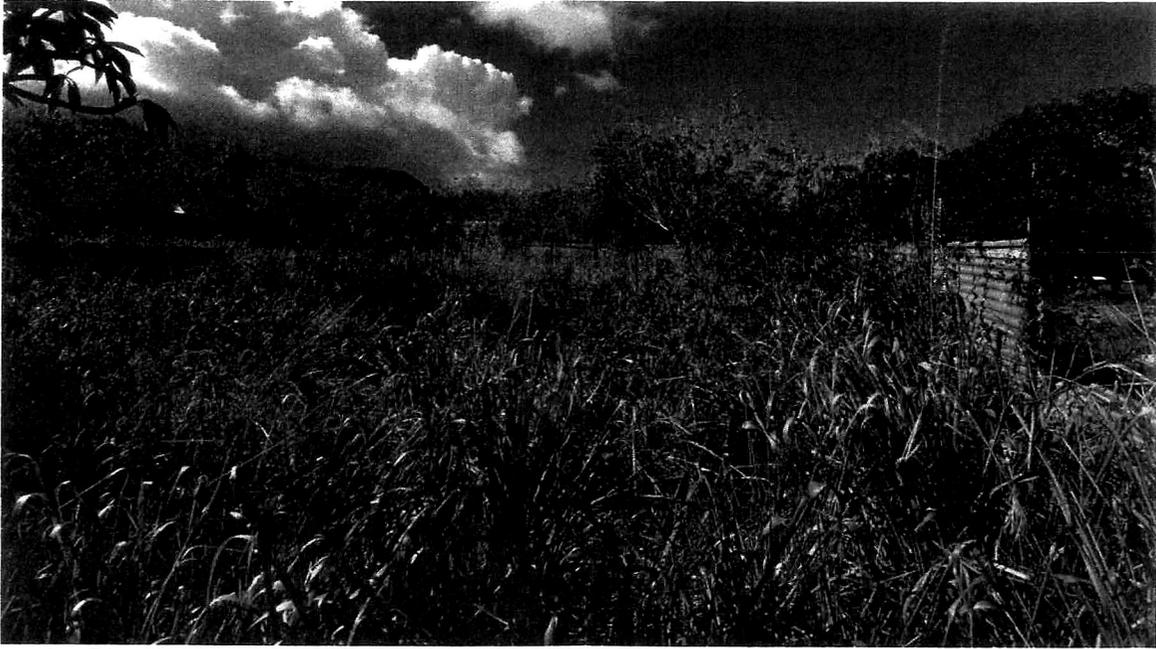
D19. Dated photographs of site structure.



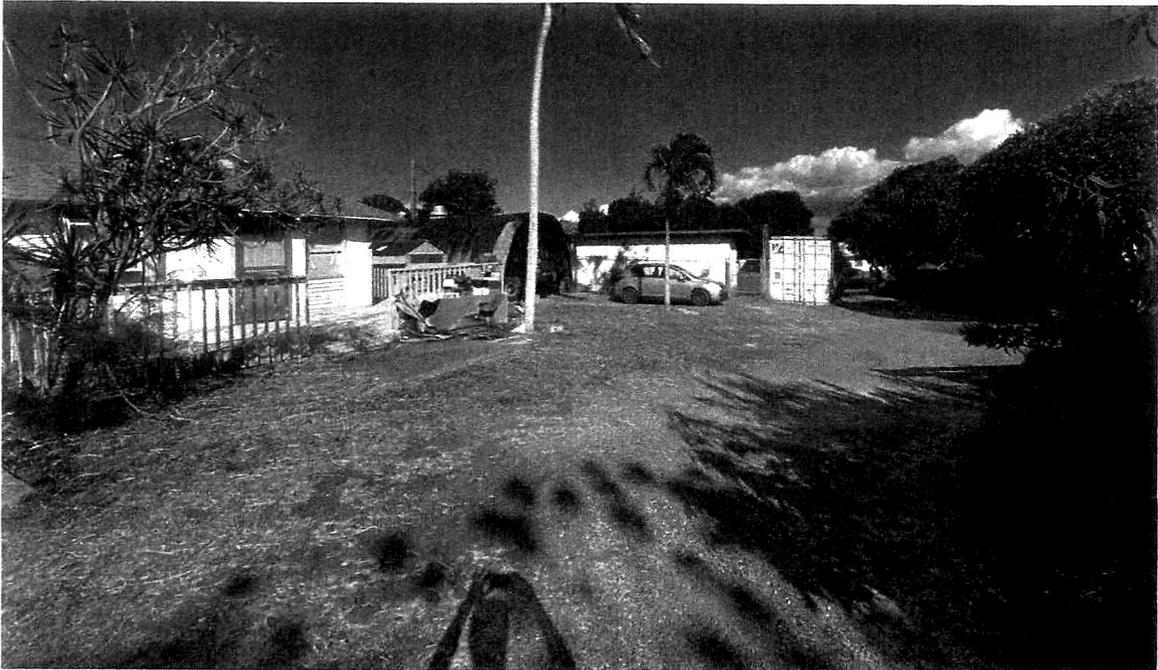
1. Photo taken from Nukuna Place facing the main house. Photo taken 12 September 2021.



2. Photo taken at end of private road facing the three Ohana units. Nukuna place is behind the photographer. Photo taken 12 September 2021.



3. Photo taken at the far end of the property facing the end of the property. The three Ohana units are behind the photographer. Photo taken 12 September 2021.



4. Photo taken from corner of property facing the private road. Ohana Unit B, behind photographer, Ohana Unit A on the left of the picture. Photo taken 12 September 2021.

D22. Operations and management of proposed use which may include: number of employees, housing plan, hours of operations, provisions for off-site parking.

The property is self-managed under the Limited Liability Company, Kamasaki-Garner Properties. There are no employees, as the owners manage the property on their own. There will be no changes in operations or management of the property.

D23. Identification of traditional beach and mountain access trails and additional trails which may be required for public access, and, if applicable, a preservation/mitigation plan and comments from DLNR and OHA.

There are no beaches or mountain access trails in the nearby vicinity of the project site. The property is surrounded by other private properties.

D24. Identification and assessment of chemicals and fertilizers used, and, if applicable, a mitigation plan and maintenance program and schedule, and s=comments from DoH, DLNT, USFWS, and US environmental Protection Agency (USEPA).

The property is used as single-family residential property. Chemicals and fertilizers are not used on the property. Neighboring properties and surrounding flora and fauna are not affected by the existing use of the property.

3. Long Range Division-Project Database Form

LONG RANGE DIVISION – PROJECT DATABASE

PROPOSED PROJECT DATA SUMMARY SHEET

Applicant: Please complete this two (2) sided form. Complete only those items that are appropriate to your application(s). If you have any questions, please contact the **Long Range Planning Division at 270-7214.**

| | |
|--|---|
| Date: 11 September 2021 | Project Name (if applicable): Garner Residence |
| Applicant's Name: Robyn & Brian Garner | What permits are you applying for? Building/Renovation Permits |
| Property Tax Map Key (TMK) number: (2) 3-6-007:010 | Please give us a brief summary of your project, including the existing and proposed uses: |
| Contact Phone Number: 808-497-6219 | No changes in land use; purpose is for consistency between zoning and existing use of the property. + |
| E-mail Address: robymgarner@gmail.com | Developer Name: Property Owner Name: Robyn & Brian Garner |

Residential Projects: Single-Family and Multi-Family

- How many single family units (i.e., individual detached homes) are you building? 0
 a. Will accessory dwellings (i.e., ohanas) be permitted? If yes, how many? 5
- How many multi-family units (i.e., condo, apartment, or townhouse) are you building? 0
- Are you subdividing your property? Yes No
 a. If yes, how many buildable lots are you requesting to create? N/A
- How many acres, or square feet, are at the project site? 30922 sqft
- If only a portion of the property is going to be used for this project, how many acres or square feet will be used just for the project area? ~1400 sqft
- Will this project require land use amendments? Please check all that apply and indicate the proposed change
 - State Land Use District Yes No Not Sure from: Urban to: No Change
 - Maui Island Plan Yes No Not Sure from: Small Town to: No Change
 - Community Plan Yes No Not Sure from: Single family to: No Change
 - Zoning Yes No Not Sure from: Agricultural District to: R-2, Residential
- Will you be selling any of the units as "affordable" as defined under the Housing and Urban Development guidelines? Yes No Not Sure
 a. If yes, how many of the units, or percentage of units, will fall under this category? N/A
- From the date of filing the application with the Planning Department, how long do you estimate the project to reach complete build-out? Please check one (1) box.

| | |
|---|--|
| <input checked="" type="checkbox"/> 0 - 5 years | <input type="checkbox"/> 6 - 10 years |
| <input type="checkbox"/> 11 - 15 years | <input type="checkbox"/> 16 - 20 years |
| <input type="checkbox"/> 21+ years | |

Industrial/Commercial Projects

- Will this project be used for (please list all that apply by indicating the amount of square footage proposed):
 - Retail purposes: N/A
 - Office space/lease: N/A
 - Industrial purposes: N/A

continued on next page...

LONG RANGE DIVISION – PROJECT DATABASE

| PROPOSED PROJECT DATA SUMMARY SHEET | |
|---|---|
| Visitor Accommodations | |
| Hotels and Timeshares | |
| 1. Will this project have hotel units? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| a. If yes, how many hotel units/rooms are proposed? | _____ |
| 2. Will this project have timeshare units? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| a. If yes, how many timeshare units/rooms are proposed? | _____ |
| 3. Will there be "lock-off" units (i.e., a unit which can be partitioned to create two separate units)? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| a. If yes, how many units will have "lock-off units"? | _____ |
| Bed and Breakfast (B&B) and Transient Vacation Rentals (TVRs) | |
| 1. Will (any of) the unit(s) be owner occupied? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 2. How many bedrooms are proposed for rental? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| <input type="checkbox"/> one (1) bedroom <input type="checkbox"/> two (2) bedrooms <input type="checkbox"/> three (3) bedrooms | |
| <input type="checkbox"/> four (4) bedrooms <input type="checkbox"/> 5+ bedrooms <input type="checkbox"/> entire unit (i.e., condo/house/accessory dwelling) | |
| 3. Will this project be newly constructed? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |

2023/12/4
Dr. Robyn M. Garner
1550 Nukuna Pl
Wailuku, HI 96793

'23 SEP 11 P1:43

11 September 2023

Ms. Ann T. Cua
Planning Program Administrator
County of Maui
Department of Planning
220 Main Street, Suite 315
Wailuku, HI 96793

Dear Ms. Cua,

On February 28, 2023 the Department of Planning requested revisions to my Change of Zoning application. Please find below, the responses, corrections, and additional information as requested on the Project Assessment Requirements Checklist:

- 1. D5. Location map identifying the site, adjacent roadways, and landmarks (The purpose of locational map is to give an overview depicting the project site in relation to adjacent landmarks and geographic features. Possible formats include marked-up aerial photographs and the location map described on Page 2, among others.).**

Response:

As required by the *Change in Zoning Application – Requirements Submittals* list and as noted on the *Project Assessment Requirement Checklist* (page 59), the original application has maps in Section 1, specifically in Section 1.4, page 22; Section 1.5, page 25 and 26; Section 1.7, page 35; Section 1.8, page 41; Section 1.10 page 45 which include identification of the site, adjacent roadways, and landmarks. The majority of these maps were pulled from the County of Maui's Real Property website:

<https://qpublic.schneidercorp.com/Application.aspx?AppID=1029&LayerID=21689&PageTypeID=1&PageID=9248&Q=387067531&KeyValue=360070100000>

See Attachment A for an additional map.

- 2. D8. Detailed land use history of parcel(s) to include former and existing state and county land use designations, violations and uses.**

Response:

The parcel involved in the proposed land use request are identified by TMK numbers (2) 3-6-007:010 and owned by Robyn and Brian Garner. The parcel is

identified as 1550 Nukuna Place, Wailuku, Hawaii 96793 and is used as a single-family residential property. Three additional Ohana units are used as long-term rental properties on the property. The property is designated Urban by the State Land Use Commission and Single-Family Residential by the Wailuku-Kahului Community Plan. Despite these designations and its long-standing use as a single-family residential property, the property is zoned Agricultural by Maui County Zoning. The Agricultural Zoning district has a minimum plot size of (2) acres. The subject property is less than one (1) acre in size – 30,922 square feet. The property is existing and non-conforming to current ordinances since the structures were built in the 1920s, 1950s, and 1970s when set-back requirements were different or not required. There are no cited violations on the property that the owners are aware of since the homes were built prior to the county's permitting laws or when ordinance requirements were less detailed. The owners are seeking a R-2 Residential zoning designation to bring consistency with the long-standing use of the property and Community Plan Single-Family designation. The R-2 designation will allow the four (4) existing homes to remain, the main house to be renovated and add 400-sq.ft., and the temporary storage shed to stay in its current location. The subject property is 30,922 sq. ft. and R-2 zoning requires a minimum lot area of 7,500 sq.ft. per dwelling, for a maximum of 4 main dwellings and 8 additional units on the property.

See Attachment B for a modified site plan. Per the *Code of the County of Maui, Hawaii, A Codification of the General Ordinances of the County of Maui, Hawaii* the oldest, found recorded date requiring building permitting started in 1980. Therefore, none of the homes on the property will have permits for the structures to prove that they are non-conforming. Per the County of Maui's Real Property website, the only recorded permits are for the current (2022) and ongoing renovations to three of the homes. The current, existing structures are non-conforming because they do not adhere to current set-back requirements for structures on agricultural land, such as the structure built right to the property line with no setback.

- 3. D9. Preliminary archaeological and historical data and comments from the Department of Land and Natural Resources (DLNR) and Office of Hawaiian Affairs (OHA). If applicable, a preservation/mitigation plan approved by DLNR and OHA.**

Response:

There are no surface archaeological features on the property. Current improvements include three Ohana Units being renovated within their current footprint. Additional improvements will include renovations to the main dwelling. Page 54 (Attachment C) of the submitted application depicts the difference between the current house plan and the future house plan. The additional 400 sqft is being

added to areas of the plot where the ground has already been disturbed by existing driveways and pavements. Therefore, the renovations to the main dwelling will require minimal excavation, if any, in connection with the proposed CIZ request. The applicant understands that as part of the CIZ review process, the Department of Planning may request review but the State Historic Preservation Division (SHPD). The Applicant will comply with review and mitigation requirements outlined by SHPD pursuant to the Chapter 6E, HRS process.

4. D10. Analysis of secondary impacts of the proposed use on surrounding uses

Response:

There will not be any secondary impacts to the property value, surrounding housing, community services and facility needs, secondary jobs and employment, and affordable housing. The property will continue to be used as a single-family residential property. The *Code of the County of Maui, Hawaii, A Codification of the General Ordinances of the County of Maui, Hawaii* 19.35.050 provides that up to two accessory dwelling units (ADUs) may be developed on lots that are 7,500 sq. ft. or greater. It is noted that the Applicant does not have plans to develop additional homes or ADUs on the property and is simply seeking this rezoning to bring the long-standing residential uses on the land into conformance with zoning requirements. However, it is noted that if the property is rezoned, up to two ADUs could be added to the lot. Further, while the Applicant has no plans to do so if the 30,922 square foot parcel were subdivided into four separate lots, zoning would allow for one single-family home on each lot and two ADUs on each lot. Based on the foregoing, the subject property could support up to four single-family homes and eight ADUs. Any future development of additional homes would require the provision of necessary infrastructure improvement, including potable water service and wastewater infrastructure, either by individual wastewater system or potential connection to the County wastewater system. The details of such infrastructure connection would be developed in conjunction with plans for additional homes and are not available now as the Applicant does not intend to develop additional units. If the property were developed to the maximum density allowed by zoning, with four single-family units and eight ADUs, such development would be deemed consistent with the surrounding residential community, including the adjacent property to the north, which is also zoned R-2. The property is situated amongst an existing residential community and any future residential development would be infill development that would be consistent with surrounding uses and not present secondary impacts to surrounding uses.

5. D11. Traffic impact analysis and, if applicable, a traffic master plan with comments from the Department of Transportation (DoT) and the Department of Public Works (DPW).

Response:

There will not be any impact to traffic. There are no plans to build new housing on the property. As noted above, while the Applicant does not have plans to develop additional dwelling units on the property, the R-2 zoning would have a maximum development potential of up to four single-family homes and up to eight ADUs if the property were subdivided into four lots. This would represent up to eight additional units on the site compared to what is presently existing. Inasmuch as the Applicant is seeking this rezoning to allow the long-standing residential uses on the property to continue and does not propose additional units, a traffic engineer was not retained to conduct a traffic assessment. However, it is the Applicant's opinion that the hypothetical addition of up to eight units on the property would not present significant traffic impacts.

6. **D13. Water source, supply and distribution analysis, and, if applicable, a water master plan which includes comments from the DLNR, Department of Water Supply (DWS), and (DPW).**

Response:

Water demand on the property will not change. Water use will be limited to irrigation of onsite landscaping and normal house-hold usage. No impacts to water system source, transmission of distribution or distribution systems are anticipated with the proposed CIZ request. As noted above, while the Applicant does not have plans to develop additional units on the property, the R-2 zoning would have a maximum development potential of up to four single-family homes and up to eight ADUs if the property were subdivided into four lots. This would represent up to eight additional units on the site compared to what is presently existing. Inasmuch as the Applicant is seeking this rezoning to allow the long-standing residential uses on the property to continue and does not propose additional units, a civil engineer was not retained to conduct a water source, supply and distribution analysis. Any future development of additional homes would require provision of necessary infrastructure improvements, including potable water service. The details of such infrastructure connection would be developed in conjunction with plans for additional homes and are not available at the moment as the Applicant does not intend to develop additional units. If the property were developed to the maximum density allowed by zoning, with four (4) single-family units and eight (8) ADUs, such development would be deemed consistent with the surrounding residential community, including the adjacent property to the north, which is also zoned R-2.

7. **D14. Sewage disposal analysis, and comments, if applicable, from the Department of Health (DoH), DLNR, Department of Environmental Management (DEM), and DWS.**

Response:

There will be no impacts to wastewater collection and treatment services with the proposed CIZ requests as the county does not have sewage services to the property.

Each home has its own separate cesspool located to the side of each house. As noted above, while the Applicant does not have plans to develop additional units on the property, the R-2 zoning would have a maximum development potential of up to four single-family homes and up to eight ADUs if the property were subdivided into four lots. This would represent up to eight additional units on the site compared to what is presently existing. Inasmuch as the Applicant is seeking this rezoning to allow the long-standing residential uses on the property to continue and does not propose additional units, a civil engineer was not retained to conduct a sewage disposal analysis. Any future development of additional homes would require provision of necessary infrastructure improvements, including wastewater infrastructure, either by individual wastewater system or potential connection to the County wastewater system. The details of such infrastructure connection would be developed in conjunction with plans for additional homes and are not available at the moment as the Applicant does not intend to develop additional units. If the property were developed to the maximum density allowed by zoning, with four single-family units and eight ADUs, such development would be deemed consistent with the surrounding residential community, including the adjacent property to the north, which is also zoned R-2.

- 8. D15. Solid waste disposal analysis and comments, if applicable, from DoH, DLNR, DEM, and DWS.**

Response:

The property is currently allotted six waste disposal bins, per county ordinance, and has been, consistently using four bins. As previously noted, the Applicant does not have plans to add additional residential units to the property. However, the R2 zoning would allow the addition of up to eight ADUs if the property were to be subdivided. Future residential units, if developed, would secure solid waste disposal services from the County. The addition of up to eight residential units would not present a significant impact to the County's solid waste disposal services or capacity.

- 9. D17. Identification of the existing topographical and drainage patterns and any alterations proposed.**

Response:

There will be no change in existing draining patterns on the site. The drainage pattern currently flows downhill from the property. In the future, the existing gravel surfaces of the roadways may be paved. At that time, appropriate storm runoff mitigation measures will be identified and implemented, as applicable. See Attachment D for drainage patterns on the site.

- 10. D19. Dated photographs of site structure.**

Response:

See Attachment E.

11. D20. Development schedule.

Response:

The proposed improvements to the residential structure on the property will proceed upon receipt of necessary County permits and approvals. The Applicant has no plans for subdivision of the property or development of additional ADUs or other structures.

12. D21. Schematic site development plans, if applicable, drawn to scale, which identify property lines and easements; location, size, spacing, setback and dimensions of all existing and proposed building, structures, improvements and uses; existing and proposed building elevations, sections, floor plans and site sections; topographic information showing existing features and conditions and proposed grading; existing and proposed landscaping which depicts open spaces, plantings and trees; existing and proposed roadways and accesses to the project and parking layout with dimensions; and shoreline, stream and other setback lines.

Response:

The original submission included a topographic survey on page 35 (also included in this response as Attachment B) and two hard copies of the construction drawings (site plan) on page 45, in addition to the CD (also included in this response as Attachment F). The County of Maui Planning Division also has 24"x36" hard copies of the construction drawings on page 45 as they were part of the permitting requirements for the current renovation projects that were approved in 2022. Easements, setbacks, square footage, usage, parking layout, and demolition are all included between both the topographic survey and construction drawings.

Please let me know if you need digital copies of this response.

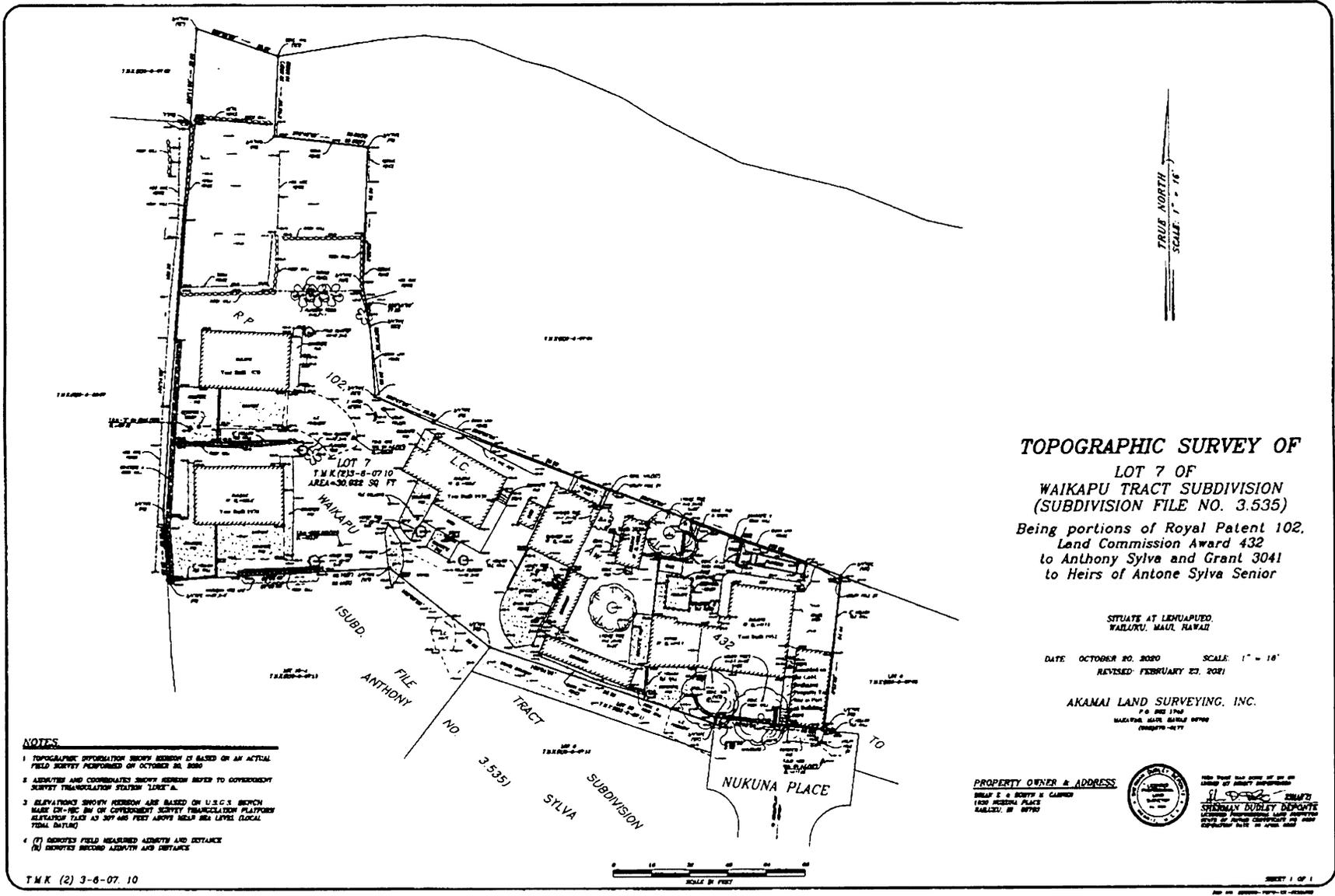
Thank you for your continued support and consideration.

Sincerely,



Dr. Robyn M. Garner
Owner | Kamasaki-Garner Properties, LLC
robymgarner@gmail.com
(808) 497-6219

Attachment B: D8 – Site Plan



- NOTES**
1. TOPOGRAPHIC INFORMATION SHOWN HEREON IS BASED ON AN ACTUAL FIELD SURVEY PERFORMED ON OCTOBER 20, 2020.
 2. ADJUSTED AND COORDINATED SHOWS HEREON REFER TO GOVERNMENT SURVEY TRIANGULATION STATION "LINA".
 3. ELEVATIONS SHOWN HEREON ARE BASED ON U.S.C.S. BENCH MARK CH-18C BY GOVERNMENT SURVEY TRIANGULATION PLATFORM. ELEVATION TAKEN AS 309.480 FEET ABOVE MEAN SEA LEVEL (LOCAL TIDAL DATUM).
 4. (M) DENOTES FIELD MEASURED MEASUREMENT AND DISTANCE
(N) DENOTES RECORD MEASUREMENT AND DISTANCE

T.M.K. (2) 3-6-07-10

TOPOGRAPHIC SURVEY OF
LOT 7 OF
WAIKAPU TRACT SUBDIVISION
(SUBDIVISION FILE NO. 3.535)
 Being portions of Royal Patent 102,
 Land Commission Award 432
 to Anthony Sylva and Grant 3041
 to Heirs of Antone Sylva Senior

SITUATE AT LEHUAPEPE,
 WAILUKU, MAUI, HAWAII

DATE: OCTOBER 20, 2020 SCALE: 1" = 16'
 REVISED: FEBRUARY 23, 2021

AKAMAI LAND SURVEYING, INC.
 P.O. BOX 1740
 WAILUKU, MAUI, HAWAII 96793
 (808) 278-4577

PROPERTY OWNER & ADDRESS
 SYLVA & SCOTT & COMPANY
 1100 NUKUNA PLACE
 WAILUKU, HI 96793



THIS PLAN HAS BEEN DRAWN BY AN
 LICENSED SURVEYOR AND IS A
 TRUE AND CORRECT COPY OF THE
 ORIGINAL AS SUBMITTED TO THE
 STATE OF HAWAII ON APRIL 15, 2021

Attachment C: D9 – Renovation Plan

INSPECTION NOTES

1. ALL FULTON COUNTY CODES OF CONSTRUCTION INSPECTIONS SHALL BE DONE IN A WRITABLE MANNER. IT IS THE RESPONSIBILITY OF THE OWNER TO CALL FOR THESE INSPECTIONS.
2. IN ADDITION TO THE CODES OF CONSTRUCTION INSPECTIONS REGARDING CLIMATE AND LOAD RISK SPECIAL INSPECTIONS ARE REQUIRED.
 - A. SPECIAL CONSTRUCTION ISSUES: IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO CONTACT OMA, INC. # 688-875-888 TO VERIFY THE INSPECTIONS REQUIRED FOR THE PROJECT.
 - B. EACH INSPECTION AND FOR EVERY SCOPE OF THE PROJECT'S SERVICES AND SHALL BE PROVIDED BY THE ORIGINAL CONTRACTOR UNDER A SEPARATE CONTRACT WITH A QUALIFIED INSPECTOR OF OWNER'S CHOICE.

LEGEND

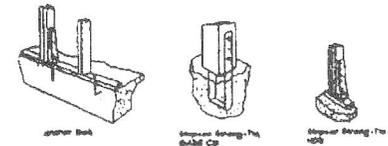
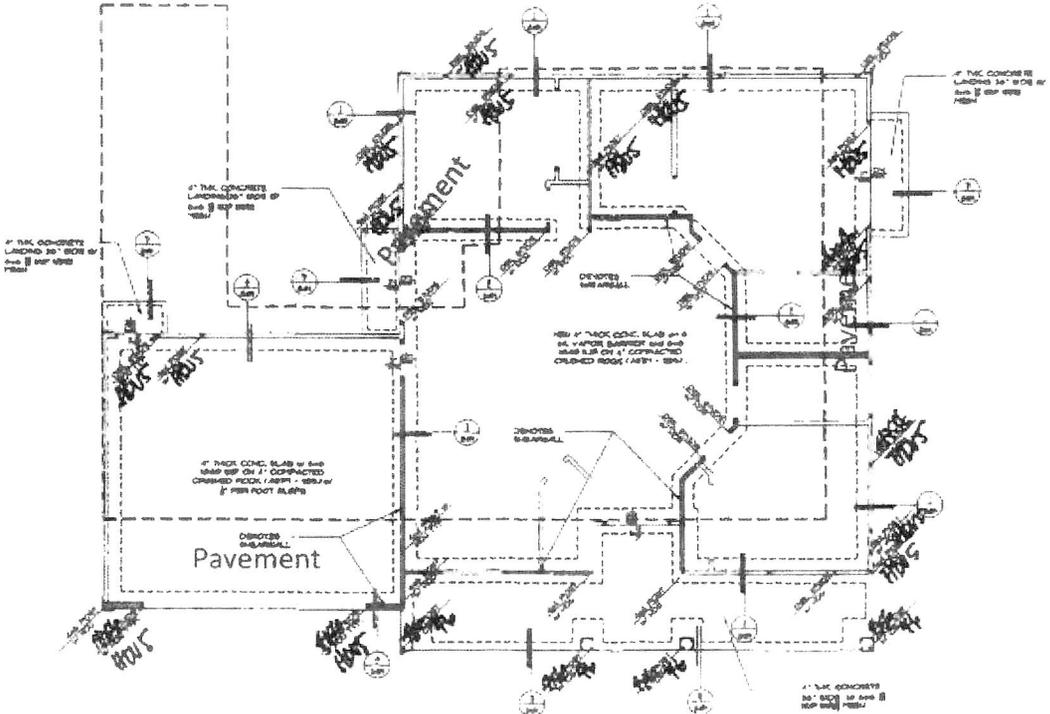
- SHEAR AND/OR BEARING WALL
- DOUBLE END WALL
- CD POST
- D9 BALL POST

NOTE

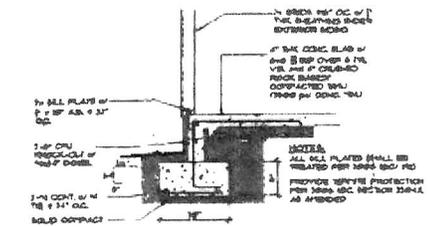
COMPACTED FILL SHALL BE 18" LITE AND COMPACTED TO 4" LITE PER ASTM TEST METHOD. CONTRACTOR SHALL INSURE COMPACTED FILL IS FREE OF CORNERS AND CRACKS. MATERIAL, PRODUCE EQUIPMENT SOIL'S SWELLAGE CONTRACTOR TEST REPORTS TO ARCHITECT FOR APPROVAL.

NOTE

6"X6 CTS @ 30" O.C. CONTIGUOUS SOMEWAYS 4" STIFFENING EXPANSION JOINTS



1. AB, CB6 and HDU TYPICAL INSTALLATION NOT TO SCALE



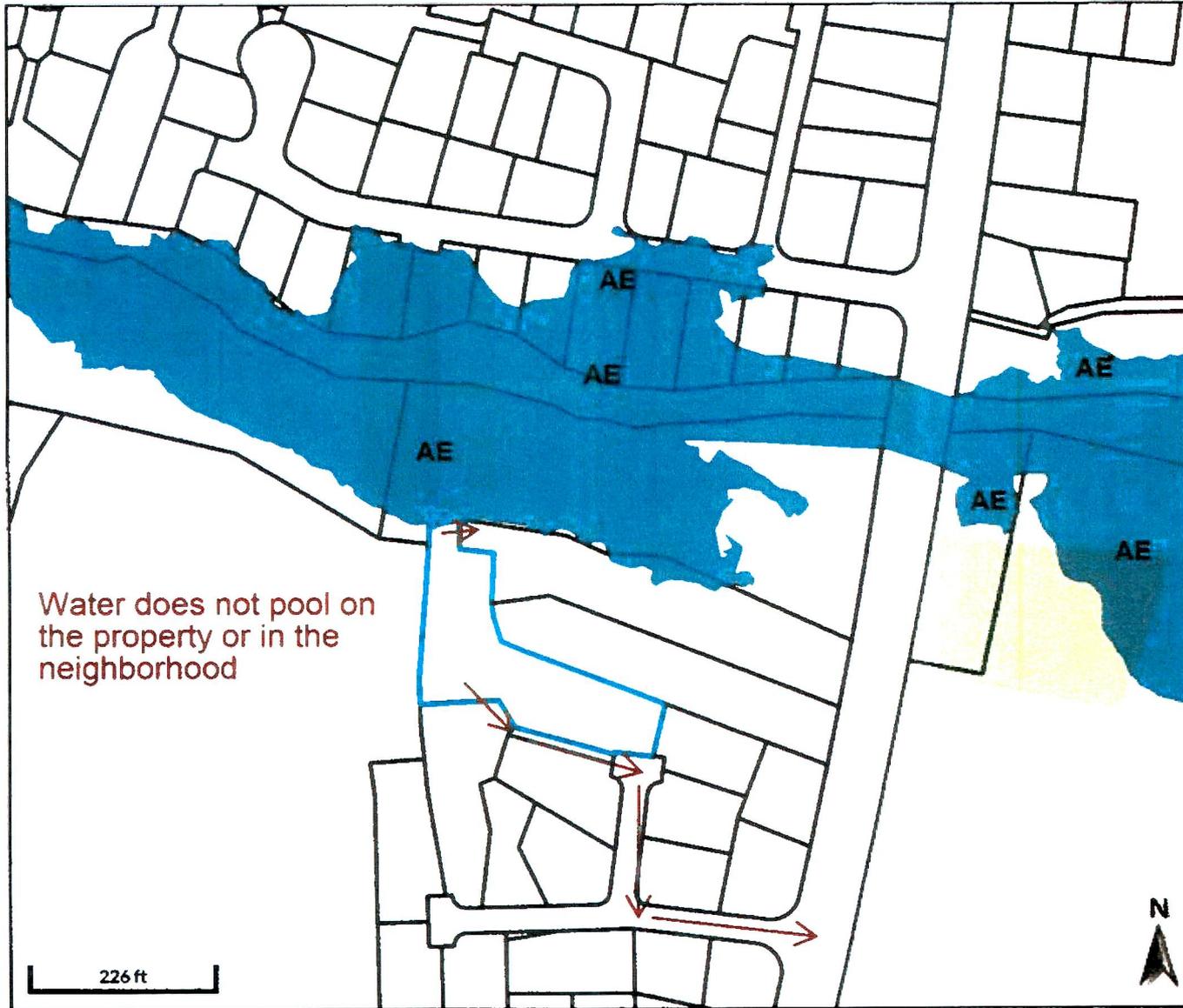
MAIN DWELLING FOUNDATION PLAN

REFER TO CONCRETE DETAIL SHEETS FOR TYPICAL DETAILS. COORDINATE ANY VARIATIONS OF THIS WITH ARCHITECT & ENGINEER. VERIFY ALL DIMENSIONS TO BE SHOWN IN THIS PLAN WITH ARCHITECT & ENGINEER. CONTRACTOR SHALL ALLOW FOR ANY SETTLEMENTS OR SLOTTING. VERIFY LOCATION IN FOUNDATION WITH ARCHITECT & ENGINEER PRIOR TO POURING AND WALLS.

HOUSE & ALL POSTS/2X6 SUPPORTING BEAMS SPANNING OVER 6'-6" CLEAR

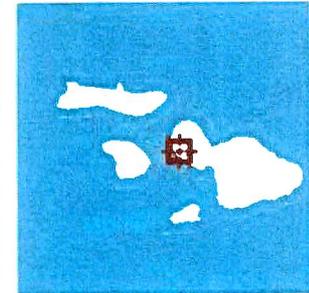
| | | | | | |
|--|--|--|--------------------------|--------------------|------------------|
| | | | CONSTRUCTION DRAWING FOR | | DATE: 01/11/11 |
| | | | GARNER RESIDENCE | | SCALE: NOTED |
| 1000 NIKKAL PLACE LEAS, OHIO 44130 TEL: 330-871-0100 | | | DESIGNED BY: GARNER | CHECKED BY: GARNER | DRAWN BY: GARNER |
| | | | SHEET: SI | | |

Attachment D: D17 – Drainage Pattern on Property



Water does not pool on the property or in the neighborhood

Overview



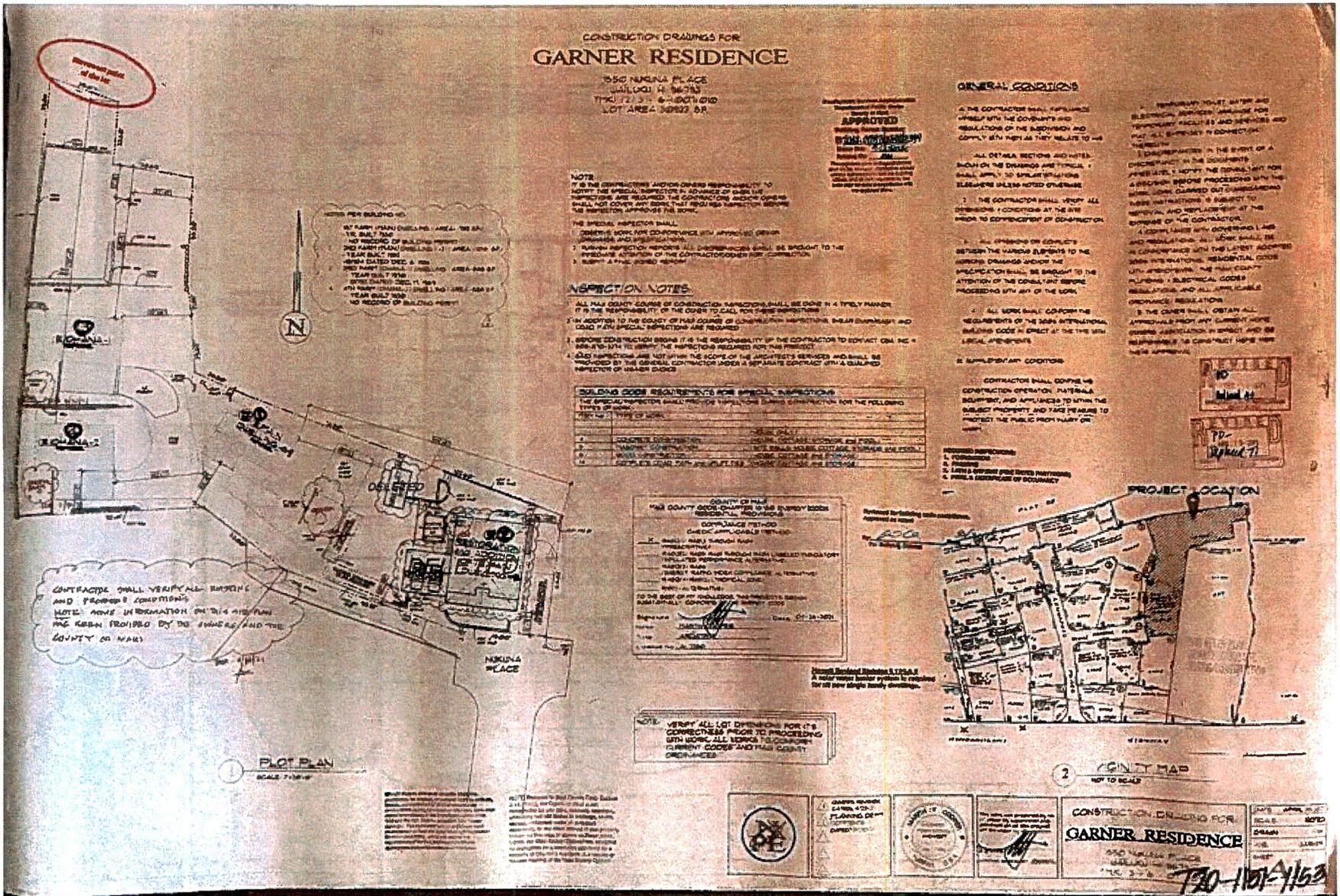
Legend

-  Parcels
- Flood Hazard Areas**
-  0.2 PCT ANNUAL CHANCE FLOOD HAZARD, X
-  X, AREA OF MINIMAL FLOOD HAZARD; AREA WITH REDUCED FLOOD RISK DUE TO LEVEE, X
-  A
-  AE
-  AH
-  AO
-  V
-  VE



Attachment E: D19 -- Additional Photo of the Property

Attachment F: D21 – Marked and Approved Site Development Plans



2.2. PROJECT ASSESSMENT REQUIREMENTS REPORT ADDRESSING PLANNING AND TECHNICAL REQUIREMENTS

INTRODUCTION

The *Project Assessment Requirements Checklist* included in the *Application for Change of Zoning (CIZ)* instructions lists multiple items to be include in the CIZ application. Line items D7-24 provide a list of assessment parameters which relate to land use, environmental, and infrastructural information which are to be analyzed as part of the CIZ application. This report is intended to satisfy the requirements of the, above, listed line items.

PLANNING AND TECHNICAL ANALYSIS

D7. Analysis of ways in which application conforms to policies and objectives of General Plan, Community Plan and applicable district.

The proposed CIZ request has been reviewed with respect to the Countywide Policy Plan. The following goal, objective, and policies of the Countywide Policy Plan are directly applicable to and supported by the proposed CIZ action.

PROMOTE SUSTAINABLE LAND USE AND GROWTH MANAGEMENT

Goal

Community character, lifestyles, economics, and natural assets will be preserved by managing growth and using land in a sustainable manner.

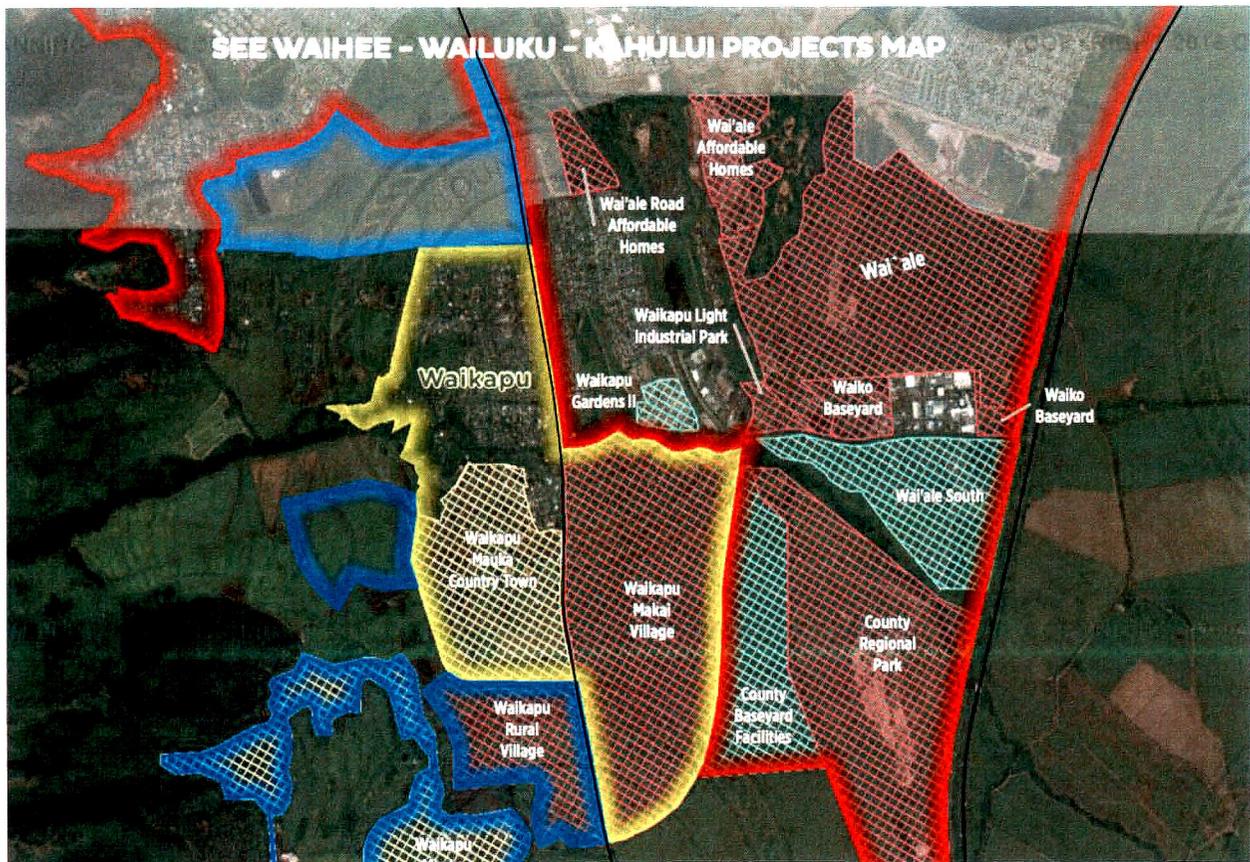
Objective

Improve and increase efficiency in land use planning and management.

Policies

- b. Ensure that new development projects requiring discretionary permits demonstrate a community need, show consistency with the General Plan, and provide an analysis of impacts.
- e. Coordinate with Federal, State, and County officials in order to ensure that land use decisions are consistent with County plans and the vision local populations have for their communities.

Analysis: The purpose of the CIZ is to establish consistency between the property's zoning designation and the current Community Plan designations and existing uses on the property to renovate the main house and keep the storage shed beyond what is currently permitted for the existing non-conforming structure. By doing so, the land use designations and allowed uses for TMK No. (2)3-6-007:010 will be consistent with each other and remove additional hardship for the Applicant, should they decide to further improve the existing dwellings on the property.



The proposed CIZ request has been reviewed with respect to the Wailuku-Kahului Community Plan. The following goals, objectives, and policies of the Wailuku-Kahului Community Plan are directly applicable to and supported by the proposed CIZ action.

GOVERNMENT

LAND USE

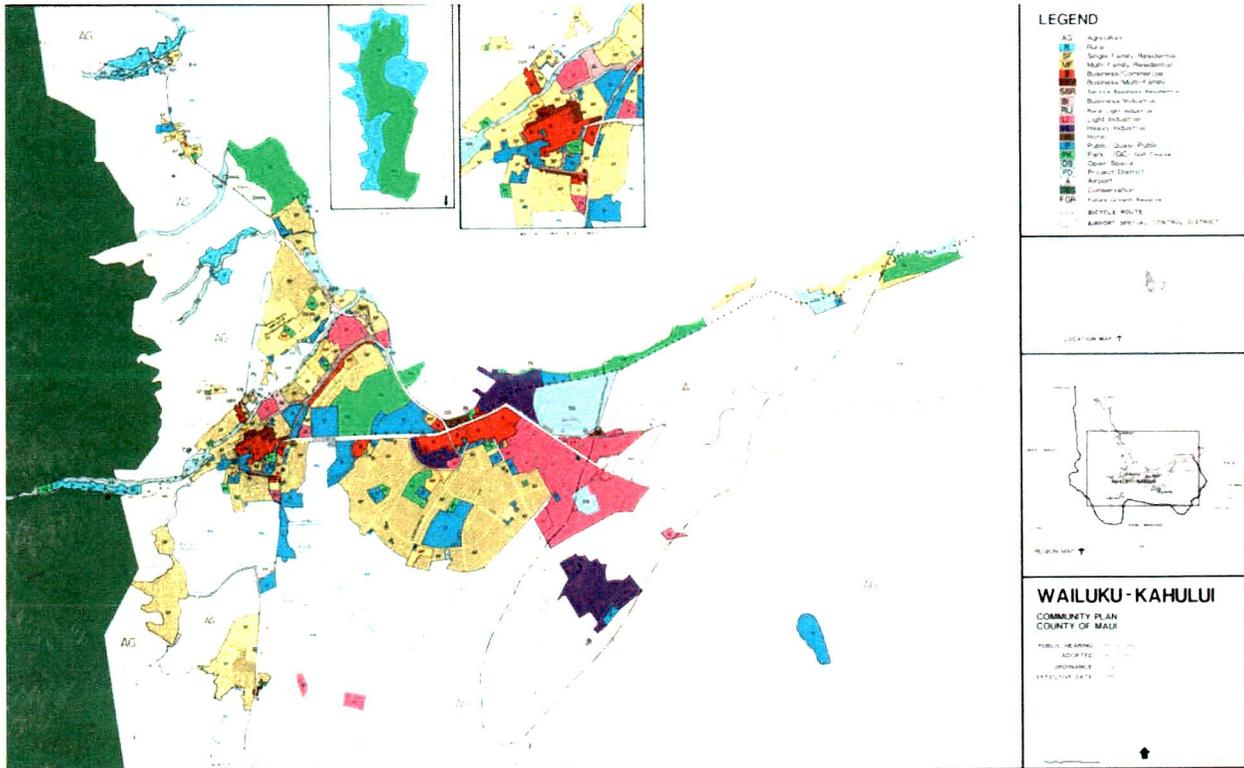
Goal

An attractive, well-planned community with a mixture of compatible land uses in appropriate areas to accommodate the future needs of residents and visitors in a manner that provides for the social and economic well-being of residents and the preservation and enhancement of the region's environmental resources and traditional towns and villages.

Objectives and Policies

10. All zoning applications and/or proposed land uses and developments shall conform with the planned use designations, as specified in the adopted Community Plan Land Use Map, and be consistent with the Community Plan policies.

Analysis: As previously mentioned, the CIZ for TMK No. (2)3-6-007:010 will establish consistency between the property’s zoning designation and the current Community Plan designations and existing uses on the property. This will action will help streamline future requests for improvements to the existing dwellings on the property, since the land use designations—State, County Zoning, Maui Island Plan, Wailuku-Kahului Community Plan—will be consistent with the existing residential use.



D8. Detailed land use history of parcel(s) to include former and existing state and county land use designations, violations and uses.

The parcel involved in the proposed land use request are identified by TMK numbers (2) 3-6-007:010 and owned by Robyn and Brian Garner. The parcel is identified as 1550 Nukuna Place, Wailuku, Hawaii 96793 and is used as a single-family residential property. There are three additional Ohana units which are used as long-term rental properties on the property. The property is designated Urban by the State Land Use Commission and Single-Family Residential by the Wailuku-Kahului Community Plan. Despite these designations and its long-standing use as a single-family residential property, the property is zoned Agricultural by Maui County Zoning. The Agricultural Zoning district has a minimum lot size of two (2) acres. The subject property is less than one (1) acre in size – 30,922 square feet. The property is an existing non-conforming to current ordinances since the structures were built in the 1920s, 1950s, and 1970s when set-back requirements were different or not required. There are no cited violations on the property that the owners are aware of since the homes were built

prior to the county's permitting laws or when ordinance requirements were less detailed. The owners are seeking a R-2, Residential zoning designation to bring consistency with the long-standing use of the property and Community Plan Single-Family designation. The R-2 designation will allow the four (4) existing homes to remain, the main house to be renovated and added 400sqft, and the temporary storage shed to stay in its current location. The R-2 zoning designation would not allow for additional homes on the property to be added beyond what is existing. The subject property is 30,922 sq. ft. and R-2 zoning requires a minimum lot area of 7,500 per dwelling, for a maximum of four (4) dwellings on the property.

D9. Preliminary archaeological and historical data and comments from the Department of Land and Natural Resources (DLNR) and Office of Hawaiian Affairs (OHA). If applicable, a preservation/mitigation plan approved by DLNR and OHA.

There are no surface archaeological features on the property. Current improvements include three Ohana Units being renovated within their current footprint. Additional improvements will include renovations to the main dwelling but will not require significant excavation in connection with the proposed CIZ request.

D10. Analysis of secondary impacts of the proposed use on surrounding uses.

There will not be any secondary impacts to the property value, surrounding housing, community services and facility needs, secondary jobs and employment, and affordable housing. The property will continue to be used as single-family residential property; no additional homes can be built on the property under R-2 residential zoning.

D11. Traffic impact analysis and, if applicable, a traffic master plan with comments from the Department of Transportation (DoT) and the Department of Public Works (DPW).

There will not be any impact to traffic. There are no plans to build new housing on the property. R-2 residential zoning will only permit a total of 4 houses on the property.

D12. If applicable, an assessment of the impact the proposed use may have on agricultural use of the property with comments from the Department of Agriculture (DoA) and Natural Resources Conservation Services (NRCS).

The property is in an urban, residential area of Wailuku. Therefore, the proposed CIZ request will not impact agricultural uses.

D13. Water source, supply and distribution analysis, and, if applicable, a water master plan which includes comments from the DLNR, Department of Water Supply (DWS), and (DPW).

Water demand on the property will not change. Water use will be limited to irrigation of onsite landscaping and normal house-hold usage. No impacts to water system source,

transmission of distribution or distribution systems are anticipated with the proposed CIZ request.

D14. Sewage disposal analysis, and comments, if applicable, from the Department of Health (DoH), DLNR, Department of Environmental Management (DEM), and DWS.

There will be no impacts to wastewater collection and treatment services with the proposed CIZ request as the county does not have sewage services to the property.

D15. Solid waste disposal analysis and comments, if applicable, from DoH, DLNR, DEM, and DWS.

The property is currently allotted six waste disposal bins, per county ordinance, and has been, consistently using four bins. Since there is no intent to add new housing on the property, there will be no change in solid waste generation characteristics associated with the CIZ request.

D16. Identification of environmentally sensitive areas, habitat and botanical features, such as wetlands, streams, endangered plants, etc. and comments, if applicable, from DLNR, US fish and Wildlife Service (USFWS), and US Army Core of Engineers (USACE).

There are no environmentally sensitive areas on the project site; the property is located in a residential area in Wailuku. The Waikapu River is within the 500ft radius of the property, but there are no known endangered plants or wildlife, and current residential zoning is located alongside the Waikapu River. Therefore, the proposed CIZ request will not impact any environmentally sensitive areas.

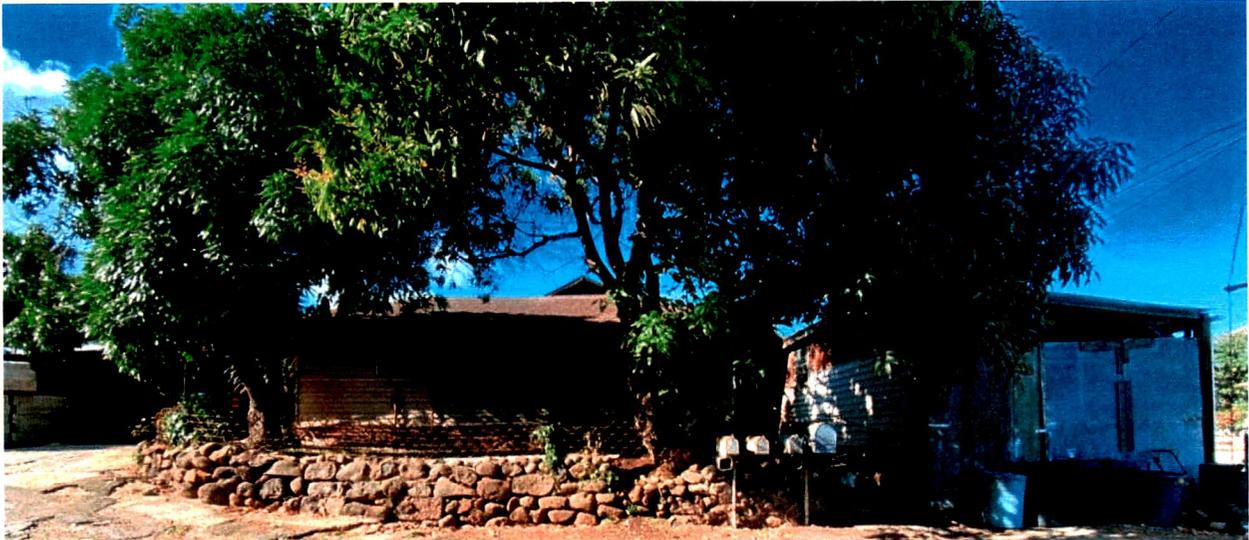
D17. Identification of the existing topographical and drainage patterns and any alterations proposed.

There are no ground disturbing activities associated with the proposed CIZ request. In the future, the existing gravel surfaces of the roadways may be paved. At that time, appropriate storm runoff mitigation measures will be identified and implemented, as applicable.

D18. Identification and summary of all meetings held between Applicant and any community group.

There have been no meetings held between the applicant and any community or residential group. The community within a 500 ft radius has been notified that the change in zoning application was submitted in October 2021; the applicant has not received any requests for meetings or concerns as of 21 February 2022. The proposed CIZ does not involve any change in use for the property. The request is intended to establish land use consistency with the existing uses on the property.

D19. Dated photographs of site structure.



1. Photo taken from Nukuna Place facing the main house. Photo taken 12 September 2021.



2. Photo taken at end of private road facing the three Ohana units. Nukuna place is behind the photographer. Photo taken 12 September 2021.



3. Photo taken at the far end of the property facing the end of the property. The three Ohana units are behind the photographer. Photo taken 12 September 2021.



4. Photo taken from corner of property facing the private road. Ohana Unit B, behind photographer, Ohana Unit A on the left of the picture. Photo taken 12 September 2021.

D22. Operations and management of proposed use which may include: number of employees, housing plan, hours of operations, provisions for off-site parking.

The property is self-managed under the Limited Liability Company, Kamasaki-Garner Properties. There are no employees, as the owners manage the property on their own. There will be no changes in operations or management of the property.

D23. Identification of traditional beach and mountain access trails and additional trails which may be required for public access, and, if applicable, a preservation/mitigation plan and comments from DLNR and OHA.

There are no beaches or mountain access trails in the nearby vicinity of the project site. The property is surrounded by other private properties.

D24. Identification and assessment of chemicals and fertilizers used, and, if applicable, a mitigation plan and maintenance program and schedule, and comments from DoH, DLNT, USFWS, and US environmental Protection Agency (USEPA).

The property is used as single-family residential property. Chemicals and fertilizers are not used on the property. Neighboring properties and surrounding flora and fauna are not affected by the existing use of the property.