

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

Members: Glenn Kunitake (Chair), Lance Holter (Vice Chair), Garret Abe, Kathleen Acks, Harjinder Ajmani, John "Keone" Ball, Uwe Schulz, James Shefte, Warren Shibuya

**AGENDA**

DATE: Thursday, February 9, 2006

TIME: 1:30 p. m.

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

A. CALL TO ORDER

B. APPEALS

1. HALE KANANI ASSOCIATES, LLC, appealing the Director of Parks and Recreation's park assessment fee for (DSA File No. 3.2091) the Hale Kanani residential condominium located at 44 Kanani Road, Kihei, Maui, Hawaii; TMK: 3-9-016:002, 003 & 006. (BVA20050007)
  - a. Report and Order of Hearing Officer

C. MOTIONS

1. HAROLD WILLIAM FERRIS requesting a variance from Maui County Code, Section 16.26.106.5 to delete the requirement to provide legal access to the premises for a building permit for property situated off of Pi'ilani Highway, Kaupo, Hana, Maui, Hawaii; TMK: 1-7-003:014 (BVA20050011).
  - a. Motion to Deem Variance Application Approved

**The Board may execute its right to go into an executive session, pursuant to Chapter 91, Hawaii Revised Statutes, to consult with its attorney regarding its powers, duties, privileges, immunities and liabilities.**

D. APPROVAL OF THE JANUARY 12, 2006 MEETING MINUTES

E. DIRECTOR'S REPORT

1. Status Update on BVA's Contested Cases

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F. NEXT MEETING DATE: February 23, 2006

G. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.

EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

INFORMATION RELATIVE TO THE ABOVE APPLICATIONS ARE AVAILABLE FOR REVIEW AT THE PLANNING DEPARTMENT'S OFFICE LOCATED AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII.

ANY PERSONS REQUESTING ACCOMMODATION DUE TO DISABILITIES, PLEASE CALL THE MAUI PLANNING DEPARTMENT AT 270-7253 OR NOTIFY THE MAUI PLANNING DEPARTMENT IN WRITING AT 250 SOUTH HIGH STREET, WAILUKU, MAUI, HAWAII 96793 OR BY FAX NUMBER 270-7634, AT LEAST SIX (6) DAYS BEFORE THE SCHEDULED MEETING.

ANY FAXES SHOULD BE RECEIVED BY THE DEPARTMENT OF PLANNING BY 4:30 P.M. ON THE SECOND WORKING DAY BEFORE THE MEETING TO INSURE THAT IT IS CIRCULATED TO THE BOARD.

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD TO CONSULT WITH THEIR ATTORNEY ON QUESTIONS AND ISSUES PERTAINING TO THE BOARD'S POWERS, DUTIES, PRIVILEGES, IMMUNITIES AND LIABILITIES.

PLEASE NOTE: If any member of the commission is unable to attend the scheduled meeting, please contact Tremaine Balberdi, Planning Department at 270-7253 at least one day prior to the meeting date.