

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: Lance Holter (Chair), Warren Shibuya (Vice-Chair), Kathleen Acks, Uwe Schulz, Harjinder Ajmani, James Shefte, Randall Endo, William Kamai, Shirley Alapa

AGENDA

DATE: Wednesday, November 22, 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. PUBLIC HEARINGS

1. REALCOMASSOCIATES representing VERIZON WIRELESS for a variance from Maui County Code, §19.24.030 "Height regulation" to allow the installation of a 90-foot stealth monopine tree antenna pole whereas 48 feet or one and one-half times the width of the widest street which it fronts is the height limit (75 feet) within the M-1 Light Industrial District at the Haiku Marketplace located at 810 Haiku Road, Haiku, Maui, Hawai'i; TMK: (2) 2-7-011:050. (BVAV 20060007)
2. AUGUST S. PERCHA, representing ROBERT H. and SANDRA L. CHAMBERS, for a request for a variance from Maui County Code, §19.36.070 to delete the five-foot high wood or concrete masonry fence and landscaping along the parking lot abutting the portion of the property line for the Maui Dive Shop located at 1455 South Kihei Road, Kihei, Maui, Hawai'i; TMK: (2) 3-9-051:015. (BVAV 20060008)

(Due to failure to comply with public hearing requirements, this item has been rescheduled to the December 13, 2006 meeting.)

C. APPROVAL OF THE SEPTEMBER 14 AND 28, 2006, MEETING MINUTES

D. DIRECTOR'S REPORT

1. BRIAN R. JENKINS of BRUMBAUGH & JENKINS representing PHILIP C. AND GLORIA J. FLECK appealing the Director of Public Works and Environmental Management's Notice of Violation for the construction of a dwelling without a building permit for property located at 1405 Middle Road,

Kula, Maui, Hawaii; TMK: 2-2-017:014. (BVA 20050020)

- a. Settlement Agreement Between the County of Maui and Philip Charles Fleck, Jr.
 2. Status Update on BVA's Contested Cases
 3. 2007 Meeting Schedule
- E. NEXT MEETING DATE: December 14, 2006
- F. ADJOURNMENT

AGENDA ITEMS ARE SUBJECT TO CANCELLATION.
EACH APPLICANT IS REQUESTED TO PROVIDE RESPONSIBLE REPRESENTATION AT THE MEETING.

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

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

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

AN EXECUTIVE SESSION MAY BE CALLED IN ORDER FOR THE BOARD 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.