

The Maui Lani Community Association
Design Review Committee (DRC)
Application for Alteration, New Construction or Addition

Applications accepted by appointment only (808-877-0777)

Account Number_____

Date of Application _____ Submitted By_____

Property Address_____

House Square (Sq. Ft.) _____ Unit Square (Sq. Ft.)_____

Owner(s) *All Owners of Record Must Sign*

Name(s)

Name(s)

Mailing Address

Daytime Telephone

Evening Telephone

E-Mail Address_____

Prior to submittal to the DRC:

- Architectural plans are required, and they shall be drawn to a minimum 1/8" scale, shall be prepared or reviewed and stamped by an architect licensed to do business in the State of Hawai'i.
- The use of architects, landscape architects, contractors and engineers currently licensed in the State of Hawai'i is required, unless otherwise determined by the DRC.
- Grading plans are required for ground altering work and they shall be prepared by a licensed engineer.
- Landscape plans are required, and they shall be drawn to a minimum 1/8" scale. They shall also be prepared and stamped by a licensed landscape architect or a licensed landscape contractor prior to submittal to the DRC, unless otherwise determined by the DRC.
- The Maui Lani Community Association Design Review Committee (DRC) will review and respond in writing within 20 business days of the completed application submittal.
- Incomplete applications will be rejected and will cause delays in the review process and may require additional review fees.

Application for New Construction or Addition

Architect LIC # _____ Architect Name (Printed) _____

Company Name _____ Phone/Cell Number _____

Company Address _____ Fax Number _____

Contractor / Landscaper LIC # _____ Name (Printed) _____

Company Name _____ Phone/Cell Number _____

Company _____ Fax Number _____

General Information:

Unit Area _____

Living Area 1st Floor _____

Living Area 2nd Floor _____

No. of Bedrooms _____

No. of Bathrooms _____

Storage Area _____ (60 sq. ft. Minimum)

Garage Area _____

Covered Lanai/Patio _____

Total Living Area _____

(Not to exceed 45% of Unit Square Foot, Less Garage)

Plans: Plans for additions must include detail drawings of any new electric and plumbing.

Description	Sheet No.	Date	Design Review Comments
Site Plan	_____	_____	_____
Floor Plan upper	_____	_____	_____
Floor Plan lower	_____	_____	_____
Roof Plan	_____	_____	_____
Foundation Plan	_____	_____	_____
Elevations	_____	_____	_____

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Description	Sheet No.	Date	Design Review Comments
Grading Plan	_____	_____	_____
Drainage Plan	_____	_____	_____
Landscape Plan	_____	_____	_____
Wall Plan	_____	_____	_____
Details	_____	_____	_____

Exterior Features:

Material and/or Product Information

Roof (Type & Color)	_____

Roof Pitch	_____
Fascia (Type)	_____
Siding (Type)	_____
House Color	Base _____
	Trim _____
	Fascia _____
Doors	Material _____
	Color _____
Garage Door (Material & Color)	_____
Windows	Material _____
	Color _____
Fences/Walls	Material _____
	Color _____

Owner's Signature

Date

Owner's Signature

Date

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Application for New Construction or Addition

Application Checklist

This check list must be completed and included with the application submittal or the application will be rejected.

Step One

- | | | |
|--------------------------|---|-----------|
| <input type="checkbox"/> | Design Review Application | |
| <input type="checkbox"/> | Mandatory Construction Schedule | Exhibit A |
| <input type="checkbox"/> | Construction Rules & Regulations Acknowledgement | Exhibit B |
| <input type="checkbox"/> | Drainage and Erosion Agreement | Exhibit C |
| <input type="checkbox"/> | Contractor Registration Form | Exhibit D |
| <input type="checkbox"/> | Certificate of Compliance (Owner) | Exhibit O |
| <input type="checkbox"/> | Design Review Policy | Exhibit P |
| <input type="checkbox"/> | Submit two (2) sets of preliminary plans prepared by your architect and design team | |

The submittal should include at a minimum:

- ☐ 1. Site plan, including but not limited to (scale 1/8"):
 - **Plans for additions are required to show detail of electric and plumbing**
 - ☐ A. Driveway location
 - ☐ B. Building location (house, garage)
 - ☐ C. Building square footage
 - ☐ D. Roof overhangs
 - ☐ E. Setbacks
 - ☐ F. Pools, spas, equipment rooms
 - ☐ G. Location, type and size of fencing and walls
 - ☐ H. Utility connections
 - ☐ I. Drainage designs
 - ☐ J. Proposed finished Unit grades
 - ☐ K. Proposed A/C Units & trash receptacle screening
- ☐ 2. Floor plan (minimum scale 1/8")
- ☐ 3. All exterior elevations (minimum scale 1/8")
- ☐ 4. Roof plans
- ☐ 5. Roof material and color

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Application Checklist Continued

- ☐ 6. All exterior wall material and colors of body and trim, including samples and brush outs not to exceed 12 X 12
- ☐ 7. Locations of all fences/walls, drawn to 1/8 scale, their materials and color including samples and brush outs not to exceed 12 X 12
- ☐ 8. Landscaping plan, drawn to 1/8 inch scale. Required screening for A/C, trash receptacles, gas tanks, pool and mechanical equipment must be included
- ☐ 9. A non-refundable design review fee as determined by the Design Review Committee (Fee subject to change)

STEP TWO

- ☐ 1. Submit two (2) sets of your Final Plans, as stamped approved by the County of Maui for permits, which the DRC will review to assure conformity to the preliminary plans that were previously approved. The Final Plans submittal shall include at a minimum:
 - ☐ A. Final Working Drawings
 - ☐ B. Landscaping and Irrigation/Wall Plans
 - ☐ C. Specifications
 - ☐ D. Performance and repair bond or deposit
 - ☐ E. Construction Schedule
 - ☐ F. Copies of Building Permits
 - ☐ G. Copies of County Stamped Approved Plans
- ☐ 2. Submit copy of the required building permit(s) to the DRC
- ☐ 3. DRC approval expiration date, _____
(i.e. one year from date of approval)

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Drainage & Erosion Agreement (Exhibit C)

This AGREEMENT is made as of _____, _____ by the undersigned (the "Unit Owner") in favor of Maui Lani Partners ("MLP"), a Hawaii general partnership, and the Maui Lani Community Association (Association) Design Review Committee ("DRC").

A. Unit Owner has submitted its proposed improvements to Unit No. _____, with street address of _____ (the "Unit") to the DRC for review and approval as required under The Master Design Guidelines of Maui Lani ("Guidelines").

B. The Guidelines require Unit Owners submit a drainage plan to the DRC for review and approval; however, the Unit Owner shall be responsible for the proper installation and maintenance of such approved drainage plan and for any remedial work that may be required to correct or prevent damage to the Unit or any adjacent Units or properties as a result of an improper or defective drainage plan or improvements.

C. Unit Owner has agreed to confirm its responsibilities and to indemnify MLP and the DRC as provided herein below.

FOR AND IN CONSIDERATION OF THE PREMISES and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Unit Owner agrees to the following:

1. Unit Owner acknowledges and agrees that Unit Owner shall be responsible for the proper installation and maintenance of such approved drainage plan. Unit Owner, within sixty (60) days of completion of such drainage improvements, shall provide the DRC with written certification from Unit Owner's architect or civil engineer certifying to the DRC that such drainage improvements have been made in accordance with such approved drainage plan.

2. Unit Owner acknowledges and agrees that the approval of the DRC of such drainage plan shall not be deemed to constitute a representation or warranty, whether express or implied, by the DRC or MLP that such drainage plan is free of any defects or is in accordance with sound engineering practices. Unit Owner shall be responsible for the repair, restoration and prevention of any damage or erosion to the Unit or to any adjacent properties caused by improper or defective drainage on or from the Unit and hereby releases and discharges the DRC and MLP from any and all liability relating thereto.

3. Unit Owner agrees to indemnify, defend and hold the DRC and MLP harmless from and against any and all damages, liability, causes of action, claims, complaints, actions, lawsuits, costs and expenses, including reasonable attorneys' fees and costs, arising out of or relating to any improvements constructed, installed or otherwise made to the Unit, including but not limited to, any drainage improvements or drainage plan, whether or not such drainage plan was approved by the DRC.

4. This Agreement shall be governed by the laws of the State of Hawai'i.

IN WITNESS WHEREOF, Unit Owner has executed this Agreement as of the date and year first above written.

Unit Owner Signature

Unit Owner Signature

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Application for New Construction or Addition

Contractor Registration Form (Exhibit D)

Please have your Contractor submit the following information for our files.

Please mail to: Maui Lani Community Association or Fax to: (808) 877-0775
PO Box 1642
Kahului, HI 96733

Contractor License Number _____

Contractor Project(s) _____

Print name of Licensed Company or Person

Address _____

Contractor Name (Print) _____ Signature (required) _____

Name of Office Contact (if applicable)

Office Phone #	Office Fax #
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Site Forman (if applicable)	Forman Cell #
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Company E- Mail address

Project Property Owner(s)

Project Property Address and Unit Number

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CERTIFICATION OF COMPLIANCE BY THE OWNER(S) (Exhibit O)

The undersigned, being the Owner(s) of Unit Account No. _____, located within the Maui Lani Community Association, hereby certifies that:

- a) The undersigned has read, reviewed, and is familiar with the most current Association Design Guidelines, Declaration of Covenants, Conditions and Restrictions, By-laws, Construction Rules & Regulations, the Schedule of Fines, and restriction in the Unit Deed, and is aware that failure to obtain approval, or to follow approved plans, is a violation of the above referenced Association Governing Documents, and may result in the removal of non-conforming alterations, at the Owner's expense, as well as the imposition of fines and penalties.
- b) The undersigned Unit Owners is aware that their licensed professionals are required to review the Association Master Design Guidelines prior to designing and preparing the proposed plan for "construction" as defined in the Design Guidelines. The plan shall be designed and prepared as required by those Guidelines.
- c) The undersigned has examined the County of Maui approved Subdivision map for the Unit and is familiar with any easements or other encumbrances affecting the Unit.
- d) If substantial work has not commenced within one year of DRC approval of new construction, then an application, fee and plans must be re-submitted to the DRC for re-approval.
- e) The DRC does not review and comment upon compliance with Building Codes or any County, State or Federal regulations.
- f) The undersigned has reviewed and is familiar with the plans and information which will be submitted to the Maui Lani Design Review Committee for approval.
- g) The undersigned acknowledges and agrees that approval of the submitted plans by the Maui Lani Design Review Committee shall not necessarily mean they comply with the rules and restrictions described in the Association Design Guidelines, Declaration of Covenants, Conditions and Restrictions, the By-laws or the Unit Deed. The Owner(s) shall pay for corrections due to discrepancies or violations.
- h) The undersigned acknowledges and agrees that approval of the submitted plans by the Maui Lani Design Review Committee shall not necessarily mean that they comply with any ordinances mandated by the County of Maui for the Maui Lani subdivision. The Owner(s) shall pay for corrections due to discrepancies with county requirements.
- i) The undersigned agrees to obtain all necessary building permits as well as final approval of this application before commencing any work.

Owner's Printed Name

Owner's Signature

Date

Owner's Printed Name

Owner's Signature

Date

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DESIGN REVIEW POLICY (EXHIBIT P)

1. The Maui Lani Community Association (Association) Design Guidelines require each Unit Owner to submit an application, review fee, and plans for all new construction, improvements or alterations to a Unit for review and approval by The Association Design Review Committee (DRC) prior to being built and before you submit your plans to the County of Maui for building permits.
2. Plans for alterations submitted for review separately from the original construction application, such as landscape, walls and fences, or revisions to the original plans submitted for review are subject to additional design review fees. The fees are subject to change and the DRC may require additional review fees for complex reviews.
3. The compliance and damage deposit shall not be released until final inspection of all construction including walls and landscaping is conducted and compliance verified by the DRC and Homeowners Association.
4. The Unit Owner must obtain appropriate County permits. A copy of all issued county permits and county stamped approved plans must be submitted to the DRC before final DRC approval will be issued.
5. Excavation diggings must be removed from the Unit and are prohibited from being dispersed on or over the Unit or dumped over the slope bank.
6. Failure of Unit Owner(s) to obtain the proper permits, compliance/damage bonds, and final DRC approval prior to commencement of any construction, layout, staking, soil material delivery, or grading, will result in a fine up to \$10,000.00 issued by the Association to the Owner(s) of record.
7. The Contractor/Owner shall give a two (2) day notice for the following inspections:
 - a. Commencement of Construction
 - b. Staking
 - c. Framing
 - d. Final (Two (2) days prior to occupancy)
8. The following signed pages must accompany the application:

<input type="checkbox"/> CONSTRUCTION RULES & REGULATIONS ACKNOWLEDGEMENT	Exhibit B
<input type="checkbox"/> DRAINAGE and EROSION AGREEMENT	Exhibit C
<input type="checkbox"/> CERTIFICATE OF COMPLIANCE	Exhibit O

Owner's Signature

Date

Owner's Signature

Date

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Notice of Design Review & Inspection Fees Owner(s) - retain this copy for your files

The following are the current Maui Lani Community Association (Association) Design Review Committee (DRC) application & plan review and inspection fees for proposed alteration(s) to a Unit within the Association.

These fees are subject to change at the discretion of the DRC. Fees for additional reviews and/or inspections will be billed directly to the Unit Owners' account.

Minor submittals such as color review, mailbox designs etc. may be exempt from fees at the discretion of the DRC.

The DRC will review and provide a written response to each step of the review process within twenty (20) business days of a complete submittal.

	<u>Application Fees</u>	<u>After the Fact "ATF" Fees *</u>
New Home	\$ 1000.00	\$1500.00
Addition or Renovation	\$ 650.00	\$ 975.00
Pool, Wall, Trellis	\$ 250.00	\$ 375.00
Landscaping etc.	\$ 150.00	\$ 225.00
Minor Revisions	\$ 75.00	\$ 112.50
Solar Inspection	\$ 50.00	

All checks should be made payable to the Maui Lani Community Association.

*The after the fact fees do not include any fines to be imposed by the Board for failure of the Unit Owner to obtain approval for such alterations in accordance with the Association Declaration.

New Home Construction Compliance, Damage, and Repair Deposit

Prior to the start of construction the Association requires the Unit Owner to submit a Compliance, Damage and Repair Deposit of \$4,000 for new home construction within the Association.

Checks for the \$4,000.00 deposit should be made payable to the Maui Lani Community Association.

Deposits are held by the Association without interest until the completion of final inspection by representatives of the Association and the Unit Owner.

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Mandatory Construction Inspection Request (Exhibit A)

Please retain this form for use when construction begins.

Unit Account Number: _____

Property Address: _____

Contact name and phone number: _____
(For inspections)

The Association requires Unit Owners and/or their contractors to keep the Association apprised of the status of an approved project, including the project start date. Once the project is completed the Unit Owner and or their contractor are required to schedule a final project inspection.

This form should be retained by the Unit Owner or their contractor to use to document submittal of the required project start date and request for final inspection (i.e. project status). Failure of the Unit Owner and/or their contractor to notify the Association of the project start date, and failure to schedule a final inspection, will result in a \$100.00 fine being assessed to the Unit Owners' account for each occurrence.

This form may be mailed to P.O. Box 1642. Kahului, HI, 96733, faxed to 808-877-0775, or emailed to admin@mauilanicommunity.com.

Requested dates for construction inspections:

1. Staking Inspection Date: _____
(Notify the DRC office 2 days prior)
2. Rough Framing Inspection Date: _____
(Notify the DRC office 2 days prior)
3. Final Construction Inspection Date: _____
(Notify DRC 2 days prior to occupancy)
4. Final Landscape Inspection Date: _____

Please be advised: 1) A toilet facility and a covered trash receptacle must be in place on all Units prior to the start of construction, 2) Units with homes constructed on either side of the property must provide construction screening, 3) failure of the Unit Owner to install the required items prior to the start of construction will result in a \$100.00 fine imposed against the Unit Owner(s) and withdrawn for the Owner's construction damage and compliance deposit held by the Association.

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