



DIPATTAMENTON MINANEHAN TANO'
 (Department of Land Management)
GUBETNAMENTON GUAHAN
 (Government of Guam)



Street Address:
 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

EDDIE BAZA CALVO
 Governor

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. CAMACHO
 Deputy Director

September 23, 2013

Honorable Senator Tina Rose Muna-Barnes
 Legislative Secretary, 32th Guam Legislature
 155 Hessler Place
 Hagåtña, Guam 96932

12-20-13
 2:52
 VP

Re: **Summary Zone Change Application No. SZC 2013-30**
Lot 22, Tract 1537 Latte Plantation, Municipality of Mangilao;
for Ariel P. and Nona P. Acosta

2013 DEC 23
 AM 9:29

Buenas Yan Hafa Adai, Honorable Senator Tina Muna-Barnes:

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single-Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot 22, Tract 1537, Latte Plantation, Municipality Mangilao from "R-1" (Single-Dwelling) to "R-2" (Multi-Family Dwelling) Zone for proposed construction of Five (5) additional units in addition to existing single-family residence for family and affordable housing rentals.

As such, I have **APPROVED WITH CONDITIONS** the Zone Change.

Your expeditious response on this action is greatly appreciated.

Senseramente,

David V. Camacho
 Acting Director

32-13-1097
 Office of the speaker
 Judith T. Won Pat, Ed. D.
 Date 12/20/2013
 Time 3:05
 Received by:

PCG
 w/Attachment(s):

1. Staff Report and Notice of Action
2. Certifications of Utility Agencies/Application Review Committee (ARC)
3. Zone Change Application with supporting documents
4. Amendment Map No. 70 ; Zoning Map No. F3 67 S40

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

Application No. 2013-30

Ariel P. and Nona P. Acosta

Lot 22, Tract 1537 Latte Plantation, Municipality of Mangilao

Date of Preparation of NOA: September 10, 2013

Page 3 of 6

Relative to the rezoning action, we find that approving the zone change application and project of Mr. and Mrs. Acosta will provide affordable housing rentals for the community of Guam.

Therefore, it is our conclusion that the criteria as cited above has been satisfied.

CONDITIONS OF APPROVAL: Applicant(s) shall:

1. Comply with all permitting Agency Conditions and requirements; and
2. That Building construction Site Development Plan shall show details of structure location, parking layout, landscaping plan, sewage disposal type and connection; and further, that a copy of the floor plans shall be submitted to the Guam Chief Planner; and
3. That any future increase in dwelling units or on the "intensity of use" from the approved revised plans shall require the Applicant to resubmit a new request and the proposed new Site Development Plan to the Chief Planner, Land Management for his reevaluation; and
4. That such reevaluation may include another review by the appropriate Application Review Committee Agency and/or by the Municipal Planning Council to determine the physical, social and environmental impacts of the revised changes; and
5. That under this Zone Change process, it shall not include conversions to: HORIZONTAL PROPERTY REGIMES (under 21 GCA, Chapters 45); TIME SHARE OWNERSHIP (under 21 GCA, Chapter 47); HOTELS/MOTELS; and RESIDENTIAL COMMERCIAL ACTIVITIES SUCH AS LAUNDRY ROOMS, GIFT SHOPS, AND THE LIKE; and TEMPORARY WORKFORCE HOUSING FACILITIES; and
6. That the development be hooked up to public sewer and comply with GEPA's wastewater disposal system requirements and conditions; and
7. That the Development shall be serviced with a Government approved solid waste disposal system or private/commercial trash bin; and
8. That each dwelling unit constructed shall be provided 2-parking stalls.



**SUMMARY ZONE CHANGE
APPLICATION NO: 2013-30
LOT 22, TRACT 1537
MUNICIPALITY OF MANGILAO**



CC-1

Space for Recordation

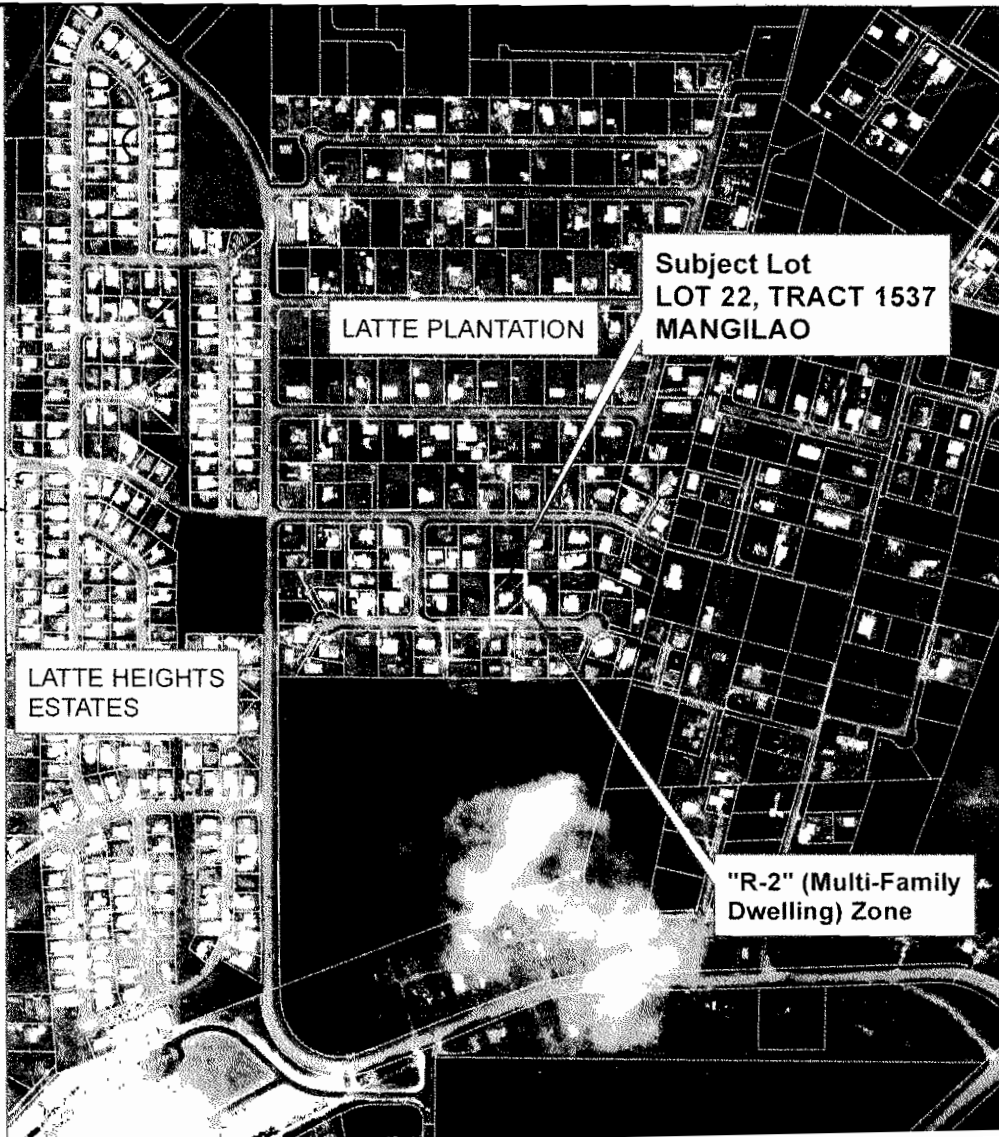
Island of Guam, Government of Guam
Department of Land Management Officer of the Recorder

File for Recordation Instrument No. 856810

Date 13 / 09 / 27 Time 12:52

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder [Signature]



SUMMARY ZONE CHANGE
APPLICATION NO.: 2013-30
APPLICANT: ARIEL P. AND
NONA P. ACOSTA
PREPARED ON MAY 29, 2013

FROM: "R-1" (SINGLE FAMILY
DWELLING)

TO: "R-2" (MULTI-FAMILY DWELLING)

LOT: 22
BLOCK: N/A
TRACT: 1537
MUNICIPALITY: MANGILAO

PLACE NAME: LATTE PLANTATION
SCALE: N/A

AMENDMENT NO.: A-70

ZONING MAP NO.: F3-67S40

[] Approved with Conditions
(As noted on Notice of Action and
Prusuant to Title 21, GCA, Chapter
61 Section 61639 and Executive
Order 92-08)

[Signature] 9/23/13
Date
DAVID V. CAMACHO
Acting Director
Department of Land Management

(Space above for Recordation)

SUMMARY ZONE CHANGE

Department of Land Management
Government of Guam
P.O. Box 2950
Hagåtña, Guam 96932

NOTICE OF ACTION

September 10, 2013

Date

To: Ariel P. and Nona P. Acosta
#136 Kayen Chando Ste A1, PMB 371
Dededo, Guam 96929

Application No. 2013-30

The Director of Land Management Pursuant to 21 Guam Code Annotated, Chapter 61, (Zoning Law), Part 3 (Changes of Zone), §61639 (Summary Procedures for Agricultural and Residential rezoning), and Executive Order No. 92-08:

DEPARTMENT ACTION

N/A / APPROVED

XX / **APPROVED WITH
CONDITIONS**

N/A / Disapproved

ZONE CHANGE REQUEST

N/A / From "A" (RURAL/AGRICULTURAL) TO
"R-1" SINGLE-FAMILY

N/A / FROM "A" (RURAL / AGRICULTURAL) TO
"R-2" MULTI-FAMILY DWELLING .

XX / FROM "R-1" (SINGLE-FAMILY DWELLING) TO
"R-2" MULTI-FAMILY DWELLING IN ORDER TO
CONSTRUCT FIVE (5) UNITS IN ADDITION TO EXISTNG
SINGLE FAMILY RESIDENCE FOR FAMILY AND
AFFORDABLE HOUSING RENTALS ON LOT 22, TRACT
1537, LATTE PLANTATION, MANGILAO

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

Application No. 2013-30

Ariel P. and Nona P. Acosta

Lot 22, Tract 1537 Latte Plantation, Municipality of Mangilao

Date of Preparation of NOA: September 10, 2013

Page 5 of 6

CERTIFICATION OF UNDERSTANDING AND AGREEMENT

I/We Ariel P. and Nona P. Acosta / _____ /
(Applicant [Please print name]) (Representative [Please print name])

I/We _____
(Applicant [Please print name])

Understand and accept the Conditions cited above; and further agree to adhere to all of said Conditions made a part of and/or attached to this Notice of Action as approved by the Director of the Department of Land Management. I/We, acknowledged receipt of this Notice of Action.

I/WE, acknowledged that this Zone Change Approval does not constitute automatic approval or guarantee the issuance of any "**PERMITS**" for the construction of the proposed Development or issuance of any "**LICENSE**" for rentals or leases. I/We further understand that the issuance of any required "**PERMITS**" or "**LICENSE**" shall be contingent on the availability and/or adequacy of infrastructure in the area. Such infrastructure availability and/or adequacy shall be as determined by the appropriate and responsible mandated permitting Agency/Department (i.e., DPW, GEPA, GWA, GPA, PH&SS and GFD, etc).

Signature of Applicant

Ariel P. Acosta
Signature of Applicant

Date: _____

Date: 23 SEPT. '13

ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:

Ariel P. Acosta
Applicant

10/21/13
Date

Representative

Date

**NOTICE OF ACTION
SUMMARY ZONE CHANGE
Ariel P. and Nona P. Acosta**

Application No. 2013-30

**Lot 22, Tract 1537 Latte Plantation, Municipality of Mangilao
Date of Preparation of NOA: September 10, 2013
Page 6 of 6**

Planning Staff Review and Recommendation(s);

1. Frank P. Taitano, Planner IV Approved ___ Disapproved

Comments: Meets requirements of Summary Zone Change in reference to
improvement, access, parking, setbacks, sewage disposal on site stormwater
runoff, den city etc.

Signature Frank Taitano Date: 9-20-13

2. Celine Cruz-Aguilar, Planner III Approved ___ Disapproved

Comments: Site can accommodate additional dwelling units
requested. APC members have no objections. Infrastructure is
adequate to support favorable action to change zone to "R2".

Signature WMM Date: 9/13/13



DIPĀTTAMENTON MINANEHAN TĀNO'
 (Department of Land Management)
GUBETNAMENTON GUĀHAN
 (Government of Guam)



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EDDIE BAZA CALVO
 Governor

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. GAMACHO
 Deputy Director

September 23, 2013

Honorable Senator Tina Rose Muna-Barnes
 Legislative Secretary, 32nd Guam Legislature
 155 Hessler Place
 Hagåtña, Guam 96932

Mailing Address:
 P.O. Box 2950
 Hagåtña, GU 96932

Re: **Summary Zone Change Application No. SZC 2013-30**
Lot 22, Tract 1537 Latte Plantation, Municipality of Mangilao;
for Ariel P. and Nona P. Acosta

Website:
<http://dlm.quam.gov>

Buenas Yan Hafa Adai, Honorable Senator Tina Muna-Barnes:

E-mail Address:
dlmdir@dlm.quam.gov

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single - Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot 22, Tract 1537, Latte Plantation, Municipality Mangilao from "R-1" (Single - Dwelling) to "R-2" (Multi - Family Dwelling) Zone for proposed construction of Five (5) additional units in addition to existing single-family residence for family and affordable housing rentals.

Telephone:
 671-649-LAND (5263)

As such, I have **APPROVED WITH CONDITIONS** the Zone Change.

Your expeditious response on this action is greatly appreciated.

Senseramente,

Facsimile:
 671-649-5383

David V. Camacho
 Acting Director

PCG
 w/Attachment(s):

1. Staff Report and Notice of Action
2. Certifications of Utility Agencies/Application Review Committee (ARC)
3. Zone Change Application with supporting documents
4. Amendment Map No. 70 ; Zoning Map No. F3 67 S40



DIPATTAMENTON MINANEHAN TANO'
(Department of Land Management)
GUBETNAMENTON GUAHAN
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Suite 733 ITC Building
Tamuning, GU 96913

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MONTE MAFNAS
Director

DAVID V. CAMACHO
Deputy Director

September 20, 2013

MEMORANDUM

Mailing Address:
P.O. Box 2950
Hagåtña, GU 96932

TO: Director
FROM: Guam Chief Planner

Website:
<http://dlm.guam.gov>

SUBJECT: SZC Application No. 2013-30; Mr. and Mrs. Ariel P. Acosta

E-mail Address:
dflmdir@dlm.guam.gov

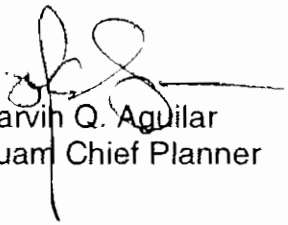
Buenas Yan Hafa Adai:

Submitted is the SZC Packet for your review and action. I have reviewed the Application and concur with the recommendations of the Case Planner and the Panel of Senior Planners for approval with conditions.

I am available should you have additional questions or need further clarification.

Telephone:
671-649-LAND (5263)

Senseramente,


Marvin Q. Aguilar
Guam Chief Planner

Facsimile:
671-649-5383

Attachment: SZC Packet

Director of Land Management
Staff Report- Case No. SZC 2013-30
Ariel P. and Nona P. Acosta
Lot 22, Tract 1537, Latte Plantation, Mangilao
Page 2

- d. Present Zoning. "R-1" (Single-Family Dwelling) Zone;
- e. 1967 Master Plan. None
- f. Community Design Plan. Residential /Low to Medium Density
- g. Surrounding Area. The surrounding area consists of vacant lots, a single family dwellings, residential duplexes, tri-plexes, four-plexes,, retail stores/commercial activities. There are sporadic small farming activities(subsistence) to the east on "A" (Agricultural) zone toward Adacao. A large residential subdivision (Latte Heights) is located on the west within 1,000 feet of subject lot. The proposed development is conducive to the existing land use trend comprising of mix uses of residential single-family, duplexes and multi-family development and commercial activities nearby. The proposed development is not expected to have a major impact to existing infrastructure or immediate surroundings.

3. APPLICATION CHRONOLOGICAL FACTS.

- a. Date Application Accepted: April 2, 2013
- b. Certifications:

DPW: An Official Certification have been received from DPW as of Staff Report Date. Per Planning Staff inspection, the property is accessible from a 60-foot right-of-way fronting the subject lot. DPW advises the applicant to obtain all required permits before any clearing, construction or improvements on said lot. DPW has no objection to the application and proposed development.

GWA: No Official Certification have been received from GWA. Per DLM staff inspection the it was verified that the residence has active sewer and water connections/accounts and meter is located along the right-of-way. DLM advises the applicants to coordinate with GWA Engineering Staff and Customer Service Unit to obtain the required permits and clearances before any construction or additional water meter requirements. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

Director of Land Management
Staff Report- Case No. SZC 2013-30
Ariel P. and Nona P. Acosta
Lot 22, Tract 1537, Latte Plantation, Mangilao
Page 4

4. **DISCUSSION AND ANALYSIS:** The criteria of **PUBLIC NECESSITY, CONVENIENCE and GENERAL WELFARE AND SAFETY** must be justified.
We provide the following:

PUBLIC NECESSITY and CONVENIENCE

The requested zone change is from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) zone for the purpose of allowing the applicants/homeowners for the construction of Five (5) additional units in addition to existing single family residence for family and affordable housing rentals. In this regard, applicant have cited primary purpose for residential uses for family members. One primary purpose of this program (Summary Zone Change) is to allow the property owners to rezone their properties in order to utilize their property in a manner that enhances their livability or livelihood and also to provide affordable housing rental for the community.

We find that the rezoning is required for zoning conformance in order for the Applicants to realize future expansion for increase in density for future rentals to the general public and still provide housing for their siblings and or their immediate families.

GENERAL WELFARE AND SAFETY

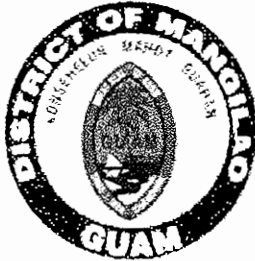
We have concluded our site inspection and did physically find that water, power, sewer, roadways fronting the property. Department of Public Works, Guam Power Authority, and Bureau of Plans and Statistics have submitted their official certification with no objection. That the existing structure is connected to public sewer to ensure a safe environment for the applicants and the adjacent neighbors. While we have not received certification from Guam Waterworks Authority and Guam EPA, we note that access to the property is available. That water and sewer connections are fronting the property. It will be obvious that during the permitting phase, that requirements for new water and sewer connections will be required for the propose development.

Relative to rezoning action, we found no objections from immediate neighbors and or immediate lot owners. The proposed rezoning and development is conducive to the immediate land uses of single-family and multi-family residences within the immediate area and nearby surroundings, all infrastructure are available and we therefore, find that there will be no significant impact on existing infrastructure and surrounding neighborhood.

Nonito "Nito" C. Blas
Mayor

Allan "Al" R.G. Ungact
Vice Mayor

Office of the Mayor Municipality of Mangilao



✓ RECEIVED
AUG 16 2013
Department of Land Management
Time: 10:40 Int: M

August 9, 2013

To: Ariel P. and Nona P. Acosta
Lot 22, Tract 1537
Latte Plantation

From: Nonito C. Blas, Mayor

Subject: Application for Zone Change on Lot No. 22, Tract 1537, Latte Plantation, from an "R-1"
Single Family Residential to "R-2" Multi-Family Residential

The Municipal Planning Council met on August 7, 2013 and reviewed your application. They have no objection to your proposed project, however, they require that this project be connected to a public sewer.


Nonito C. Blas

cc: Guam Land Use Commission

OPTIONAL FORM 99 (7-90)

FAX TRANSMITTAL

of pages ▶ 1

To: Land Management	From: Mangilao Mayor's Office
Dept./Agency: Guam Land Use Commission	Phone #: 734-7557
Fax #: 649-5383	Fax #: 734-4130

NSN 7540-01-317-7368 5099-101 GENERAL SERVICES ADMINISTRATION


P.O. Box 786 Hagatna, Guam 96932

Tel: (671) 734-5731 / 2163 - Fax: (671) 734-4130

The Community of Education, Culture, and Sports

Eddie Baza Calvo
Governor of Guam

Ray Tenorio
Lieutenant Governor

 **BUREAU OF
STATISTICS & PLANS**

SAGAN PLANU SIHA YAN EMEOTMASION
P.O. Box 2950 Hagåtña, Guam 96932
Tel: (671) 472-4201/3 Fax: (671) 477-1812



Lorilee T. Crisost
Director

MAY 15 2013

RECEIVE

5/15/2013

RECEIVED
MAY 15 2013
Department of Land Management
Time: *11:00* Int: *MS*

MEMORANDUM

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: Position Statement on **Application No. SZC 2013-30**; Ariel and Nona Acosta; Lot No. 22, Tract 1537; Latte Plantation, Mangilao; Summary Zone Change; Proposed Use: Residential: 5 additional residential units.

Pursuant to Public Law 21-82, Section 4, as amended by Public Law 21-144, Section 8, the applicants, Ariel and Nona Acosta, are requesting a summary zone change of Lot 22, Tract 1537 in the municipality of Mangilao from an "R-1" Single-family residential to "R-2" multi-family residential. The lot is located in Latte Plantation off of East Pulan Court. Upon rezoning of the subject lot, the applicants intend to construct 5 residential units each having 3 bedrooms and 2 bathrooms measuring 40' x 25' or 1000 square feet. The units will initially be for rentals and in the future for their 3 children. The subject lot has an area of 1,880 square meters or 1/2 acre, and at present, is served by the basic infrastructure of septic tank and leaching field, power and water. Public sewer is available along the access street. The applicants intend to connect to public sewer with the approval of Guam Waterworks Authority. The surrounding land uses consist predominantly of single family residences and some multi-family dwellings located nearby.

Based on our review of the subject application as submitted, the Bureau provides the following comments and/or concerns.

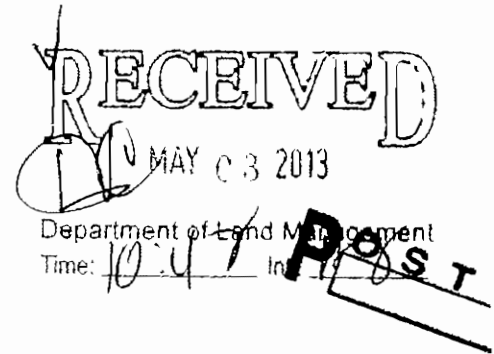
1. Should the zone change be approved, the Bureau recommends that there are measures to ensure that the property will be landscaped in such a way to provide a buffer between the subject lot and the other residential dwellings. This will help reduce storm water runoff in addition to improving the area in order to be aesthetically pleasing. It is recommended that native plants be used in the landscaping.
2. Based on our calculations, the applicant meets the parking requirement on-site for the proposed units. There is a possibility of overflow parking, however we feel it would not be a major impact to the neighborhood.



GUAM POWER AUTHORITY

ATURIDÁT ILEKTRESEDÁT GUAHAN
P.O. BOX 2977 • AGANA, GUAM U.S.A. 96932-2977

April 30, 2013



MEMORANDUM

To: Chairman, Guam Land Use Commission
Executive Secretary, Guam Land Use Commission

From: General Manager

Subject: Lot 22, Tract 1537, Municipality of Mangilao, (Ariel & Nona Acosta); Summary Zone Change Application from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) to construct 5-units in addition to existing residence. **Application No. 2013-30 SZC**

Guam Power Authority has reviewed the application described above and submits the following position statement:

A. Comments and Recommendations Concerning GPA requirements:

1. GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
 - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
 - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
 - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
 - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection.
 - Provide scheduling and magnitude of project power demand requirements for new loads.
 - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
2. Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
3. A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.
4. All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

B. General Comments

GPA has no objection to the request subject to the conditions cited above.


JOAQUIN C. FLORES, P.E.

ASG/arp



DIPATTAMENTON MINANEHAN TANO'
 (Department of Land Management)
GUBETNAMENTON GUAHAN
 (Government of Guam)



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 590 S. Marine Corps Drive
 Suite 733 ITC Building
 Tamuning, GU 96913

EDDIE BAZA CALVO
 Governor

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. CAMACHO
 Deputy Director

May 16, 2013

Honorable Mayor Nito C. Blas
 Mayor of Mangilao
 c/o Municipal Planning Council

Subject: SZC 2013-30 Public Hearing Waiver

Hafa Adai Mayor Blas:

An application has been filed with the Department of Land Management, Division planning by: **Ariel P. and Nona P. Acosta (owners)**, of Lot 22, Tract 1537, La Plantation, Municipality of Mamngilao, under Application No. SZC 2013-30, for a Zo Change from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone I order construct 5 units in addition to existing single family residence for family and rentals.

Pursuant to Public Law 21-144, Section 3 (Waiver of Formal Public Hearing), the Department of Land Management hereby waives the requirement of a formal public hearing and defers any hearing on the application to your Municipal Planning Council (the MPC).

On the basis of the application contents and availability of infrastructure in the immediate area, and that proposed zone change is for residential use and is conducive and consistent to the surroundings, as Director I have waived the requirements of a formal public hearing and have made my final decision to approve the application with conditions. The "R2" Zone is the proper zoning designation for the intended use for residential dwellings.

Please contact Planning Division of this Department at 649-5383 extension 371 should you have questions or need further clarification on the matter.

Thank you for your attention to this matter.

Senseramente,

DAVID V. CAMACHO
 Acting Director

RECEIVED
 3:32 P.M.
 MAY 21 2013
 Elaine Schaub
 MAYORS' COUNCIL
 OF GUAM
 DLM FILE

Attachments: Application No. SZC 2013-30

Project Planner: Penmer C. Gulac

Mailing Address:
 P.O. Box 2950
 Hagåtña, GU 96932

Website:
<http://dlm.guam.gov>

E-mail Address:
dlmdir@dml.guam.g
OV

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383



"ORIGINAL COPY"

SUMMARY ZONE CHANGE

(P. L. 21-82:4 Short Form as Amended by P.L. 21-144:8)

TO: Director, Department of Land Management
c/o Division of Land Planning
Government of Guahan
P.O.Box 2950, Hagatna, Guahan 96932

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a Zone Change.

Information on Applicant:

Name of Applicant: Ariel & Nona Acosta

U.S. Citizen: Yes No

3/15/12
RECEIVED
PLANNING

Mailing Address: 136K Kayen Chando Suite A1 PMB 371 Dededo, Guam 96929

Telephone No.: Business:477-2111 / 648-8012

Home:637-1858

2. Location, Description and Ownership: (NOTE: The maximum lot cannot exceed two (2) acres or 8,093.743 square meters or 87,120 square feet, gross area.)

Subdivision Name: Latte Plantation

Lot(s): 22

Block:

Tract:1537

Lot Area: Acres: 1/2

Square Meters:1,880.00

Square Feet: 20,240.00

Village: Latte Plantation

Municipality: Mangilao

Registered Owner(s): Ariel & Nona Acosta

Certificate of Title No.: n/a

Recorded Document No: n/a

Deed (Gift, Warranty, etc.):n/a

Deed Document No.: 723882 (attached)

3. Current and Proposed Land Use:

Current Use: Single Family Dwelling

Current Zoned: R-1

Proposed Use: Multi-Family Dwelling; to construct
5 units for a total of 6 units

Proposed Zone:R-2

4. Justification Letter: Attach a typed, brief and concise justification (letter format if possible) explaining your intentions and purpose of the Zone Change. Your letter should be addressed to the Director of Land Management.

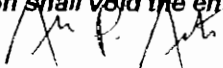
"ORIGINAL COPY"

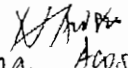
SUMMARY ZONE CHANGE

(P. L. 2182:4 Short Form as Amended by P.L. 21-144:8)

Required Signatures: All legal owners/lessees of designated parcel shall sign form with name(s) typed or handwritten, signed and dated:

I/We hereby certify that all information contained in this application and its supplements are true and correct. I/We also understand that any misrepresentation in this application shall void the entire submission.


ARIEL P. ACOSTA


Nona Acosta

Owner (Print/Sign)

Owner (Print/Sign)

13 MARCH 2013
Date

3/13/13
Date

Representative (if any)

Date

THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION, DEPARTMENT OF LAND MANAGEMENT.

To: Director, Department of Land Management
c/o Land Planning Division, Zone
Change Section Government of
Guahan
P.O. Box 2950
Hagatna, Guahan 96932

Subject: **Summary Zone Change Application on Lot 22 Block Tract 1537
Municipality of Barrigada**

Dear Sir:

Pursuant to Public Law 21-82, (as amended by P.L. 1-144), I am submitting an application for a Summary Zone Change on the above property.

- a. What is the current zone on the property –
"R-1" (Single Family)
- b. Who currently owns the property?
Ariel & Nona Acosta
- c. How did you acquire the property?
Purchase (see warranty deed)
- d. What is currently on the property?
Single-family, one storey three (3) bedroom, two (2) bath wherein owners are currently residing with their 3 children.
- e. Is/Are your structure(s) serviced public sewer or by an individual septic tank/leaching field?
By individual septic tank / leaching field but public sewer is available along the road fronting the property; will be connecting to public sewer with the approval of GWA.
- f. What are your intentions or plans? Reason you are applying for a zone change?
To build a multi-family dwelling initially as rental property and for future dwellings of children.
- g. Surrounding Uses: Briefly identify other types of uses or structures in the immediate vicinity surrounding your property (i.e., to the north is a duplex, to the south is a retail store, or vacant, etc.).
Housing units within 500 feet radius are mostly single family dwellings with some duplex units. Most of the original R-1 ½ acre lots were subdivided into 2 lots.
Within the 500 feet radius, 27 out of the 30 original ½ acre lots were subdivided into 2 R-1 lots wherein single family dwellings were built with some duplex housing. Outer range of the south side is an A zoned vacant lot.

Within the 500 to 750 feet radius range from the subject lot, mostly the same as above with the exception of east side where there are a couple of A zoned lots while south side is A zoned vacant lot as mentioned above.

Within the 750 to 1000 feet radius range, east side are A zoned, south side is A zoned vacant lot, north are R-1 zoned while far west are PUD zoned (Latte Heights Estates). On the NW side, 1 lot facing Rt 26 was rezoned to Commercial.

- h. Topography: Describe the topography of your property.

Relatively flat.

- i. Soil Composition: Very briefly describe your soil using layman's language. (i.e., rocky, clay, sand, mixed, etc.)

Top portion is borrowfill from original development; clay with small rock mix.

- j. Access: Describe the legal access to your property.

60 foot right of way with approx. 25 foot wide paved road, with public sewer and public storm drain.

- k. All others: Lastly, mention any other attributes of your property that will help us evaluate your application.

Subject lot has the major elements required by an R-2 zone. Size of lot, existing access and availability of public sewer and public stormdrain. As for its intended use to build multi-family dwelling, it is consistent with its surrounding use - single or duplex housing units in mostly ¼ acre lots and some subdivision lots. Development of the proposed multi-family dwellings will be within the requirement of GovGuam agencies such as parking, setbacks, recreation area and utility capacity.

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[Handwritten signature]



WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME. GREETINGS:

FILOMENO L. MANCAO and CORAZON MANCAO, whose mailing address is **131 East Pulan Court, Latte Village, Mangilao, Guam 96913**, hereinafter referred to as "**GRANTOR**", for TEN DOLLARS (\$10.00) and other good and valuable consideration paid by **ARIEL P. ACOSTA and NONA P. ACOSTA**, whose mailing address is **PMB 371, 136D Kayen Chando, Ste. A-10, Dededo, Guam 96929**, hereinafter referred to as "**GRANTEE**", does hereby grant, bargain, sell and convey unto GRANTEE, and GRANTEE'S heirs, administrators, executors, successors and assigns, in fee simple, the following described real property in the MUNICIPALITY OF **BARRIGADA**;

Lot 22, Tract 1537, Barrigada, Guam, Estate Number 57059, Suburban, as said Lot is described in that Agricultural Subdivision of Tract 1537 (Formerly Lot 5353-4-R1), as shown on Drawing Number EBM79-15, as L.M. Check Number 297 FY 79, recorded on 01 June 79 under Instrument No. 302883 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 1,880± square meters or 20,240± square feet.

Last Certificate of Title Number: 68017 - Felomeno L. Mancao and Corazon Mancao.

GRANTOR:

Filomeno Mancao
FILOMENO L. MANCAO

GRANTOR:

CORAZON MANCAO

Filomeno Mancao
Corazon Mancao
BY: FILOMENO L. MANCAO
ATTORNEY-IN-FACT
INSTR# _____

GUAM U.S.A.)
) ss
CITY OF TAMUNING)

ON THIS 7th day of April 2006, before me, a Notary Public in and for Guam U.S.A., personally appeared **FILOMENO L. MANCAO, Individually, and FILOMENO L. MANCAO, as Attorney-in-Fact for and on behalf of CORAZON MANCAO,** and he acknowledged to me that he executed the foregoing **WARRANTY DEED,** as his voluntary act and deed for the purposes therein set forth.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year first above written.

Claire M. Manglona
NOTARY PUBLIC
My commission expires:

CLAIRE M. MANGLONA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: June 24, 2009
Orleans Pacific Plaza
865 S. Marine Corps Drive, Suite #202B
Tamuning, Guam 96913

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Deputy Notary Public
AFFIDAVIT OF TRANSFEREE



WE, **ARIEL P. ACOSTA** and **NONA P. ACOSTA**, being first duly sworn, depose and say:

1. That we are husband and wife.
2. That we have purchased the below described property by a Warranty Deed.

Lot 22, Tract 1537, Barrigada, Guam, Estate Number 57059, Suburban, as said Lot is described in that Agricultural Subdivision of Tract 1537 (Formerly Lot 5353-4-R1), as shown on Drawing Number EBM79-15, as L.M. Check Number 297 FY 79, recorded on 01 June 79 under Instrument No. 302883 at Land Management.

For informational purposes only, the above referenced map indicates the property contains an area of 1,880± square meters or 20,240± square feet.

Last Certificate of Title Number: 68017 - Felomeno L. Mancao and Corazon Mancao.

3. We have acquired the property **as joint tenants with rights of survivorship.**
4. That this Affidavit is made for the purpose of complying with the requirements of Title 21 Guam Code Annotated 29158.

ARIEL P. ACOSTA

NONA P. ACOSTA

Subscribed and sworn before me this 29th day of March 2006, by **ARIEL P. ACOSTA** and **NONA P. ACOSTA**.

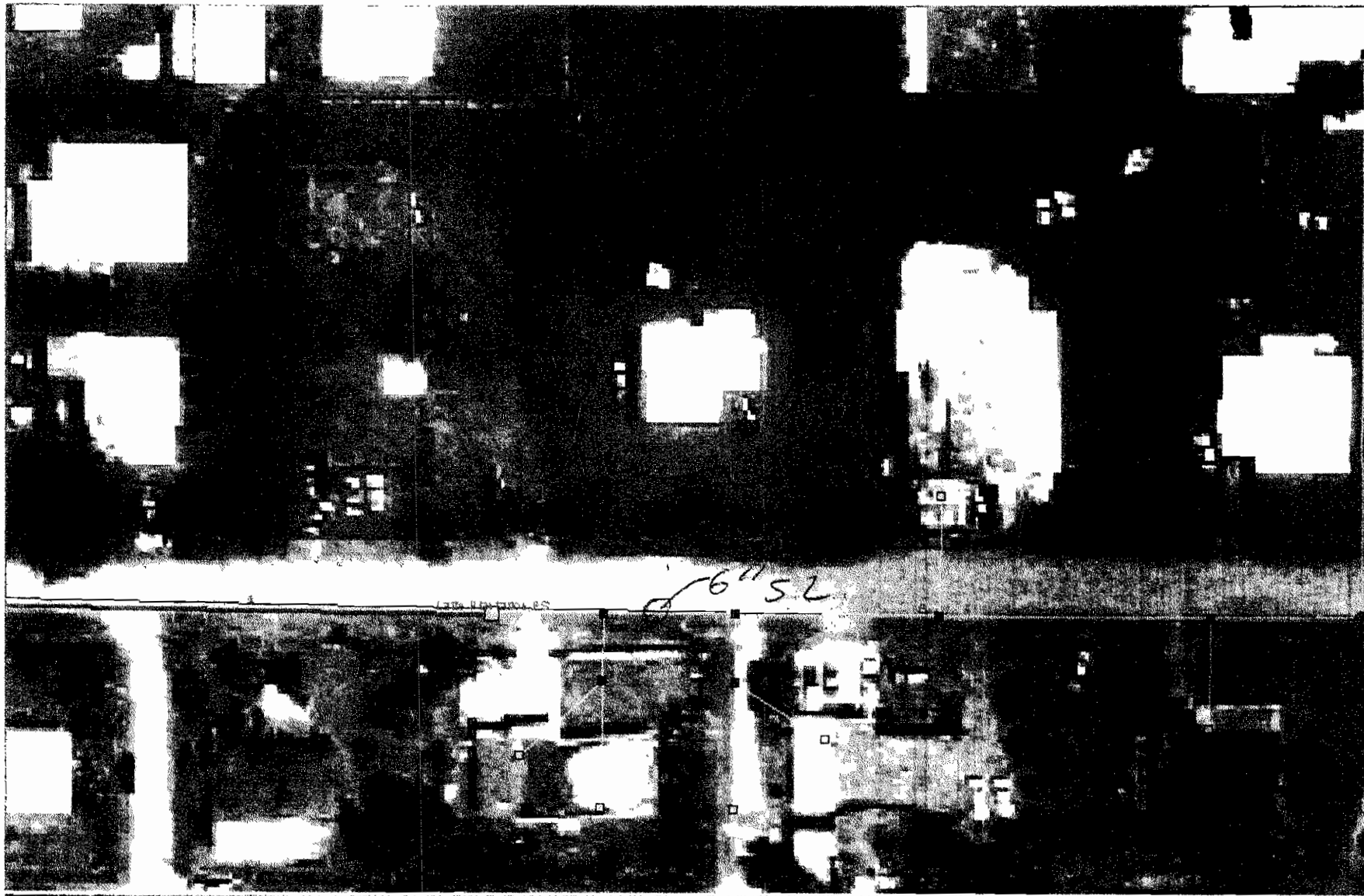
NOTARY PUBLIC
My commission expires:

LIA JOSHUA DUNGCA
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: October 7, 2007
P.O. Box 933 Hagatña, Guam 96932



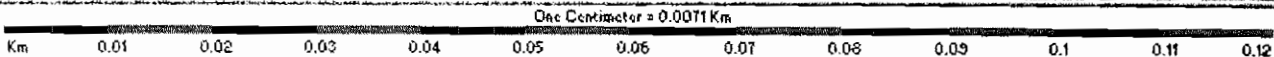
Local | WWW |

- SERVICE
 -
- PUMPSTATION
 -
- PLANT
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- MANHOLE
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- FITTINGS
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- DISCHARGE
 -
- SEWERLATERA
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- GRAVITYLINE
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- FORCEMAIN
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- SEWERMAIN
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- HOUSE_NUMBE
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- LANDMARKS_PI
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- LAND_PARCELE
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- CONTOURS_PR
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- STREETS_UP
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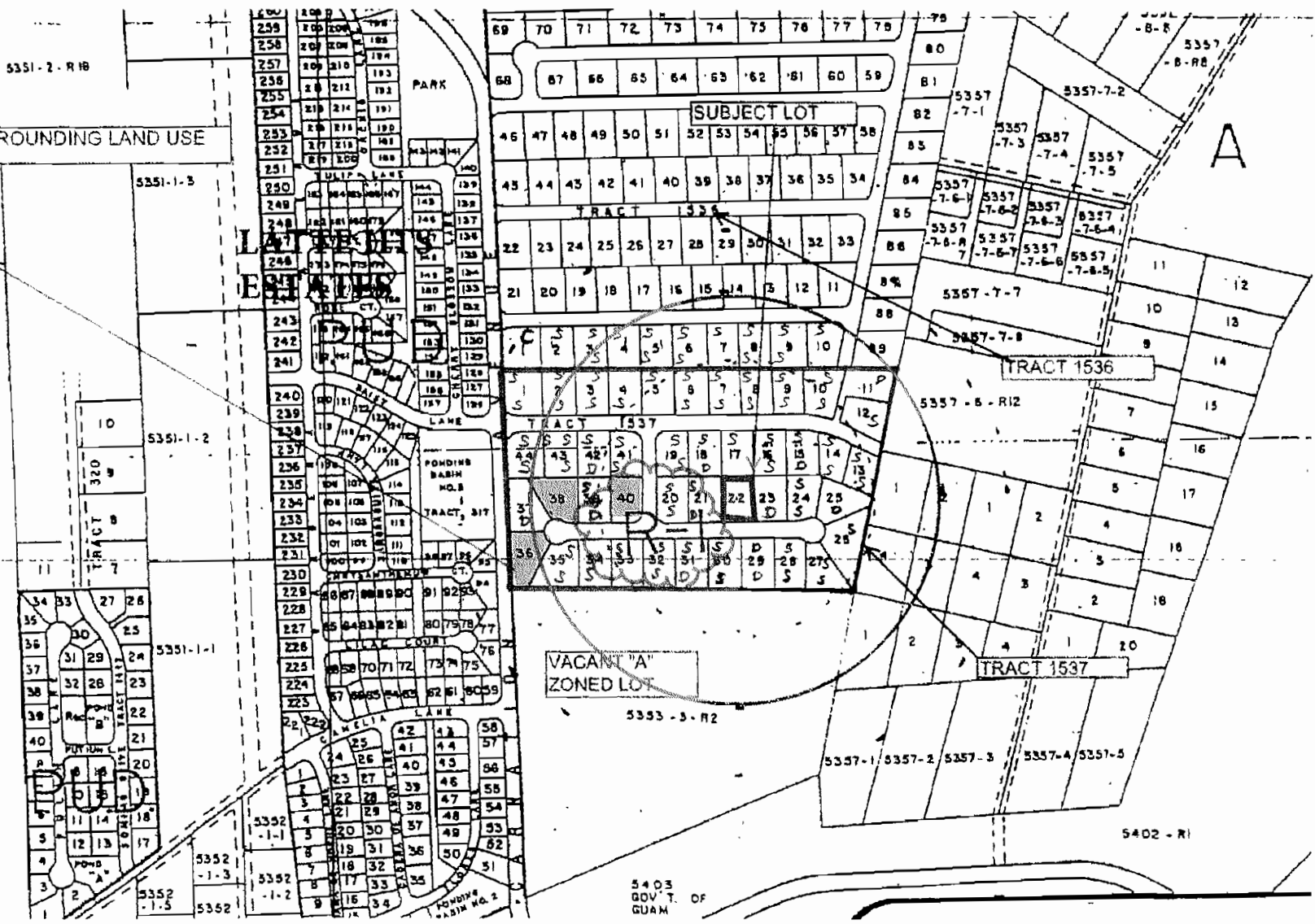
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Y: 1492543.3646

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- R-2
- Single Family S
- Duplex D
- Commercial C

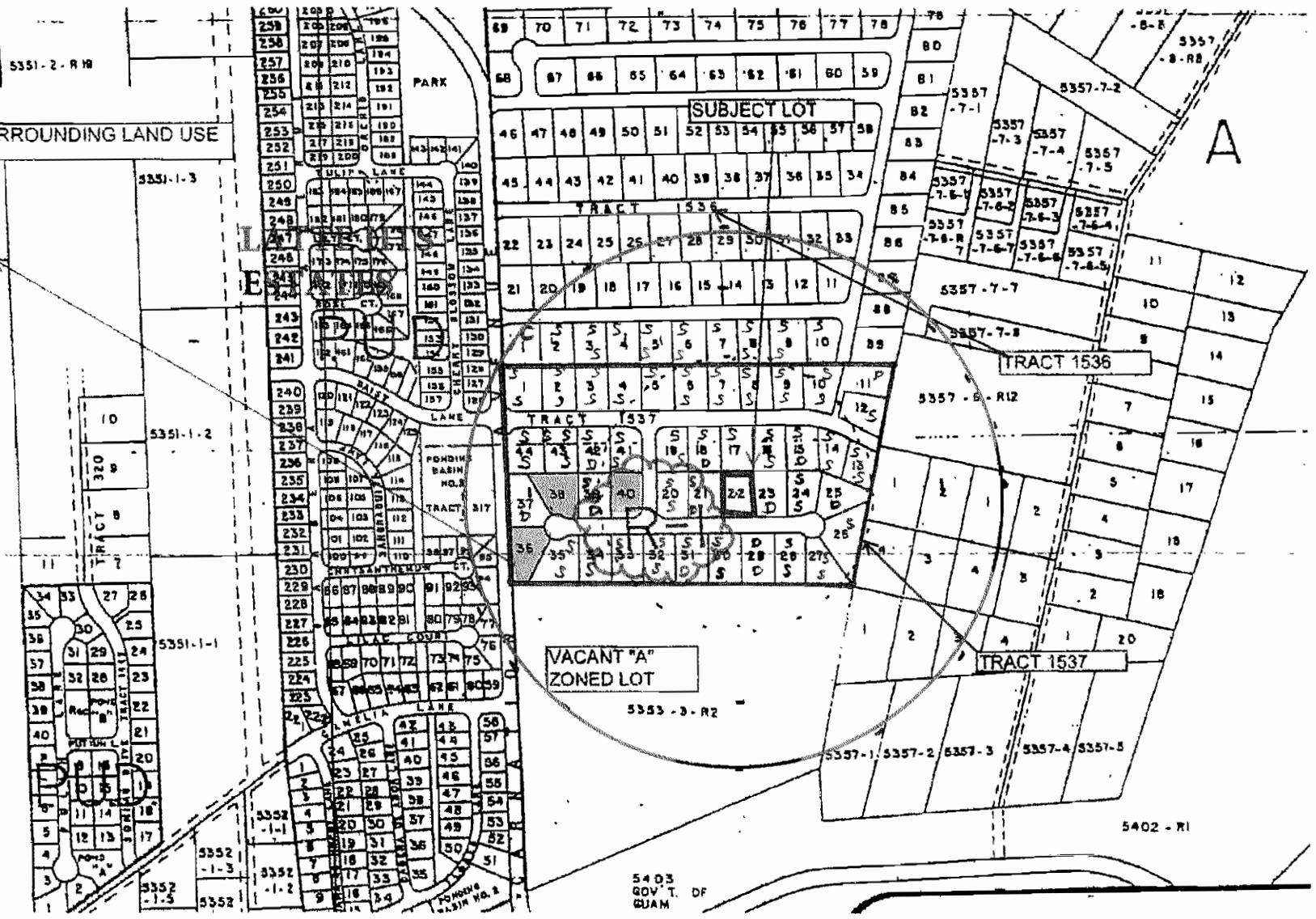
750' RADIUS SURROUNDING LAND USE

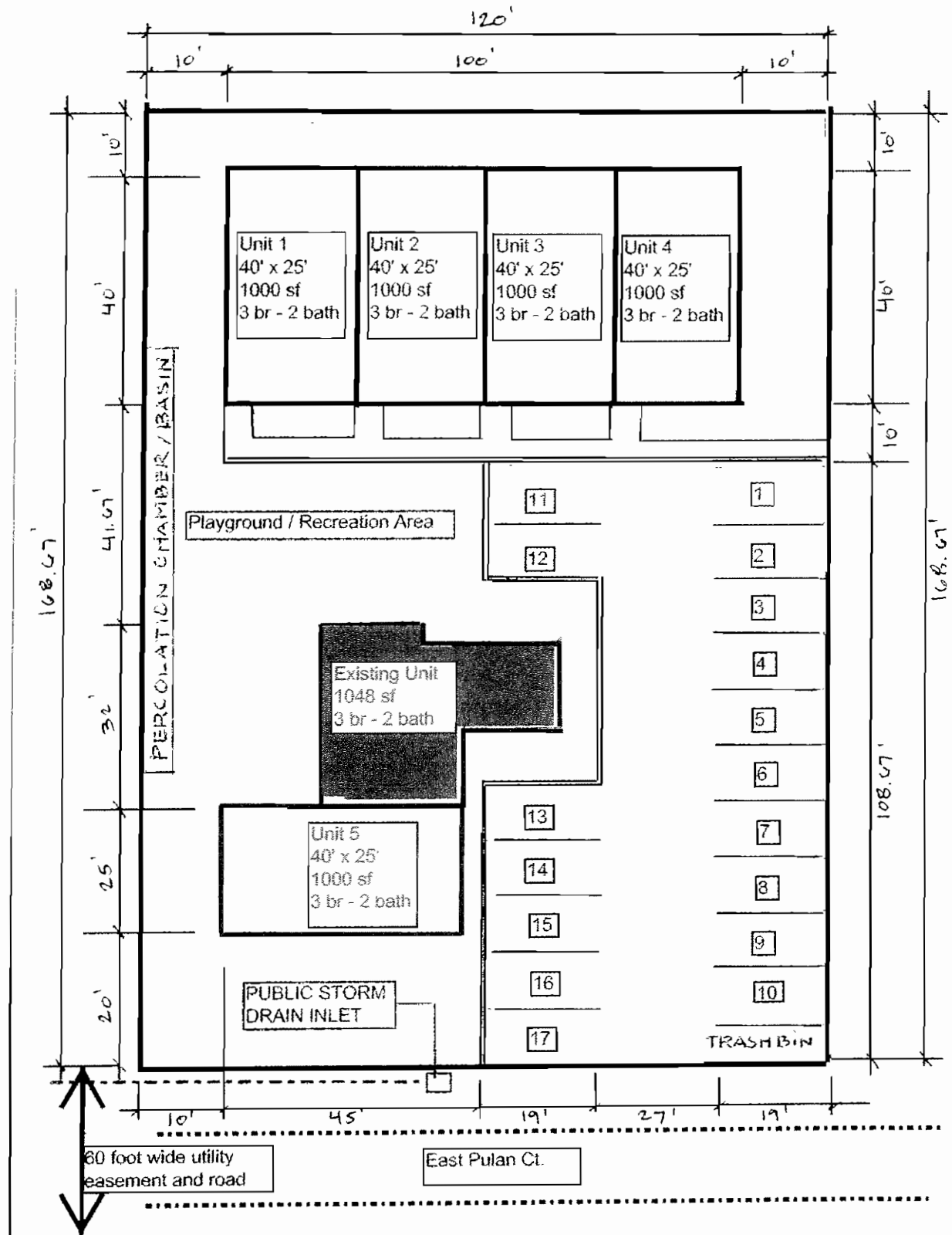


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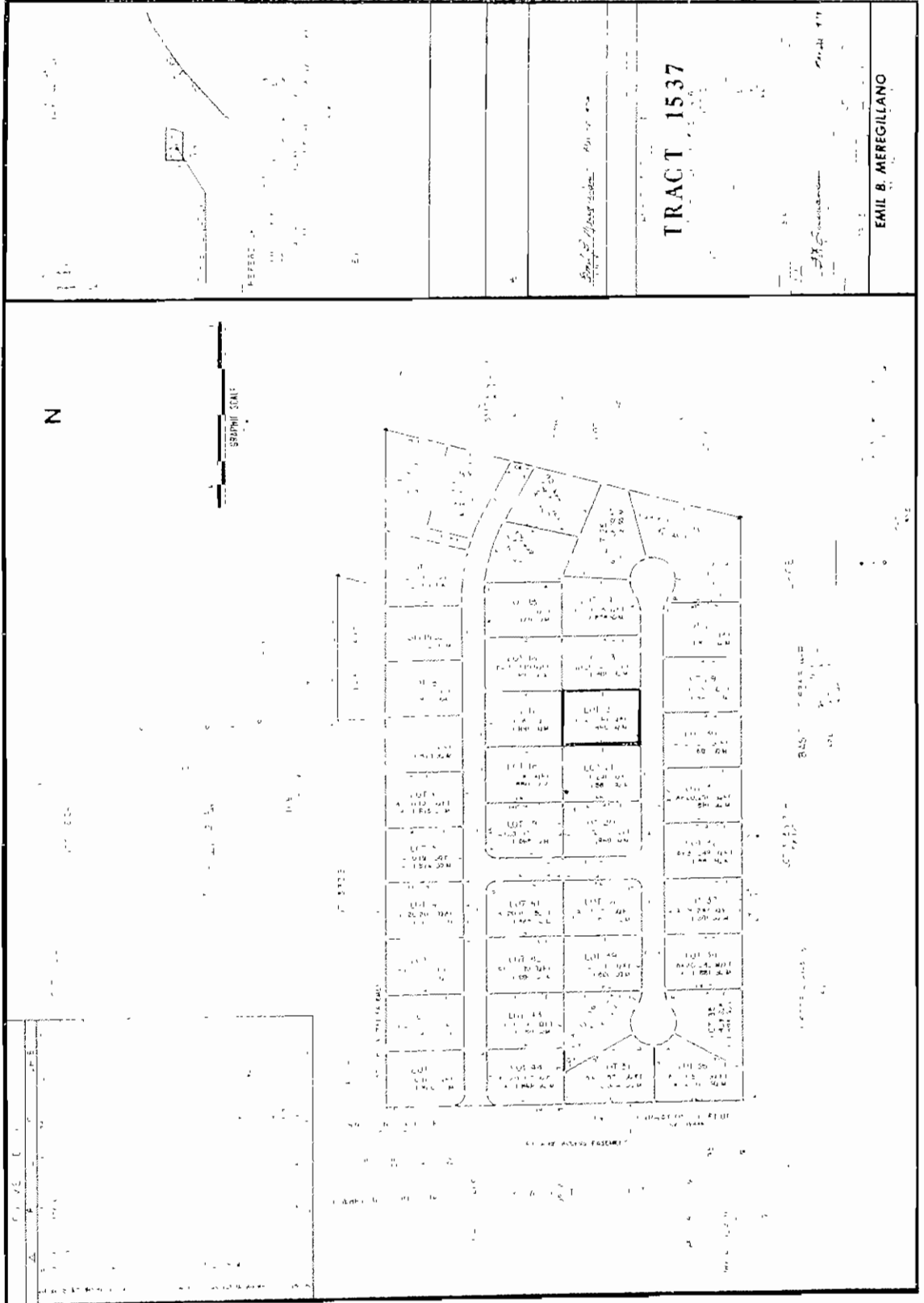
1000' RADIUS SURROUNDING LAND USE

- R-2
- Single Family S
- Duplex D
- Commercial C





SITE PLAN



LETTER OF SUPPORT

Director, Department of Land Management
c/o Land Planning Division, Zone Change Section
Government of Guahan
P.O. Box 2950
Hagatna, GuAhan 96932

Re: Support of Summary Zone Change for **Ariel & Nona Acosta** on **Lot 22 Tract 1537** in the Municipality of **Barrigada**.

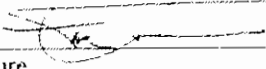
Dear Sir

I (*Print Name*), PATRIGIO M. GOMEZ a resident/property owner have been advised that **Ariel & Nona Acosta**, owner of **Lot 22 Tract 1537** and a long time resident of this village of Mangilao, has applied for a Zone Change with your Department under the "**Fast Track Zone Change Program**" (P.L. 21-82:4). They plan to build a multi-family housing units to provide for their children. I want to go on record supporting their application as acknowledged by my signature below

I have known **Ariel & Nona Acosta** for **7 years** and believe that both are of good moral character, responsible and dedicated to both his/her family and community. I believe that their plans to develop their property will benefit the neighborhood and will not be detrimental in any way

Lastly, as a resident of Guahan, I strongly feel that **Ariel & Nona Acosta** should be given the opportunity rarely afforded to the average resident of Guahan, but is all too often afforded to developers.

Therefore, I stand in support on his/her Zone Change Application

Signature 

03-10-13
Date

10:56
Time

ATTACHMENT 4

PETITION IN SUPPORT

We the undersigned have been advised that Mr/Mrs/Miss ARIEL § NONA ACOSTA owner of Lot 22 Block Tract 1537, Municipality of BARRIGADA, has applied to rezone their property from " " () " " () according to Public Law 21-82, Section 4, as amended by Public Law 21-144, Section 8.

We understand that Mr/Mrs/Miss ARIEL § NONA ACOSTA has complied with all Government requirements for rezoning, including their application directed to the Municipal Planning Council for their review and preparation of the MPC Resolution.

It is the applicant's intention to establish MULTI-FAMILY UNITS FOR FAMILY § RENTAL

In light of the above I am in support of this Zone Change, Application No. filed with the Department of Land Management as acknowledged by my signature below.

Name (Print)	Signature	Lot/Block/Tract	Resident Of	Both
TSUGUMI DUDA		21	MANGILAO	
MARGARITA		18	MANGILAO	
JINGELIN RODRIGUEZ		31	MANGILAO	
OLIVIA I. BLECHER		31	MANGILAO	
ELEASER COLLADO		29b	MANGILAO	
WILMA PATARO		23	MANGILAO	
CANDILARA MADRANO		28a	MANGILAO	
TOMMY SAIDS		24	MANGILAO	
NOEL FAZIAN		25 A	MANGILAO	
PAUL M. GOMEZ		29A	MANGILAO	
JAIIME BADONG		33	MANGILAO	