



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

RAY TENORIO
 Lieutenant Governor

MONTE MAFNAS
 Director

DAVID V. CAMACHO
 Deputy Director

April 25, 2013

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

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

Re: **Summary Zone Change Application No. SZC 2013-27**
Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong-Toto-Maite;
for Jantzen P. Pueyo

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

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 121-1A-2-R2, Mongmong, Municipality Mongmong-Toto-Maite "R-1" (Single - Family Dwelling) to "R-2" (Multi - Family Dwelling) Zone to allow an existing Duplex and for future expansion to 4-units for family and for rentals.**

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

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

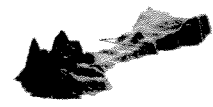
Your expeditious response on this action is greatly appreciated.

Senseramente,


 David V. Camacho
 Acting Director

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. 33 ; Zoning Map No. F3 67 S50



416

Judith T. Won Pat, Ed. D.
 Office of the Speaker
 Date 5/16/13 32-13-416
 Time 2:05 PM
 Received by Faith

2013 MAY 16 PM 2:44
 Office of the Legislative Secretary
 Senator Tina Rose Muna-Barnes
 Date 5-16-13
 Time 1:41 PM
 Received by RD



SUMMARY ZONE CHANGE
APPLICATION NO: 2013-27

COPY



LOT 121-1A-2-R2

MUNICIPALITY OF MONGMONG TOTO MAITE

Space for Recordation

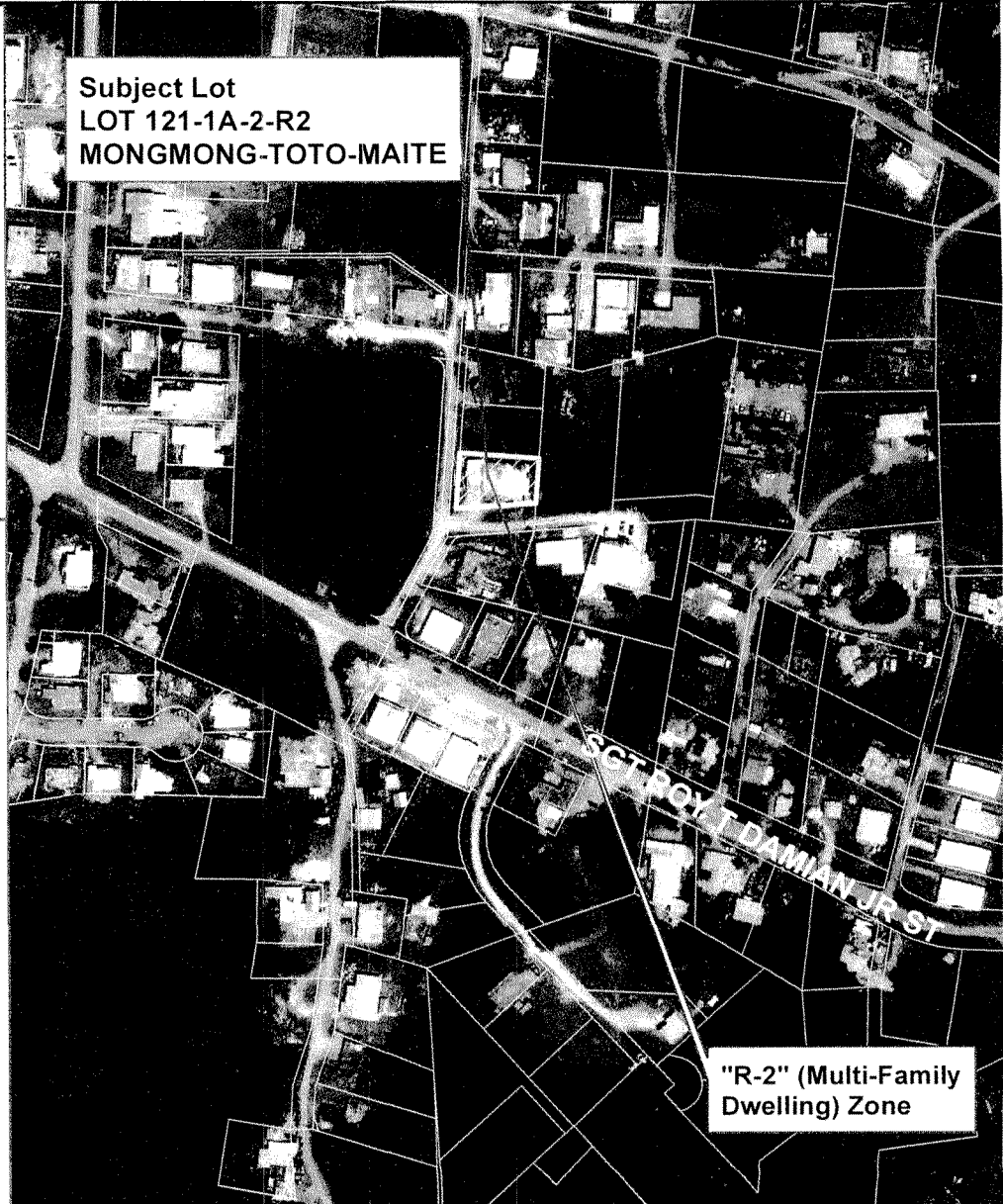
Island of Guam, Government of Guam
Department of Land Management Officer of the Recorder

File for Record is Instrument No. **851159**

On the Year 13 Month 05 Day 01 Time 12:16

Recording Fee **DE-OFFICIO**

Deputy Recorder Lisa O. Manggar



Subject Lot
LOT 121-1A-2-R2
MONGMONG-TOTO-MAITE

"R-2" (Multi-Family Dwelling) Zone

SUMMARY ZONE CHANGE
APPLICATION NO.: 2013-27
APPLICANT: JANTZEN PUEYO
PREPARED ON APRIL 24, 2013

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

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

LOT: 121-1A-2-R2
BLOCK: N/A
TRACT: N/A
MUNICIPALITY: MONGMONG-TOTO-MAITE
PLACE NAME: N/A
SCALE: N/A
AMENDMENT NO.: A-33
ZONING MAP NO.: F3-67S50

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

David V. Camacho 4/25/13
DAVID V. CAMACHO Date
Acting Director
Department of Land Management

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

File for Record's Instrument No. 851159

On the Year 13 Month 05 Day 01 Time 1:16
DE-OFFICIO

Recording Fee _____ Receipt No. _____

Deputy Recorder Sisa Q Manggur

(Space above for Recordation)

SUMMARY ZONE CHANGE

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

NOTICE OF ACTION

April 19, 2013

Date

To: Jantzen P. Pueyo
Represented by Samuel Q. Pueyo
P.O. Bos 10005
Tamuning, Guam 96931

Application No. 2013-27

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

NA / 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
ALLOW AN EXISTING DUPLEX AND FOR FUTURE
EXPANSION 4-UNITS FOR FAMILY AND RENTALS.
(Lot 121-1A-2-R2, Mongmong)

N/A / OTHER:

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

Application No. 2013-27

Jantzen P. Pueyo

Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong-Toto-Maite

Date of Preparation of NOA: April 19, 2013

Page 2 of 5

1. APPLICATION SUMMARY:

Mr. Jantzen P. Pueyo, the owner, requests approval for rezoning Lot 121-1A-2-R2, Mongmong from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to allow an existing residential duplex and for future expansion to four (4-) units) for family and rentals.

2. JUSTIFICATION : 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 to "R-2" for the purpose of putting into compliance an existing residential duplex for family and proposed increasing density to and accommodate additional dwellings for future rentals. In this regard, applicants have cited primary purpose for residential uses for their children family. 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 unlike those major zone changes that result in major developments.

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

GENERAL WELFARE AND SAFETY

We have concluded our site inspection and did physically find that water, power, sewer, roadways and other utilities are existing and available fronting the property. Guam Power Authority have submitted their certification and have no objections. While we have not received certification from Guam EPA, GWA, and DPW, we note that water and sewer are fronting the property. It will be obvious that during the permitting phase, that requirements for water and sewer connections will be required for the propose development on the subject lot.

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

Application No. 2013-27

Jantzen P. Pueyo

Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong-Toto-Maite

Date of Preparation of NOA: April 19, 2013

Page 3 of 5

Relative to the rezoning action, we find that there are no objections to the request. Submitted and made a part of this Report is the Municipal Planning Resolution (MPC) and stated their support for the application, that the zone change will allow for conformance and will not have any detrimental impact on the community, and will further provide housing for their family and the general public.

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

3. DIRECTORS'S DECISION: APPROVED WITH CONDITIONS

4. CONDITIONS OF APPROVAL: Applicant(s) shall:

- a. Comply with all permitting Agency Conditions and requirements; and
- b. That the revised 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
- c. 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
- d. 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
- e. 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
- f. That the development be hooked up to public sewer and comply with GEPA's wastewater disposal system requirements and conditions; and

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

Application No. 2013-27


Jantzen P. Pueyo

Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong-Toto-Maite

Date of Preparation of NOA: April 19, 2013

Page 4 of 5

- g. That the Development shall be serviced with a Government approved Trash Receptacle; and
- h. That each dwelling unit constructed shall be provided 2-parking.



Marvin Q. Aguilar
Guam Chief Planner

4/28/2013
Date



David V. Camacho
Acting Director

4/25/13
Date

ATTACHMENTS

Cc: Building Permits Section, DPW (Attn: Administrator or Designee)
Real Property Tax Division, Department of Revenue and Taxation

✶ Case Planner: Penmer Gulac

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

Application No. 2013-27

Jantzen P. Pueyo

Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong-Toto-Maite

Date of Preparation of NOA: April 19, 2013

Page 5 of 6

CERTIFICATION OF UNDERSTANDING AND AGREEMENT

I/We _____ / Samuel Pueyo
(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 (s) Signature of Representative

Date: _____ Date: 4/25/13

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

Applicant Date Representative 4/25/13
Date

NOTICE OF ACTION
SUMMARY ZONE CHANGE

Application No. 2013-27

Jantzen P. Pueyo

Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong-Toto-Maite

Date of Preparation of NOA: April 19, 2013

Page 6 of 6

Planning Staff Review and Recommendation(s);

1. Frank P. Taitano, Planner IV Approved Disapproved

Comments: in good form/context, justification provided

Signature Frank Taitano Date: 4-24-13

2. Marvin Q. Aguilar, Planner III Approved Disapproved

Comments: ... find setled upon w/o other issues

Signature MA Date: 4/25/2013

3. Celine Cruz- Aguilar, Planner III Approved Disapproved

Comments: Applicant provides justification for zone change that demonstrates public necessity and convenience and general welfare.

Signature CA Date: 4.24.13



DIPATTAMENTON MINAN JANTZEN 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

RAY TENORIO
 Lieutenant Governor

MONTE MAFNAS
 Director

DAVID V. CAMACHO
 Deputy Director

April 25, 2013

MEMORANDUM

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

TO: Acting Director
FROM: Guam Chief Planner

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

**SUBJECT: SZC Application No. 2013-27;
 Jantzen P. Pueyo**

Buenas Yan Hafa Adai:

E-mail Address:
llmdir@dlm.guam.gov
ov

Submitted is the Summary Zone Change 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,

Facsimile:
 671-649-5383


 Marvin Q. Aguilar
 Guam Chief Planner, Acting

Attachments





DIPATTAMENTON MINANE' ON TANO'
 (Department of Land Management)
GUBETNAMENTON GUAHAN
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 Governor

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. CAMACHO
 Deputy Director

March 25, 2013

Honorable Mayor Andrew C. Villagomez
 Mayor of Mongmong-Toto-Maite
 c/o Municipal Planning Council

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

Subject: SZC 2013-27 Public Hearing Waiver

Hafa Adai Mayor Villagomez:

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

An application has been filed with the Department of Land Management, Division of planning by: **Jantzen P. Pueyo, represented by Samuel Pueyo**, owner of Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong-Toto-Maite, under Application No. SZC 2013-27, for a Zone Change from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone for a proposed future expansion to 4-units for family and affordable rentals.

E-mail Address:
lldir@dlm.guam.gv
 OV

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).

Telephone:
 671-649-LAND (5263)

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.

Facsimile:
 671-649-5383

Thank you for your attention to this matter.

Senseramente,

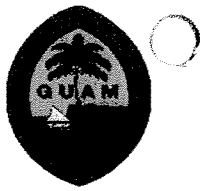

 DAVID V. CAMACHO
 Acting Director

Attachments: Application No. SZC 2013-27

Project Planner: Penmer C. Gulac

Handwritten notes and signatures:
 FILE
 DLM
 [Signature]

Handwritten notes:
 DINYANAPUT - SANCOS
 NIM MAYOR'S
 OFFICE



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



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MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor

DAVID V. CAMACHO
 Deputy Director

April 19, 2013

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

To: Director, Department of Land Management

From: Planner III

Subject: Staff Report - **Case No. SZC 2013-27**

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

Re: Zone Change - Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong – Toto- Maite; For Jantzen P. Pueyo, c/o Samuel Q. Pueyo

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

PURPOSE:

Telephone:
 671-649-LAND (5263)

a. Application Summary. The Applicant, Jantzen P. Pueyo, is requesting a zone change on Lot 121-1A-2-R2, Mongmong, in the Municipality of Mongmong – Toto - Maite , from "R-1" (Single- Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone order to put existing residential Duplex into zoning compliance and for future expansion to 4-units for family and rentals.

b. Legal Authority. 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), Public Law 21-82:4 as amended by P.L. 21-144:8.

Facsimile:
 671-649-5383

FACTS:

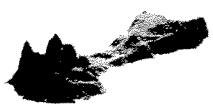
a. Location. The subject is a corner lot and fronts Jesus Camacho Street and an unknown right of way and is approximately 300 feet north Sergeant Damian Jr. Street, also known as Route No. 33 in Mongmong, (**see attached vicinity map**).

b. Field Description. There is residential duplex on the subject lot. The topography gradually slopes to the southwest toward Jesus Camacho Street, and per Planning Staff inspection, all public utilities such as sewer, water, power, telephone service connections are within 100 feet fronting the right-of-way and accessible to Sergeant Damian Jr. Street.

c. Lot Area. 787 square meters or 8,471 square feet

d. Present Zoning. "R-1" (Single-Family Dwelling) Zone

e. 1967 Master Plan. Residential I



f. Community Design Plan. Residential; Medium - High Density

g. Surrounding Area. The surrounding area consists of single-family, multi-family dwellings (apartments in R2 Zone) and a few vacant lots, (within 200 - 750 - 1000 feet), there are also retail stores, wholesale/warehousing activities, located in a commercial and light industrial zone zone along Route No. 8. . There are lots that were rezoned via the Legislature and Public Law 21-82 (Summary Zone Change) more than ten years ago. The proposed development is conducive to the existing land use trend comprising of mix uses of single-family, multi-family and commercial/light industrial activities within 500 – 1,500 feet to the west, north and northeast. 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: March 20, 2013
- b. Certifications:

DPW: No Official Certification have been received from DPW as of Staff Report Date. Per Planning Staff inspection, the property is accessible from a 40-foot right-of-way (Jesus Camacho St) which is fronting the subject lot. Planning staff advises the applicants to obtain the required permits before any construction/improvements on said lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

GWA: There Official Certification have not been received as of Staff Report Date. Per Planning Staff inspection of the property, public sewer located on the right of way which is fronting the subject lot. Planning staff advises the applicants to obtain the required permits before any construction on said lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

GEPA: No Official Certification have been received from Guam EPA as of Staff Report Date. Per Planning Staff inspection, the property public sewer is located on the right of way which is fronting the subject lot. Planning staff advises the applicants to obtain the required permits before any clearing or construction on said lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

GPA: The Authority has submitted their official certification. GPA has no objections, however, the customer is required to comply with all requirements pursuant to the National Electric Safety Code and GPA's Service Rules and Regulations as noted in their official certification (**attached**).

Note: Pursuant to Section 61639 (a)((1), failure to provide the Department of Land Management, from any infrastructure agency as to the availability and/or adequacy of infrastructure (water, power, sewer), within ten (10) working days from receipt of this request, shall constitute an assumption by DLM that the agency not answering the request has no objection to the rezoning.

- c. Municipal Public Hearing Results: Pursuant to P.L. 21-144:3, the public hearing on this zone change application has been waived and any hearing is deferred to the Mayor and the Municipal Planning Council of Mongmong-Toto-Maite.
- d. Mayor's Letter of Support: The Mayor of Mongmong-Toto-Maite, received a copy of the application for the proposed development. **Mayor Andrew Villagomez submitted a Municipal Planning Council and Support for the approval of the rezoning project by Mr. Jantzen Pueyo is attached.**
4. **STAFF RECOMMENDATION: Planning Staff recommends APPROVAL of the Summary Zone Change request with the following conditions:**
 - a. **Comply with all permitting Agency Conditions and requirements; and**
 - b. **That any revised 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

- c. 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
- d. That such re-evaluation may include another review by the required Application Review Committee Agency and/or by the Municipal Planning Council to determine the physical, social and environmental impacts of the revised changes; and
- e. 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
- f. That the development be hooked up to public sewer and comply with GEPA's wastewater disposal system requirements and conditions;
- g. That the Development shall be serviced with a Government approved Trash Receptacle; and
- h. That each dwelling unit constructed shall be provided 2-parking.



Penmer C. Gulac 4/19/2013
Planner III, Case Planner Date

PCG
Attachments; Application packet, MPC Resolution of Support and Position Statement for
GPA)



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



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EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MONTE MAFNAS
Director

DAVID V. CAMACHO
Deputy Director

April 18, 2013

MEMORANDUM

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

TO: Frank P. Taitano, Planner IV
Marvin Q. Aguilar, Planner III
Celine Cruz-Aguilar, Planner III

FROM: Director

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

SUBJECT: Appointment as Panel Members ref: SZC Program

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

Buenas Yan Hafa Adai:

Telephone:
671-649-LAND (5263)

Pursuant to Summary Zone Change Guidelines, Paragraph 17, effective April 18, 2013, I hereby appoint you as panel members to review and provide recommendations relative to **SZC Application No. 2013-27 for Jantzen P. Pueyo.**

Coordinate with Mr. Penmer Gulac who oversees the SZC Program on the matter.

Your appointment as panel members shall expire upon your submittal of your recommendations to the Guam Chief Planner.

Facsimile:
671-649-5383

Senseramente,

David V. Camacho
Acting Director

Cc: Masterfile



Mayor Andrew C. Villagomez

April 2, 2013

RECEIVED
 APR 02 2013
 Department of Land Management
 Time: 3:40 Int: MY

Memorandum

To: Director, Department of Land Management
 From: Mayor, Municipality of Mongmong-Toto-Maite
 Subject: Resolution

Hafa Adai!!! In response to your letter dated March 25, 2013, attached is the MTM MPC resolution for Mr. Jantzen P. Pueyo represented by Samuel Pueyo's zone change request from a residential duplex to a future expansion of a 4-unit dwelling for family and future rentals.

Should you have any questions or need further information regarding the above subject matter, please feel free to contact my office at the numbers listed above.

Your assistance in processing the zone change for Mr. Pueyo is greatly appreciated.

Si Yu'os Ma'ase'


ANDREW C. VILLAGOMEZ

Attachments



MONGMONG-TOTO-MAITE MUNICIPAL PLANNING COUNCIL

Resolution No. 13-001

Introduced By:

Mayor Andrew C. Villagomez

Eugene M. Camacho

Arthur N.S. Concepcion

Victor R. Villagomez

Arvin J. Cruz

Donnyred Garrido

Sonya A.U. Naputi-Sanchez

RELATIVE TO SUPPORTING THE ZONE CHANGE APPLICATION FILED WITH THE DEPARTMENT OF LAND MANAGEMENT BY MR. JANTZEN P. PUEYO REPRESENTED BY SAMUEL PUEYO FOR A ZONE CHANGE FROM "R-1" (SINGLE-FAMILY DWELLING) TO "R-2" (MULTI-FAMILY DWELLING) ON LOT NO 121-1A-2-R2 IN THE MUNICIPALITY OF MONGMONG-TOTO-MAITE, GUAM.

1 **BE IT RESOLVED BY THE MONGMONG-TOTO-MAITE MUNICIPAL PLANNING**
2 **COUNCIL:**

3 **Whereas, Mr. Jantzen P. Pueyo represented by Mr. Samuel Pueyo, is the owner of Lot**
4 **No. 121-1A-2-R2, Municipality of Mongmong-Toto-Maite; and**

5 **Whereas, Mr. Jantzen P. Pueyo represented by Mr. Samuel Pueyo has filed an**
6 **application with the Department of Land Management requesting a Zone Change from "R-1"**
7 **(Single-Family Dwelling) to "R-2" (Multi-Family Dwelling); and**

8 **Whereas, Mr. Jantzen P. Pueyo's represented by Mr. Samuel Pueyo intention for**
9 **requesting the zone change in order to allow as existing duplex for zoning conformance and for**
10 **future expansion to 4-units for family and rentals; and**

11 **Whereas, pursuant to Section 3 of Public Law 21-144 (Waiver of Formal Public**
12 **Hearing), the Department of Land Management has elected to waive their requirements for a**

1 formal public hearing and has deferred the hearing process to the Mongmong-Toto-Maite
2 Municipal Planning Council; and

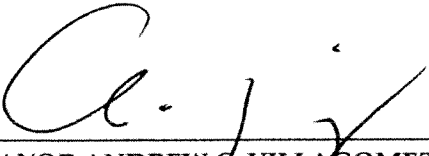
3 **Whereas**, the Chairman and members of the Mongmong-Toto-Maite Municipal
4 Planning Council has discussed the proposed zone change request by Mr. Jantzen P. Pueyo
5 represented by Mr. Samuel Pueyo and is in the opinion that the zone change would not have
6 any detrimental impact on the community, that the zone change would allow Mr. Jantzen P.
7 Pueyo represented by Mr. Samuel Pueyo to allow an existing duplex for zoning conformance
8 and for future expansion to 4-units for family and rentals; and now, therefore be it

9 **Resolved**, that the Chairman and members of the Mongmong-Toto-Maite Municipal
10 Planning Council hereby approve the zone change application filed with the Department of
11 Land Management by Mr. Jantzen P. Pueyo represented by Mr. Samuel Pueyo for a zone
12 change from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling); and be it further

13 **Resolved**, that the Chairman certify to and the Secretary attest to the adoption hereof
14 and that copies of the same be thereafter transmitted to Mr. Jantzen P. Pueyo represented by
15 Mr. Samuel Pueyo; to the Director, Department of Land Management; to the Speaker of *I Mina*
16 *Trentai Dos Na Liheslaturan Guåhan*; and to *I Maga Låhen Guåhan*, the Governor of Guam.


**DULY AND REGULARLY ADOPTED ON THE 4th DAY OF APRIL 2013,
IN THE MUNICIPALITY OF MONGMONG-TOTO-MAITE, GUAM.**

CERTIFIED BY:

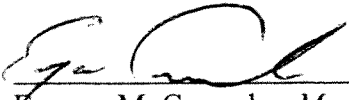


MAYOR ANDREW C. VILLAGOMEZ
Chairman

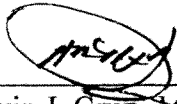
ATTESTED BY:




SONYA A.U. NAPUTI-SANCHEZ
MPC Secretary

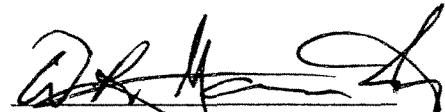



Eugene M. Camacho, *Member*



Arvin J. Cruz, *Member*


Arthur N.S. Concepcion, *Member*


Donnyred Garido, *Member*


Victor R. Villagomez, *Member*



GUAM POWER AUTHORITY

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

April 5, 2013

MEMORANDUM

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

From: General Manager

Subject: Lots 121-1A-2-R2, Municipality of MongMong-Toto-Maite, (Jantzen P. Pueyo);
Summary Zone Change Application from "R-1" (Single-Family Dwelling) to "R-2"
(Multi-Family Dwelling) to allow existing duplex for expansion to 4-units . **Application
No. 2013-27 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

INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**
 Applicant: Jantzen P. Pueyo
 Location: Lots 121-1A-2-R2, M-T-M
 Type of Application: Summary Zone Change
 GLUC/GSPC Application No. 2013-27 SZC
 Brief Project Description:
 From "R-1" to "R-2" to allow existing duplex for expansion to 4-units.

For the purposes of this Certification, GOVERNMENT SERVICES, FACILITIES, and INFRASTRUCTURE include, but are not limited to: **power lines poles and facilities; water lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities; schools; health facilities; police and fire fighting service and facilities; roads; traffic and street lights; parks and recreational activities.**

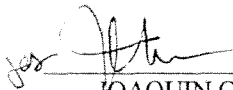
1. I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **AVAILABLE AND IN PLACE** to support this project:
 Yes No

2. If the answer to #1 above is YES, then:
 I hereby certify that the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE are currently **ADEQUATE** to support this project:
 Yes No

3. If the required GOVERNMENT SERVICES, FACILITIES and INFRASTRUCTURE currently in place are **NOT AVAILABLE** or they are **AVAILABLE, BUT NOT ADEQUATE**, itemize the services, facilities and infrastructure that are needed, the estimated cost thereof and whether funds are currently available and identified to develop such services, facilities and infrastructure:

Services, Facilities and Infrastructure Needed	Cost of Upgrades	Funds Available	Date Available	Funds Identified
Please see comments below				

I hereby certify that the foregoing is true and correct to the best of my knowledge.



 JOAQUIN C. FLORES, P.E.
 General Manager

4/10/13

 Date

Comments:

Based on a preliminary inspection of the site, the electrical facilities may require upgrading to meet the demand of the proposed project. A system impact assessment maybe required to determine the effect of this facility on GPA's existing power distribution system. The applicant will be responsible for the cost of any required system upgrade.



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

EDDIE BAZA CALVO
Governor

RAY TENORIO
Lieutenant Governor

MONTE MAFNAS
Director

DAVID V. CAMACHO
Deputy Director

March 25, 2013

Honorable Mayor Andrew C. Villagomez
Mayor of Mongmong-Toto-Maite
c/o Municipal Planning Council

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

Subject: SZC 2013-27 Public Hearing Waiver

Hafa Adai Mayor Villagomez:

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

An application has been filed with the Department of Land Management, Division of planning by: **Jantzen P. Pueyo, represented by Samuel Pueyo**, owner of Lot 121-1A-2-R2, Mongmong, Municipality of Mongmong-Toto-Maite, under Application No. SZC 2013-27, for a Zone Change from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone for a proposed future expansion to 4-units for family and affordable rentals.

E-mail Address:
lmdir@dln.guam.gv

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).

Telephone:
671-649-LAND (5263)

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.

Facsimile:
671-649-5383

Thank you for your attention to this matter.

Senseramente,

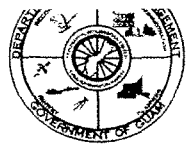
DAVID V. CAMACHO
Acting Director

Attachments: Application No. SZC 2013-27

Project Planner: Penmer C. Gulac

FILED
DLM

DYAN NAPUTIN SANC
NTM MAYOR'S
OFFICE



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

March 25, 2013

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

To: Certifying Agencies/Departments
Application Review Committee (ARC)
From: Acting Guam Chief Planner
Subject: Request for Certification

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

Attached for your review and action is an application under Public Law 21-82, Section 4; Summary Zone Change Program.

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

Applicant(s): **Jantzen P. Pueyo**
c/o Samuel Pueyo

Application No. **SZC 2013-27**

Telephone:
671-649-LAND (5263)

Project Description: To rezone the property from "R-1" (Single- Family) Dwelling to "R-2" (Multi-Family Dwelling) Zone for a proposed future expansion to 4-units for family and affordable rentals. (Lot 121-1A-2-R2, (Mongmong), Municipality of Mongmong-Toto-Maite)

Date Received: **August 28, 2012**

Date Accepted: **March 20, 2013**

Facsimile:
671-649-5383

**** Due Date for Certification: April 5, 2013**
(Public Law 21-144, Section 8(b)(A)(1))

Certification must be directed to Director, Department of Land Management, Division of Planning. If you have any questions, please call 649-5385 Ext 352or 5390, and ask for Penmer C. Gulac, the assigned case planner.

Thank You.


Marvin Q. Aguilar
Guam Chief Planner, Acting

PCG; Attachment: SZC Application No. 2013-27 and supporting documents

August 27, 2012

To: Mr. Monte Mafnas
Director, Department of Land Management
Attention: Land Planning Division
P.O. Box 2950, Hagatna, Guam 96932

P. Guleo 8/28/12
RECEIVED
Land Planning Div

Subject: Summary Zone Change Application for Lot 121-1A-2-R2, Monmong, Guam; Rezoning from "R-1" (Single-Family) Dwelling to "R-2" (Multi-Family) Dwelling Zone For Jantzen P. Pueyo, Owner)

Dear Mr. Mafnas:

Pursuant to Public Law 21-82, (as amended by P.L. 21-144, Section 8,) I am submitting an application for Summary Zone Change on the above property. The following information are required and are provided to you as follows:

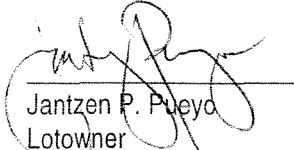
- a. What is the current zone on the property ? "R-1" (Single-Family Dwelling)
- b. Who currently owns the property ? Jantzen P. Pueyo
- c. How did you acquire the property ? Thru a Deed of Gift from my parents; See Doc No.630110 , see attached property map Drawing No. 8042
- d. What is currently on the property? A residential structure with an extension and a storage on the property.
- e. Are you hooked up to public sewer ? Yes
- f. What are your intentions or plans? To allow a residential duplex for zoning compliance and for future expansion to 4 units for family and affordable rentals.
- g. Surrounding land uses: There are single family, multi-family, apartments and commercial/light industrial land uses and activities within 200 – 1,500 feet to the north, northwest , east , west . There are also apartments that are located along in the R-2 zoned properties on the west (along Biang Street), north, northwest and east. Other lots within 500 -1000 feet were was rezoned to R2 via Guam Legislature and Summary Zone Change Program, Department of Land Mangement.
- h. Topography: Sloping from rear to the front into the right of way.
- i. Soil Composition & Access : Rocky, gravel mixed with sand; the property is accessible and fronting two right of ways (Jesus Camacho St and unknown access road (see vicinity map).
- j. All others: A the present time we see more residential developments and in the area of Mongmong, Toto, Barrigada, and Mangilao as there are trends of continued growth of residential and commercial developments. The island is preparing for the influx of some military forces and their families and support personnel and we must provide additional housing for our community. More schools are also being built and infra-structure is being upgraded by our government. My proposed rezoning and plans will not have a significant impact to existing infrastructure as the units are already existing. This project will provide affordable rental units to the public as well contribute to our economy. Therefore, this project is compatible to the ongoing developments in the immediate area and others nearby that will support the housing needs of the general public.

Page 2 (Justification for Summary Zone Change for Lot 121-1A-2-R2, Mongmong);
Jantzen P. Pueyo, Owner

Mr. Mafnas and Staff, I want to Thank You for your time to review the proposed rezoning of my property. Your favorable consideration is needed and appreciated. And, lastly, I am aware that all building permit requirements and conditions will be adhered to as required by law for any additions or improvements on my property.

Should you need more information on this application, please feel free to contact me at 888-6489.

Very Respectfully,



Jantzen P. Pueyo
Lotowner
P.O. Box 10005
Tamuning, Guam 96931

cc: Mayor, Andrew C. Villagomez, Mongmong/Toto/Maite

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 Guåhan
P.O. Box 2950, Hagatna, Guåhan 96932

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

P. Guller 8/28/12
RECEIVED
DLM Planning Div

1. Information on Applicant:

Name of Applicant: Jantzen P. Pueyo U.S. Citizen: Yes No

Mailing Address: P.O. Box 10005 Tamuning, GUam 96931

Telephone No.: Business: 888-6489 Home: _____

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: N/A

Lot(s): 121-1A-2-R2 Block: N/A Tract: N/A

Lot Area: Acres: _____ Square Meters: 787 Square Feet: 8,471.1

Village: Mongmong Municipality: Mongmong/Toto/Maite

Registered Owner(s): Jantzen P. Pueyo

Certificate of Title No.: _____ Recorded Document No.: _____

Deed (Gift, Warranty, etc.): Gift Deed Document No.: 630110

* See Attached Documents

3. Current and Proposed Land Use:

Current Use: Residential Duplex Current Zoned: "R-1" (Single-Family Dwelling)

Proposed Use: To allow an existing Duplex for zoning conformance and for future expansion to 4-units for family and rentals. Proposed Zone: "R-2" (Multi-Family Dwelling)

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.

5. **Support Information.** The following information shall be attached to this application:

- b. A map, drawn to scale, showing existing zoning within 1000 feet radius and all parcels and their uses within 750 feet radius from the subject lot boundaries. The map shall contain:
 - (6) Lot number for every parcel(s);
 - (7) Identify by name and use all existing activities on all parcel(s) through a legend/code reference;
 - (8) All adjacent easements and roads leading to, and serving property, their widths, and condition of surfaces;
 - (9) The nearest location of all public utilities to the subject lot; and
 - (10) Show any/all features of property such as flat/hilly terrain, flood hazard, etc.
- e. The most recent survey map certified and recorded at the Department of Land Management, of the subject property.
- f. For "R-1" Zone Change request: A proposed property map showing how many lots are to be subdivided.
- g. For "R-2" Zone Change request: Preliminary sketch plan shall be drawn to scale and show the following items:
 - (1) Density: Number of units and type. (i.e. Eight (8) units, three (3) bedroom, two baths, etc.)
 - (2) All setback or distances from proposed building to property boundary line.
 - (2) Parking Stalls must be numbered. Also, show one parking for persons with disabilities for every sixty (60) regular stalls (minimum).
 - (4) Recreational area or playground must be provided for children of tenants.
 - (5) Show nearest location of sewer, water, power connection or hook-up.
 - (6) Entrance and Exit of project area.
 - (9) Etc...Any other information you feel is necessary or pertinent to your request.
 - (10) In addition the following information is required by the Agencies as follows:

GUÅHAN POWER AUTHORITY

- 2. Include Ownership and Encumbrance Title Report.
- 2. Provide Proposed Power Demand in Kilovolt Amps (KVA).

GUÅHAN ENVIRONMENTAL PROTECTION AGENCY

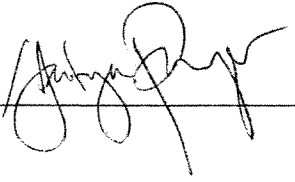
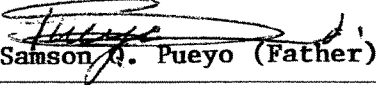
- 3. Copy of Site Layout showing the existing building structures and the outline of the septic tank and leaching field system, if not connected to public sewer.
- 4. Copy of building Permits for any extensions (additional structures) to the existing dwelling unit.

6. **Filing Fee: Twenty-Five Dollars (\$25.00)** filing fee, signed and approved by the Governor of Guåhan on May 18, 2007, under Public Law 29-02, Chapter V, Part III (*Fees and Charges Assessed by the Department of Land Management*).

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

7. **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.

<u>Jantzen P. Pueyo</u> Owner (Print/Sign)		_____	Owner (Print/Sign)
<u>August 27, 2012</u> Date		_____	Date
 <u>Samson A. Pueyo (Father)</u> Representative (If any)		<u>August 27, 2012</u>	Date

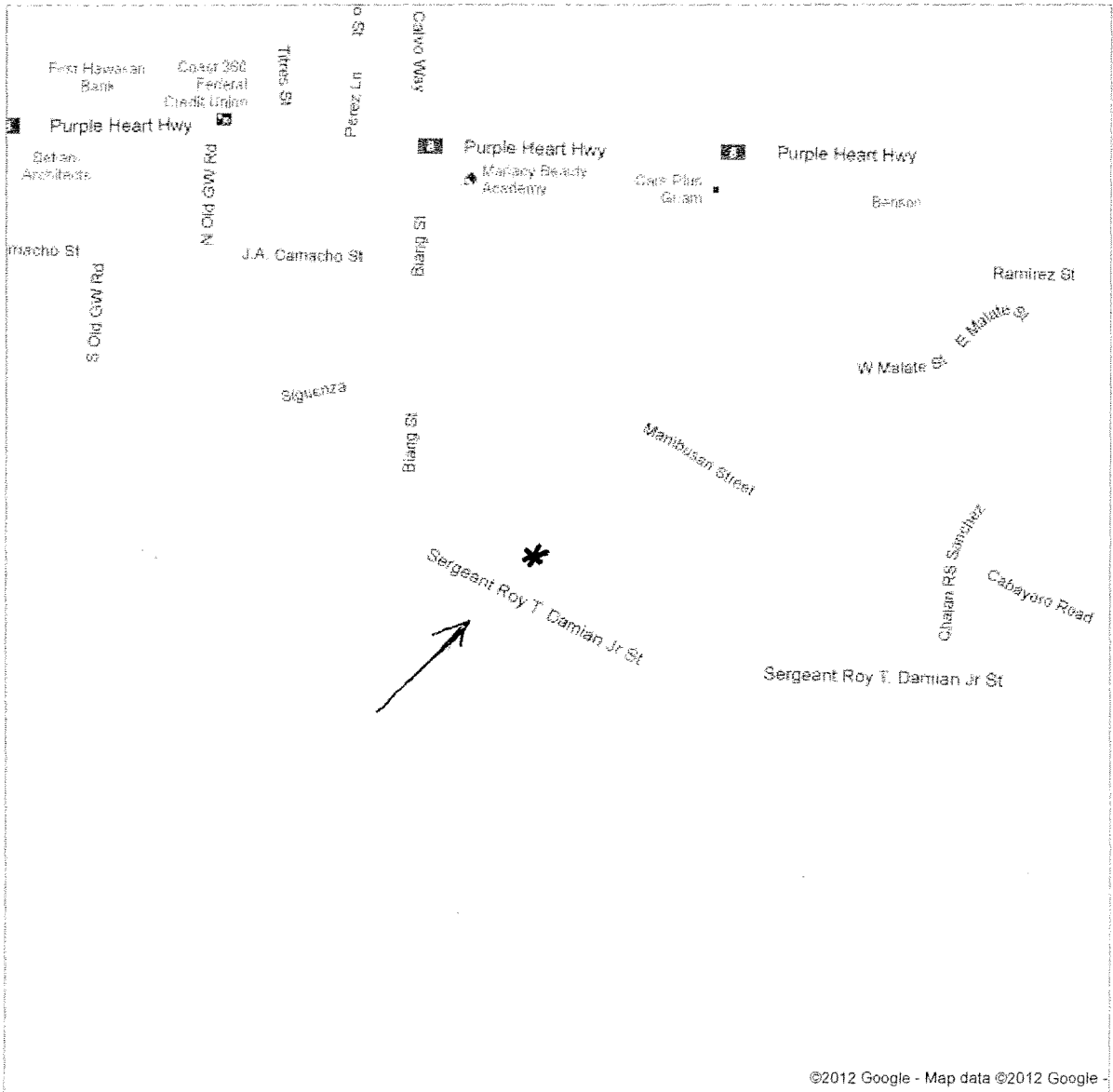
**THIS FORM SHALL NOT BE MAILED. APPLICANT OR REPRESENTATIVE SHALL
SUBMIT IN PERSON, BY APPOINTMENT ONLY, TO THE LAND PLANNING DIVISION,
DEPARTMENT OF LAND MANAGEMENT.**

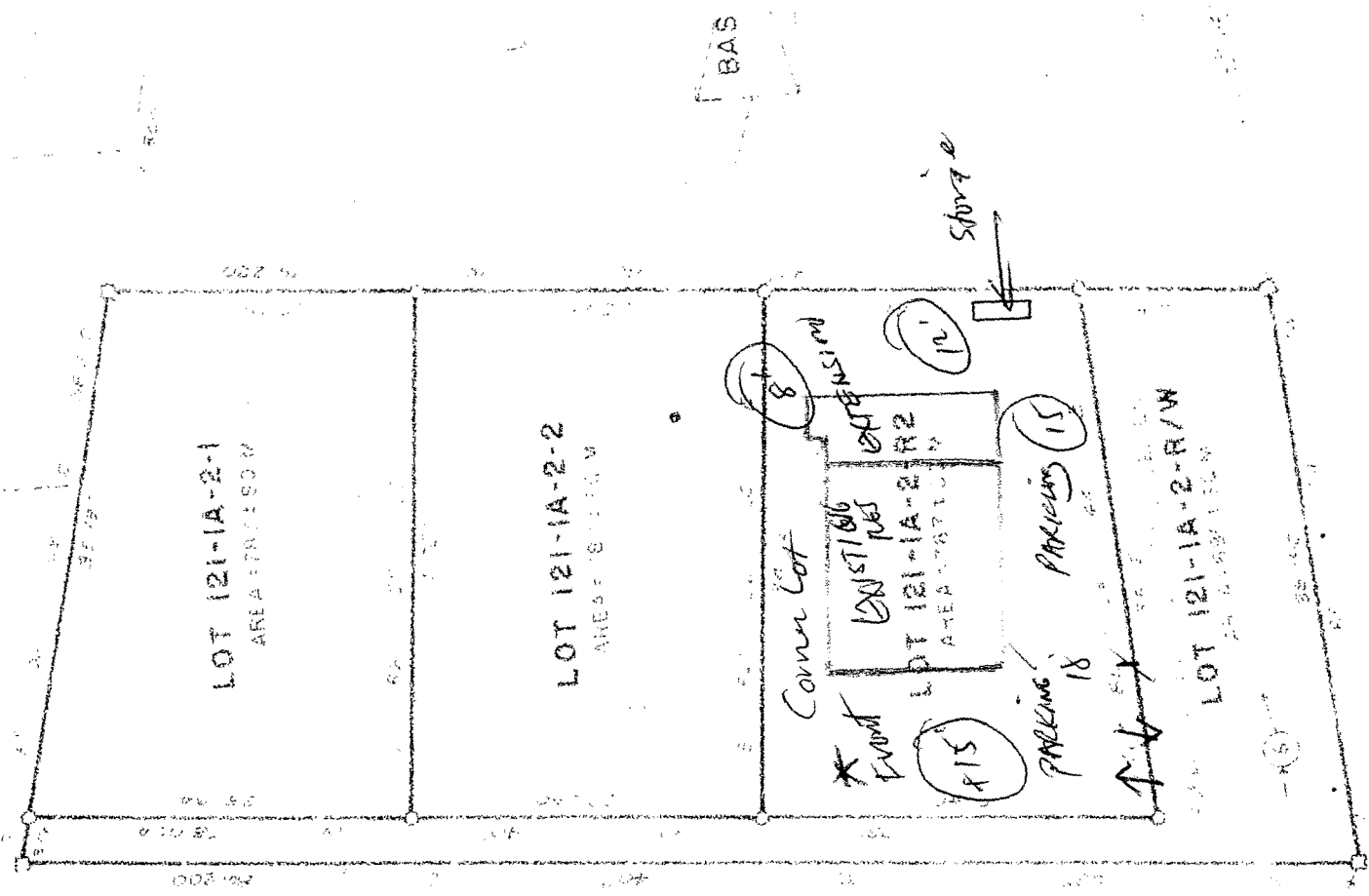
Google

Get Google Maps on your phone



Text the word "GMAPS" to 466453





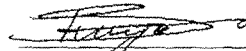
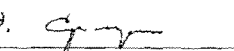
Deed of Gift
From: Samson Q. and Corazon P. Pueyo
To: Janifzen P. Pueyo
Lot No. 121-1A-2-R2
Page 2

Public Water and Power are available to the property within 100 feet.

TO HAVE AND TO HOLD said parcel unto the Grantees, and to Grantee's heirs and assigns.

WITNESS the following signature, this **Deed of Gift** was executed on the date first above-written.

GRANTOR:

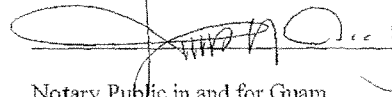
	
Samson Q. Pueyo	Corazon P. Pueyo
SSN.586-78-4588	SSN.586-70-4654

ACKNOWLEDGEMENT

Island of Guam)
)ss:
City of Hagatna)

On this 6th day of November, 2000, before me a Notary Public in and for the Island of Guam, personally appeared Samson Q. Pueyo and Corazon P. Pueyo, known to me to be the persons whose names are subscribed to the foregoing **Deed of Gift**, and acknowledged to me that they executed the same for the purposes and consideration contained therein.

WITNESS my hand and official seal on the day and year last above written.



Notary Public in and for Guam
My commission expires: _____

JESUSITO D. STA. CRUZ
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: May 24, 2001
P.O. Box 22814 GMF, Guam 96921

Deed of Gift

From: Samson Q. and Corazon P. Pueyo

To: Janízen P. Pueyo

Lot No. 121-1A-2-R2

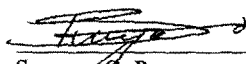
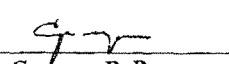
Page 2

Public Water and Power are available to the property within 100 feet.

TO HAVE AND TO HOLD said parcel unto the Grantees, and to Grantee's heirs and assigns.

WITNESS the following signature, this **Deed of Gift** was executed on the date first above-written.

GRANTOR:

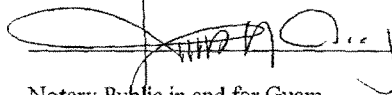
	
<u>Samson Q. Pueyo</u>	<u>Corazon P. Pueyo</u>
SSN.586-78-4588	SSN.586-70-4654

ACKNOWLEDGEMENT

Island of Guam)
)ss:
City of Hagatna)

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WITNESS my hand and official seal on the day and year last above written.




Notary Public in and for Guam
My commission expires: _____

JESUSITO D. STA. CRUZ NOTARY PUBLIC in and for Guam, U.S.A. My Commission Expires: May 24, 2001 P.O. Box 22814 GMF, Guam 96921
--

ATTACHMENT - LAND USE RADIUS / VICINITY

- 1,000 FT *
- 750 FT *
- 500 FT *

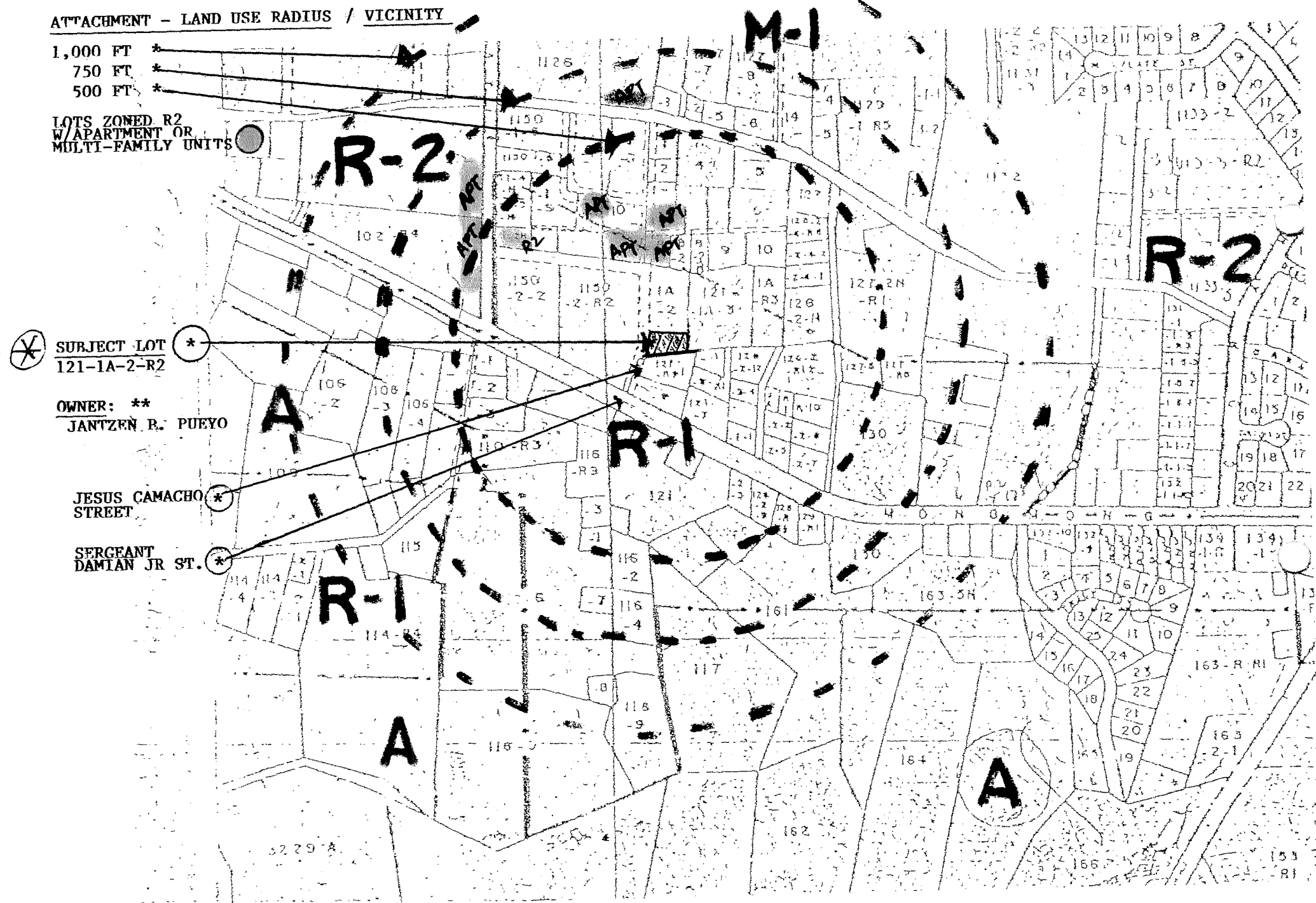
LOTS ZONED R2
W/APARTMENT OR
MULTI-FAMILY UNITS

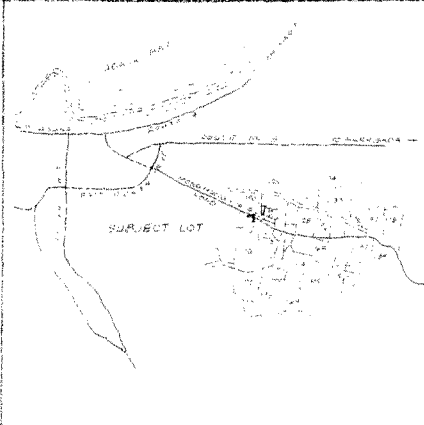
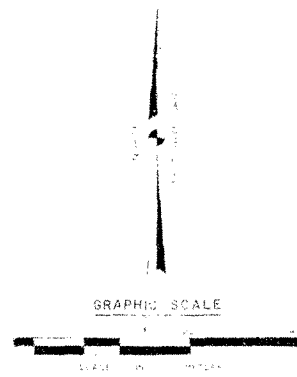
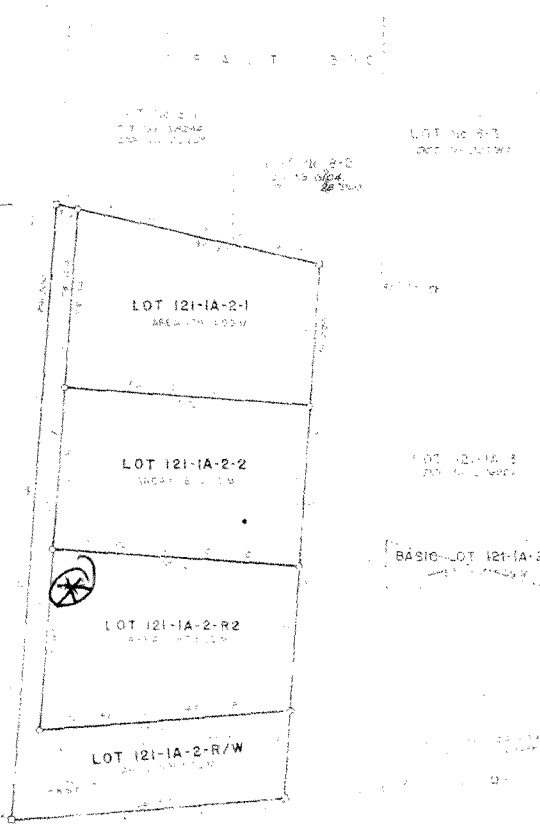
 SUBJECT LOT *
121-1A-2-R2

OWNER: **
JANTZEN R. PUEYO

JESUS CAMACHO *
STREET

SERGEANT *
DAMIAN JR ST.





VICINITY INDEX MAP
NOT TO SCALE

REFERENCES

NO REFERENCES LISTED

NOTES

NO NOTES LISTED

CERTIFICATE OF SURVEYOR

I, THE SURVEYOR, HEREBY CERTIFY THAT THIS MAP WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION AND THAT I AM A LICENSED SURVEYOR IN THE PROVINCE OF ONTARIO.

CERTIFICATE OF TERRITORIAL SURVEYOR

THIS MAP WAS PREPARED BY ME OR UNDER MY SUPERVISION AND I AM A LICENSED TERRITORIAL SURVEYOR IN THE PROVINCE OF ONTARIO.

LEGEND

NO LEGEND LISTED

REV.	DATE	REVISIONS	BY
SURVEY DATA		DATE	SURVEYING
FILE NO.		SANTOS SERVICES I	
PROJECT NO.		PARCELLING SURVEY MAP	
LOT NO.		LOT NO 121-IA-2	
DESCRIPTION		INTO LOT NOS 121-IA-2-1 THRU-R2	
DATE OF SURVEY		DATE OF SURVEY	
BASIC LOT NO.		BASIC LOT NO.	
REGISTERED ON		REGISTERED ON	
CERTIFICATE NO.		CERTIFICATE NO.	
IN NAME OF		IN NAME OF	
SHEET NO.		SHEET NO.	
SCALE		SCALE	

APPROVAL SURVEYOR: _____
 COMMISSIONER: _____

PREPARED BY: _____
 TERRITORIAL PLANNING NO. _____

CERTIFICATE OF TERRITORIAL PLANNER

DATE OF SURVEY: _____

DATE OF LAND PLANNING: _____

033 FY83

11229