

**ACKNOWLEDGMENT OF RECEIPT
SUMMARY ZONE CHANGE PACKET**

on

32-14-2239
Office of the Speaker
Judith T. Won Pat, Ed.D

Lot 6, Block 2, Municipality of Agat
for
Walter J. Tranowski

LEGISLATURE
COPY

Date: 11/6/14
Time: 4:27 PM
Received By: [Signature]

APPLICATION NO: SZC 2014-03

**Legislative Secretary
32nd Guam Legislature**

**Building Official - Director's Office,
Department of Public Works**

Signature: [Signature]

Signature: _____

Name (print): ALBERT, JIM

Name (print): _____

11/6/14 2:59 pm
Date / Time

Date / Time

**FOR RECORDATION ONLY:
Deputy Civil Registrar**

**Building Official - Building Permits,
Department of Public Works**

[_____]

Signature

NOT APPLICABLE

Name (print)

SEE ATTACHED NOTICE OF ACTION

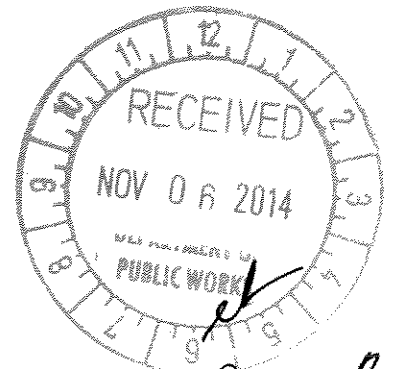
Date / Time

[_____]

2239
Name of Applicant and or Representative

Signature

Date / Time



2014 NOV -7 AM 9:11 &

ELEANOR BORST

Office of the Legislative Secretary
Senator Tina Rose Mufson Barnes
Date: 11/6/14
Time: 2:59 pm
Received by: [Signature]



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

November 27, 2013

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

Re: **Summary Zone Change Application No. SZC 2014-02**
Lot 6, Block 2, Municipality of Agat;
for Walter J. Tranowski

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

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

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

E-mail Address:
dlmdir@dlm.guam.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 6, Block 2, Municipality Agat, from "R-1" (Single - Family Dwelling) to "R-2" (Multi - Family Dwelling) Zone** in order to allow zoning compliance for an existing residential Triplex (3-units) for family and for rentals.

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

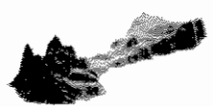
Your expeditious response on this action is greatly appreciated.

Senseramente,


 David V. Camacho
 Acting Director


 PCG
 w/Attachment(s):

1. Staff Report and Notice of Action
2. Certifications of Application Review Committee (ARC)
3. Zone Change Application with supporting documents
4. Amendment Map No. 66 ; Zoning Map No. F3 67 S44





**SUMMARY ZONE CHANGE
APPLICATION NO. 2014-02
LOT 6, BLOCK 2
MUNICIPALITY OF AGAT**



SPACE FOR RECORDATION

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

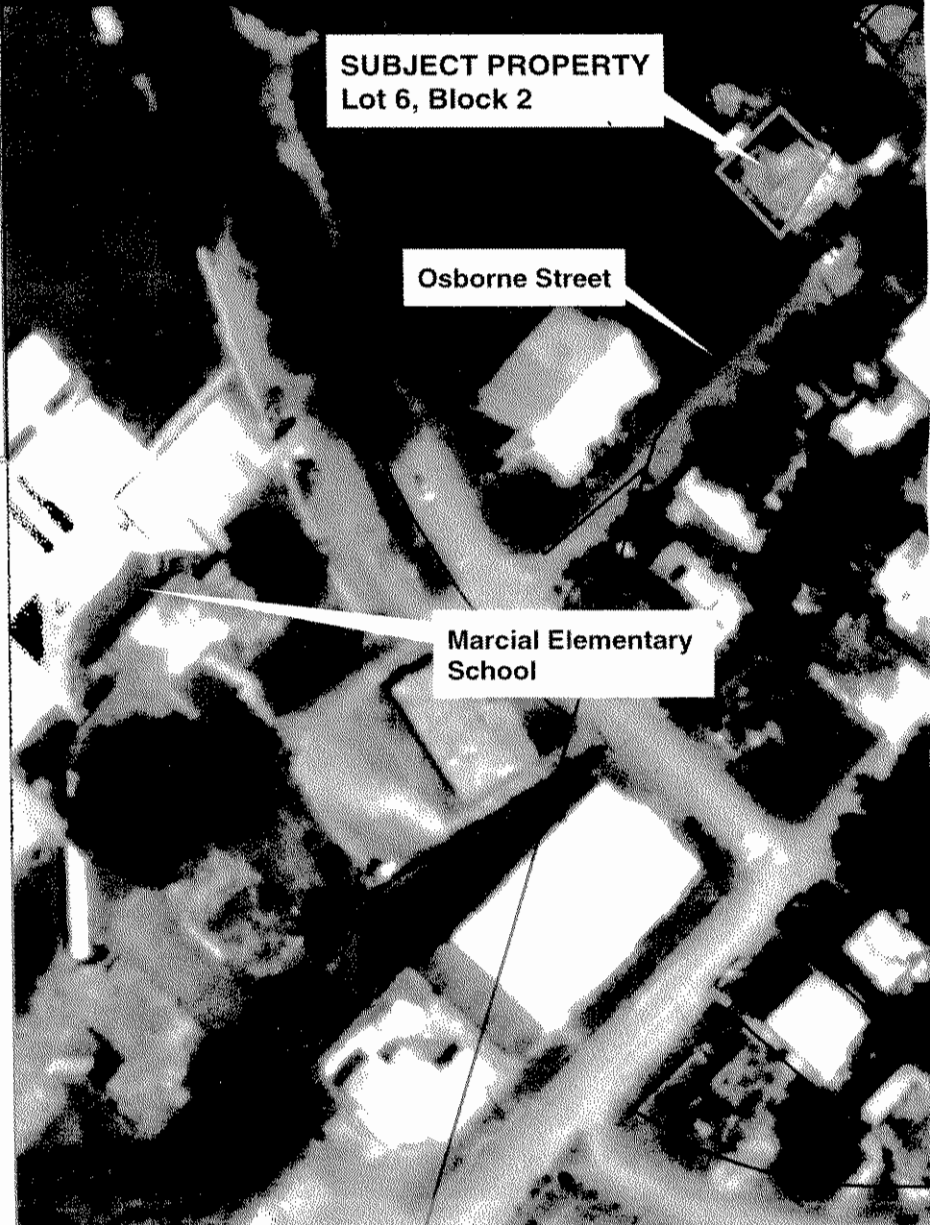
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File for Record is Instrument No. _____

On the Year 2013 Month 11 Day 29 Time 2:14pm

Recording Fee DE-OFFICIO Receipt No. _____

Deputy Recorder *[Signature]*



SUMMARY ZONE CHANGE

APPLICATION NO. 2014-02

WALTER J. TRANOWSKI

Prepared on NOVEMBER 27, 2013

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

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

LOT NO: 6

BLOCK NO. 2

TRACT: N/A

MUNICIPALITY: AGAT

PLACE NAME: N/A

SCALE: N/A

AMENDMENT NO: 66

ZONING MAP NO: F3-67 S44

APPROVED AS NOTED ON NOTICE OF ACTION AND PURSUANT TO TITLE 21, GCA, CHAPTER 61, Article 2, SECTION 61214

[Signature] 11/29/13
DATE

DAVID V. CAMACHO
ACTING DIRECTOR
DEPARTMENT OF LAND MANAGEMENT

COPY

(Space above for Recordation)

SUMMARY ZONE CHANGE

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

NOTICE OF ACTION

November 26, 2013

Date

To: **Walter J. Tranowski**
Represented by Harry D. Gutierrez
c/o 119 Gutierrez Way
Agana Heights, Guam 96910

Application No. 2014-02

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 ZONE IN
ORDER TO ALLOW ZONING COMPLIANCE FOR
AN EXISTING RESIDENTIAL TRIPLEX (3-UNITS)
FOR FAMILY AND FOR RENTALS.

NA / OTHER:

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

Application No. 2014-02

Walter J. Tranowski

Lot 6, Block 2, Agat

Date of Preparation of NOA: November 26, 2013

Page 2 of 4

1. APPLICATION SUMMARY: Walter J. Tranowski, the owner request approval for rezoning Lot 6, Block 2, Agat, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to allow zoning compliance for a existing residential triplex (3-units) for family and for rentals.

2. JUSTIFICATION : The criteria of Public Necessity, Convenience, General Welfare and Safety must be justified.

PUBLIC NECESSITY and CONVENIENCE

The requested zone change is from "R-1 to "R-2" for the purpose of allowing the existing residence triplex (3-units) for zoning compliance for family and for rentals. In this regard, applicants 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 property in order to utilize their property in a manner that enhances their livability or livelihood or provide housing rental for the community.

We find that the rezoning is required for zoning conformance in order for the Applicants to realize availability of the existing units for 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 and other utilities are existing and available fronting the property. Guam Power Authority have submitted their official certification with no objection. 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, Guam EPA and DPW, 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 utilities clearance.

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

**NOTICE OF ACTION
SUMMARY ZONE CHANGE**

Application No. 2014-02

Walter J. Tranowski; Lot 6, Block 2, Agat

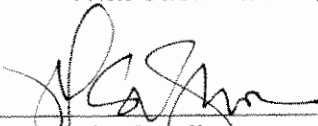
Date of Preparation of NOA: November 26, 2013

Page 3 of 4

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

CONDITIONS OF APPROVAL: Applicant(s) shall:

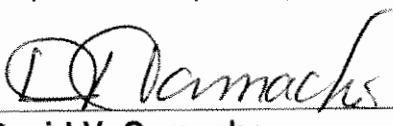
1. Comply with all permitting Agency Conditions and requirements; and
2. That the revised Building construction Site Development Plan shall show details of structure location, parking layout, landscaping plan, sewage disposal type and connection; and further, that a copy of the floor plans shall be submitted to the Guam Chief Planner; and
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 service with a Government approved Trash Receptacle; and
8. That each dwelling unit constructed shall be provided 2-parking.



Marvin Q. Aguilar
Guam Chief Planner

11/29/13

Date



David V. Camacho
Acting Director

11/29/13

Date

With Attachments as noted

Cc: Building Permits Section, DPW (Attn: Bldg Official)
Real Property Tax Division, Department of Revenue and Taxation

* Case Planner: Penmer C. Gulac

CERTIFICATION OF UNDERSTANDING AND AGREEMENT

I/We _____ / Harry D. Gutierrez
(Applicant [Please print name]) (Representative [Please print name])

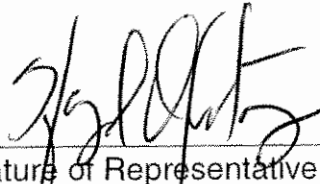
I/We _____
(Applicant [Please print name])

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

Date: _____

For: 

Signature of Representative
Date: 11-27-13

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

Applicant

Date

Representative

Date



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

November 27, 2013

MEMORANDUM

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

TO: Director
 FROM: Guam Chief Planner

COPY

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

SUBJECT: **SZC Application No. 2014-02; Mr. Walter J. Tranowski,
 Lot 6, Block 2, Agat**

Buenas Yan Hafa Adai:

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

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

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

Telephone:
 671-649-LAND (5263)

Senseramente,


 Martin G. Aguilar
 Guam Chief Planner

Facsimile:
 671-649-5383

Attachment: SZC Packet





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

DAVI D V. CAMACHO
 Deputy Director

November 22, 2013

To: Director, Department of Land Management

From: Planner III

Subject: Staff Report - **Case No. SZC 2014-02**

Re: **Zone Change - Lot 6, Block 2, Municipality of Agat;
 for Walter J. Tranowski, Represented by Harry D. Gutierrez**

PURPOSE:

a. Application Summary. The Applicant, **Walter J. Tranowski, Represented by Harry D.**, are requesting a zone change on Lot 6, Block 2, in the Municipality of Agat from "R-1" (Single-Family Dwelling) to "R-2 (Multi-Family Dwelling) Zone in order to allow zoning compliance of an existing residential Triplex (3-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.

FACTS:

a. Location. The subject lot is fronting Osborne Street and approximately 400 feet east of Marcial A. Sablan Elementary School, as well as approximately 1,000 feet southeast of Agat Mayor's Office. Access to the site is from (Route No. 2) Agat Umatac Road, thru Follard Street and east through Osborne Street (**see attached vicinity map**).

b. Field Description. There is an existing residential structure on the subject lot. The topography is flat all around and slopes toward the northwest and fronts a 40 foot right of way known as Osborne Street. Per Staff inspection, all public utilities such as power, water, telephone service connections are within 100 feet of the property.

c. Lot Area. 478.7 square meters or 5,152.66 square feet

Street Address:

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

Mailing Address:

P.O. Box 2950
 Hagåtña, GU 96932

Website:

<http://dlm.guam.gov>

E-mail Address:

llmdir@dlm.guam.g

OV

Telephone:

671-649-LAND (5263)

Facsimile:

671-649-5383



- d. Present Zoning. "R-1" (Single-Family Dwelling) Zone;
- e. 1967 Master Plan. None
- f. Community Design Plan. Residential – Medium Density
- g. Surrounding Area. The surrounding area consists of vacant lots, a single family dwellings, residential duplexes, tri-plexes, four-plexes, retail stores, and schools and church and a house of assembly nearby. 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: October 7, 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 fronting the subject lot. Planning staff advises the applicant to obtain all required permits before any construction or 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: No Official Certification have been received from GWA. Per DLM staff inspection, it was verified that the structures is connected to sewer and water connections are located along the right-of-way. DLM advises the applicants to coordinate with GWA Engineering Staff and obtain the required permits and clearances before any construction, additional meter requirements on said lot.

BoPS: The Bureau have not submitted their official certification to date. 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 proposed project is near all utility infrastructure. The structure is connected to all public utilities, such as sewer, water, power, etc.,. Planning staff advises the applicants to obtain the required permits from the agency before any improvements 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 to the proposed zone change, however, the customer/applicants are 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)**.

DPR/HPO: An Official Certification have been received and have no objection to the zone change. **(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 by Director of Land Management and any hearing is deferred to the Mayor and the Municipal Planning Council of Agat.
- d. **Municipal Planning Council :** The Mayor of Agat received a copy of the application packet for the proposed development.

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 existing residential Triplex (3-units) for zoning compliance for family and rentals. In this regard, applicants 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 Applicant to realize future rentals to the general public and still provide housing for their siblings and or their immediate families.

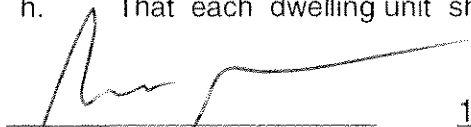
GENERAL WELFARE AND SAFETY

We have concluded our site inspection and did physically find that water, power, sewer, roadways fronting the property. Guam Power Authority and Parks and Recreation with no objection. 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, Guam EPA and DPW, 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 permit clearance requirements.

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 nearby surroundings, all infrastructure are available and we therefore, find that there will be no significant impact on existing infrastructure and surrounding neighborhood

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

5. **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 shall be provided for 2 parking stalls per unit.



Penner C. Gulac
Planner III, Project Planner

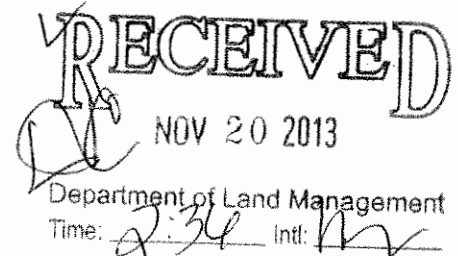
11 / 22 / 2013
Date



GUAM POWER AUTHORITY

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

November 18, 2013



MEMORANDUM

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

From: General Manager

Subject: Lot 6, Block 2, Municipality of Agat, (Walter J. Tranowski); Summary Zone Change Application from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) to allow compliance of existing Triplex (3-units). **Application No. 2014-02 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: Walter J. Tranowski

Location: Lot 6, Block 2, Agat

Type of Application: Summary Zone Change

GLUC/GSPC Application No. 2014-02 SZC

Brief Project Description:

“R-1” to “R-2” to allow compliance of existing Triplex (3-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

11/19/13
 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.

ASG/arp



Eddie B. Calvo
Governor

Ray Tenorio
Lt. Governor

Department of Parks and Recreation
Government of Guam
490 Chalan Palasyo
Agana Heights, Guam 96910
Director's Office: (671) 475-6296/7
Facsimile: (671) 477-0997
Parks Division: (671) 475-6288/9
Guam Historic Resources Division: (671) 475-6294/5
Facsimile: (671) 477-2822



Raymond F.Y. Blas
Director

In reply refer to:
RC2014-0117

November 14, 2013

Memorandum

To: Director, Department of Land Management
Attention: Guam Chief Planner
From: Director, Department of Parks and Recreation
Subject: *Request for Certification:*

Summary Zone Change Application (SZC) No. 2014-02: To rezone from "R-1" (Single-Family) to "R-2" (Multi-Family Dwelling) Zone to allow compliance of an existing Triplex (3-units) family and future rentals, Lot 6, Block 2, Osborne Street, Municipality of Agat

We reviewed the subject application, submitted by Harry Gutierrez, Consultant, on behalf of Walter J. Tranowski, applicant and landowner, and have no objection to the re-zoning of subject lot for the specific purpose state in the application. However, should development improvement be proposed by the applicant, DPW permit application requirements must be complied with.

The applicant must also attach a copy of subject certification to any DPW permit application submitted to our office with regards to the subject zone change application.

If you have any questions with regards to our position, please contact our office at 475-6339.

Raymond F.Y. Blas

RECEIVED
NOV 15 2013

Department of Land Management
Time: 7:20 Int: wf

POSTED
pa



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



EDDIE B. CALVO
 Governor of Guam

RAY TENORIO
 Lieutenant Governor of Guam

MONTE MAFNAS
 Director

DAVID V. CAMACHO
 Deputy Director

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

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

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

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

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

October 30, 2013

Honorable Carol S. Tayama
 Mayor of Agat, c/o Municipal Planning Council

Hafa Adai Mayor Tayama:

An application has been filed with the Department of Land Management, Division of planning by:

WALTER J. TRANOWSKI, the applicant/owner of Lot 6, Block 2, Municipality of Agat, under Application No. SZC 2014-02, for a Zone Change from "R-1" (Single-Family) to "R-2" (Multi-Family Dwelling) Zone in order to allow compliance of an existing Triplex (3-units) for family and future 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).

The proposed zone change is for residential use for affordable housing for our community 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. All required infrastructure, such as public sewer, water, power, are available on site. The "R2" Zone is the proper zoning designation for the intended use for the property.

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

Thank you for your attention to this matter.

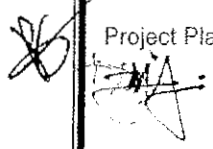
Sensera mente,


 David V. Camacho
 Acting Director

COPY
Planning Div

Attachments: as noted

Project Planner: Penmer C. Gulac





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



EDDIE B. CALVO
 Governor of Guam

MONTE MAFNAS
 Director

RAY TENORIO
 Lieutenant Governor of Guam

DAVID V. CAMACHO
 Deputy Director

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

October 11, 2013

To: Certifying Agencies/Departments
 Application Review Committee (ARC)

From: **Guam Chief Planner**

Subject: **Request for Certification**

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

Applicant(s): **Walter J. Tranowski**
c/o Harry D. Gutierrez, Consultant

Application No. **SZC 2014-02**

Project Description: **To rezone the property from "R1" (Single-Family) to "R-2" (Multi-Family Dwelling) Zone** to allow compliance of an existing Triplex (3-units) for family and future rentals; Lot 6, Block 2, Municipality of Agat.

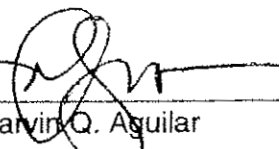
Date Received: **October 7, 2013**

Date Accepted: **October 7, 2013**


**** Due Date for Certification: October 25, 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 or 5390, and ask for Penmer C. Gulac, the assigned case planner.

Thank You.



 Marvin Q. Aguilar

 PCG: Attachment: SZC Application No. 2014-02 and supporting documents

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

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

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

Telephone:
 671-649-LAND (5263)

Facsimile:
 671-649-5383

HARRY D. GUTIERREZ
Consultant
119 Gutierrez Way
Agana Heights, Guam 96910
482-5315

October 6, 2013

To: Mr. David V. Camacho, Acting Director, Department of Land Management
Attention: Land Planning Division
P.O. Box 2950, Hagatna, Guam 96932

Subject: Summary Zone Change Application for Lot 6, Block 2, Agat Guam;
Rezoning from "R-1" (Single-Family) Dwelling to "R-2" (Multi-Family)
Dwelling Zone; For Walter J. Tranowski (Owner)

P. Gular 10/5/13
RECEIVED
Land Planning Di

Hafa Adai Director:

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)
- b. Who currently owns the property ? Walter J. Tranowski
- c. How did you acquire the property ? Purchased thru Deed; Doc No. 737374 & 737375, see attached with property map
- d. From who did you acquire the property? (see Quitclaim Deed attached).
- e. What is currently on the property? Residential 3-Plex
- f. Are you hooked up to public sewer ? Yes, There is Public Sewer and is available within 100 feet on the rear of the lot.
- g. What are your intentions or plans? Put into zoning compliance existing 3-units (Triplex) for family and for rentals. Parking is adequate – see site plan.
- h. Surrounding land uses: There are single family dwellings, duplexes, apartments, many some vacant lots within 500-1,200 feet of the subject lot. These are located to the north along Route No. 2 across the mayor's office and to the south near the church and on Block 3. Lot 11 & 12 is zone R2. There are commercial activities to the north along Route No. 2, post office and a school (Marcial Sablan elementary (west) and Oceanview Middle School (east) within 500 and 1,200 feet.
- i. Topography: Sloping gradually front front to rear.
- j. Access: The property is accessible via a public easement known as Osborne Street from Route No. 2 thru Follard Street (see vicinity map).
- k. All others: Today we see more residential developments and improvements in the area of Agat and nearby Santa Rita as there are also trends of continued growth of residential development in these areas and its a few minutes from Naval Station (Big Navy) and 15 minutes from Hagatna. The island is preparing to engage the incoming military forces build up in a few years and we must provide additional housing and support activities for our community. More schools are also being built and expanded and improved and infra-structure is being upgraded by our government. Our proposed rezoning and plans will not have a significant impact to existing infrastructure as there already sewer lines and power existing. This project will provide affordable rental units

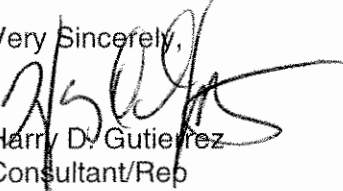
Re: Summary Zone Change
Page 2 - Lot 6, Block 2, Agat, Guam
For Walter J. Tranowski (Owner)

to the public as well contribute to our economic tax base. Therefore, this proposed project is compatible to the existing land uses and is not expected to have a significant impact to the surrounding residential neighborhood. This project is in line with the governments proposals to increase the housing needs of the community.

Thanking you and your fine staff to review the proposed rezoning. My clients and I are hoping for your favorable consideration so that this project can move forward. My clients are aware that all building permit requirements and conditions will be adhered to as required by law.

Should you need more information on this application, please feel free to contact me at 482-5315.

Very Sincerely,



Harry D. Gutierrez
Consultant/Rep

Attachments as noted

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*.

1. Information on Applicant:

Walter J. Tranowski
Name of Applicant: c/o Harry D. Gutierrez, Consultant U.S. Citizen: Yes [] No
Mailing Address: c/o #119 Gutierrez Way. Agana Hts Guam 96910
Telephone No.: Business: 482-5315 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: New Agat Village
Lot(s): 6 Block: 2 Tract: N/A
Lot Area: Acres: 1/8 Square Meters: 478.7 Square Feet: 5,152.66
Village: Agat Municipality: Agat
Registered Owner(s): Walter J. Tranowski
Certificate of Title No.: N/A Recorded Document No.: _____
Deed (Gift, Warranty, etc.): Deed Deed Document No.: 737374 & 737375
with Map # C-142 (Attached)

3. Current and Proposed Land Use:

Current Use: Residential - Triplex (3-units) Current Zoned: R-1 (Single-Family)
Dwelling
Proposed Use: Triplex (3-units) to put into zoning compliance existing multi-family 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.

SUMMARY ZONE CHANGE

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

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.

WALTER J. TRANOWSKI/OWNER

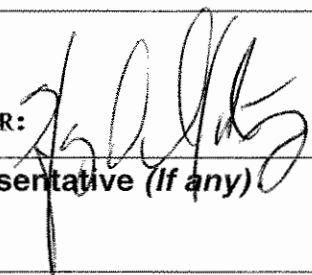
Owner (Print/Sign)

Owner (Print/Sign)

Date

Date

FOR:



HARRY D. GUTIERREZ, CONSULTANT

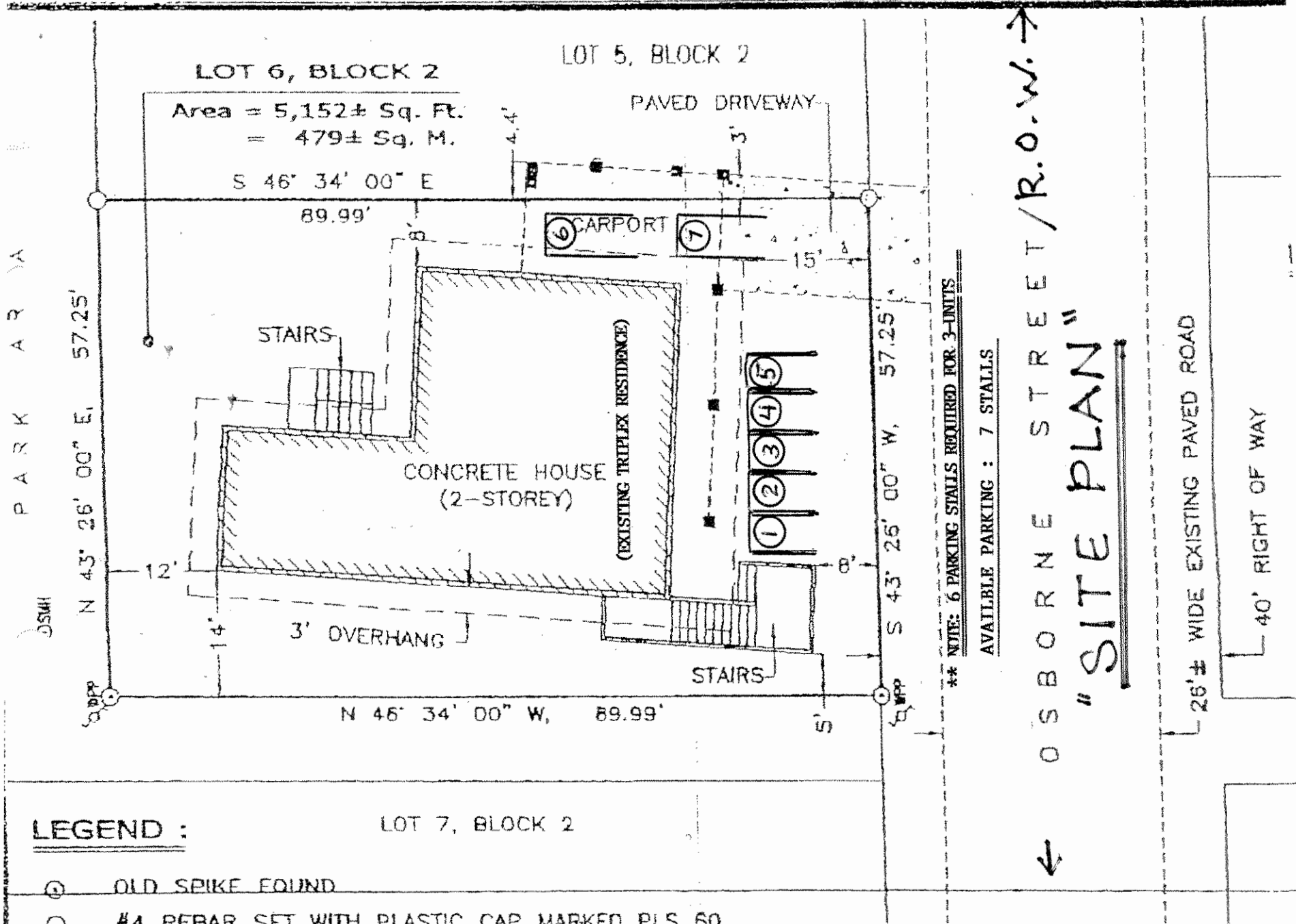
10/6/2013

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.

Oct 11



FOR
RECORDATION
AT
DEPARTMENT
OF
LAND
MANAGEMENT,
GOVERNMENT
OF
GUAM

Government of Guam
Department of Land Management Office of The Recorder

File for record is Instrument No.

737379

on the year 20

06 5

31

Day

Recording Fee

Signature

(ABOVE SPACE FOR RECORDERS USE ONLY)

WARRANTY DEED

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

Parties, Consideration and Grant

KNOW YE, that I, **EVANGELINA T. CHARFAUROS** also known as **EVANGELINE T. CHARFAUROS**, a single woman, whose mailing address is 6345 Galtstrand St., San Diego, CA 92122, who is hereinafter referred to as the "GRANTOR", for good and in lawful consideration in the sum of (\$10.00), and other valuable consideration paid by, **WALTER J. TRANOWSKI**, a married man, whose mailing address is PO Box 23007 Barrigada, Guam 96921, who is hereinafter referred to as the "GRANTEE", the receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto the GRANTEE, in fee simple, forever, as his sole and separate property, the following described parcel of property:

DESCRIPTION OF PROPERTY

LOT NO. 6, BLOCK NO. 2, AGAT, GUAM, as said lot is marked and designated on Map Drawing No. P-311, recorded on October 17, 1966 under Instrument No. 78174, in the Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be 478.7 square meters; Last Certificate of Title No. 2874 issued to Jose Nededog Charfauros and his wife Rosalia Terlaje Charfauros.

737379

TOGETHER with all and singular the buildings, improvements, ways, streets, alleys, passages, water-courses, rights, liberties, privileges, hereditaments, and appurtenances, whatsoever thereunto belonging or in anywise appertaining, and reversion, remainder and remainders, rents, issues and profits thereof, and all estates, rights, title, property, claim and demand whatsoever, of the Grantor at law or in equity, in and to the same.

TO HAVE AND TO HOLD the same, together with all the hereditaments and appurtenances thereunto belonging and in anywise appertaining unto the GRANTEE and GRANTEE'S heirs, successors, administrators, and assigns, forever.

Grantor and Grantors', heirs, successors, administrators, and assigns, covenant with the said Grantee and Grantee's heirs, successors, administrators, and assigns, that Grantor is lawfully seized in fee simple of the granted premises; that said premises are free from all encumbrances except; current real estate taxes not yet due and payable; rights of way, easements, covenants and restrictions of record; that Grantor has good right to sell and convey the same; and that Grantor and any of Grantors' heirs, successors and assigns will forever WARRANT and DEFEND the same to the said Grantee and Grantee's heirs, successors, administrators, and assigns forever against the lawful claims and demands of all persons.

Grantor makes no representations nor warranties that the Grantees may use the property for any particular purpose or that the Grantee may obtain a change of zone permit.

WATER AND POWER

Grantor further states that water and power (electricity) *are* immediately available on the property or within 100 feet of the property, and that the Grantee is aware that the Government of Guam *is not* required to pay for water and power (electricity) hookups or extensions.

IN WITNESS WHEREOF, the Grantor and the Grantee have caused these presents to be duly executed this 30 day of **May, 2006**.

GRANTOR:

Date: 5/30/06

Evangelina T. Charfauros
EVANGELINA T. CHARFAUROS, aka

Evangelina T. Charfauros
EVANGELINE T. CHARFAUROS,

Johnny T. Charfauros
By: JOHNNY T. CHARFAUROS,
her attorney in fact.
(power of attorney #: 722858)

GRANTEE:

Date: 5/30/06

Walter J. Tranowski
WALTER J. TRANOWSKI

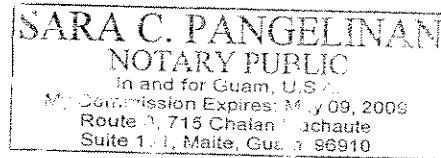
GUAM, U.S.A.)
City of Maite) ss:
)

On this 30 day of **May, 2006**, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **JOHNNY T. CHARFAUROS**, known to me to be the attorney in fact for **EVANGELINA T. CHARFAUROS aka EGANGELINE T. CHARFAUROS**, and he acknowledged to me that he subscribed the name of **EVANGELINA T. CHARFAUROS aka EGANGELINE T. CHARFAUROS**, thereto as principal and his own name as attorney in fact for the uses and purposes herein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan
Notary Public



GUAM, U.S.A)
) ss.:
City of Maite)

On this 30 day of **May, 2006**, before me, a Notary Public, in and for GUAM, U.S.A., personally appeared **WALTER J. TRANOWSKI** known to me to be the person whose name is subscribed to the within instrument and he acknowledged to me that he executed the same as his free and voluntary act and deed for the the uses and purposes herein set forth.

WITNESS my hand and official seal.

) seal (

Sara C. Pangelinan

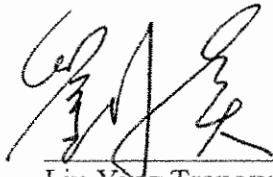
Notary Public.

SARA C. PANGELINAN
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission Expires: May 09, 2009
Route 2, 715 Chalan Machaute
Suite 101, Maite, Guam 96910

SPOUSAL CONSENT

To the extent I have any right, title or interest, whether as community property or otherwise, in all or any part of the foregoing mortgaged property, I hereby consent to the foregoing Mortgage and Assignment of Rent and join in the Mortgage and Assignment of Rent as a co-mortgagor, agreeing to be bound by all terms, conditions, and covenants in said Mortgage.

Property is more formally described as:



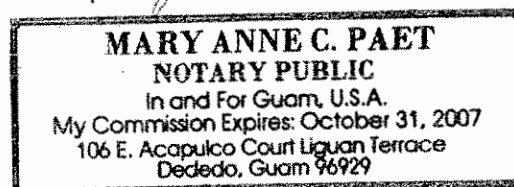
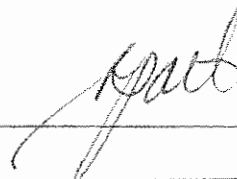
SEE ATTACHED "EXHIBIT A"

Liu Ying Tranowski
SSN #586-49-1428

CITY OF HAGATNA, GUAM

On this 26th day of May 2006 before me, a notary public in and for the City of Hagatna, Guam, personally appeared Liu Ying Tranowski, known to me to be the person whose name is subscribed to the foregoing Spousal Consent, and acknowledged that he/she signed it voluntarily for it stated purpose.

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



737374

"EXHIBIT A"

LOT NO. 6, BLOCK NO. 2, AGAT, GUAM, as said lot is marked and designated on Map Drawing No. P-311, recorded on October 17, 1966 under Instrument No. 78174, in the Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be 478.7 square meters; Last Certificate of Title No. 2874 issued to Jose Nededog Charfauros and his wife Rosalia Terlaje Charfauros.

"END OF EXHIBIT A"

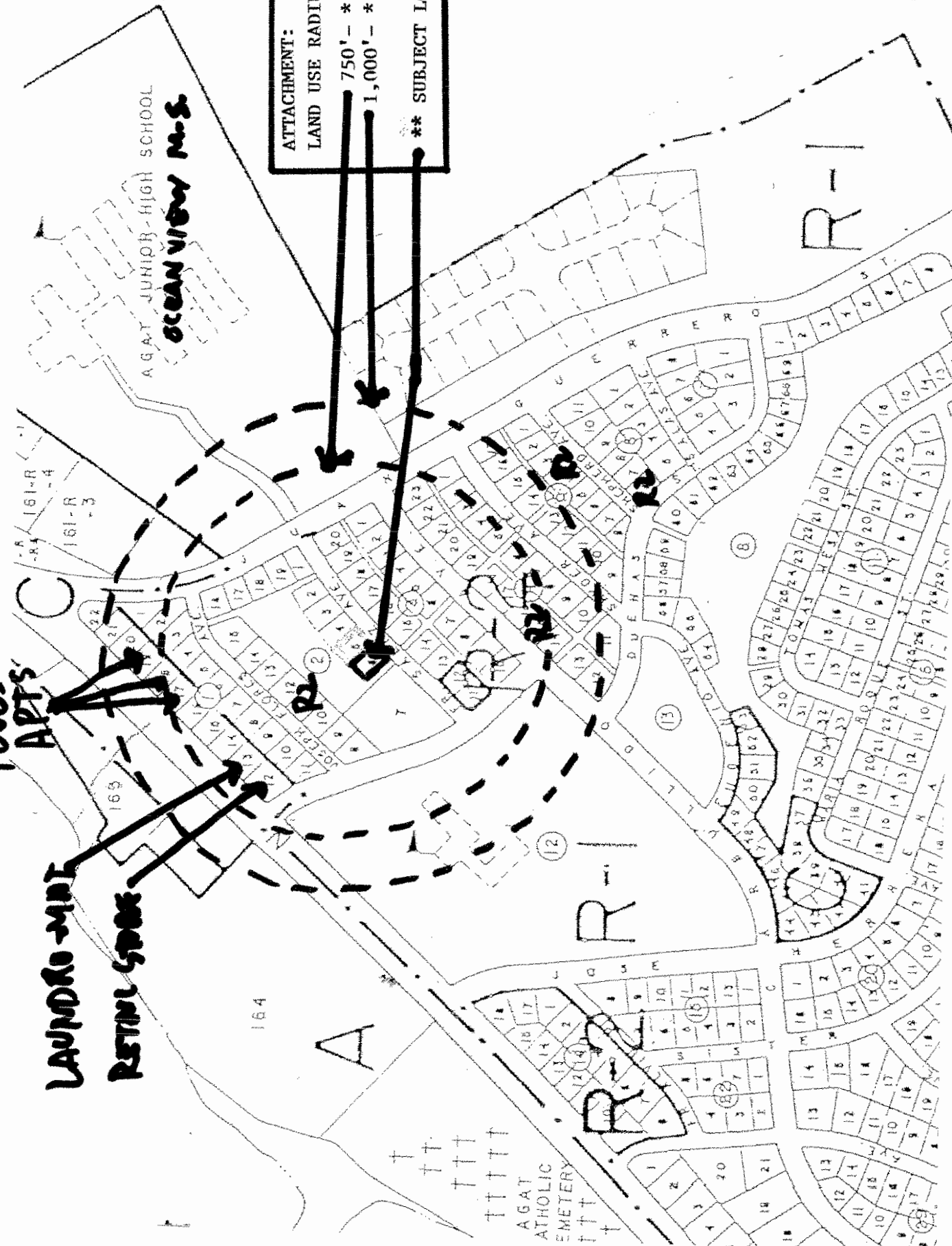
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ATTACHMENT:
 LAND USE RADIUS
 750' - *
 1,000' - *
 ** SUBJECT LOT

**TOVES
 APTS**

**LAUNDRY-MAT
 RETAIL STORE**

OCEAN VIEW M.S.



AGAT
 ATHOLIC
 EMETERY

R-1

R-1

R-2

R-2

R-2

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2-04 W01VMA33



28VOT
279A



TANK-DRUMS
ROCK SURFES



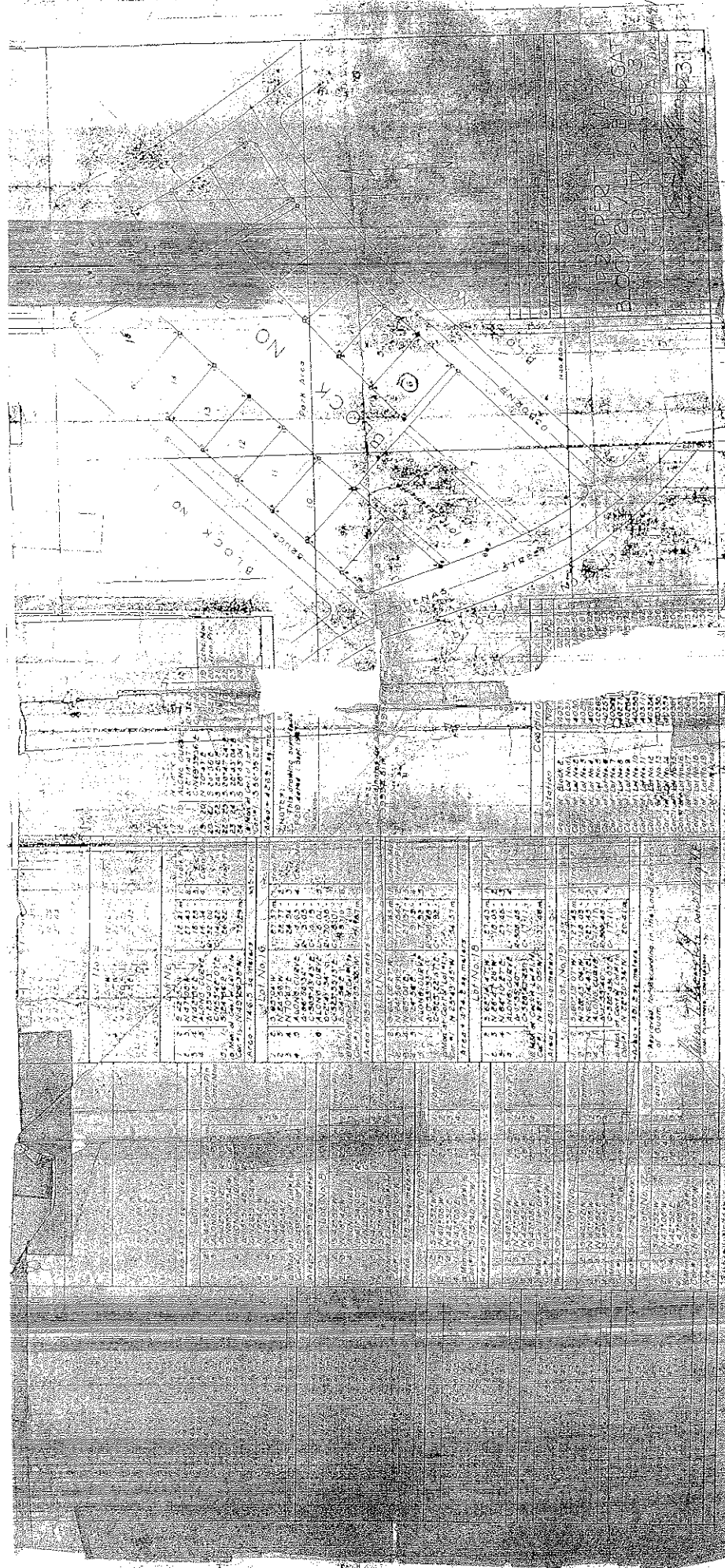
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PROPERTY MAGAZINE
 BOONVILLE, MISSOURI

Parcel No.	Area (Acres)	Owner Name	Address
1	0.12	John Doe	123 Main St
2	0.15	Jane Smith	456 Oak St
3	0.10	Robert Brown	789 Pine St
4	0.18	William White	101 Elm St
5	0.14	Elizabeth Green	202 Maple St
6	0.11	James Black	303 Cedar St
7	0.16	Mary Johnson	404 Birch St
8	0.13	Richard Taylor	505 Walnut St
9	0.17	Susan Miller	606 Spruce St
10	0.12	Thomas Wilson	707 Ash St
11	0.15	Patricia Moore	808 Hickory St
12	0.10	Christopher Lee	909 Sycamore St
13	0.18	Amanda Hall	1010 Dogwood St
14	0.14	Kevin King	1111 Magnolia St
15	0.11	Nancy Adams	1212 Redwood St
16	0.16	Gregory Baker	1313 Cypress St
17	0.13	Michelle Carter	1414 Juniper St
18	0.17	Anthony Evans	1515 Fir St
19	0.12	Stephanie Foster	1616 Hemlock St
20	0.15	Jonathan Garcia	1717 Linden St
21	0.10	Karen Hill	1818 Locust St
22	0.18	Benjamin King	1919 Mulberry St
23	0.14	Rebecca Lewis	2020 Peach St
24	0.11	Eric Miller	2121 Plum St
25	0.16	Christina Moore	2222 Rose St
26	0.13	Timothy Taylor	2323 Sage St
27	0.17	Angela White	2424 Teal St
28	0.12	Robert Wilson	2525 Violet St
29	0.15	Michelle Young	2626 Willow St
30	0.10	Christopher Adams	2727 Yew St

Approved: _____
 City Clerk