## **ACKNOWLEDGMENT OF RECEIPT SUMMARY ZONE CHANGE PACKET**

On

LEGISLATURE Lot 13-R3, Block E, Tract 9, Barrigada, Heights, Municipality of Barrigada

for

## Sang Dae Chun

**APPLICATION NO: SZC 2012-58** 



Legislative Secretary 32 <sup>nd</sup> Guam Legislature  Signature:	Building Official - Director's Office, Department of Public Works  Signature: RECEIVED  Name (print): DEC 0 4 2014  Date / Time		
FOR RECORDATION ONLY: Deputy Civil Registrar	Building Official - Building Permits, Department of Public Works		
[ NOT APPLICABLE	Signature		
SEE ATTACHED NOTICE OF ACTION	Name (print)		
	Date / Time		
Name of Applicant and or Representative			
Signature	Date:Time :		
Office of the Legislative Secretary Senator Tina Rose Mulis Barnes Date Time Received by	Judith T. Won Pat, Ed.D  2311  Date: 12-04-14  Time: 2:33pm  Received By: B		



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



590 S. Marine Corps Drive Suite 733 ITC Building

EDDIE BAZA CALVO Governor

**PAY TENORIO** Lieutenant Governor MONTE MAFNAS Director

DAVID V. CAMACHO Deputy Director

April 17, 2013

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

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

Street Address:

Tamuning, GU 96913

Re:

Summary Zone Change Application No. SZC 2012,58

Lot 13-R3, Block E, Tract 9, Barrigada Hts, Municipality of Barrigada;

for Sang Dae Chun (Owner)

Website: ttp://dlm.quam.gov

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

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 Section 61639 (Summary Procedure for (Changes of Zones), 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 13-R3, Block E, Tract 9, Barrigada Heights, Municipality Barrigada, from "A" (Agricultural) to "R-1" (Single-Family Dwelling) Zone in order to to subdivide and build two residential homes.

OV

E-mail Address:

Imdir@dlm.guam.g

Telephone: 671-649-LAND (5263) As such, I have APPROVED WITH CONDITIONS the Zone Change.

Your expeditious response on this action is greatly appreciated.

Senseramente.

Facsimile: 671-649-5383

Director, Acting

**PCG** 

w/Attachment(s):

- Staff Report and Notice of Action 1.
- Certifications of Utility Agencies/Application Review Committee (ARC) 2.
- Zone Change Application with supporting documents 3.
- Amendment Map No. 96; Zoning Map No. F3 67 S35 4.



## SUMMARY ZONE CHANGE APPLICATION NO: 2012-58 LOT 13-R3, BLOCK E, TRACT 9 BARRIGADA HEIGHTS MUNICIPALITY OF BARRIGADA





## **Space for Recordation**

island of Guam, Government of Guam, Department of Land Management C	officer of the Recorder 850803
File for Record is Instrument No.	Day 1 Time 9:16
Cit alo ton	ceipt No
Deputy Recorder	) Managur.

SUMMARY ZONE CHANGE APPLICATION NO.: 2012-58 APPLICANT: SANG DAE CHUN PREPARED ON FEBRUARY 11, 2013

FROM: "A" (RURAL)

TO: "R-1" (SINGLE FAMILY

DWELLING)

LOT: 13-R3 BLOCK: E TRACT: 9

MUNICIPALITY: BARRIGADA

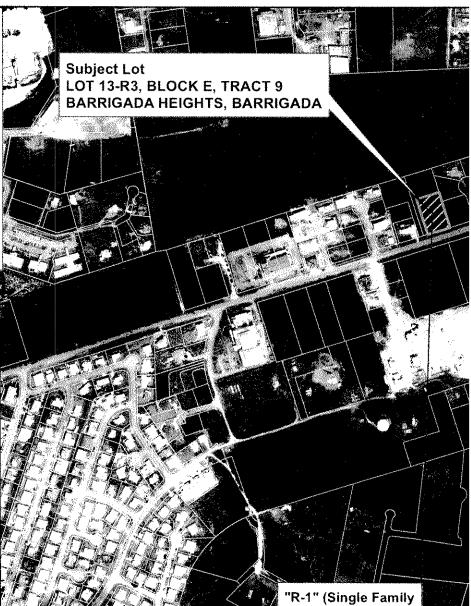
PLACE NAME: BARRIGADA

HEIGHTS SCALE: N/A

AMENDMENT NO.: A-96 ZONING MAP NO.: F3-67S35 [ \sqrt{}] 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 Date
Acting Director

**Department of Land Management** 



(Space above for Recordation)

## **SUMMARY ZONE CHANGE**

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

## NOTICE OF ACTION

February 15, 2013 Date

To: Sang Dae Chun Represented by Ignacio F. Santos P.O. Box 651 Hagatna, Guam 96932 Application No. 2012-58

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**

XX / FROM "A" (RURAL/AGRICULTURAL) TO
"R-1" SINGLE-FAMILY DWELLING;
FOR PARCELING BASIC LOT INTO 2-LOTS

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

N/A / FROM "R-1" (SINGLE-FAMILY DWELLING) TO "R-2" MULTI-FAMILY DWELLING

N/A / OTHER:

Application No. 2012-58

NOTICE OF ACTION SUMMARY ZONE CHANGE Sang Dae Chun (Owner), Represented by Ignacio F. Santos Lot 13-R3, Block E, Tract 9, Barrigada Heights, Municipality of Barrigada;

Date of Preparation of NOA: February 15, 2013 Page 2 of 4

- 1. APPLICATION SUMMARY: Sang Dae Chun (Owner), request approval for rezoning of Lot 13-R3, Block E, Tract 9, Barrigada, from "A" (Rural/Agricultural) to "R-1" (Single-Family Dwelling) Zone in order to allow parceling of the basic lot into two (2) residential lots to build new homes.
- 2. DIRECTOR'S CONDITIONS OF APPROVAL: Applicant(s) shall:
  - a. Comply with all permitting Agency Conditions and requirements; and
  - b. That the any Site Development Plan shall show details of structure location, sewage disposal type and connection; and
  - c. That the development be hooked up to public sewer and comply with GEPA's waste water disposal system requirements and conditions; and
  - d. That the applicants comply with all subdivision/parceling conditions and requirements.

Marvin Q. Aguilar

Guarn Chief Planner, Acting

David V. Camacho

**Acting Director** 

**ATTACHMENTS** 

Cc: Building Permits Section, DPW (Attn: Bldg Official)

Real Property Tax Division, Department of Revenue and Taxation

Case Planner:

Penmer C. Gulac

Application No. 2012-58

NOTICE OF ACTION
SUMMARY ZONE CHANGE
Sang Dae Chun (Owner),
Represented by Ignacio F. Santos
Lot 13-R3, Block E, Tract 9, Barrigada Heights,
Municipality of Barrigada;

Date of Preparation of NOA: February 15, 2013

Page 3 of 4

## **CERTIFICATION OF UNDERSTANDING AND AGREEMENT**

I/We	Ignacio F. Santos	
I/We(Applicant [Please print name])	(Representative [Please print name])	
I/We(Applicant [Please print name])		
(Applicant [r lease plant name])		
•		
approval or guarantee the issuance of a proposed Development or issuance of a further understand that the issuance of shall be contingent on the availability and Such infrastructure availability and/or a	inge Approval does not constitute automatic any "PERMITS" for the construction of the ny "LICENSE" for rentals or leases. I/We any required "PERMITS" or "LICENSE" d/or adequacy of infrastructure in the area. Indequacy shall be as determined by the permitting Agency/Department (i.e., DPW, c).	
Signature of Applicant	Signature of Representative	
Date:	Date: 4/19/13	
ONE (1) COPY OF RECORDED NOTICE OF ACTION RECEIVED BY:		
Applicant Date	Representative Date	

NOTICE OF ACTION
SUMMARY ZONE CHANGE
Sang Dae Chun (Owner),
Represented by Ignacio F. Santos
Lot 13-R3, Block E, Tract 9, Barrigada Heights,
Municipality of Barrigada;

Date of Preparation of NOA: February 15, 2013 Page 4 of 4

Planning 9	Staff	Review	and	Recomme	ndation(s	s)	H B
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1. Frank P. Taitano, Planner IV Approved Disapproved
Comments: Subject to Conditions - of
Signature huch finte Date: 2-18-2013
2. Marvin Q. Aguilar, Planner III Approved Disapproved
Comments: ONEED to Phovide SITE PLAN, IP DENSITY  18 IS TO DESTRICTED TO 2 (TWO) LATITS ONLY
THOUT MUST BE PST-TOP PLAN.  B) IF TWO (2) WHITS THEN THIS CAN BE ASCONPUSHOD
Signature Date: 18/1013 (CHachet)
3. Celine Cruz-Aguilar, Planner III V Approved Disapproved
Comments: Requested won charge if granted will allow you subsequent parcelling thanks no objections from AKC membras, should be considered your advoler.
Signature Date: 2.18.13



#### DIPATTAMENTON MINANEHAN TANO (Department of Land Management) **GUBETNAMENTON GUĂHAN** (Government of Guam)

Lot 13-R3, Block E, Tract 9, Barrigada Hts, Municipality of Barrigada;



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

EDDIE BAZA CALVO Governor

RAY TENORIO Lieutenant Governor MONTE MAENAS Director

DAVID V. CAMACHO Deputy Director

April 17, 2013

Re:

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

for Sang Dae Chun (Owner)

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

Website:

ttp://dlm.guam.gov

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

Summary Zone Change Application No. SZC 2012-58

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 13-R3. Block E. Tract 9, Barrigada Heights. Municipality Barrigada. from "A" (Agricultural) to "R-1" (Single-Family Dwelling) Zone in order to to subdivide and build two residential homes.

E-mail Address: <u>Ilmdir@dlm.guam.g</u> QV

Telephone: 671-649-LAND (5263) As such, I have APPROVED WITH CONDITIONS the Zone Change.

Your expeditious response on this action is greatly appreciated.

Senseramente.

Facsimile: 671-649-5383

Director, Acting

**PCG** 

w/Attachment(s):

- 1. Staff Report and Notice of Action
- Certifications of Utility Agencies/Application Review Committee (ARC) 2.
- Zone Change Application with supporting documents 3.
- 4. Amendment Map No. 96; Zoning Map No. F3 67 S35



February 12, 2013

To:

Director, Department of Land Management

From:

Guam Chief Planner, Acting

Subject:

Staff Report - Case No. SZC 2012-58

Re:

Summary Zone Change - Lot 13-R3, Block E, Tract 9, Barrigada Heights, Municipality of Barrigada; Sang Dae Chun (Owner),

Represented by Ignacio F. Santos

#### 1. PURPOSE:

- a. Application Summary. The Applicant, Sang Dae Chun, is requesting for a for a zone change on Lot 13-R3, Block E, Tract 9, Barrigada Heights, Municipality of Barrigada, from "A" (Agricultural) to "R-1" (Single- Family Dwelling) Zone for proposed parceling of the basic lot into two (2) residential lots to build new homes.
- 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 approximately 150 feet west off South Sabana Drive and approximately 1,000 feet north of St Dominic Senior Home, and is also fronting an 80-foot right of way(North Sabana Drive) in Barrigada Heights, Barrigada (See attached vicinity map).
- c. Field Description. The subject is vacant and the topography is fairly slopes to the west. All public utilities such as sewer, water, Power, telephone service connections are within 100 feet fronting the right-of-way
- c. Lot Area. 2,524 square meters or 23,285 square feet
- d. Present Zoning. "A" (Agricultural ) Zone

Director of Land Management Staff Report- Case No. SZC 2012-58 Lot 13-R3, Block E, Tract 9, Barrigada Heights Represented by Ignacio F. Santos

Page 2

- e. 1967 Master Plan. Residential
- f. Community Design Plan. Conservation
- g. Surrounding Area. The surrounding area consists of single-family and multifamily dwellings, townhouses, PUD, a senior home complex, and commercial establishments within 1,000-1800 feet radius, and some vacant lots and small subdivisions. The proposed development is conducive to the existing land use trend comprising of mix uses of single-family, multi-family and commercial activities. 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: September 6, 2012
- 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 80-foot right-of-way which is fronting the subject lot. Planning staff advices the applicants to obtain a building permit before any construction is proposed 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, there is existing public sewer line and water line located along the right of way. GWA requirements may be coordinated with Engineering Section and or the Customer Services Unit at GWA. 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 GEPA as of Staff Report Date. Staff inspection verified that there's public sewer and water located along the right-of-way.

Director of Land Management Staff Report- Case No. SZC 2012-58 Lot 13-R3, Block E, Tract 9, Barrigada Heights Represented by Ignacio F. Santos

Page 3

Planning staff advices the applicants to obtain a building permit before any construction is proposed on said lots. 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 not submitted their official certification Planning staff advices the applicants to obtain a building permit before any construction is proposed on said lots. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

**DPR/HPO:** The Agency has no objection and recommends approval of the Summary Zone Change Application.

(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 Barrigada.
- d. **Municipal Planning Council (MPC) Resolution:** The Mayor of Barrigada received a copy of the application for the proposed development.
- **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 the Site Development Plan shall show details of structure location,

Director of Land Management Staff Report- Case No. SZC 2012-58 Lot 13-R3, Block E, Tract 9, Barrigada Heights Represented by Ignacio F. Santos

Page 4

Cont.

sewage disposal type and connection; and

- c. That the development be hooked up to public sewer and comply with GEPA's wastewater disposal system requirements and conditions; and
- d. That the applicants comply with all subdivision/parceling conditions and requirements;

Penmer C. Gulac

2/12/2013

Date

Planner III, Case Planner

**PCG** 

Attachments (Application packet)



DIPÅTTAMENTON MINANEHAN TÅNO' (Department of Land Management) GUBETNAMENTON GUÄHAN (Government 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

Hagatña, GU 96932

EDDIE BAZA CALVO

RAY TENORIO Lieutenant Governor

December 31, 2012

**MEMORANDUM** 

TO:

Frank P. Taitano, Planner IV

Marvin Q. Aguilar, Planner III Celine Cruz-Aguilar, Planner III

FROM:

Director

Website: http://dlm.guam.gov

E-mail Address:

yop.maug.mlb@ribmlt

SUBJECT:

Appointment as Panel Members ref: SZC Program

Buenas Yan Hafa Adai:

Pursuant to SZC Guidelines, Paragraph 17, effective December 31, 2012, I hereby appoint you as panel members to review and provide recommendations relative to SZC Application No. 2012-58 (Sang Dae Chun).

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.

Senseramente.

Monte Mafhas

Director

Telephone: 671-649-LAND (5263)

Facsimile: 671-649-5383

K





# DIPÅTTAMENTON MINANEHAN TÅNO' (Department of Land Management) GUBETNAMENTON GUÅHAN (Government of Guam)



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

Mailing Address:

P.O. Box 2950 Hagatña, GU 96932

Website: http://dlm.guam.gov

E-mail Address:

ilmdir@dlm.guam.gov

Telephone: 671-649-LAND (5263)

EDDIE BAZA CALVO Governor

RAY TENORIO Lieutenant Governor MONTE MAFNAS Director

DAVID V. CAMACHO Deputy Director

April 17, 2013

**MEMORANDUM** 

TO:

**Acting Director** 

FROM:

Guam Chief Planner

SUBJECT:

SZC Application No. 2012-58; Sang Dae Chun

Buenas Yan Hafa Adai:

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.

Senseramente,

Facsimite: 671-649-5383

Marvin Q. Aghilar

Guam Chief Planner, Acting

Attachments



## IGNACIO F. SANTOS

Land-Use Consultant P.O. Box 651 Hagåtña, Guam 96932

Suite 201, Guam United Plaza, Hagåtña, Tel: (671) 646-0629 Cell: (671) 777-3862 email: ifszoneland@yahoo.com

July 31, 2011

Mr. Monte Mafnas, Director Department of Land Management c/o Planning Division Government of Guam P.O. Box 2950 Hagatna, Guam 96932

Dear Mr. Mafnas,

On behalf of Sang Dae Chun, enclosed is an application for a Summary Zone Change to rezone Lot 13-R3, Block E, Tract 9, from an "A" (Rural) zone to an "R-1" (Single-Family) zone. The subject lot is located within the Municipal District of Barrigada and contains a land area of 2,514 square meters or 23,185 square feet.

The applicant's petition for a Summary Zone Change request will be to construct two residential Dwelling units. This request will be in compliance with the provisions outlined in Public Law 21-144 and section 11 of Public Law 21-14.

The current zoning designation of the property is "A" (Rural) and is located on the hills of Barrigada Heights. The predominant land uses in the area are single-family dwellings, a land use consistent with the proposed use. The requested zoning designation of the project site to "R-1" (Single-Family) limits the proposed development of the property to its proposed use.

I feel that this development is in association to the surrounding land uses and will not be adversely detrimental to the surrounding properties. I request your attention on the enclosures and look forward on any questions, concerns or additional information you may need to put closure on this request. I can be reached at 671-777-3862 for any assistance on this matter.

Si Yü<del>us Ma</del>ase

IGNACIO F/SANTO

Principal in Charge

Enclosures

## **Affidavit of Authorization**

**THAT I,**, duly authorized representative of **Lot 13-R3**, **Block E**, **Tract 9** located within the Municipal District of Barrigada.

**THAT, Ignacio F. Santos** is the duly authorized representative to act on my behalf to file for consideration an application for:

## a. Summary Zone Change

**THAT,** the extent of my authorization to Ignacio F. Santos is that he may conduct himself accordingly to arbitrate, negotiate, commit, revocate, represent, mitigate and abate the proposed request for a Summary Zone Change approval through all the reviewing instrumentalities involved along the process.

**THAT,** the extent of this authorization continues until I hereby revoke it in writing.

Further, the affiant sayeth naught.

Authorized Representative of Lot 13-R3, Block E, Tract 9, Barrigada

Sang Dae Chun

SUBSCRIBED and SWORN to before me this  $\frac{1777}{2}$  day of N

day of March 2012.

Notary Public

JOSEFINA G. JAVELLANA Notary Public In and for Guam, U.S.A.

My Commission Expires June 24, 2013 400 Route 8 Hagaina GU 96910-2003

### Director, Department of Land Management

c/o Land Planning Division, Zone Change Section Government of Guåhan P.O. Box 2950 Hagatna, Guåhan 96932

Subject:

Summary Zone Change for Lot 13-R3, Block E, Tract 9, Barrigada.

Dear Sir:

Pursuant to Public Law 21-82, (as amended by P.L. 1-144), I am submitting an application for a Summary Zone Change for Lot 13-R3, Block E, Tract 9, Municipal District of Barrigada. As part of the requirements for a Summary Zone Change the following response is offered to assist you in evaluating this application.

a. What is the current zone on the property "A" (Rural) or "R-1" (Single Family)?

Lot 13-R3, Block E, Tract 9, Barrigada Heights is currently zoned "A" (Rural).

b. Who currently owns the property? (If more than one owner or parties, you must list all names.)

The property is currently owned by Mr. Sang Dae Chun.

c. How did you acquire the property? (Deeded to you through Gift, purchases, etc.)

The property was purchased or acquired via a warranty Deed.

d. What is currently on the property, if vacant indicate so. If there is a structure describe the structure (i.e., single-family three (3) bedrooms, two (2) baths), etc. Also, state if you are living or residing on the subject lot to be rezoned.

The property is currently vacant with no one living on site as well as there are any ponds or streams occurring on the property.

## **SUMMARY ZONE CHANGE**

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

Required Signatures: All legal owners/lessees of designated parcel shall sign form with 7. 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.

Sang Dae Chun

Owner (Print/Sign)

Owner (Print/Sign)

March 14, 2012

**Date** 

Date

Representative (If any)

March 14, 2012

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.

DLM Form 01 - SUMMARY ZONE CHANGE - Revised APRIL 2010

Page 3 of 3

## "ORIGINAL COPY"

SUMMARY ZONE CHANGE (P. L. 21-82;4 Short Form as Amended by P.L. 21-144:8)					
то:	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 <i>Zone Change</i> .				
1.	Information on Applicant:				
	Name of Applicant: Sang Dae Chun U.S. Citizen: [X] Yes. [ ] No				
	Mailing Address: P.O. Box 23635				
	Telephone No.: Business: 646-3428 Home: 689-7007				
2.					
	Subdivision Name: Barrigada Heights				
	Lot(s): Block: E Tract: 9				
	Lot Area: Acres: 0.68 Square Meters: 2,514 Square Feet: 23,185				
	Village: Barrigada Heights Municipality: Barrigada				
	Registered Owner(s): Sang Dae Chun				
	Certificate of Title No.: Pending Recorded Document No.: 4000261				
	Deed (Gift, Warranty, etc.): Warranty Deed Document No.: 821298				
3.	Current and Proposed Land Use:				
	Current Use:Current Zoned:Current Zoned:				
	Proposed Use: Single Family Dwelling Proposed Zone: "R-1"				
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.				
DLM	Form 01 - SUMMARY ZONE CHANGE - Revised APRIL 2010 Page 1 of 3				

## **SUMMARY ZONE CHANGE**

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

- 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).

## **GUÄHAN ENVIRONMENTAL PROTEACTION AGENCY**

- 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).

e. <u>Is/Are</u> your structure(s) serviced public sewer or by an individual septic tank/leaching field?

The proposed residential structures to be built will be connecting to a public wastewater system fronting the property along North Sabana Barigada Drive.

f. What are your intentions or plans? Reason you are applying for a zone change? (i.e., to build new apartments or to enclose an existing extension for conversion to a duplex, etc.)

The purpose for the rezoning to "R-1" (Single Family) is to restrict the use of the land to single family dwellings which is the intended use of the property.

g. <u>Surrounding Uses</u>: Briefly identify other types of uses or structures in the immediate vicinity surrounding your property. (i.e., to the north is a duplex, to the south is a retail store, or vacant, etc.).

The surrounding land-uses of the property within a peripheral of 750-Feet consist primarily of single family dwellings and a skilled nursing unit.

h. <u>Topography</u>: Describe the topography of your property. (i.e., flat, hilly, 15% slope from north to south, low lying area, etc.)

The topography of the property exhibits a 3percent slope. The property slopes from the front to the rear of the lot with no ponds or streams occurring within the property boundaries. The applicant proposes to construct a retaining wall along the rear and side boundaries of the property to protect the neighboring lots from soil erosion.

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

The soil name for the property is Guam cobbly clay loam with an average slope of 3 to 7 percent slope. This soil unit is poorly suited to subsistence farming. The main limitations are the very shallow soil depth and doughtiness.

j. <u>Access</u>: Describe the legal access to your property. (i.e., serviced by a 40' (foot) wide right-of-way, etc.) and described it there are improvements within the legal access. e.g., a 20' foot wide paved road exists, or a 20' foot wide coral base compacted road exists, etc.

Access to the property is via a 80-feet wide public access and utility easement known as North Sabana Barrigada Drive. Existing conditions of this road consists primarily of a paved asphalt road.

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

The subject lot is presently zoned "A" (Rural). Existing Land uses surrounding the project site within a periphery of 750 feet consists primarily of single-family dwellings and a skilled nursing unit. Permitted land-uses on the property under its present zone consists of one-family dwellings, duplexes, farming fisheries, cockpits and uses customarily accessory to any of those listed. These types of permitted land uses may not be the best desired setting to the health, safety and general welfare in the development of the property and its surrounding areas under its present zone. Developmental trends on Guam have received numerous requirements by Government Agencies. Requirements on parking facilities, storm drainage and sewer hook-ups and paved roads were not previously enforced as it is now for new development projects. These components are essential to ensure an orderly development of a project and the general protection of adjacent landowners. The proposed project has and will integrate these concerns in its development plans.

## Zoning within a 1,000-feet radius of the subject lot boundaries.

## Legend

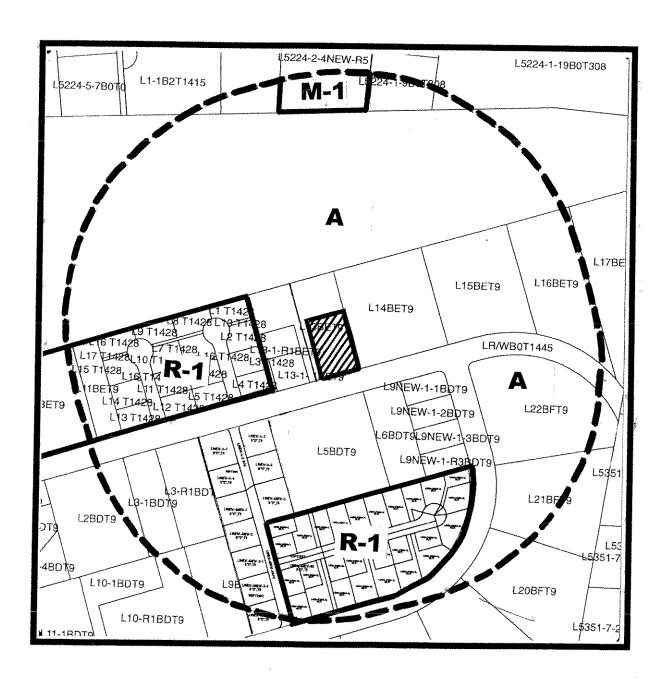


Project Site

M-1 (Light Industrial)

A (Agriculture)

R-1 (Single Dwelling)



# Land-Uses within a 750-feet radius of the subject lot boundaries.

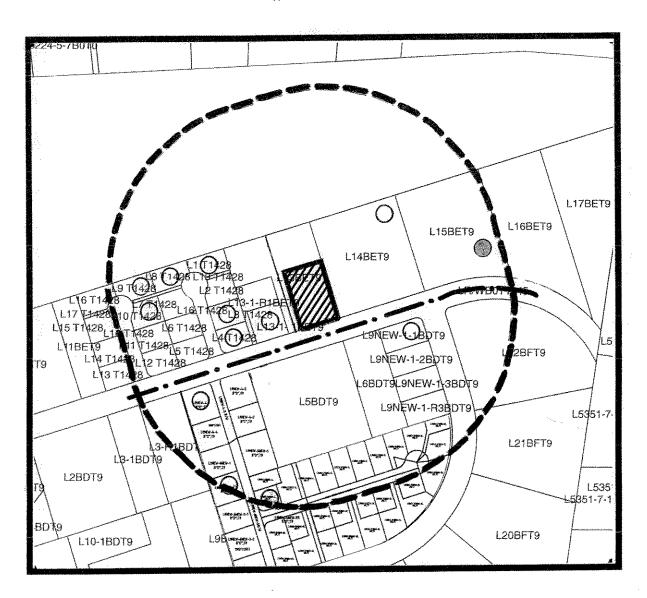
## **Legend**

Project Site

O Single Family Dwelling

Skill Nursing Unit

80' Wide Public Access & Utility Easement North Sabana Barrigada Drive

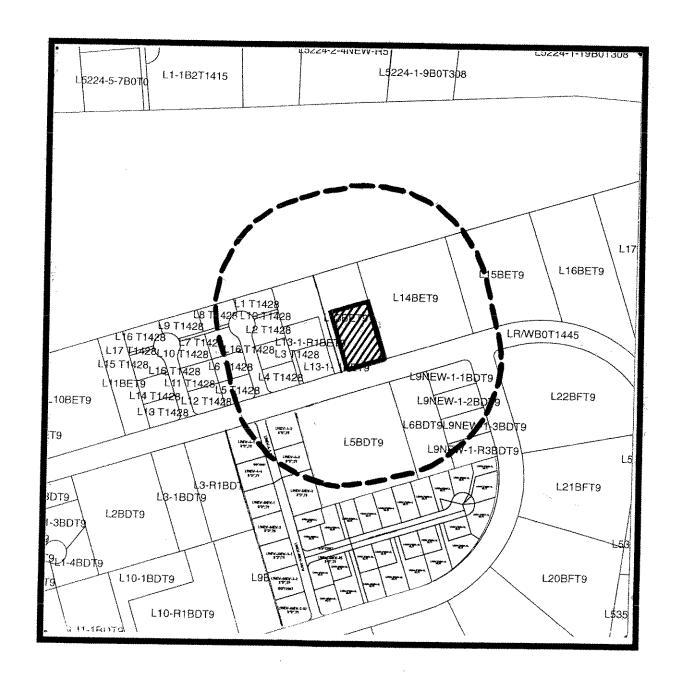


## Lot numbers within a 500-feet radius of the subject lot boundaries.

## Legend



Project Site



# GUAM ENVIRONMENTAL PROTECTION AGENCY ENVIRONMENT IMPACT ASSESSMENT

CASE NO.:	PROJECT TITLE	Proposed Single Family Dwellings
CANALITON	*******	

## APPLICATION FOR A FINDING OF NO SIGNIFICANT IMPACT

1. Name, address and business telephone of applicant:

Sang dae Chun

P.O. Box 23635 G.M.F., Barrigada, Guam 96921 (671) 646-3428

2. Name and title of representative if applicant is a business or governmental agency:

**Ignacio F. Santos** Land Use Consultant (671) 777-3862

3. Location of proposed project: (Include tract, lot, municipality and a location map)

Lot No. 13-R3, Block E, Tract 9

Municipality of Barrigada

The project site located approximately 400 feet west from the skilled nursing center at Barrigada Heights. Ingress and egress to the project site is via North Sabana Barrigada Drive, an 80-feet wide public access and utility easement. (See Exhibit "A")

4. General nature of project: (i.e. single family residence, gas station, parking lot, etc.)

The general nature of the project will specifically be to construct single family dwelling units.

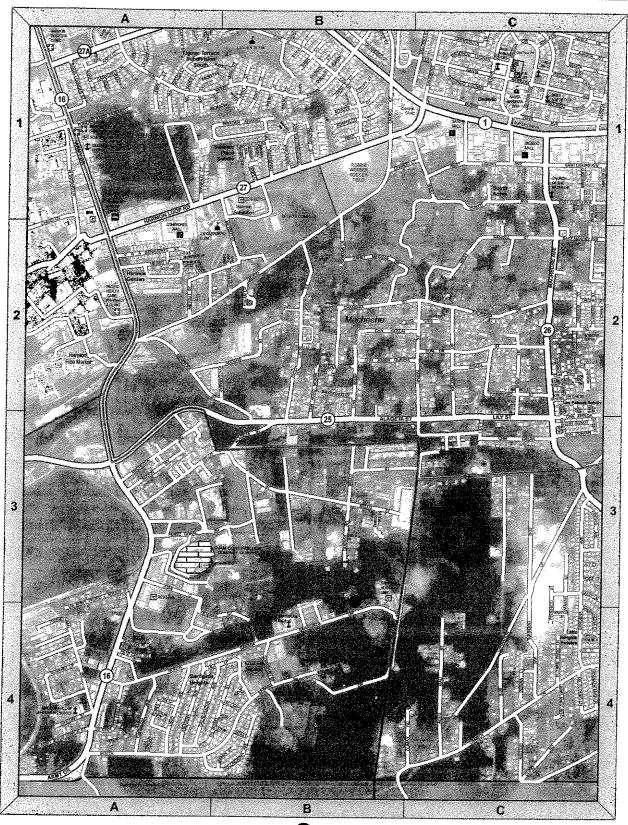
Guam

5R53

Dededo, Barrigada, Mangilao

## Exhibit "A"

48



● Project Site

© 2006 Sureau of Statistics & Plans

54	52	53
47		49







## 5. Are any of the following critical environmental factors affected by the proposed project? If yes, describe the impact, otherwise enter "none".

ENVIRONMENTAL FACTOR	IMPACT
Archaeological Feature	"None"
Critical Habitat Area	"None"
Groundwater recharge Area	"Yes*"
Marine Waters	"None"
Pristine Forest	"None"
Reef Flats	"None"
Streams, Lakes or Ponds	"None"
Watersheds	"None"
Wellhead Protection Zone	"None"
Wetlands	"None"

\*The project site or property is located within ground water protection zone. Impacts from the proposed project onto this constraint will be kept to a minimum. The proposed project will be connecting to a public wastewater system.

## 6. Will the project result in any of the following environmental impacts:

#### Production of toxic or hazardous waste?

No. The proposed project will not involve the production of any toxic or hazardous waste.

## Dislocation of existing business?

No. The location of the proposed project will not dislocate any of the existing businesses within the area. The nearest business establishment is located along Route 16.

## Dislocation of existing residences?

No. The proposed project does not anticipate an adverse impact to the existing residences of the area as the proposed project is in a reasonable association to the desired land use pattern for its location.

## Dislocation of existing public areas?

No. The proposed project will not dislocate any of the existing public areas within the vicinity. The nearest public facility is located miles from the project site.

## Production of air contaminants?

No. The proposed project will not involve the production of any air contaminants.

## Increase in the requirements for drinking water supply?

Yes. The proposed project will result in an increase in the requirements of the drinking water supply. An estimate on the daily water demand of the project dwelling unit, the dwelling unit will have an average flow of 150 gallons per day or 0.11 gallons per minute. The maximum water demand based on a peaking factor of 1.5, the demand will have a flow of 225 gallons per day or 0.16 gallons per minute. Impacts to the existing facilities will be nominal and will not require the construction of new facilities.

## Increase in the requirements for sewage disposal?

Yes. The project will significantly increase the requirements for sewage disposal. The daily wastewater generated from the proposed project will have an average flow 300 gallons per day or 0.21 gallons per minute.

## Increase in the requirements for vehicle traffic?

No. The proposed project will not increase the requirements for vehicular traffic. Based on existing road improvements, the flow of vehicle traffic should not be disruptive to affect the normal living patterns of the area.

## Clearing and grading?

No. The project site exhibits a relatively flat grade with little vegetation on the property. Prior to any construction on the site a clearing permit would be required before the start of construction.

## On-site, individual wastewater disposal system?

No. The project will not be installing an on-site wastewater disposal system.

## Above ground or below ground storage tank?

No. The project will not require a storage tank below ground level.

## **DECLARATION BY APPLICANT**

This proposed project will not result in a significant adverse environmental impact.
Sang Dae Chun Applicant

March 14, 2012

Date

FOR RECORDATION	Department of Land Management Office of the Rocu &		
AT THE	File for Record is Instrument No. 821298		
DEPARTMENT	On the Year _ Month OJ Day 09 Time 2:20		
OF	Recording Fee 762 D Receipt No. 28574		
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MANAGEMENT			

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

## WARRANTY DEED

## TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

Parties, Consideration and Grant

KNOW YE, that we, KERRY BURTON HOFFERTH and ANITA ROSARIO HOFFERTH, husband and wife, as joint tenants with rights of survivorship, whose mailing address is 4064 AMBASSADOR CIRCLE, WILLIAMSBURG, VA 23188, who are hereinafter referred to as the "GRANTORS", for good and in lawful consideration in the sum of (\$25.00), and other valuable consideration paid to us by, SANG DAE CHUN and KYE JUNG CHUN, husband and wife, whose mailing address is 2003 2003 600 600 600 600 who are hereinafter referred to as the "GRANTEES", the receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto the GRANTEES, as joint tenants with rights of survivorship, in fee simple, forever, the following described parcel of property:

#### PROPERTY DESCRIPTION

LOT NO. 13-R3, BLOCK NO. E, TRACT NO. 9, BARRIGADA, GUAM, ESTATE NO. 64299, SUBURBAN, as said lot is marked and designated on Map Drawing No. DPR-060688 (LM#290FY88), dated June 13, 1988 and recorded on July 1, 1988 under Instrument No. 400261, in the Department of Land Management, Government of Guam.

The following is shown for information purposes only: Said map shows the area to be  $2,514 \pm \text{square meters}$ ; Certificate of Title No. 83476 issued to Kerry Jurton Hofferth and Anita Rosario Hofferth, husband and wife, as joint tenants with rights of survivorship.

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

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

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

Grantors make no representations nor warranties that the Grantee may use the property for an particular purpose or that the Grantees may obtain a change of zone permit.

WATER A	AND POWER
	ver (electricity) 13 immediately available on th
	t the Grantees are aware that the Government of Guar
is not required to pay for water and power (electric	ity) hookups or extensions.
IN WITNESS WHEREOF, the Grantors executed this 2nd day of man	and the Grantees have caused these presents to be dul 2011.
GRANTORS:	
VASIVI ONS.	
Date 5/2/11	KERRY BURTON HOFFERTH  And Rosand Longton
Date	ANITA ROSARIO HOFFERTH

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				MARATH OF VIRGINIA	
GUAM, U.S.A.	) ss:				
CITY OF TAMUNING					
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and year first above writter	<b>k.</b>				
and the second second second					
	**	***************************************		····	
		Notary	Public		

Seal

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OF	
LAND	
MANAGEMENT	
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#### WARRANTY DEED

## TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

Parties, Consideration and Grant

KNOW YE, that we, KERRY BURTON HOFFERTH and ANITA ROSARIO HOFFERTH, husband and wife, as joint tenants with rights of survivorship, whose mailing address is 4064 AMBASSADOR CIRCLE, WILLIAMSBURG, VA 23188, who are hereinafter referred to as the "GRANTORS", for good and in lawful consideration in the sum of (\$25.00), and other valuable consideration paid to us by, SANG DAE CHUN and KYE JUNG CHUN, husband and wife, whose mailing address is 90 B 23 635, 6 Wr, 6 uam 20 92/ , who are hereinafter referred to as the "GRANTEES", the receipt of which is hereby acknowledged, does hereby GRANT, BARGAIN, SELL and CONVEY unto the GRANTEES, as joint tenants with rights of survivorship, in fee simple, forever, the following described parcel of property:

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The following is shown for information purposes only: Said map shows the area to be 2,514  $\pm$ square meters; Certificate of Title No. 83476 issued to Kerry Hurton Hofferth and Anita Rosario Hofferth, husband and wife, as joint tenants with rights of survivorship.

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 Grantors at law or in equity, in and to the same.

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Grantors and Grantors' heirs, successors, administrators, and assigns, covenant with the said Grantee and Grantee's heirs, successors, administrators, and assigns, that Grantors are 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 Grantors have good right to sell and convey the same; and that Grantors and any of Grantors' 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.

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

WATER AND POWER

	ower (electricity) 16 immediately available on the hat the Grantees are aware that the Government of Guam ricity) hookups or extensions.
IN WITNESS WHEREOF, the Granton executed this 571 day of 1004	rs and the Grantees have caused these presents to be duly 2011.
GRANTORS:  2 May 2011  Date	KERRY PURTON HOFFERTH HOLDER
Date	ANITA ROSARIO HOFFERTH

GRANTEES:	
Date	SANG DAE CHUN
Date	KYE JUNG CHUN
DATE 5/2/11	
STATE OF NEW YORK COUNTY New York	
On May 7,201 before me, Kaeron the officer personally appeared KERRY BURTON HOP basis of satisfactory evidence) to be the person(s) acknowledged to me that he/she/they executed to	h. (here insert name and title of FERTH personally known to me (or proved to me on the by whose name(s) is/are subscribed to the within instrument and the same in his/her/their authorized capacity(ies), and that by erson(s) or the entity upon behalf of which the person(s) acted,
Signature of an A W	(Seal)

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All Rights Reserved by The Department of Land Management 2011May11 10:12

FOR

RECORDATION

AT THE

DEPARTMENT

OF

LAND

MANAGEMENT

SPACE ABOVE THIS LINE FOR RECORDER'S USE ONLY

#### WARRANTY DEED

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112

821298 Page10of13 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 Grantors at law or in equity, in and to the same.

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

## WATER AND POWER

Grantors further state that water and power (electricity) <u>are</u> immediately available on the property or within 100 feet of the property, and that the Grantees are aware that the Government of Guam is not required to pay for water and power (electricity) hookups or extensions.

IN WITNESS WHEREOF, the Grantors and the Grantees have caused these presents to be duly executed this \_\_STh\_\_ day of \_\_\_\_\_\_\_, 2011.

GRANTORS:		
Date	KERRY BURTON HOFFERTH	
Date	ANITA ROSARIO HOFFERTH	<del></del>

OD ANTODO.

GRANTEES:	
Date Date Date	SANG DAE CHUN  KYE JUNG CHUN
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basis of satisfactory evidence) to be	JRTON HOFFERTH personally known to me (or proved to me on the the person(s), whose name(s) is/are subscribed to the within instrument and ey executed the same in his/her/their authorized capacity(ies), and that by the person(s) or the entity upon behalf of which the person(s) acted
Signature	(Seal)

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COUNTY					
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