

**ACKNOWLEDGMENT OF RECEIPT  
SUMMARY ZONE CHANGE PACKET**

**LEGISLATURE  
2014**

On  
Lot 160-R-4-1, Toto ,  
Municipality of Mongmong-Toto-Maite  
for  
Eduardo U. and Herminia A. Salas

**APPLICATION NO: SZC 2012-26**

**Legislative Secretary  
32<sup>nd</sup> Guam Legislature**

Signature: *Jim Aliet*  
Name (print): T. Aliet  
Date / Time: 12/4/14 2:00pm

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

Signature: \_\_\_\_\_  
Name (print): \_\_\_\_\_  
Date / Time: \_\_\_\_\_



**FOR RECORDATION ONLY:  
Deputy Civil Registrar**

[ \_\_\_\_\_ ]

**NOT APPLICABLE**

**SEE ATTACHED NOTICE OF ACTION**

[ \_\_\_\_\_ ]

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

Signature: \_\_\_\_\_  
Name (print): \_\_\_\_\_  
Date / Time: \_\_\_\_\_

2014 DEC -11 PM 2:15 P

Name of Applicant and or Representative

Signature: \_\_\_\_\_

Date / Time: \_\_\_\_\_

32-14-2313  
Office of the Speaker  
Judith T. Won Pat, Ed.D

Date: 12-04-14  
Time: 2:20pm  
Received By: *[Signature]*

Office of the Legislative Secretary  
Senator Tina Romo Muller Barnes  
Date: 12/4/14  
Time: 2:00pm  
Received by: TPA

2313



**DIPATAMENTON MIINANERIAN TANO**  
 (Department of Land Management)  
**GUBETNAMENTON GUÅHAN**  
 (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

March 24, 2014

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



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

Re: **Summary Zone Change Application No. SZC 2012-26**  
**Lot 160-R-4-1 (Toto), Municipality of Mongmong-Toto-Maite;**  
**for Eduardo U. and Herminia A. Salas**

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

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

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single-Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is

E-mail Address:  
[lmDir@dlm.guam.gov](mailto:lmDir@dlm.guam.gov)

herewith submitting to the Legislature, a Zone Change application for Lot 160-R-4-1 (Toto), Municipality Mongmong-Toto-Maite, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to put into zoning compliance an existing 2-storey residential Duplex for family and rentals for the community.

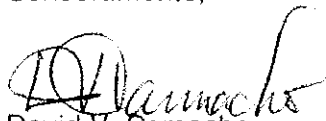
Telephone:  
 671-649-LAND (5263)

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

Your expeditious response on this action is greatly appreciated.

Senseramente,

Facsimile:  
 671-649-5383

  
 David V. Camacho  
 Acting Director

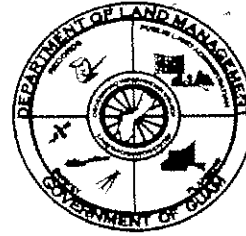
PCG; w/Attachment(s):

1. Staff Report and Notice of Action
2. Certifications of Utility Agencies/Application Review Committee (ARC)
3. Zone Change Application with supporting documents
4. Amendment Map No. 35; Zoning Map No. F3 67 S50





**SUMMARY ZONE CHANGE  
APPLICATION NO: 2012-26  
LOT 160-R-4-1 (TOTO)  
MUNICIPALITY OF MONGMONG-TOTO-MAITE**



(SPACE FOR RECORDATION)

Island of Guam, Government of Guam  
Department of Land Management Officer of the Recorder  
**863090**

File for Record is Instrument No.

On the Year 14 Month 03 Day 24 Time 3:48

Recording Fee DE-OFFICIO

Deputy Recorder Lisa O. Manggar

**SUMMARY ZONE CHANGE  
APPLICATION NO. 2012-26  
APPLICANT: Eduardo U. and Herminia A. Salas  
Prepared on March 17, 2014**

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

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

**LOT NO: 160-R-4-1 (Toto)**

**BLOCK NO. N/A**

**TRACT: N/A**

**NAME PLACE: N/A**

**MUNICIPALITY: MONGMONG-TOTO-MAITE**

**SCALE: N/A**

**AMENDMENT NO: 35**

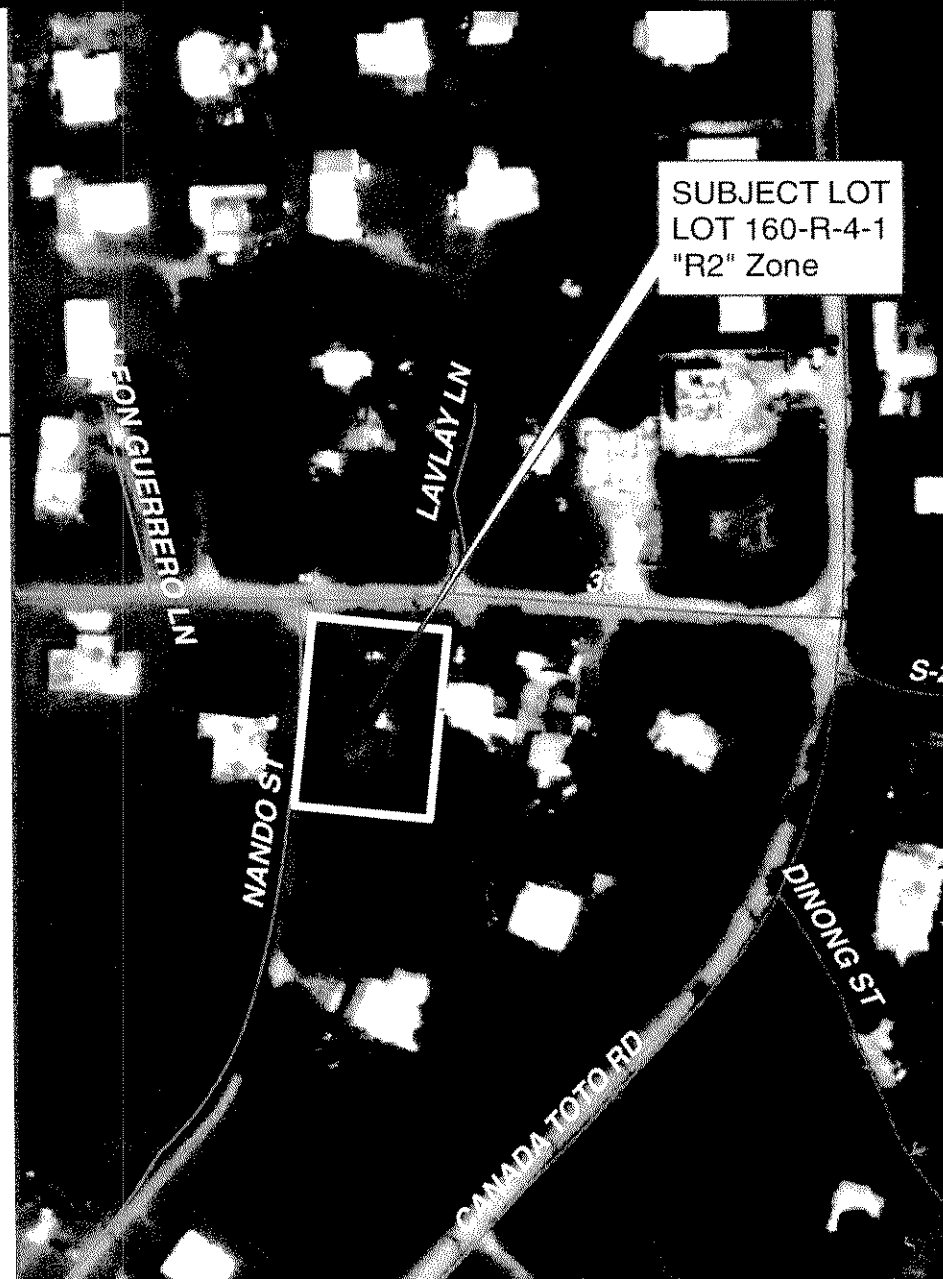
**ZONING MAP NO: F3-67 S50**

Approved with Conditions  
As noted on Notice of Action and  
Pursuant to Title 21 GCA  
Chapter 61 Section 61639 and  
Executive Order 92-08.

David V. Camacho 3/24/14

**DAVID V. CAMACHO** DATE  
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

March 21, 2014  
Date

To: **Eduardo U. and Herminia A. Salas**  
**#204 Asucena Avenue**  
**Barrigada, Guam 96913**

Application No. 2012-26

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 PUT INTO ZONING COMPLIANCE TO ALLOW  
AN EXISTING 2- STOREY DUPLEX FOR FAMILY AND  
RENTAL. (Re: Lot 160-R-4-1, Toto)

N/A / OTHER:

**NOTICE OF ACTION  
SUMMARY ZONE CHANGE**

Application No. 2012-26

**Eduardo U. and Herminia A. Salas**

**Lot 160-R-4-1, (Toto), Municipality of Mongmong-Toto-Maite**

**Date of Preparation of NOA: March 21, 2014**

**Page 3 of 5**

Relative to the rezoning action, we find that there are no objections to the request. Submitted and made a part of this Report is the MTM Municipal Planning Resolution (MPC) #14-001, and stated their support for the application, that the zone change will allow for conformance and will not have any detrimental impact on the community, and will further provide housing for their family and the general public.

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

**3. DIRECTORS'S DECISION: APPROVED WITH CONDITIONS**

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

- a. Comply with all permitting Agency Conditions and requirements; and
- b. That 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 reevaluation may include another review by the appropriate Application Review Committee Agency and/or by the Municipal Planning Council to determine the physical, social and environmental impacts of the revised changes; and
- e. That under this Zone Change process, it shall not include conversions to: HORIZONTAL PROPERTY REGIMES (under 21 GCA, Chapters 45); TIME SHARE OWNERSHIP (under 21 GCA, Chapter 47); HOTELS/MOTELS; and RESIDENTIAL COMMERCIAL ACTIVITIES SUCH AS LAUNDRY ROOMS, GIFT SHOPS, AND THE LIKE; and TEMPORARY WORKFORCE HOUSING FACILITIES; and
- f. That the development be hooked up to public sewer when available or comply with GEPA's wastewater disposal system requirements and conditions; and

**NOTICE OF ACTION  
SUMMARY ZONE CHANGE**

Application No. 2012-26


**Eduardo U. and Herminia A. Salas**

**Lot 160-R-4-1, Toto, Municipality of Mongmong-Toto-Maite**

**Date of Preparation of NOA: March 21, 2014**

**Page 4 of 5**

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

 3-24-14


**Frank P. Taitano**                      **Date**  
**Guam Chief Planner (Acting)**

 3/24/14

**David V. Camacho**                      **Date**  
**Acting Director**

**ATTACHMENTS**

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

 Case Planner: Penmer Gulac

**NOTICE OF ACTION  
SUMMARY ZONE CHANGE**

Application No. 2012-26

Eduardo U. and Herminia A. Salas  
Lot 160-R-4-1, Toto, Municipality of Mongmong-Toto-Maite  
Date of Preparation of NOA: March 21, 2014

Page 5 of 5

**CERTIFICATION OF UNDERSTANDING AND AGREEMENT**

**Eduardo U. Salas**  
I/We \_\_\_\_\_ / \_\_\_\_\_  
(Applicant [Please print name]) (Representative [Please print name])

**Herminia A. Salas**  
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).

Herminia A. Salas \_\_\_\_\_  
Signature of Applicant (s) Signature of Representative  
Date: March 24, 2014 Date: \_\_\_\_\_

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

ASalas \_\_\_\_\_ 3/25/14 \_\_\_\_\_  
Applicant Date Representative Date

NOTICE OF ACTION (Attachment)  
SUMMARY ZONE CHANGE

Application No. 2012-26

Eduardo U. and Herminia A. Salas

Lot 160—R-4-1, (Toto), Municipality of Mongmong-Toto-Maite

Date of Preparation of NOA: March 21, 2014

Planning Staff Review and Recommendation(s);

1. Frank P. Taitano, Planner IV  Approved  Disapproved

Comments: in form & context

Signature Frank Taitano Date: 3-21-14

3. Celine Cruz, Planner III  Approved  Disapproved

Comments: requested zone change is to bring existing structure into compliance and should be considered favorably.

Signature Celine Cruz Date: 3-21-14





**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

March 24, 2014

To: Acting Director

From: Guam Chief Planner, Acting

SUBJECT: **SZC Application No. 2012- 26**

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

Buenas Yan Hafa Adai:

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

Submitted is the SZC Packet for your review and action.

I have reviewed the Application for **Mr. and Mrs. Salas 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,

E-mail Address:  
[dlmdir@dlm.guam.gov](mailto:dlmdir@dlm.guam.gov)

  
 Frank P. Taitano  
 Guam Chief Planner, Acting

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

Attachments as noted

 PCG





**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

DAVID V. CAMACHO  
 Deputy Director

March 20, 2014

To: Acting Director, Department of Land Management

From: Planner III

Subject: Staff Report Lot 160-R-4-1 (Toto), in the Municipality of Mongmong-Toto-Maite

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

**PURPOSE:**

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

a. Application Summary. The Applicant, Eduardo U. and Herminia A. Salas, are requesting a zone change on Lot 160-R-4-1 (Toto), in the Municipality of Mongmong-Toto-Maite, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone order to put existing 2-storey residential Duplex into zoning compliance for family and rental.

E-mail Address:  
[dldir@dlm.guam.gov](mailto:dldir@dlm.guam.gov)

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.

Telephone:  
 671-649-LAND (5263)

**FACTS:**

Facsimile:  
 671-649-5383

a. Location. The structure is on a corner lot and fronts SGT Roy Damian Street and Nando Street and is approximately 400 feet west of Toto – Canada Road in Toto (**see attached vicinity map**).

b. Field Description. There is 2-storey residential duplex on the subject lot.

c. The topography gradually slopes to the southwest toward Nando Street, and per Staff inspection, all public utilities such as water, power, telephone service connections are within 100 feet fronting the right-of-way and accessible from SGT Roy Damian. There is no public sewer. The Duplex utilizes a GEPA approved wastewater disposal system.

d. Lot Area. 1,161 square meters or 12,497 square feet

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

f. 1967 Master Plan. Residential



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

g. Surrounding Area. The surrounding area consists of single-family, multi-family dwellings (within 200 - 750 - 1500 feet), there are also retail stores, and schools along Toto-Canada Road. There are lots that were rezoned via the Legislature and Public Law 21-82 (Summary Zone Change) more than ten years ago. The proposed development is conducive to the existing land use trend comprising of mix uses of single-family, multi-family and commercial activities within 200 – 1,500 feet to the north and northwest, northeast. The existing development is not expected to have a major impact to existing infrastructure or immediate surroundings.

**3. APPLICATION CHRONOLOGICAL FACTS.**

a. Date Application Accepted: March 5, 2014

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 (SGT Roy Damian St) which is fronting the subject lot. Planning staff advises the applicants to obtain the required permits before any construction/improvements on said lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

**GWA:** There Official Certification reports that the Duplex has active GWA accounts. There is 8-inch and 12-inch water lines along SGT Damian Street. Per Planning Staff inspection of the property, the duplex is connected to power and water. There is no public sewer. The Duplex is utilizing a GEPA approved wastewater disposal system.

**GEPA:** No Official Certification have been received from Guam EPA as of Staff Report Date. Per Planning Staff inspection, the property The Duplex is utilizing a GEPA approved wastewater disposal system. Planning staff advises the applicants to obtain the required permits before any clearing or construction/improvements on said lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

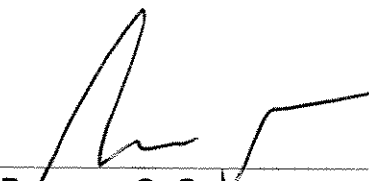
**GPA:** The Authority has not submitted their official certification. Planning Staff verified there are two power meter on the structure and advises the applicants to coordinate with GPA on other requirements, that is pursuant to the National Electric Safety Code and GPA's Service Rules and Regulations. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

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

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

sewage disposal type and connection; and further, that a copy of the floor plans shall be submitted to the Guam Chief Planner; and

- c. That any future increase in dwelling units or on the "intensity of use" from the approved revised plans shall require the Applicant to resubmit a new request and the proposed new Site Development Plan to the Chief Planner, Land Management for his reevaluation; and
- d. That such re-evaluation may include another review by the required Application Review Committee Agency and/or by the Municipal Planning Council to determine the physical, social and environmental impacts of the revised changes; and
- e. That under this Zone Change process, it shall not include conversions to: HORIZONTAL PROPERTY REGIMES (under 21 GCA, Chapters 45); TIME SHARE OWNERSHIP (under 21 GCA, Chapter 47); HOTELS/MOTELS; and RESIDENTIAL COMMERCIAL ACTIVITIES SUCH AS LAUNDRY ROOMS, GIFT SHOPS, AND THE LIKE; and TEMPORARY WORKFORCE HOUSING FACILITIES; and
- f. That the development be hooked up to public sewer and or comply with GEPA's wastewater disposal system requirements and conditions;
- g. That the Development shall be serviced with a Government approved Trash Receptacle; and
- h. That each dwelling unit constructed shall be provided 2-parking.

  
\_\_\_\_\_  
**Penner C. Gulac**  
Planner III, Case Planner

3/21/2014  
Date



**Mayor Andrew C. Villagomez**

Telephone: (671) 477-9090/6758  
Fax: (671) 472-6494

March 17, 2014

**RECEIVED**  
MAR 17 2014  
Department of Land Management  
Time: 10:48 AM Inrd: [Signature]

Memorandum

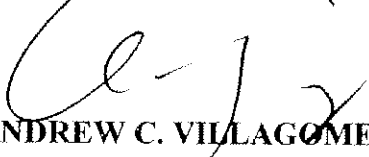
To: Director, Department of Land Management  
From: Mayor, Municipality of Mongmong-Toto-Maite  
Subject: Resolution

*Hafa Adai!!!* Attached is MTM MPC Resolution 14-001 approving the zone change request for Mr. Eduardo U. and Mrs. Herminia A. Salas' from R-1 (Single Family) Dwelling to R-2 (Multi-Family) Dwelling on Lot 160-R-4-1 in order to allow zoning compliance of an existing residential duplex for family and rental use.

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

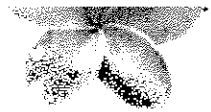
Your assistance in processing the zone change for Mr. Eduardo U. and Mrs. Herminia A. Salas is greatly appreciated.

Si Yu'os Ma'ase'

  
**ANDREW C. VILLAGOMEZ**

*Attachments*

Cc: Governor of Guam  
Speaker, Mina Trentai Dos Na Liheslaturan Guahan  
Mr. Eduardo U. and Mrs. Herminia A. Salas



Mayor Andrew C. Villagomez

Telephone: (671) 477-9090/6758  
Fax: (671) 472-6494

MONGMONG-TOTO-MAITE MUNICIPAL PLANNING COUNCIL

Resolution No. 14-001

Introduced By:

Mayor Andrew C. Villagomez  
Eugene M. Camacho  
Arthur N.S. Concepcion  
Arvin J. Cruz

Jacquelynn N. Cruz  
Donnyred Garrido  
Sonya A.U. Naputi-Sanchez  
Victor R. Villagomez

RELATIVE TO SUPPORTING THE ZONE CHANGE APPLICATION FILED WITH THE DEPARTMENT OF LAND MANAGEMENT BY MR. EDUARDO U. AND MRS. HERMINIA A. SALAS FOR A ZONE CHANGE FROM "R-1" (SINGLE-FAMILY DWELLING) TO "R-2" (MULTI-FAMILY DWELLING) ON LOT NO 160-R-4-1 IN THE MUNICIPALITY OF MONGMONG-TOTO-MAITE, GUAM.

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

3 Whereas, Mr. Eduardo U. and Mrs. Herminia A. Salas, are the owners of Lot No. 160-R-  
4 4-1, Municipality of Mongmong-Toto-Maite; and

5 Whereas, Mr. Eduardo U. and Mrs. Herminia A. Salas have filed an application with the  
6 Department of Land Management requesting a Zone Change from "R-1" (Single-Family  
7 Dwelling) to "R-2" (Multi-Family Dwelling); and

8 Whereas, Mr. Eduardo U. and Mrs. Herminia A. Salas intention for requesting the zone  
9 change to put into compliance an existing 2-story residential duplex for family and rental units;  
10 and

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

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

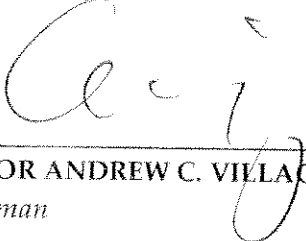
3         **Whereas**, the Chairman and members of the Mongmong-Toto-Maite Municipal  
4 Planning Council has discussed the proposed zone change request by Mr. Eduardo U. and Mrs.  
5 Herminia A. Salas and are in the opinion that the zone change would not have any detrimental  
6 impact on the community, that the zone change would allow Mr. Eduardo U. and Mrs.  
7 Herminia A. Salas to provide housing for family and/or rental units; and now, therefore be it

8         **Resolved**, that the Chairman and members of the Mongmong-Toto-Maite Municipal  
9 Planning Council hereby approve the zone change application filed with the Department of  
10 Land Management by Mr. Eduardo U. and Mrs. Herminia A. Salas for a zone change from "R-  
11 1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling); and be it further

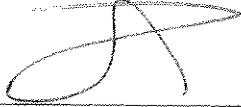
12         **Resolved**, that the Chairman certify to and the Secretary attest to the adoption hereof  
13 and that copies of the same be thereafter transmitted to Mr. Eduardo U. and Mrs. Herminia A.  
14 Salas; to the Director, Department of Land Management; to the Speaker of *I Mina Trenta Dos Na*  
15 *Lihselaturan Guåhan*; and to *I Maga Lähen Guåhan*, the Governor of Guam.

**DULY AND REGULARLY ADOPTED ON THE 14th DAY OF MARCH 2014,  
IN THE MUNICIPALITY OF MONGMONG-TOTO-MAITE, GUAM.**

**CERTIFIED BY:**

  
\_\_\_\_\_  
**MAYOR ANDREW C. VILLAGOMEZ**  
*Chairman*

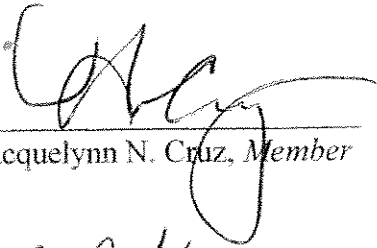
**ATTESTED BY:**

  
\_\_\_\_\_  
**SONYA A.U. NAPUTI-SANCHEZ**  
*MPC Secretary*





Eugene M. Camacho, *Member*



Jacquelyn N. Cruz, *Member*



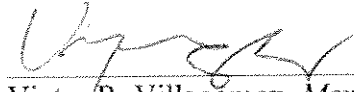
Arthur N.S. Concepcion, *Member*



Donnyred Garrido, *Member*



Arvin J. Cruz, *Member*

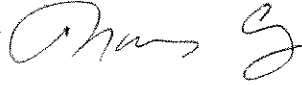


Victor R. Villagomez, *Member*

3/13/14  
**RECEIVED**

March 13, 2014

**MEMORANDUM**

TO: Director, Department of Land Management  
FROM: Thomas A. Cruz, P.E., Chief Engineer   
SUBJECT: Request for Certification  
APPLICATION NO.: SZC 2012-26  
APPLICANT: Eduardo U. and Herminia A. Salas

The Guam Waterworks Authority (GWA) has reviewed the Summary Zone Change application requesting approval to rezone the property from "R-1" (Single-Family) to "R-2" (Multi-Family Dwelling) Zone in order to put an existing residential duplex into zoning compliance for family and rental on Lot 160-R-4-1, Toto, Municipality of Mongmong-Toto-Maite.

GWA has conducted a site investigation and has determined the following(s):

- 1.) According to GWA records, there is an existing eight (8") inch and a twelve (12") inch water line located along Sgt. Roy T. Damian Street fronting the subject lot. There is no sewer line in the area.
- 2.) The applicant will be required to apply for additional water meter account on the other unit of the existing duplex.
- 3.) GWA approval is based on the existing duplex. Any future expansion to multi-family units required GWA review and approval.

This GWA certification shall remain valid for 365 calendar days from the date of this response. For additional information please contact Mr. Thomas Cruz, Chief Engineer at 647-2613.



**DIPATTAMENTON MINANEHAN TÂNO'**  
(Department of Land Management)  
**GUBETNAMENTON GUÅHAN**  
(Government of Guam)



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

EDDIE BAZA CALVO  
Governor

RAY TENORIO  
Lieutenant Governor

MONTE MAFNAS  
Director

DAVID V. CAMACHO  
Deputy Director

March 14, 2014

**MEMORANDUM**

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

**FROM:** Acting Director

**SUBJECT: Appointment as Panel Members Ref: SZC Program**


Buenas Yan Hafa Adai:

Pursuant to SZC Guidelines, Paragraph 17, effective March 14, 2014, I hereby appoint you as panel members to review and provide recommendations relative to **SZC Application No. 2012-26 (Mr. and Mrs. Salas)**.

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,

  
David V. Camacho  
Acting Director

Cc: Masterfile – Land Planning, Ref: SZC 2012-26  
PCG

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

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

E-mail Address:  
[dldir@dlm.guam.gov](mailto:dldir@dlm.guam.gov)

Telephone:  
671-649-LAND (5263)

Facsimile:  
671-649-5383



**DIPATTAMENTON MINANEHAN TANO'**  
 (Department of Land Management)  
**GUBETNAMENTON GUAHAN**  
 (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:  
[dlnmdir@dlm.guam.gov](mailto:dlnmdir@dlm.guam.gov)

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

March 5, 2014

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): **Eduardo U. and Herminia A. Salas**

Application No. **SZC 2012-26**

Project Description: **To rezone the property from "R1" (Single-Family) to "R-2" (Multi-Family Dwelling) Zone** to put into zoning compliance an existing residential Duplex for family and rental; Lot 160-R-4-1, Toto, Municipality of Mongmong-Toto-Maite.

Date Received: **March 12, 2012**

Date Accepted: **March 5, 2014**

**\*\* Due Date for Certification: March 20, 2014**  
 (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. 2012-26 and supporting documents

*for PA1*  
**RECEIVED**  
*3-12-12*  
*pat*

**To: Director of Land Management  
c/o Division of Land Planning**

**Subject: Summary Zone Change Application**

*2012-26*

**(P.L. 21 – 82:4 as Short Form Amended by P.L. 21 – 144, Section 8)**

**Submitted By: Herminia A. Salas and Eduardo U. Salas**

**Date: March 12, 2012**

# SUMMARY ZONE CHANGE

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

To: **Director of Land Management**  
**c/o Division of Land Planning**  
**Government of Guahan**  
**P.O. 2950**  
**Hagatna, Guahan 96932**

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

1. **Information of Applicant:**

Name of Applicant: Eduardo U. Salas and Herminia A. Salas (Husband and Wife)

U.S. Citizen  Yes  No

Mailing Address: 204 Asucena Ave. Barrigada GU 96913

Telephone No.: Business: \_\_\_\_\_ Home: 632-1212

2. Location, Description and Ownership: (NOTE: The maximum lot cannot exceed two  
(2) acres or 8,093.73 square meters or 87,120 square feet, gross area.)

Subdivision Name: N/A

Lot(s): 160-R-4-1

Lot Area: \_\_\_\_\_ Square Meters: 1,161.00 Square Feet: \_\_\_\_\_

Village: Toto, Guam Municipality: Sinajana

Registered Owner(s): Eduardo U. Salas and Herminia A. Salas  
(Husband and Wife)

Certificate of Title No.: 80404 Recorded Document No.: 332305/379655

Deed (Gift, Warranty, etc.): \_\_\_\_\_ Deed Document No. \_\_\_\_\_

3. Current and Proposed Land Use:

Current Use: 2 Family Dwelling

Current Zoned: R1 (Single-Family Dwelling)

Proposed Use: 2 Family Dwelling

Proposed Zone: R2 (Multiple-Family Dwelling)

# JUSTIFICATION LETTER APPLICATION

Attachment 1

## JUSTIFICATION LETTER

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

Subject: Summary Zone Change Application on Lot 160-R-4-1, Toto Block  
Tract \_\_\_\_\_ Municipality of Sinajana, Guam.

Pursuant to Public Law 21-82, (as amended by P.L. 1-144), We are submitting an application for A Summary Zone Change on the above property. By providing the answers to the questions, all information will help to evaluate the application.

Dear Sir:

- a. **What** is the current zone on the property "A" (Rural) or "R-1" (Single Family)?  
**The Property is currently R 1 zone.**
- b. **Who** currently owns the property? (If more than one owner or parties, you must list all names).  
**Eduardo U. Salas and Herminia A. Salas**
- c. **How** do you acquire the property? **The applicants: Mr. Eduardo U. Salas and Herminia A. Salas purchased the property through Pacific Financial Corporation from Vicente V. Santos and Margaret Santos.**
- d. **What** is currently on the structure? **Two- Storey Concrete Structure: Two (2) family dwellings. Each unit has 3 bedrooms 1 bath. First floor is occupied and second floor unit is vacant. Applicants do not reside on this property. Separate utilities such as water and power are installed in each unit.**
- e. **Is/Are** your structure (s) serviced by public sewer or septic tank/leaching field? **The two units are connected to septic tank/leaching field. Public sewer is not available but located within the area; fronting Harvest Christian Academy and Dr. Sablan's Clinic.**
- f. **What** are your intentions and plans? **The Two-Storey Concrete Structure two (2) family dwellings were in existence at the time of purchase. Our intentions are to qualify the Two Storey Concrete Structure as Two (2) Family Dwellings on R 2 zone for family use or affordable rentals. (In 1987, The TPC Territorial Planning Commission of Land Management approved the structure was build prior to the enactment of the zoning law. DPW issued proper permits. We applied for the different agencies GWA, GPA and EPA.**



- g. **Surrounding Uses:** The surrounding land uses to the East of the property: condos, duplexes, apartments, Harvest Christian Academy, clinic, retail stores, sporadic family dwellings, adjacent to property was a C-zone as shown on a map. It is a fast growing community. Water and Power are available and are connected to each unit. The zone change to R 2 is not expected to have a major impact on existing infrastructure or immediate surroundings. We look forward for Government of Guam GWA to connect the public sewer as the community realize that such sewer ended in front of Sablan's apartments, Harvest Christian Academy and about 1/3 of a mile from the property 1176 Roy T. Damian Street.
- h. **Topography:** The property is flat and level fronting and facing Sgt. Roy T. Damian Street, Toto.
- i. **Soil Composition:** The soil is well drain soil. No sand, clay or rocky composition.
- j. **Access:** The property is fronting Sgt. Roy T. Damian Street having a two lane paved street with low flow of traffic during the day and the night hour.
- k. **All Others:** The following attributes are presented to provide justification that will serve as public necessity, public convenience and general welfare.

**Public Necessity:** Our intent for this zone change request is a public necessity. There is an increase need for homes. For the past decades, the people of Guam seek to for affordable homes as well as house rental properties. Also, there is a necessity for availability of family dwellings to provide for ones crowded household and to meet the demands of Guam's population growth. As a local taxpayer, rental income is a necessity for the economic growth and progress of Guam. Public Law 21-144.8 and Executive Order 92-08 indicates that the owner has the right or permits to rezone and develop their property with the intent to provide the infrastructures. There is a public necessity to rezone the property to make available the vacant unit for rental.

**Public Convenience:** The property is centrally located Maite-Mongmong-Toto Route 8 across Tiyan, Canada Barrigada, Barrigada, San Miguel Elementary School, Private Elementary and Secondary School. Within the community two retail stores, church, community centers and school bus stop across the street of the property. Also, within 10minutes or less are gas stations, McDonald's, Agana Shopping Centers, Two Banks, and other business establishments, conveniently accessible to Agana, Ghura Sinajana, Postal Services, Airport access, Mangilao GWHS, UOG and GCC.

**General Welfare:** The proposed zone change is compatible with the surrounding neighborhood within the 750 feet radius, which is residential. The existing structure has been in existence since 1964. Two separate water and power are available in each unit. Septic tank and addition leaching field were built by Mr. Terrogosa Plumbing Inc. and inspected and approved by Guam EPA about 1995. The proposed change zone R1 to zone R2 will not be detrimental to the needs of the community. Your expeditious and favorable consideration of this application will be greatly appreciated. All applicable laws and regulations will be complied with. In addition no detrimental effect is foreseen to the landowners and the environment. We would like to contribute to the financial growth of our local economy by additional rental. We live in Guam and file our taxes locally.

# VICINITY MAP

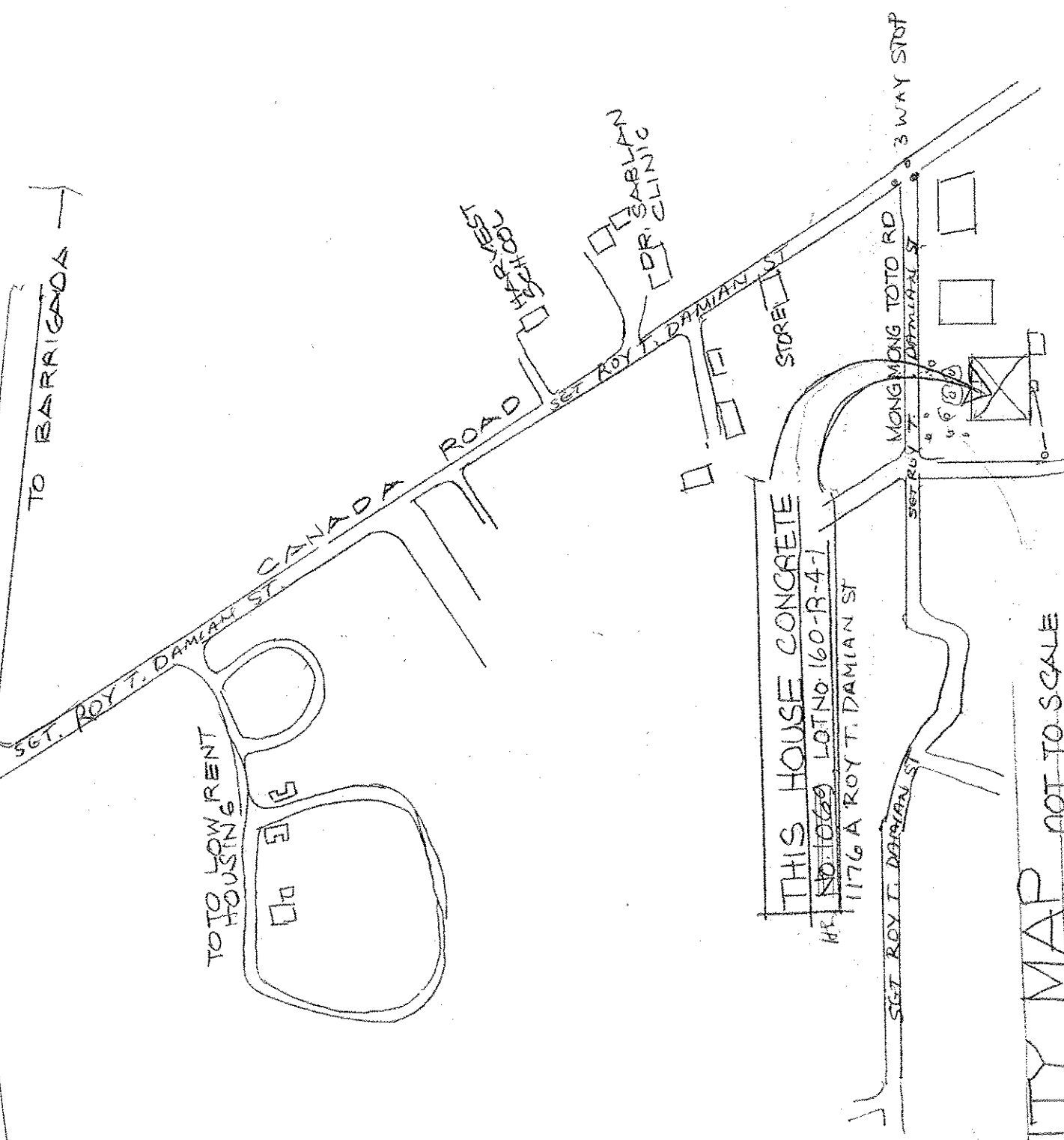
Attachment 2

NAVAL AIR STATION

ROUTE 8

TO AGRANA

TO BARRIGADA



VICINITY MAP NOT TO SCALE

## **SUMMARY ZONE CHANGE**

**(P.L. 21 – 82:4 Short Form as Amended by P.L. 21 – 144, Section 8)**

**5. SUPPORT INFORMATION: The following information are  
attached to this application: Page 2 of 3**

**a. – d. 1 – 8 (enclosed)**

**Attachment 3**

## SUMMARY ZONE CHANGE

### (P.L. 21 – 82:4 Short Form as Amended by P.L. 21 – 144, Section 8)

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

- a. A map, drawn to the scale, showing existing zoning within 1000 feet radius and all parcels and their uses with 750 feet radius from the subject lot boundaries. The map shall contain:
  - 1) Lot number of every parcel(s);
  - 2) Identify by name and use all existing activities on all parcel(s) through a legend/code
  - 3) All adjacent easements and roads leading to, and serving property, their widths, and condition of surfaces.
  - 4) The nearest location of all public utilities to the subject lot; and
  - 5) Show any/all features of property such as flat/hilly terrain, flood hazard, etc.
- b. The most recent survey map certified and recorded at the Department of Land Management, of the subject property.
- c. For "R-1" Zone Change request: A proposed property map showing how many lots are to be subdivided.
- d. For "R-2" Zone Change request: Preliminary sketch plan shall be drawn to scale 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 distance from proposed building to property boundary line.
  - 3) 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.
  - 7) Etc... Any other information you feel is necessary or pertinent to your request.
  - 8) In addition the following information is required by the Agencies as follows:

#### GUAHAN POWER AUTHORITY

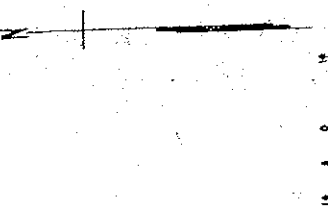
1. Include Ownership and Encumbrance Title Report.
2. Provide Proposed Power Demand Kilovolt Amps (KVA)

#### GUAHAN ENVIRONMENTAL PROTECTION AGENCY

1. Copy of Site Layout showing the existing buildings Structures and the outlines of the septic tank and Leaching field system, if not connected to public Sewer.
2. Copy of building Permits for any extensions (addition structure) to the existing dwelling unit.

6. **Filing Fee:** Twenty-Five Dollars (\$25.00) filing fee, Public Law 29-02, Chapter V Part III

*Plot 53773*



**SYMBOLS:**  
 1. 1/2" DASH, WHITE PPKL, FOUR  
 2. DASH, SPKCL, NEW SET

**NOTES:**  
 1. SURVEY WAS BASED FROM CORNERS POINTS ALONG PERIMETER OF LOT NO. 160-3. REFER TO SURVEY NO. 1.

**CERTIFICATION**  
 I HEREBY CERTIFY THAT IN 1964, I WAS IN CHARGE OF A SURVEY OF LOT NO. 160-3-4, AND THAT THIS PLAN IS PREPARED IN ACCORDANCE WITH THE FIELD NOTES OF SAID SURVEY.  
 THERE ARE NO MATERIAL DEFICIENCIES OR DISCREPANCIES.

*John T. Hartman*  
**JOHN T. HARTMAN**  
 Registered Professional Surveyor  
 No. 04, State of Louisiana, No. 16, 1914  
 Acme, Louisiana

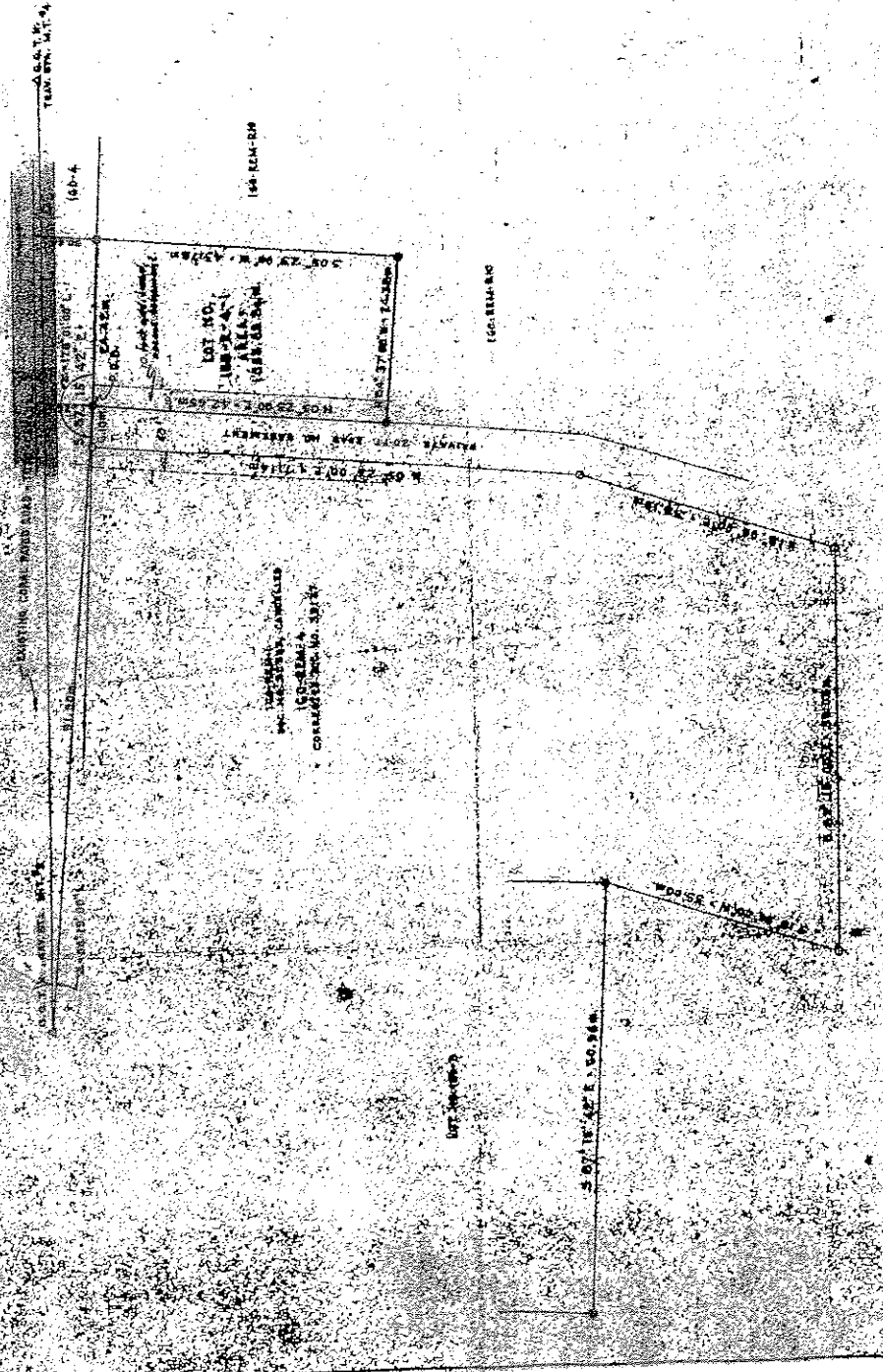
53773

**LAND REGISTRATION SURVEY PLAN**  
**LOT NO. 160-R-4-1**

SITUATED IN LOT 10  
 MUNICIPAL SUBDIVISION OF SHIVAJI  
 LAND SURVEY SECTION

SURVEY DATA	DATE
FIELD	1964
OFFICE	1964
COMPILED BY	J.T.H.
DRAWN BY	J.T.H.
CHECKED BY	J.T.H.
APPROVED BY	J.T.H.

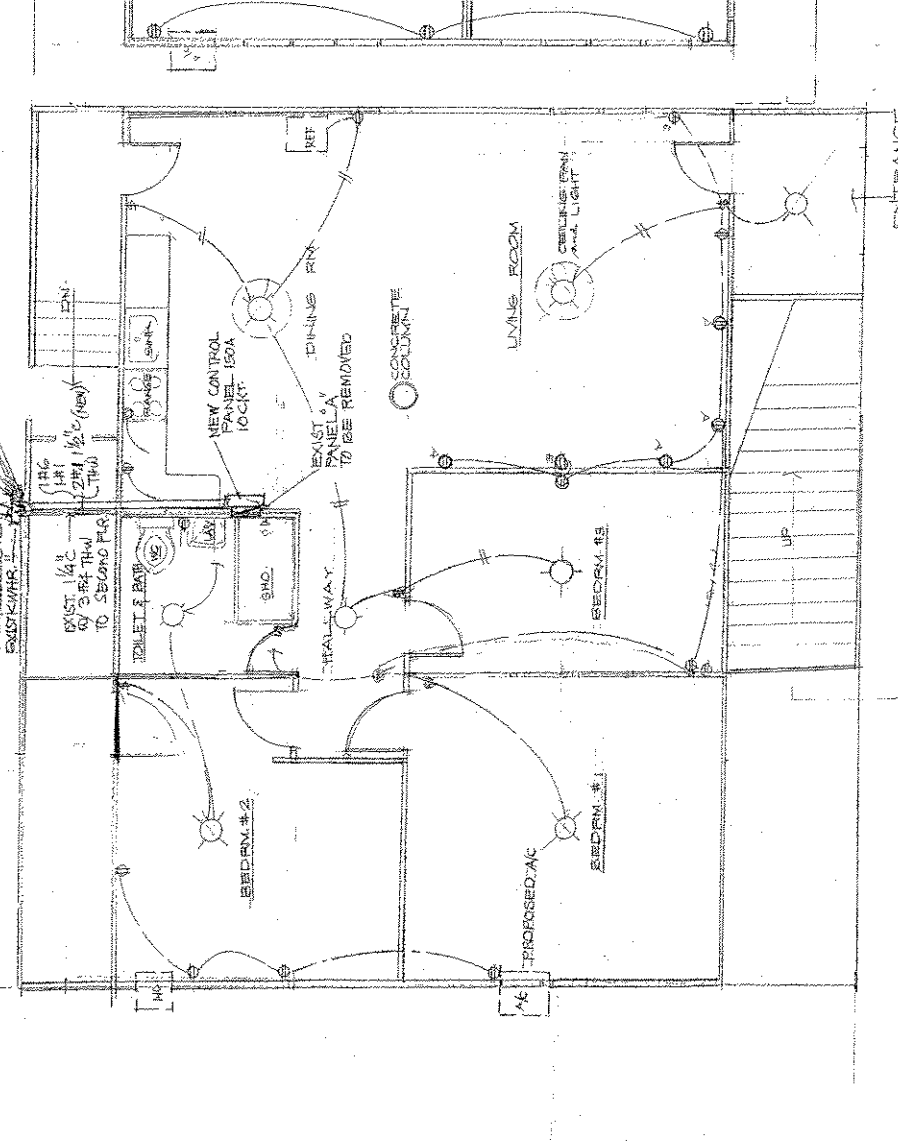
LAND REGISTRATION DATA	DATE
REGISTERED	1964
CHECKED BY	J.T.H.
APPROVED BY	J.T.H.
BOOK NO.	10
PAGE NO.	10
SECTION NO.	10
PLAT NO.	10



REGISTERED BY	DATE
REGISTERED	1964
CHECKED BY	J.T.H.
APPROVED BY	J.T.H.
BOOK NO.	10
PAGE NO.	10
SECTION NO.	10
PLAT NO.	10

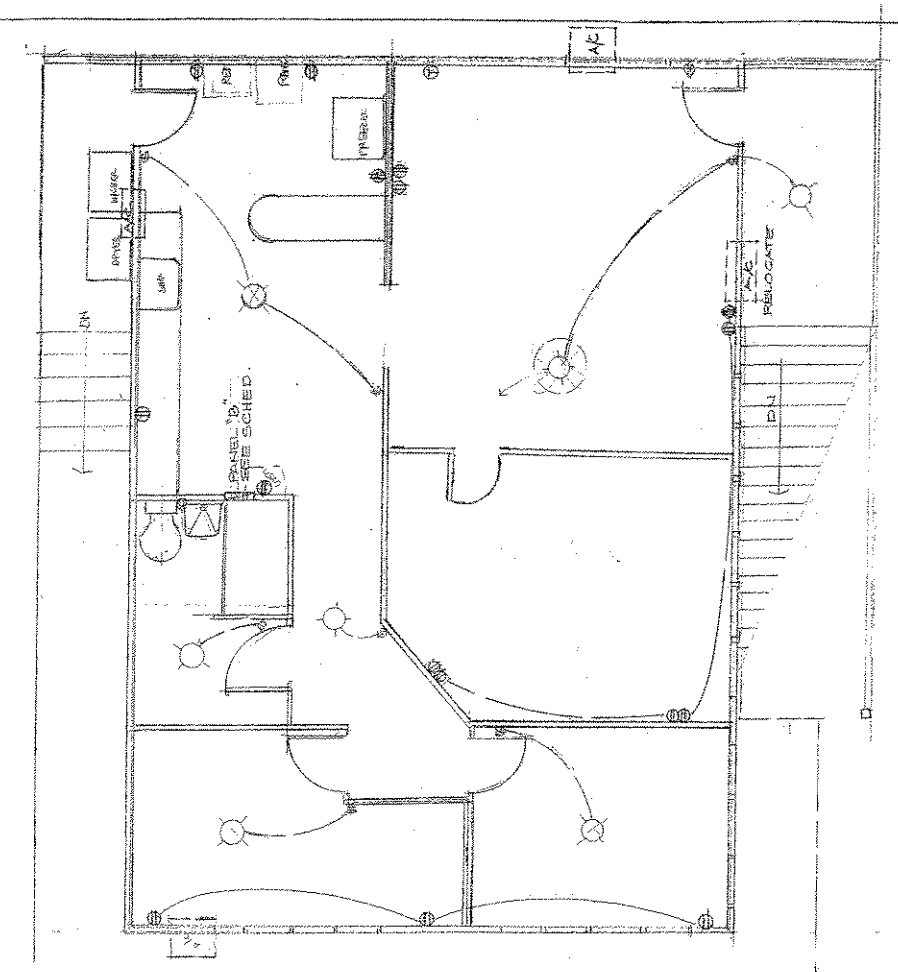
NO.	DESCRIPTION	DATE	BY
1	REGISTERED	1964	J.T.H.
2	CHECKED	1964	J.T.H.
3	APPROVED	1964	J.T.H.
4	REGISTERED	1964	J.T.H.
5	CHECKED	1964	J.T.H.
6	APPROVED	1964	J.T.H.
7	REGISTERED	1964	J.T.H.
8	CHECKED	1964	J.T.H.
9	APPROVED	1964	J.T.H.
10	REGISTERED	1964	J.T.H.
11	CHECKED	1964	J.T.H.
12	APPROVED	1964	J.T.H.

SEE DETAIL ELECTRICAL RECONNECTION 3#24 WIRE NEW W/EXTERIOR HEAD 1/2" NEW MARK METER EXIST. W/HR. 1 OF 2



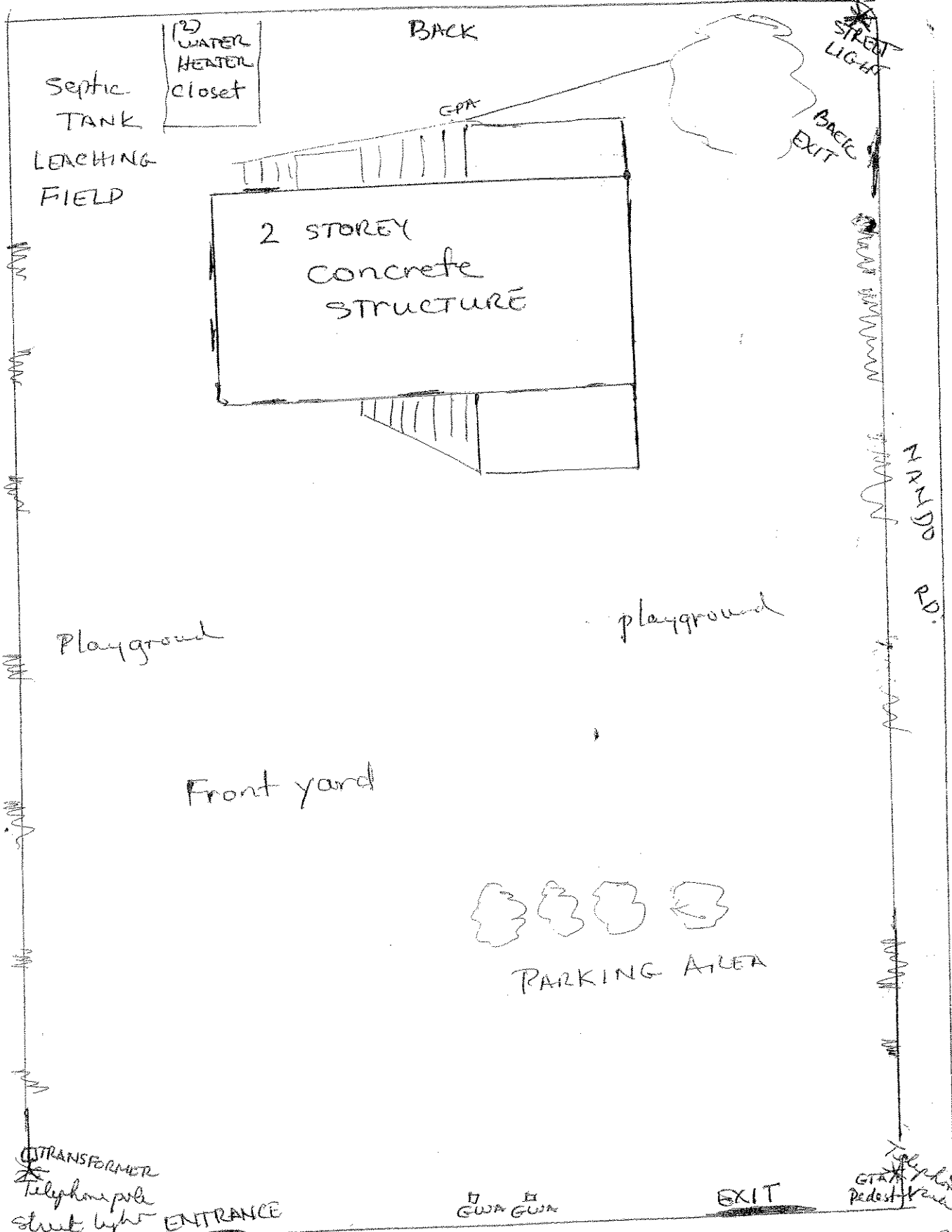
- GUAM POWER AUTHORITY
- Issued Building Permit Clearance Form & Safety Advisory
  - Service Outlets & Meter shall be located in front of building
  - Schedule as indicated
  - Approved Meter Sockets & Service
- Issued on: Date 7/19/97  
 GFA Engineering Associates

**FIRST FLOOR**  
 SCALE: 1/4" = 1'-0"



**SECOND FLOOR**  
 SCALE: 1/4" = 1'-0"

ELECTRICAL PLAN - TWO-STORY CONCRETE RESIDENCE OF MR. & MRS. ED SALAS  
 HSE #1069 MONGMONG JOTO ROAD  
 LOT NO. 160-R-4-1  
 HOUSE #1176 ROY T. DAMIAN ST.  
 AS SHOWN



SGT ROY T. DAMIAN STREET

→ TOTO MONG MONG R.D.  
TO MANGLOVA'S STORE

LOT 160 R-4-1 Plot layout

~~Bus~~ Bus STOP



RECEIVED

FEB 17 2012

Complaint Form

Department of Land Management

Time: 11:10 Int: M

DATE: FEB. 13, 2012

Name of COMPLAINANTS: HERMINIA A. SALAS  
& EDUARDO U. SALAS

MAILING Address: 204 Asucena Ave  
Barrigada, Gu 96913

TELEPHONE #: 632-1212

LOCATION OF UNITS: 1176 SGT. ROY T,  
DAMIAN ST. TOTO, GU 96913

DEPARTMENT OF AGENCY AFFECTED:  
LAND MANAGEMENT  
DEPT. of PUBLIC WORKS

Nature of Problem:

For the past 25 years, the above Depts or Agents namely Land Management and Dept of Public Works, the right to enjoy my units, to generate 2 duplex rental, for not signing clearance because surrounding areas is R1 zone. THE LOT 160-R-4-T with 1,160 sq. meters in TOTO, SINAJANA, GU. A 2 storey building with 2 units - 2 Family dwelling had been approved by Land Management PLANNING DIVISION with requested <sup>the</sup> supporting document as required. An affidavit filed at Land Management Doc. No. 387252 was the document required and approved by Territorial Planning Commission TPC ~~to~~ cleared and approved that such structure evidently was Duplex 2 family dwelling before 1966, before R1 zone was enacted. REVENUE WAS LOST.

## Conclusion:

1. Records are missing on both Depts.
2. Owner provided records transpired at application time
3. Landmanagement for 25 yrs failed to change R1 to R2 in spite of TPC Approval
4. I need the approval of my application for duplex rental. THIS MATTER HAS BEEN ON GOING.
5. We are denied our Constitutional RIGHTS AS CITIZENS OF U.S.A.

Heather W. Johnson Feb. 13, 2012  
Christy H. Hester FEB 13, 2012

cc. Attorney General  
Legislature  
Dept of Public Works  
GOVERNOR'S OFFICE

## ITEMS SUBMITTED TO LAND MANAGEMENT

1. BUILDING PERMIT
2. CERTIFICATE of TITLE
3. COMPLAINT LETTER FILED APRIL 21, 1987
4. COMPLAINT FORM APRIL 14, 1987  
BOTH SURUHANU OFFICE
5. AFFIDAVIT FOR LANDMANAGEMENT  
July 9, 1987
6. ATTACHED: LETTER July 1, 1987  
AS PER CONFERENCE DOC. #387252
7. Additional Document of mortgage  
DOC. #55894
8. BOTH UNITS A & B WATER + POWER EACH UNIT  
(UPSTAIRS) 2nd Floor 1176  
(DOWSTAIRS) 1st Floor 1176
9. COPY of ZONING MAP of LOT 160-R-4-1



public works

TERRITORY OF GUAM

# BUILDING PERMIT

Applicant Edwardo U./Herminia A. Salas DATE 7/10/ 19 87 PERMIT NO. 1189  
 Address Toto (Street) Number of Dwelling Units Self (Contr's License)  
 Permit To Addition Meter (Type of Improvement) (No.) Story Meter (Proposed Use) Zoning District  
 At (Location) Toto (No.)  
 Between \_\_\_\_\_ (Cross Street) And \_\_\_\_\_ Lot Size \_\_\_\_\_ (Cross Street)  
 Subdivision \_\_\_\_\_ Lot 160-R-4-1 Block \_\_\_\_\_  
 Building is to be \_\_\_\_\_ Ft. Wide By \_\_\_\_\_ Ft. Long By \_\_\_\_\_ Ft. In Height And Shall Conform In Construction  
 To Type VN Use Group Misc. Basement Walls Or Foundation Concrete  
 Remarks: \_\_\_\_\_  
 Area or Volume \_\_\_\_\_ Estimated Cost \$ 50.00 Permit Fee \$ 7.50  
 Owner Edwardo U./Herminia A. Salas Building Official \_\_\_\_\_

Acting, Juan C. Rosario

7/10/87





Tel: 477-9803  
477-9804  
477-9805

OFFICE OF THE SURUHANU  
(OMBUDSMAN)  
TERRITORY OF GUAM  
#228 O'HARA STREET, AGANA, GUAM 96910



"OUR GOAL IS TO MAKE  
GOOD GOVERNMENT BETTER"

# Complaint Form

CLIENT NUMBER: OS-3231-87

DATE: April 14, 1987

NAME OF COMPLAINANT: HERMINIA A. SALAS

MAILING ADDRESS: P.O. BX 21473 GMF

HOME ADDRESS: 1069 MOMGMOMG TOTD

TELEPHONE NUMBER: HOME (632) 12-12 WORK (632) 1540  
AFTER 2 P.M.

COMPLAINT  INQUIRY

DEPARTMENT OF AGENCY AFFECTED: LAND MANAGEMENT & GPA

NATURE OF PROBLEM \_\_\_\_\_

I purchased a House, an existing duplex built since 1966. I needed to have 2 separate meter so that I can rent each unit with separate utilities. All applications for additional meter hook up were presented but was denied because the duplex is in an R1 zone.

Land management denied to sign the form for me to allow PW's, Mr. Nente, to approve my request for electric meter to be connected. Land management would not grant conditional variance to ~~my~~ property because to sign will risk their neck of their job and retirement is drawing near. Rental income to offset my

EXHIBITS SUBMITTED mortgage payments a lot of cost \$1,230 monthly  
1978 EMILIA'S COSMETOLOGY C ZONE  
1986 A 2 DUPLEX COMPLETED APRIL 15 1987 TO ALECTO Leon Guam

2 meter in R1  
In addition to the information provided above, I am authorizing the Suruhanu or his official representatives to inspect and obtain all confidential medical, personnel, payroll, tax or other records for me and members of my immediate family as may be available or exist in any government or private instrumentality, whenever the Suruhanu deems it necessary to carry out his duties in accordance with Public Law 14-99, as amended.

NOTE: I am renting out the first floor my 650. A.M.O including utilities because of GPA negligence & LDMGT TO CONDITIONAL VARIANCE MY LOT TO R2

SIGNATURE: Herminia A. Salas

IT SHOULD BE COMMERCIAL OR R2 FOR OFFICE USE ONLY

PERSONAL VISIT   
TELEPHONE COMPLAINT   
WRITTEN COMPLAINT

ANALYST ASSIGNED RAY TONGSON

DISPOSITION: OPENED \_\_\_\_\_ DATE \_\_\_\_\_

TERMINATED \_\_\_\_\_ DATE \_\_\_\_\_

GIL A. SHINOHARA

Acting SURUHANU

OFFICE OF THE



**SURUHANU  
OMBUDSMAN**  
Territory of Guam

April 21, 1987

MEMORANDUM

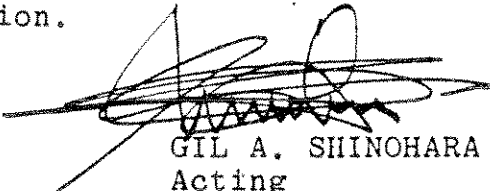
TO: Director of Land Management  
FROM: The Suruhanu  
SUBJECT: Complaint Referral

A grievance has been filed with the Office of the Suruhanu asserting that your department denied application for conditional variance on duplex situated on R1 zone, where adjacent properties were granted commercial zoning. Attached is a copy of the complaint form signed by the party concerned namely, Herminia A. Salas.

Please be advised that under Public Law 14-99, Title II, Chapter V-A, as amended, this office is specifically charged with the responsibility to review and investigate all complaints received from individual citizens relative to "an act of an agency" of the Government of Guam and, further, each department responsible for the solution of the complaint will ultimately be held accountable for that solution.

Subsequently, a representative from our office will be visiting your department to discuss the nature of the complaint and to obtain your position on the matter at hand. A written response indicating your department's initial action on the complaint is expected within one week from receipt of this memorandum, or earlier.

When the investigation of this complaint is completed and the facts are obtained, we would like to receive a written report from you relative to your final action.

  
GIL A. SHINOHARA  
Acting

Attachment

228 Archbishop  
F.C. Flores Street  
Agana, Guam 96910  
Telephone  
(671)477-9803/04/05

1 July 1987

To: Deputy Director, Department of Land Management

From: Mr. and Mrs. Eduardo U. Salas

Subj: Letter of Understanding, Reference to Request for Additional Electrical  
Meter on Duplex Building

1. After a brief conference with you at your office on 1 July 1987, I am submitting a supporting document to claim that such duplex was built <sup>before or later</sup> in 1966 before it was zone to R-1. It was a multiple dwelling then and now.
2. Attached is an affidavit that will proof that the duplex was a multiple family dwelling.

*Eduardo U. Salas*  
Eduardo U. Salas

*Herminia A. Salas*  
Herminia A. Salas

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT  
OFFICE OF THE RECORDER 387252  
INSTRUMENT NUMBER \_\_\_\_\_

This instrument was filed for record on \_\_\_\_\_  
day of July 1987 at 12:30 P.M.  
and duly recorded in Book \_\_\_\_\_ at Page \_\_\_\_\_  
Recording Fee \_\_\_\_\_ Voucher No. 20054

*[Signature]*  
Deputy Recorder



GOVERNMENT OF GUAM  
Department of Land Management  
Land Records Section

INSTRUMENT NO. 55894 TYPE OF INSTRUMENT mp

DATE 7-10-68 TIME 11:40 A.M.  P.M.

- (1) TEMPORARY INDEX (LAND) (MISC) \_\_\_\_\_ ( ) ( )
- (2) NUMERICAL INDEX UR. \_\_\_\_\_ SUB. \_\_\_\_\_ VOL. \_\_\_\_\_ ( ) ( )
- (3) ALPHABETICAL GRANTOR (LAND) (MISC.) \_\_\_\_\_ ( ) ( )
- (4) ALPHABETICAL GRANTEE (LAND) (MISC.) \_\_\_\_\_ ( ) ( )
- (5) MARGINAL NOTATION C.T. NO. 1271A C. NO. \_\_\_\_\_ ( ) ( )
- (6) ISSUANCE OF C.T. NO. 1566 G.C. NO. \_\_\_\_\_ ( ) ( )
- (7) CANCELLATION OF C.T. NO. \_\_\_\_\_ G.C. NO. \_\_\_\_\_ ( ) ( )
- (8) COMPLETED DOCUMENT PROCESSED, FILED BY \_\_\_\_\_ ( ) ( )

GRANTEE \_\_\_\_\_ C.I. NO. \_\_\_\_\_ AGE \_\_\_\_\_

OCCUPATION: \_\_\_\_\_ & HIS WIFE \_\_\_\_\_

C.I. NO. \_\_\_\_\_ AGE \_\_\_\_\_ OCCUPATION \_\_\_\_\_

RESIDING AT \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CHANGES PROPERTY LISTING DAILY SALES DATA NO. \_\_\_\_\_

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GOVERNMENT OF GUAM  
Department of Land Management  
Land Records Section

INSTRUMENT NO. 55894 TYPE OF INSTRUMENT M/L

DATE 7-10-60 TIME 11:40 A.M. P.M.

- (1) TEMPORARY INDEX (LAND) (MISC) \_\_\_\_\_
- (2) NUMERICAL INDEX UR. \_\_\_\_\_ SUB. \_\_\_\_\_ VOL. \_\_\_\_\_
- (3) ALPHABETICAL GRANTOR (LAND) (MISC.) \_\_\_\_\_
- (4) ALPHABETICAL GRANTEE (LAND) (MISC.) \_\_\_\_\_
- (5) MARGINAL NOTATION C.T. NO. 1526 C. NO. \_\_\_\_\_
- (6) ISSUANCE OF C.T. NO. \_\_\_\_\_ G.C. NO. \_\_\_\_\_
- (7) CANCELLATION OF C.T. NO. \_\_\_\_\_ G.C. NO. \_\_\_\_\_
- (8) COMPLETED DOCUMENT PROCESSED, FILED BY \_\_\_\_\_

GRANTEE \_\_\_\_\_ C.I. NO. \_\_\_\_\_ AGE \_\_\_\_\_

OCCUPATION: \_\_\_\_\_ & HIS WIFE \_\_\_\_\_

C.I. NO. \_\_\_\_\_ AGE \_\_\_\_\_ OCCUPATION \_\_\_\_\_

RESIDING AT \_\_\_\_\_

MAILING ADDRESS \_\_\_\_\_

CHANGES PROPERTY LISTING DAILY SALES DATA NO. \_\_\_\_\_

REMARKS: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

# Mortgage

Loan No. CL-567

THE UNDERSIGNED,

FRANCISCO O. BORJA AND PETRONILLA M.  
BORJA, husband and wife

hereinafter referred to as the Mortgagor, does hereby mortgage and warrant to GUAM SAVINGS AND LOAN ASSOCIATION, a corporation organized and existing under the laws of the territory of Guam, hereinafter referred to as the Mortgagee, the following real estate in the territory of Guam and described as follows, to-wit:

LOT NO. 160-Rem-4-1 Toto, Sinajana, Guam

COURSE	BEARING	DISTANCE
1 - 2	S 87° 15' 42" E	24.42
2 - 3	S 05° 25' 00" W	43.78
3 - 4	N 84° 37' 00" W	24.38
4 - 1	N 05° 23' 00" E	42.65

Cor. No. 1 = E 53 634.55 M  
N 48 959.67 M

Area: 1053.89 Square Meters

The foregoing land is registered land, the last Certificate of Title issued therefrom being no. 14272, showing the mortgagors herein as registered owners thereof.

Together with all buildings, improvements, fixtures or appurtenances now or hereafter erected thereon, including all apparatus, equipment, fixtures or articles, whether in single units or centrally controlled, used to supply airconditioning, water, light, power, refrigeration, ventilation or other services, and any other thing now or hereafter therein or thereon, the furnishing of which by lessors to lessees is customary or appropriate, including screens, window shades, storm doors and windows, floor coverings, screen doors, in-a-door beds, awnings, and water heaters (all of which are declared to be a part of said real estate whether physically attached thereto or not); and also together with all easements and the rents, issues and profits of said premises which are hereby pledged, assigned, transferred and set over unto the Mortgagee, whether now due or hereafter to become due as provided in the Supplemental Agreement secured hereby. The Mortgagee is hereby subrogated to the rights of all mortgagees, lienholders and owners paid off by the proceeds of the loan hereby secured.

TO HAVE AND TO HOLD the said property, with said buildings, improvements, fixtures, appurtenances, apparatus and equipment unto said Mortgagee forever, for the uses herein set forth, free from all rights and benefits under the homestead, exemption and valuation laws of any State, which said rights and benefits said Mortgagor does hereby release and waive.

TO SECURE

(1) the payment of a note executed by the Mortgagor to the order of the Mortgagee bearing even date herewith in the principal sum of **FOURTEEN THOUSAND DOLLARS** ONLY \* \* \* \* \* Dollars (\$ 14,000.00 ), which note, together with interest thereon as herein provided, is payable in monthly installments of **NINE DOLLARS AND 79/100** Dollars (\$ 129.79), commencing on the 15th day of AUGUST 1964, which payments are to be applied, first, to interest, and the

*55894*

(2) any advances made by the Mortgagee to the Mortgagor, or his successor in title, for any purpose, at any time before the lease and cancellation of this mortgage, but at no time shall this mortgage secure advances on account of said original note and such

additional advances in a sum in excess of **FIVE THOUSAND DOLLARS ONLY, 5,000.00** Dollars (\$ 5,000.00), provided that nothing herein contained shall be considered as limiting the amounts that shall be secured hereby when advanced to protect the security or in accordance with covenants contained in the mortgage.

(3) all of the covenants and obligations of the Mortgagor to the Mortgagee, as contained in said note and a supplement agreement dated, executed and delivered concurrently herewith and reference is hereby made to said note and supplemental agreement for the full terms and conditions thereof and the same are hereby incorporated herein as fully as if written out verbatim herein.

The Mortgagor hereby empowers the Mortgagee, at its option and in addition to its remedy of foreclosure or other legal proceedings, to sell and convey said mortgaged property at any time after default made in the payment of any of said installments, as provided in said note, or after the breach of any obligation for which this mortgage is security; any such sale may be public or private, at the option of the mortgagee and may be made after such notice, and for such price, and on such terms as to payment or otherwise, as the Mortgagee may deem proper; at any such sale the Mortgagee, in its own name, or in the name of any person, shall have the right to purchase; and the Mortgagor hereby authorizes and empowers the Mortgagee to execute and deliver, in the name of the Mortgagee, a good and sufficient deed and conveyance of said property, or any part thereof; and any recitals contained in any conveyance of the mortgaged property which may be made by the Mortgagee, must be deemed conclusive evidence of the facts recited; the proceeds of such sale must be applied to the payment, in whole or in part, of the expenses of the sale, and of the amount due to the Mortgagee upon this mortgage and upon said promissory note; and upon any such sale counsel fees shall be allowed as part of the expenses, at the rate of ten per cent (10%), upon the amount of the debt, and the Mortgagor and mortgaged property are hereby made liable to the Mortgagee for such counsel fees. The surplus proceeds of any such sale shall be paid to the Mortgagor.

In this instrument the singular shall include the plural and the masculine shall include the feminine and neuter. All rights and obligations under this mortgage shall extend to and be binding upon the respective heirs, executors, administrators, successor and assigns of the Mortgagor and Mortgagee.

IN WITNESS WHEREOF, we have hereunto set our hands and seals this 2nd day

of AUGUST 1964, A.D. 1964

*Francisco O. Borja* (SEAL) *Petronilla M. Borja* (SEAL)  
WITNESSES: *[Signatures]* (SEAL)

TERRITORY OF GUAM (SS: 480 23. N 130 10. E = 130 20. E 22 W)

On this 2nd day of AUGUST, 1964, before me,

a Notary Public in and for said territory of Guam, personally appeared FRANCISCO O. BORJA AND PETRONILLA M. BORJA, husband and wife

known to me to be the persons whose names are subscribed to the within instrument, and acknowledged that they executed the same.

WITNESS my hand and official seal.

*Maria C. Gayle*  
Notary Public in and for the territory of Guam.

MARIA C. GAYLE  
NOTARY PUBLIC  
In and for the territory of Guam.  
My commission expires: 5/22/69.

INFO AMBASSADOR

1964 AUG 22 - 114

TERRITORY OF GUAM, DEPARTMENT OF LAND MANAGEMENT.

OFFICE OF THE RECORDER

55894

INSTRUMENT NUMBER

This instrument was filed for record on

10

day of

July

1964, at 11:40

and duly recorded in Book

135, page

at Page

251

, Recording Fee:

16.80

Voucher No.

66340

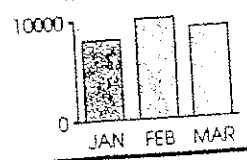
Deputy Recorder

TOTO 2011 Due 3/11

INVOICE NO: 1103029122

BILLING DATE: 03/14/2011

ACCOUNT NO: W0702862  
SVC LOC: 1176B ROY T DAMIAN ST (2ND FLR)



READ DATE	METER NO.	BILL TABLE	RTE-BK	MULT	
03/14/11	5048927	R1	09-257		
CURRENT READING	PREVIOUS READING	USAGE	UNIT	DAYS	DAILY AVG
268000	259000	9000	GAL	33	272

PAYMENT DATE APPLIED THRU:	03/14/2011
PREVIOUS BALANCE:	\$57.37
AMOUNT PAID:	\$57.37-
ADJUSTMENTS:	\$0.00
CURRENT BILLING PERIOD:	\$51.22
<b>TOTAL DUE:</b>	<b>\$51.22</b>

WATER

Water Service charge					11.41
Water charge	5000	x .002740	=		13.70
-First 5000 GAL per month	4000	x .005440	=		21.76
-Over 5000 GAL per month					3.19
PUC 2001 SURCHARGE: Utility Arrearages					1.16
SUPPLEMENTAL ANNUITY SURCHARGE:					51.22
TOTAL CURRENT CHARGE					

Your bill reflects new rates approved by the PUC AUGUST 01, 2009.

**PAID**  
MAR 21 2011  
TREASURER OF GUAM  
#14

1176 B

You can now pay your bill online at [www.paygwa.com](http://www.paygwa.com) or [www.guamwaterworks.org](http://www.guamwaterworks.org)

To find out more interesting facts, visit us on the world wide web at [www.guamwaterworks.org](http://www.guamwaterworks.org).

TOTO Due 3/30/11

Account Number: 00239562  
Account Name: SALAS EDUARDO U AND HERMINIA A  
Service Location: 1176B ROY T DAMIAN ST  
Route/Book: 9-257  
Bill Date: 03/15/2011  
Last Payment Applied 03/14/2011

Balance From Previous Billing	\$98.40
Amount Paid (Thank You)	\$-98.40
Arrears	\$0.00
Current Period Billing	\$90.37
Plus/Less Adjustments	\$0.00
<b>Total Amount Due 03/30/2011</b>	<b>\$90.37</b>

Rdg Date	R/S	Meter No.	Curr Rdg	Prev Rdg	KW Rdg	Mult	KW Use	KW Billed	KWH Use	Unit	Days	Ave
03/10/2011	RRES	060227403	73325	72905		1			420	KH	29	14

Bill Item	Quantity	Rate	Amount
MONTHLY CUSTOMER CHARGE	1	6.010000	\$6.01
NON-FUEL ENERGY CHARGE	420	.036440	\$15.30
FUEL RECOVERY CHARGE	420	.161530	\$67.84
INSURANCE CHARGE	420	.002900	\$1.22

1176 B

cle #127

**PAID**  
MAR 21 2011  
TREASURER OF GUAM  
#14

Total Current Billing Amount

\$90.37

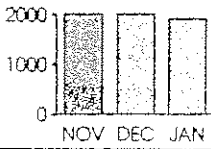
All bills are past due if unpaid 15 days after the "Bill Date". Past due balances are subject to immediate disconnection without further notice and must be paid at GPA Customer Service offices to avoid service interruption.  
\*\* Report energy theft incidents or any suspected wrongdoing at GPA to the Internal Audit Office. \*\*  
(671) 848-3199 or [ia\\_rps@guampowerauthority.com](mailto:ia_rps@guampowerauthority.com)

1176 A

BILLING DATE: 01/18/2012

INVOICE NO: 1201034450

ACCOUNT NO: W0703063  
SVC LOC: 1176A ROY T DAMIAN ST



READ DATE	METER NO	BILL TABLE	RTE-BK	MULT
01/12/12	06688	R1	09-257	
CURRENT READING	PREVIOUS READING	UNITS	DAYS	DAILY AVG
242900	241000	1900	GAL	31

PAYMENT DATE APPLIED THRU: 01/18/2012	
PREVIOUS BALANCE:	\$19.33
AMOUNT PAID:	\$19.33
ADJUSTMENTS:	\$0.00
CURRENT BILLING PERIOD:	\$19.06
<b>TOTAL DUE:</b>	<b>\$19.06</b>

**WATER**

Water Service charge  
Water charge

-First 5000 GAL per month.

PUC 2001 SURCHARGE: Utility Arrearages  
SUPPLEMENTAL ANNUITY SURCHARGE:  
TOTAL CURRENT CHARGE

CASHIER WINDOW # 1  
BY: *[Signature]*

12.87				
1900	x .002740	=	5.21	
			.26	
			.72	
			19.06	

Your bill reflects new rates approved by the PUC October 01, 2011.

You can now pay your bill online at [www.paygwa.com](http://www.paygwa.com) or [www.guamwaterworks.org](http://www.guamwaterworks.org)  
To make a payment over the phone call 647-4729

To find out more interesting facts, visit us on the world wide web at [www.guamwaterworks.org](http://www.guamwaterworks.org)

Account Number: 00239773

Account Name: URUMAN DOMINIA  
Service Location: 1176A ROY T DAMIAN  
Route/Book: 9 257  
Bill Date: 01/17/2012  
Last Payment Applied 01/18/2012

PAID 1176 A  
2012 FEB -3 AM 8:48

Balance From Previous Billing	\$77.57
Amount Paid (Thank You!)	\$-77.57
Arrears	\$0.00
Current Period Billing	\$79.65
Plus/Less Adjustments	\$0.00
<b>Total Amount Due 02/01/2012</b>	<b>\$79.65</b>

Rdg Date	R/S	Meter No	Cur Rdg	Prev Rdg	KWH Rdg	Mult	KWH Use	KWH Billed	KWH Use	Unit	Days	Avg
01/11/2012	RRES	066225888	44480	44162		1			318	KH	32	10

Electric Bill Item	Quantity	Rate	Amount
MONTHLY CUSTOMER CHARGE	1	6.010000	\$6.01
NON-FUEL ENERGY CHARGE	318	.036440	\$11.59
FUEL RECOVERY CHARGE	318	.192220	\$61.13
INSURANCE CHARGE	318	.002900	\$0.92

**Total Current Billing Amount \$79.65**

All bills are past due if unpaid 15 days after the "Bill Date". Past due balances are subject to immediate disconnection without further notice and must be paid at GPA Customer Service offices to avoid service interruption.

SUMMARY ZONE CHANGE

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

7. Required Signatures:

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.

HERMINIA A. Salas  
Owner(Print)

Eduardo U. Salas  
Owner(Print)

Herminia A. Salas  
Owner(Sign)

Eduardo U. Salas  
Owner(Sign)

March 12, 2012  
Date

March 12, 2012  
Date



LAND USE RADIUS

500 750 1,000

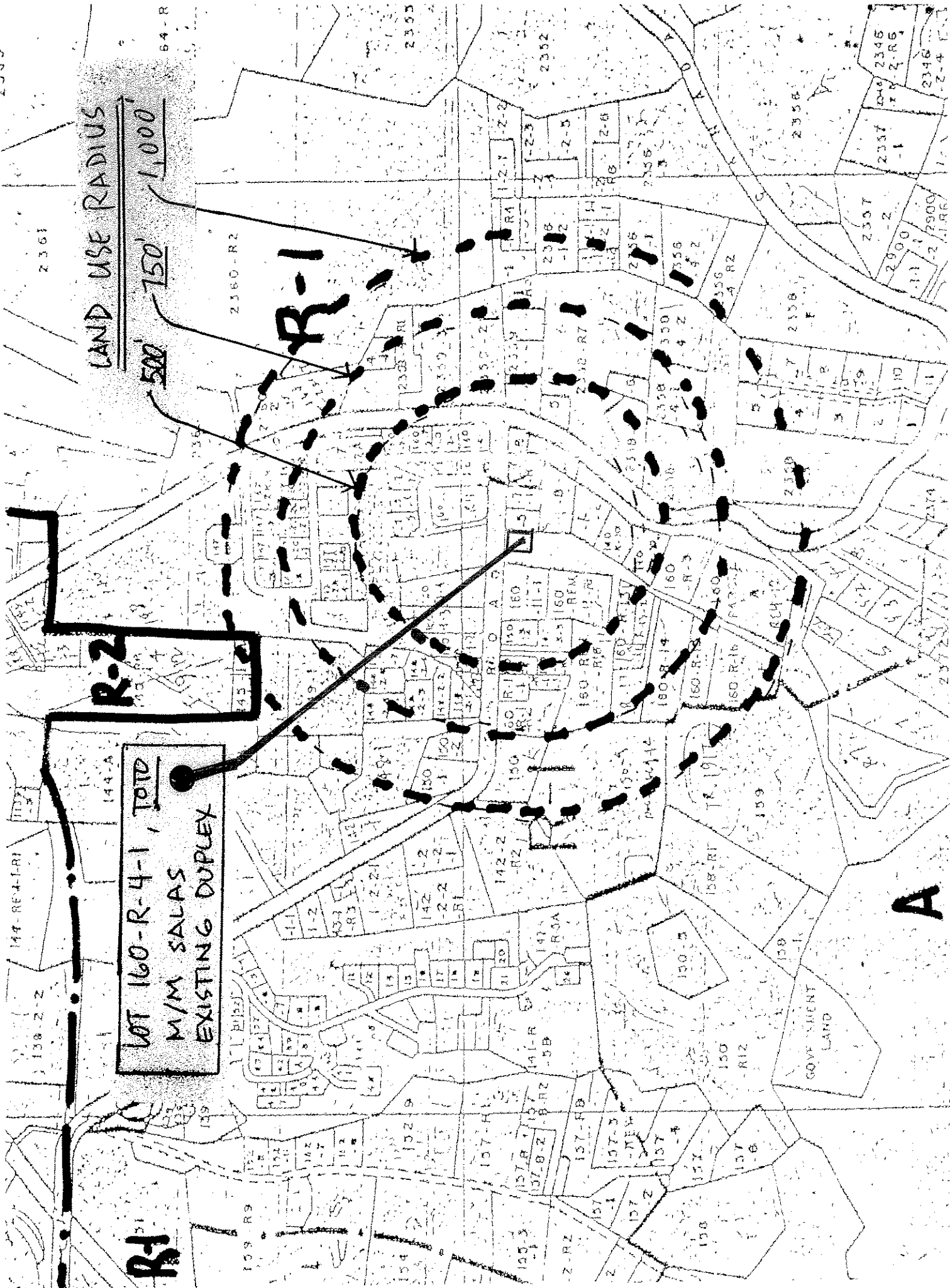
R-2

R-1

LOT 160-R-4-1, TOTAL  
M/M SALAS  
EXISTING DUPLEX

R-1

A



64-R

2361

2305

2352

2358

2507

2000

2500

2500

2500

2500

2500

2500

2500

2500

2500

2500

2500

2500

2500

2500

2500

LOT 160-R-4-1  
(TOTO)

