

32-14-2326

# ACKNOWLEDGMENT OF RECEIPT SUMMARY ZONE CHANGE PACKET

on

Lot 16, Block 10, Tract 232, Municipality of Sinajana  
for

Ronald Moroni (Owner)  
Represented by Anthony F. Quan

APPLICATION NO: SZC 2014-35

LEGISLATURE  
L

2014 DEC 12 PM 3:57  
COPY

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

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

Name (print): \_\_\_\_\_

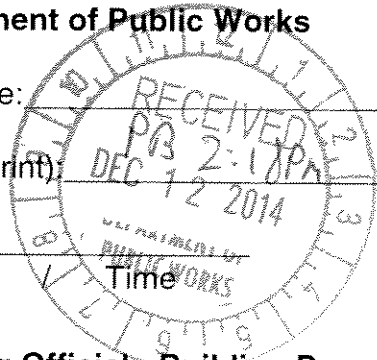
\_\_\_\_\_  
Date / Time

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

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

Name (print): \_\_\_\_\_

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



FOR RECORDATION ONLY:  
Deputy Civil Registrar

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

NOT APPLICABLE

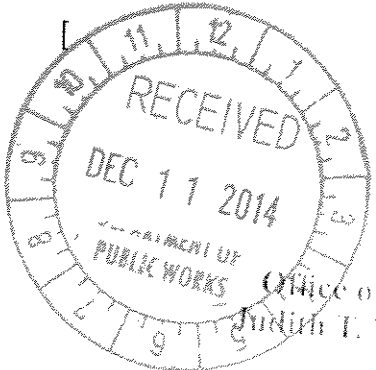
SEE ATTACHED NOTICE OF ACTION

Building Official - Building Permits,  
Department of Public Works

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Name (print)

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



\_\_\_\_\_  
Name of Applicant and or Representative

\_\_\_\_\_  
Signature

Office of the Speaker  
Judith T. Won Pat, Ed.D

Office of the Legislative Secretary  
Senator Tina Rose Melia Barnes

Date: 12/12/14

Time: 3:38pm

Received by: [Signature]

Date: 12/12/14

Time: 3:41 PM

Received By: CARL SANCHEZ MPA

2326



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



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

EDDIE BAZA CALVO  
 Governor

MICHAEL J.B. BORJA  
 Director

RAY TENORIO  
 Lieutenant Governor

DAVID V. CAMACHO  
 Deputy Director

October 23, 2014

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

Re: Summary Zone Change Application No. SZC 2014-35,  
 Lot 16, Block 10, Tract 232, Municipality of Sinajana  
 Applicant: Anthony F. Quan; for Mr. Ronald Moroni (Owner)

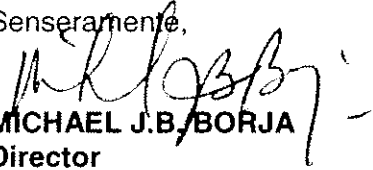
Buenas Yan Hafa Adai, Honorable Senator Tina Muna-Barnes:

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single-Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot 16, Block 10, Tract 232, Municipality Sinajana, from "R-1 (Single-Family Dwelling to "R-2" (Multi-Family Dwelling) Zone in order to put into zoning compliance an existing residential Duplex for family and rental.

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

Your expeditious response on this action is greatly appreciated.

Senseraamente,

  
**MICHAEL J.B. BORJA**  
 Director

 MQA

 PCG

w/Attachment(s):

1. Staff Report and Notice of Action
2. Certifications of Utility Agencies/Application Review Committee (ARC)

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

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

E-mail Address:  
[lmmdir@dlm.guam.g](mailto:lmmdir@dlm.guam.g)  
OV

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383





**SUMMARY ZONE CHANGE  
APPLICATION NO: 2014-35  
LOT 16, BLOCK 10, TRACT 232  
MUNICIPALITY OF SINAJANA**



**Space for Recordation**

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

**870895**

File for Record Instrument No. \_\_\_\_\_

On the Year 14 Month 10 Day 24 Time 12:12

Recording Fee DE-OFFICE Receipt No. \_\_\_\_\_

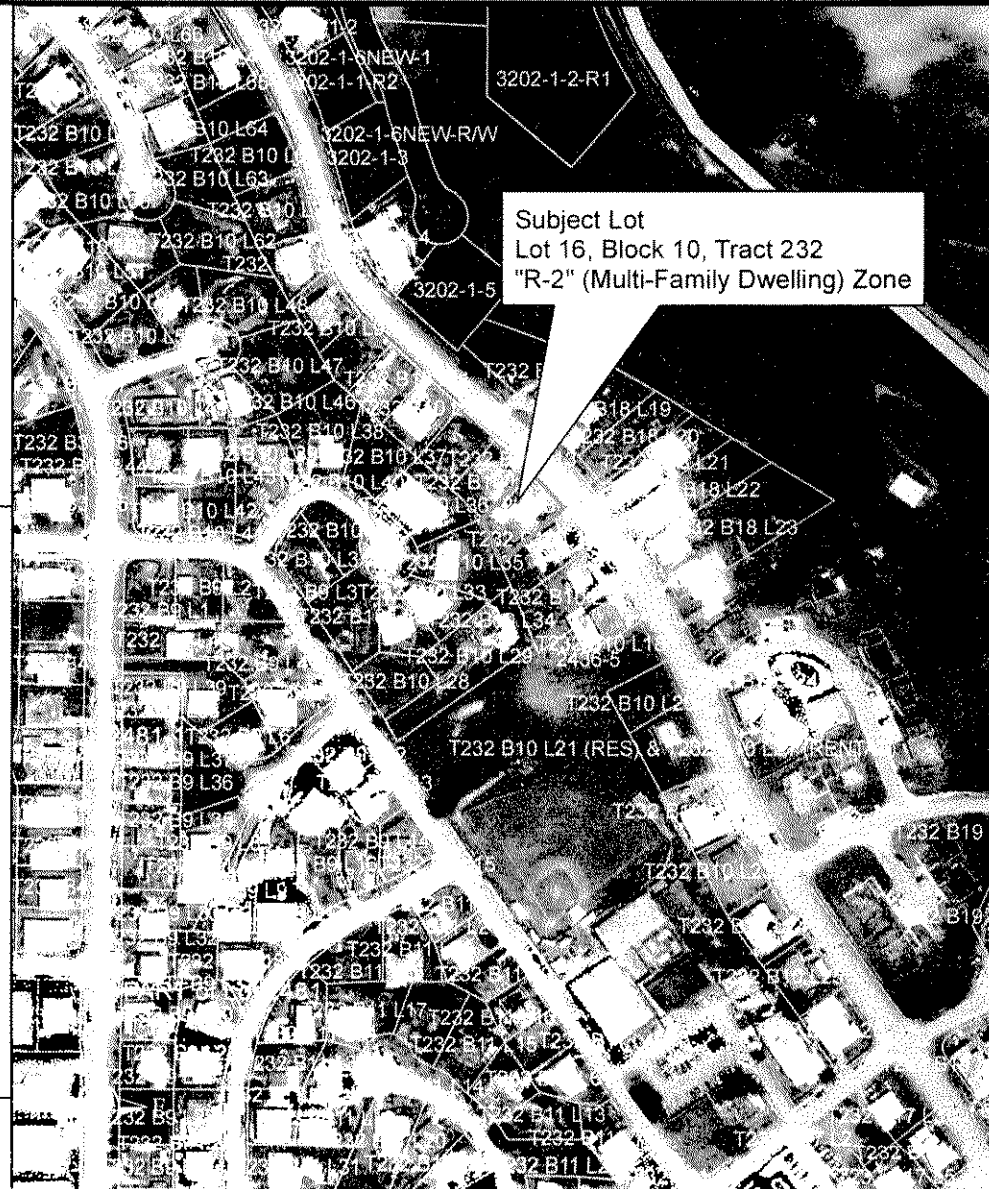
Deputy Recorder [Signature]

SUMMARY ZONE CHANGE  
APPLICATION NO.: 2014-35  
  
APPLICANT: ANTHONY F. QUAN  
  
PREPARED ON SEPTEMBER 29, 2014  
  
FROM: "R-1" (SINGLE FAMILY DWELLING)  
  
TO: "R-2" (MULTI-FAMILY DWELLING)  
  
LOT: 16  
  
BLOCK: 10  
  
TRACT: 232  
  
MUNICIPALITY: SINAJANA  
  
PLACE NAME: N/A  
  
SCALE: N/A  
  
AMENDMENT NO.: A-68  
  
ZONING MAP NO.: F3-67S34

[  Approved with conditions  
as noted in Notice of Action and  
Pursuant to Title 21 GCA  
Chapter 61 Section 61639 and  
Executive Order 98-02.

[Signature]  
MICHAEL J.B. BORJA  
DIRECTOR  
DEPARTMENT OF LAND MANAGEMENT

10/23/14  
DATE



(Space above for Recordation)

## SUMMARY ZONE CHANGE

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

## NOTICE OF ACTION

October 14, 2014  
( Date )

Application No. 2014-35

To: **Anthony F. Quan,**  
**The Applicant & Representative for Ronald Moroni (Owner)**  
**4-15- B Pale Kieran Hickey Drive**  
**Sinajana, Guam 96910**

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

### DEPARTMENT ACTION

N/A / APPROVED

**XX / APPROVED WITH  
CONDITIONS**

N/A / Disapproved \_\_\_\_\_

### ZONE CHANGE REQUEST

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

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

**XX / FROM "R-1" (SINGLE-FAMILY DWELLING) TO  
"R-2" (MULTI-FAMILY DWELLING) IN ORDER  
TO PUT INTO ZONING COMPLIANCE AN  
EXISTING RESIDENTIAL DUPLEX FOR  
FAMILY AND FOR RENTAL.  
[ Lot 16, Block 10, Tract 232, Sinajana ]**

N/A / OTHER:

**NOTICE OF ACTION  
SUMMARY ZONE CHANGE**

Lot 16, Block 10, Tract 232, Sinajana  
Date of Preparation of NOA: October 14, 2014  
Page 3 of 6

Application No. 2014-35

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

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

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

**NOTICE OF ACTION  
SUMMARY ZONE CHANGE**

Application No. 2014-35

Lot 16, Block 10, Tract 232, Sinajana  
Date of Preparation of NOA: October 14, 2014  
Page 5 of 6

**CERTIFICATION OF UNDERSTANDING AND AGREEMENT**


I/We ANTHONY F. QUAN / ANTHONY F. QUAN  
(Applicant [Please print name]) (Representative [Please print name])

I/We \_\_\_\_\_  
(Applicant [Please print name])

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

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


  
\_\_\_\_\_  
Signature of Applicant


  
\_\_\_\_\_  
Signature of Representative

Date: 23 OCT 14

Date: 23 OCT 14

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

  
\_\_\_\_\_  
FOR: Applicant  
Date 27 OCT 14

  
\_\_\_\_\_  
Representative  
Date 27 OCT 14



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



Street Address:  
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EDDIE BAZA CALVO  
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DAVID V. CAMACHO  
 Deputy Director

October 23, 2014

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

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

Re: Summary Zone Change Application No. SZC 2014-35,  
 Lot 16, Block 10, Tract 232, Municipality of Sinajana  
 Applicant: Anthony F. Quan; for Mr. Ronald Moroni (Owner)

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

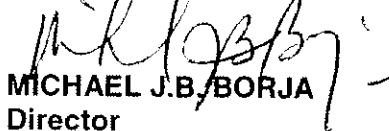
Buenas Yan Hafa Adai, Honorable Senator Tina Muna-Barnes:

Pursuant to 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single-Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot 16, Block 10, Tract 232, Municipality Sinajana, from "R-1 (Single-Family Dwelling to "R-2" (Multi-Family Dwelling) Zone in order to put into zoning compliance an existing residential Duplex for family and rental.

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

Your expeditious response on this action is greatly appreciated.

Senseramente,

  
**MICHAEL J.B. BORJA**  
 Director

MQA  
 PCG  
 w/Attachment(s):

1. Staff Report and Notice of Action
2. Certifications of Utility Agencies/Application Review Committee (ARC)

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383





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



EDDIE B. CALVO  
 Governor of Guam

RAY TENORIO  
 Lieutenant Governor of Guam

MONTE MAFNAS  
 Director

DAVID V. CAMACHO  
 Deputy Director

Street Address:  
 590 S. Marine Corps Drive  
 Suite 733 ITC Building  
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Mailing Address:  
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 Hagåtña, GU 96932

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

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

Telephone:  
 671-649-LAND (5263)

Facsimile:  
 671-649-5383

October 16, 2014

To: Director, Department of Land Management  
 From: Planner IV  
 Subject: Staff Report - **Case No. SZC 2014-35**  
 Re: Zone Change - Lot 16, Block 10, Tract 232 , Municipality of Sinajana; Anthony F. Quan, Applicant, (for Ronald Moroni, owner)

**PURPOSE:**

- a. **Application Summary.** The Applicant, Anthony F. Quan, is requesting a zone change on Lot 16, Block 10, Tract 232, in the Municipality of Sinajana from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to put into zoning compliance an existing residential Duplex for family and rental.
- b. **Legal Authority.** 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones, Section 61639 (Summary Procedure for Agricultural and Single Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), Public Law 21-82:4 as amended by P.L. 21-144:8.

**FACTS:**

- a. **Location.** The subject lot is fronting Pale Kieran Hickey Drive and is approximately 900 feet west of St. Jude's church in Sinajana (**see attached vicinity map**).
- b. **Field Description.** There is 2-storey residential structure (Duplex) on the subject lot. The topography is flat and slopes down at the rear of the lot and fronting a 50-foot right of way known as Pale Kieran Hickey Drive. Per Staff inspection, all public utilities such as power, water, telephone service connections are within 100 feet of the property.
- d. **Lot Area.** 755 square meters or 8,122 square feet





**BoPS:** The Bureau have submitted their official certification and have no objections to the proposed rezoning and development.

**GEPA:** No official certification have been received from Guam EPA as of Staff Report Date. Per Planning Staff inspection, the proposed project is near all utility infrastructure. The structure is connected to all public utilities, such as sewer, water, power, etc.,. Planning staff advises the applicants to obtain the required permits from the agency before any clearing, or construction on said lot. DLM is mandated by law to continue and process the application and file it to the legislature for their review and further actions.

**GPA:** The Authority has not submitted their official certification. Planning staff advises the applicants to obtain the required permits from the agency 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.

**DPR/HPO:** Their Official Certification have been received and they have no objections, **(Certification is Attached).**

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

c. **Municipal Public Hearing Results:** Pursuant to P.L. 21-144:3, the public hearing on this zone change application has been waived by Director of Land Management and any hearing is deferred to the Mayor and the Municipal Planning Council of Sinajana.

d. **Municipal Planning Council (MPC) Resolution:** The Mayor of Sinajana received a copy of the and they have submitted an MPC Resolution supporting the zone change for the subject lot, (attached).

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

5. **STAFF RECOMMENDATION:** Planning Staff recommends Approval of the Summary Zone Change request with the following conditions:

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

  
\_\_\_\_\_  
**Penmer C. Gulac**  
Planner IV, Project Planner

10 / 14 / 2014

Date

10/23/2014  
Borja

22 Oct 2014

Director  
Department of Land Management (DLM)  
Government of Guam  
P.O. Box 2950  
Hagatna, Guam 96932

THRU: Chief Planner, DLM

SUBJECT: **Letter of Explanation**

Dear Mr. Borja:

At the request of your Chief Planner, I am submitting this letter in connection with an application for a Summary Zone Change and on behalf of the property owner, Mr. Ronald Moroni.

In the way of a background, I have been a neighbor of Mr. Moroni since he purchased the adjacent property in 2003. After his wife passed just a few years ago, Mr. Moroni chose to re-locate to the Mainland leaving me with a lease to the property and an agreement that I would represent him in not only obtaining a zone change but also correcting property issues with the adjoining property belonging to the Castro family.

The property issues are two-fold:

1. Part of an old retaining wall and a related concrete walkway encroach on the Castro property located at Lot 15, Block 10, Tract 232, and
2. The retaining wall itself remains in a state of disrepair and presents a safety hazard to occupants of the Castro property.

To remedy these issues, Mr. Moroni has authorized me to do the following at his expense:

1. Employ a licensed engineer to design and prepare construction drawings for a replacement wall which does not encroach on the Castro property.
2. Secure a building permit (see copy attached)
3. Solicit for a licensed contractor to build the replacement wall within Mr. Moroni's property and remove any related encroachments.
4. Arrange for a construction contract to complete the work as soon as possible.

Currently, I have accomplished all four tasks above-mentioned and pleased to report that the contractor, Genesis-Tech Corporation, has mobilized and due to begin the work NLT than next week.

Be assured that I have involved the adjoining property owner's representative, Mr. Frank Castro, through the process, thus far, and that Mr. Moroni remains committed to seeing this work completed to the satisfaction of the Castro family.

Respectfully,



Tony Quan  
Owner Representative

Attachment

Concurred By:

(NOTE: NOT AUTHORIZED TO SIGN)

Frank Castro, Owner Rep



# SINAJANA MUNICIPAL PLANNING COUNCIL

117A Chalan Guma' Yu'os Sinajana, Guam 96910

Phone 671-472-6707/477-3323 Fax 472-5084

sinajanampc@gmail.com

## Sinajana Municipal Planning Council 2014

Robert R. D. C. Hofmann  
Mayor

Rudy D. Iriarte  
Vice Mayor

### MEMBERS

Gina A. Bascon

June M. Aflague

Francisco J. Agualo

Edward M. Eclavea

Cynthia R. Gogo

Selina Maria Onedera-Salas

Lorenzo P. Roberto, Sr.

Augusto T. Sablan, Jr.

Joanita D. Santos-Borja

ShaiAnna L. C. Tedtaotao

Resolution No. 01

Introduced by: R. Hofmann  
R. Iriarte

Relative to approving the application of Mr. & Mrs. Anthony F. Quan for the request for a Zone Change from "R-1" Single Dwelling to "R-2" Multi-Family Dwelling on Lot 16, Block 10, Tract 232, Municipality of Sinajana.

### Be it Resolved by the Sinajana Municipal Planning Council:

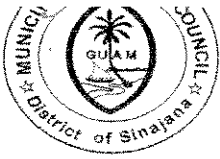
**WHEREAS**, May 29, 2014, Mr. & Mrs. Anthony F. Quan registered residents of Sinajana are the owners of Lot 17, Block 10, Tract 232-Sinajana, has applied through the Land Management as the applicant and representative (Mr. Ronald Moroni and Phyllis Koegel) for a Zone Change for Lot 16, Block 10, Tract 232 from R-1 (Single Family Dwelling) to R-2 (Multi-Family Dwelling); and

**WHEREAS**, On August 5, 2014 the Sinajana Mayor's Office received a request from the Department of Land Management application No. SZC 2014-35 for a zone change from "R-1"(Single Family Dwelling) to "R-2"(Multi-Family Dwelling) for the purposes of converting an existing residential structure into a four bedroom two bathrooms upstairs rental unit and three bedroom and 2 bathroom downstairs rental unit; and

**WHEREAS**, the justification for the Summary Zone Change was filed on May 29, 2014 at the Department of Land Management along with proposed maps, documents and a copy of deed and reviewed on July 17, 2014 by the Applications Review Committee for transmittal to the Sinajana Municipal Planning Council; and

**WHEREAS**, Pursuant to Public Law 21-144, Section 3 (*Waiver of Formal Public Hearing*), the Department of Land Management hereby waives the

Red 8/19/14 P. Gulae  
COPY  
Plann  
Div



# Sinajna Municipal Planning Council Voting Sheet

Date: August 18, 2014

Subject: Relative to approving the application of Mr. & Mrs. Anthony F. Quan for the request for a Zone Change from "R-1" Single Dwelling to "R-2" Multi-Family Dwelling on Lot 16, Block 10, Tract 232, Municipality of Sinajana.

MOTION:  PASSED  FAILED

MEMBERS		AYE	NAY	ABSTAIN	SIGNATURE
1. <sup>Bascon</sup> Aflague, Gina M.A.	M 2nd	✓			<i>[Signature]</i>
2. Aflague, June M.	M 2nd	✓			<i>[Signature]</i>
3. Agualo Francisco Jose	M 2nd	✓			<i>[Signature]</i>
4. Eclavea, Edward M.	M 2nd	✓			<i>[Signature]</i>
5. Gogo, Cynthia Reyes	M 2nd	✓			<i>[Signature]</i>
6. Onedera-Salas, Selina Maria	M 2nd				
7. Roberto, Lorenzo P.	M 2nd				
8. Sablan, Augusto T. Jr.	M 2nd				
9. Santos-Borja, Joanita D.	M 2nd				
10. Tedtaotao, ShaiAnna L.C.	M 2nd	✓			<i>[Signature]</i>

Total "AYE": 6

Total "NAY": 0

*[Signature]*  
Municipal Clerk Signature

*[Signature]*  
Mayor Robert RDC Holmann



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



Street Address:  
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EDDIE BAZA CALVO  
 Governor  
 RAY TENORIO  
 Lieutenant Governor

MICHAEL J.B. BORJA  
 Director  
 DAVID V. CAMACHO  
 Deputy Director

August 5, 2014

Honorable Robert RDC Hoffman  
 Mayor of Sinajana c/o Municipal Planning Council

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

Subject: Summary Zone Change Public Hearing Waiver

Hafa Adai Mayor Hoffman:

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

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

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

**Anthony F. Quan**, (Applicant and Representative) for Lot 16, Block 10, Tract 232, Municipality of Sinajana, Application No. SZC 2014-35, for a Zone Change from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to put into zoning compliance an existing residential Duplex for family and rental.

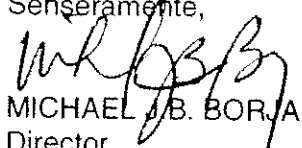
Telephone:  
 671-649-LAND (5263)

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

Facsimile:  
 671-649-5383

Although the Department has waived the requirements of a formal public hearing, a mandatory MPC Resolution is required prior to any final action on the application. To ensure that our recommendation is consistent with the desire of your community, we request that your MPC submit a Resolution stating its position (i.e., support, objections, concerns, conditions, etc.) on the zone change. The Resolution should be transmitted within fourteen (14) days from the date of DLM filing with your office. The Resolution can be faxed to the Department at 649-5383 to the attention of Summary Zone Change Section, Land Planning.

Thank you for your attention to this matter

Senseramente,  
  
 MICHAEL J.B. BORJA  
 Director

Attachments: as noted

PCG  




26

Eddie Baza Calvo  
Governor of Guam

Ray Tenorio  
Lieutenant Governor

 **BUREAU OF  
STATISTICS & PLANS**

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



Lorilee T. Crisoston  
Director

AUG 12 2014

**MEMORANDUM**

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: Position Statement – Application No. **SZC 2014-35**; Anthony F. Quan; Lot No. 16, Blk. 10, Trt. 232 Municipality of Sinajana; Summary Zone Change from R-1 to R-2; Proposed Use: Residential (Duplex)

Hafa Adai, pursuant to Public Law 21-82, Section 4, as amended by Public Law 21-144, Section 8, the applicant Mr. Anthony F. Quan is requesting a summary zone change of Lot No. 16, Blk. 10, Trt. 232, in the municipality of Sinajana from “R-1” (Single-Family Dwelling) to “R-2” (Multi-Family Dwelling) Zone in order to put into zoning compliance an existing residential duplex for family rentals. The subject lot is located along Pale Kieran Drive and has a land area of approximately 755 square meters with the surrounding land uses that consists predominantly of residential dwellings. The applicant proposes to purchase the subject property from the current land owners and will be going through the process of financing. However, because the property is non-conforming to the zoning law, it is the applicant’s intent to make the existing duplex into zoning compliance.

Based on our view of the subject application as submitted, the Bureau provides the following comments and recommendations:

1. Based on a site inspection conducted, the Bureau believes that the property may not have sufficient area to provide two (2) parking spaces per dwelling unit. We believe that the street side parking is not feasible without having a negative impact to the neighborhood. The Bureau recommends the applicant coordinate with the Department of Public Works (DPW) to ensure that proper parking configuration and dimensions have been met.
2. Should the zone change be approved, the Bureau recommends that there are measures to ensure that the property will be landscaped in such a way to provide a buffer between the subject lot and the other residential dwellings. This will help reduce storm water runoff in addition to an aesthetically pleasing site. It is recommended that native plants be used in the landscaping.



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



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

EDDIE BAZA CALVO  
 Governor

MICHAEL J.B. BORJA  
 Director

RAY TENORIO  
 Lieutenant Governor

DAVID V. CAMACHO  
 Deputy Director

July 17, 2014

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

From: Guam Chief Planner

Subject: Request for Certification

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

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

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

Applicant(s): **Anthony F. Quan**

Application No. **SZC 2014-35**

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

Project Description: **To rezone the property from "R-1" (Single-Family) to "R-2" (Multi - Family Dwelling) Zone in order to put into zoning compliance an existing residential Duplex for family and rentals, on Lot 16, Block 10, Tract 232, Municipality of Sinajana.**

Date Received: **May 29, 2014**

Telephone:  
 671-649-LAND (5263)

Date Accepted: **July 16, 2014**

**\*\* Due Date for Certification: August 5, 2014**  
**(Public Law 21-144, Section 8(b)(A)(1))**

Facsimile:  
 671-649-5383

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.

  
 For: **Marvin Q. Aguilar**  
 Guam Chief Planner

PCG: Attachment: SZC Application No. 2014-35 and supporting documents



# SUMMARY ZONE CHANGE

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

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

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

**1. Information on Applicant:**

Name of Applicant: ANTHONY F. QUAN U.S. Citizen:  Yes  No

Mailing Address: 415-B PALE KIRAN DRIVE SINAJANA, GUAM 96910

Telephone No.: Business: 488-1000 Home: 472-7825

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

Subdivision Name: SINAJANA URBAN RENEWAL R-2

Lot(s): 16 Block: 10 Tract: 232

Lot Area: Acres: N/A Square Meters: 755 Square Feet: 8,122

Village: SINAJANA Municipality: SINAJANA

Registered Owner(s): RONALD MORONI & PHYLLIS KOEGEL

Certificate of Title No.: 14287 Recorded Document No.: \_\_\_\_\_

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

**3. Current and Proposed Land Use:**

Current Use: DUPLEX Current Zoned: R1

Proposed Use: DUPLEX - FUTURE RENTALS Proposed Zone: R2  
"CONFORM WITH CURRENT USE"

**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.

RECEIVED  
5/29/14

# SUMMARY ZONE CHANGE

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

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

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

  
RONALD MORONI

Owner (Print/Sign)

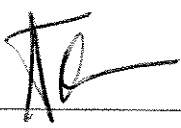
PHYLLIS KOEGER (DECEASED)

Owner (Print/Sign)

Date

ANTHONY F. QUAN

Representative (If any)



Date

24 MAY 2014

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.**

Department of Land Management  
File for record is Instrument No. 684782  
the year 03 Month 12 Day 03 Time 10:24  
Recording Fee 59- Receipt No. 1305291  
By the Registrar Jay Yamashita

TG-E

**WARRANTY DEED**

TO ALL WHOM THESE PRESENTS MAY COME, GREETINGS:

THAT ON THIS 25<sup>th</sup> day of **NOVEMBER, 2003**, **MASAKO MUTO** and **ETSUKO MUTO**, whose address is PO Box 27494, Hagatña, Guam 96921, hereinafter referred to as "GRANTOR", for and in consideration of the sum of TEN DOLLARS (\$10.00) and other valuable consideration to them paid by **RONALD MORONI** and **PHYLLIS KOEGEL**, husband and wife, as joint tenants with rights of survivorship, whose address is PO Box B, Hagatña, Guam 96932, and hereinafter referred to as "GRANTEE", the receipt, adequacy and sufficiency whereof is hereby acknowledged, do hereby GRANT, BARGAIN, SELL and CONVEY unto the GRANTEE, as joint tenants with rights of survivorship, the following described property:

**LOT NUMBER 16, BLOCK NUMBER 10, TRACT NUMBER 232**, (An integral part of old Lot 3-R1, Block 31), **MUNICIPALITY OF SINAJANA, TERRITORY OF GUAM, ESTATE NUMBER 5943, URBAN**, as described in that Subdivision of Tract 232, recorded **NOVEMBER 18, 1996**, at the Records Division, Department of Land Management, Government of Guam, under Document Number 555185.

Registered Land, with the **LAST REGISTERED OWNER** being **SANTIAGO M. CASTRO** and **TERESA B. CASTRO, Husband and Wife**, and the **OWNER OF RECORD** being **MASAKO MUTO** and **ETSUKO MUTO, Mother and Daughter, as Joint Tenants with Rights of Survivorship**, and the **LAST CERTIFICATE OF TITLE REGISTRATION NUMBER** being 14287 (Basic Lot 3-R1, Block 31).

**AREA: 8,122 +/- SQUARE FEET**

TOGETHER with reversions, remainders, rents, issues and profits thereof and all of the estate, right, title and interest of the GRANTOR, both at law and in equity, therein and thereto.

GUAM U.S.A.

CITY OF HAGATNA

) 85

ON THIS 2nd DECEMBER day of NOVEMBER, 2003, before me, a Notary Public in and for GUAM U.S.A., personally appeared **RONALD MORONI and PHYLLIS KOEGEL**, and he/she acknowledged to me that he/she executed the foregoing WARRANTY DEED, as his/her free and voluntary act and deed for the purposes therein set forth.

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

NOTARY PUBLIC  
My commission expires:

LOURDES P. SAN NICOLAS
NOTARY PUBLIC
In and for Guam, U.S.A.
My Commission expires: Sept 09, 2006
308 Vivian Way Tamarindown
Tamuning, Guam 96913

# LETTER OF AUTHORIZATION

15 May 2014

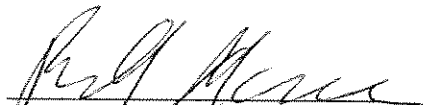
TO WHOM IT MAY CONCERN

SUBJECT: Re-Zoning of Existing R1 Lot under Summary Zone Change Program

Dear Sir:

As the registered owner of Lot 16, Block 10, Tract 232 located in the village of Sinajana, I am authorizing my neighbor and interested buyer of my property identified above, Mr. Anthony F. Quan, to process a zone change for my property from R1 to R2 so that its current use may conform with local zoning laws.

Please call me at 477-7061 (H) or 487-0143 (M) should you need further information.

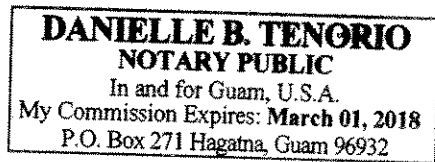
  
Ronald Moroni

On this 29<sup>th</sup> day of May, 2014, before me a Notary Public in and for Guam USA, personally appeared **RONALD MORONI**, known to me and/or has proven to me on the basis of satisfactory evidence to be the person whose name is subscribed to the foregoing LETTER OR AUTHORIZATION and acknowledged to me that he voluntarily executed the same.

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



Notary Public



RECEIVED  
5/29/14



# EXISTING SITE PLAN FOR LOT 16, BLK 10, TRACT 232

1963 GRID

GRAPHIC SCALE 1 INCH = 10 FEET

CURVE DATA

$R = 3' 21'' 10$   
 $R = 113.52$   
 $LC = 65.30$   
 $CM = 65.29$   
 $CHB = S 38' 28'' 20' E$

OPEN  
LIGHTLY VEGETATED

CMU WALL FENCE  
TOP EL. = 187.08  
BOT. EL. = 181.00

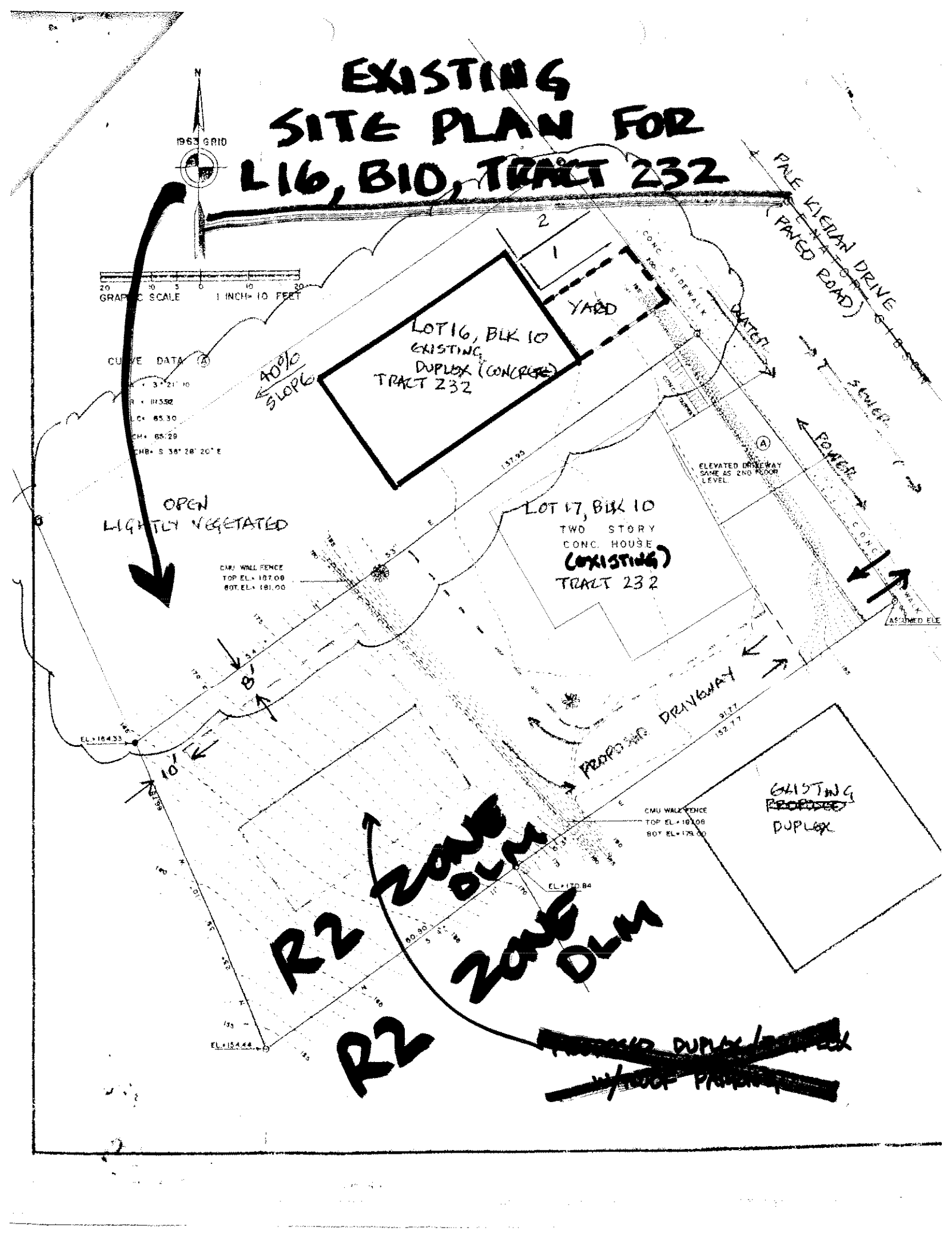
LOT 16, BLK 10  
EXISTING  
DUPLX (CONCRETE)  
TRACT 232

LOT 17, BLK 10  
TWO STORY  
CONC. HOUSE  
(EXISTING)  
TRACT 232

EXISTING  
~~PROPOSED~~  
DUPLX

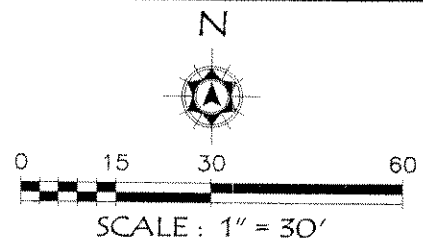
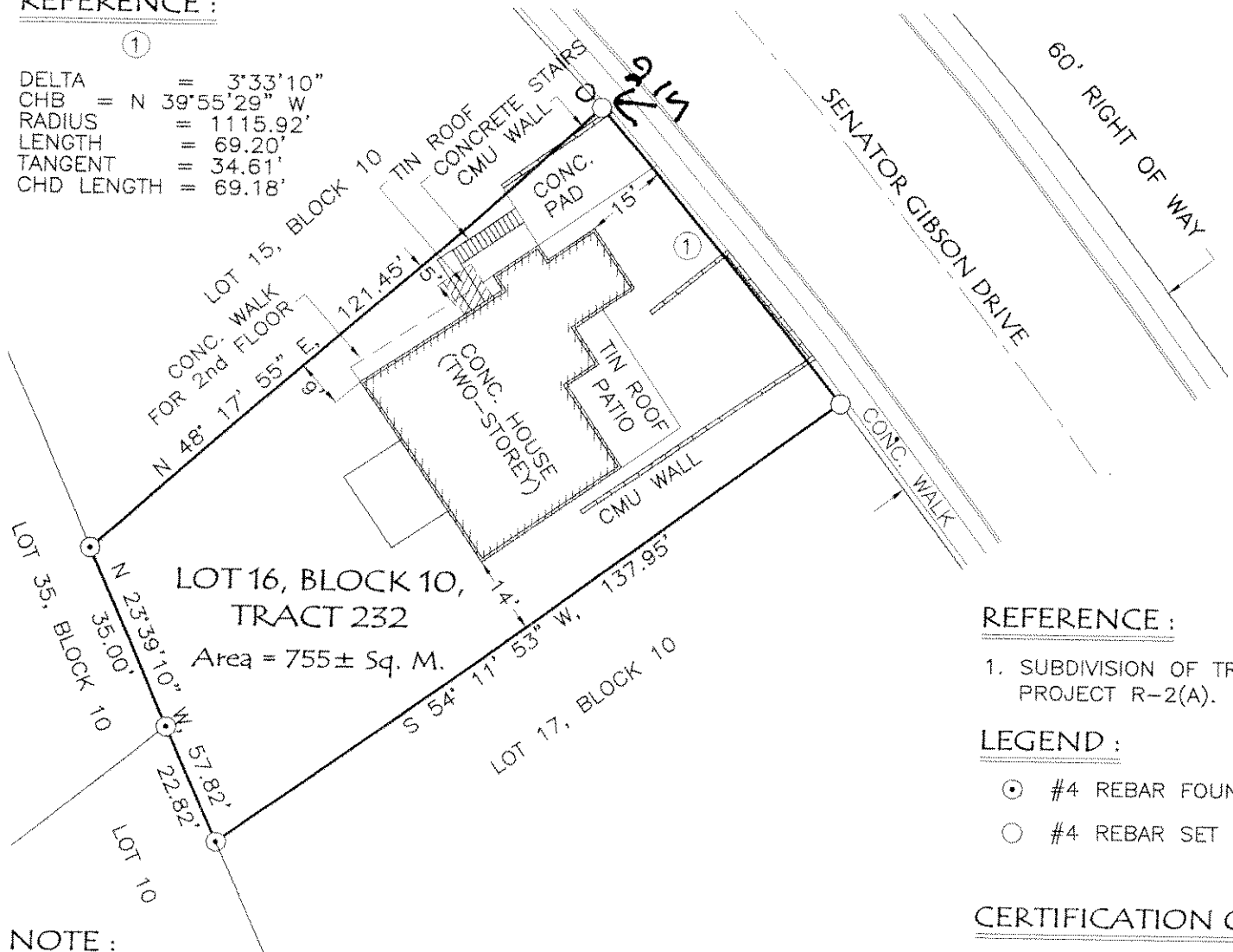
**R2 ZONE OLM**  
**R2 ZONE OLM**  
**R2**

~~PROPOSED DUPLX / CONCRETE  
W/ ROOF PARKING~~



REFERENCE :

①  
 DELTA = 3°33'10"  
 CHB = N 39°55'29" W  
 RADIUS = 1115.92'  
 LENGTH = 69.20'  
 TANGENT = 34.61'  
 CHD LENGTH = 69.18'



LOT 16, BLOCK 10,  
 TRACT 232  
 Area = 755 ± Sq. M.

NOTE :

1. SURVEY WAS BASED ON FOUND CORNERS.
2. ALL DISTANCES ARE IN FEET.
3. EXISTING TIN ROOF SERVING THE ENTRANCE TO THE FIRST FLOOR IS IN VIOLATION WITH ONLY 5' (ft.) SETBACK.

REFERENCE :

1. SUBDIVISION OF TRACT 232, SINAJANA URBAN RENEWAL PROJECT R-2(A).

LEGEND :

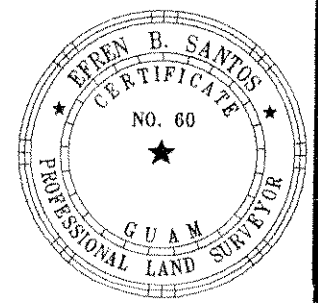
- ⊙ #4 REBAR FOUND
- #4 REBAR SET WITH PLASTIC CAP MARKED PLS 60

CERTIFICATION OF SURVEYOR :

I, EFREN B. SANTOS, HEREBY CERTIFY THAT THIS SKETCH WAS PREPARED BY ME OR UNDER MY DIRECT SUPERVISION, THAT IT IS BASED UPON FIELD SURVEY MADE IN NOVEMBER 2003.

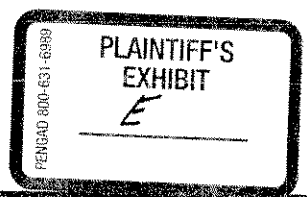
*EFREN B. SANTOS*  
 EFREN B. SANTOS, PLS No. 60

21 November 2003  
 DATE



DWG No. CERT03-114

RETRACEMENT SURVEY SKETCH OF  
 LOT 16, BLOCK 10, TRACT 232  
 MUNICIPALITY OF SINAJANA  
 FAO: RONALD MORONI & PHYLLIS KOEGEL



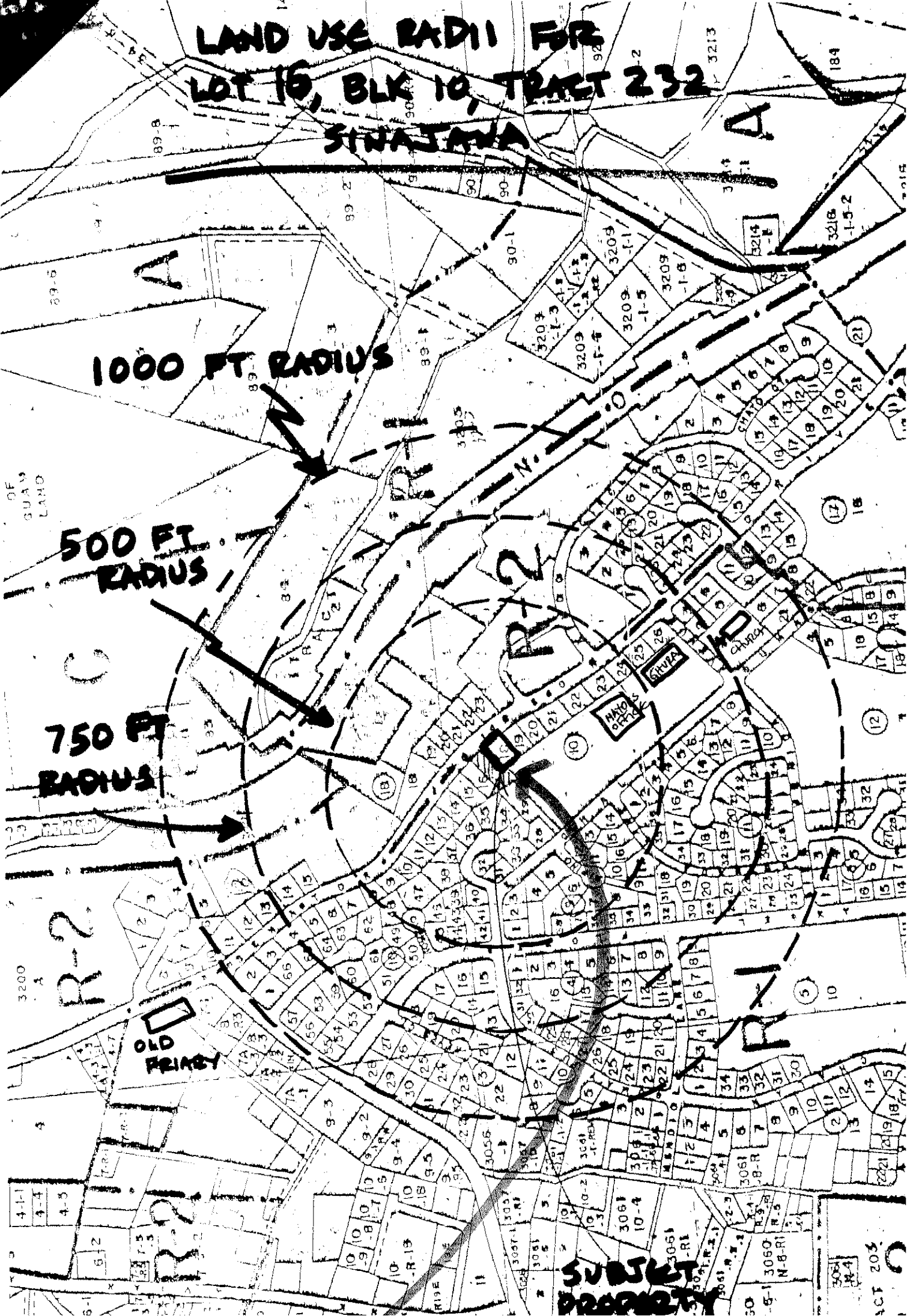
# LAND USE RADII FOR LOT 16, BLK 10, TRACT 232

SINAJANA

1000 FT RADIUS

500 FT RADIUS

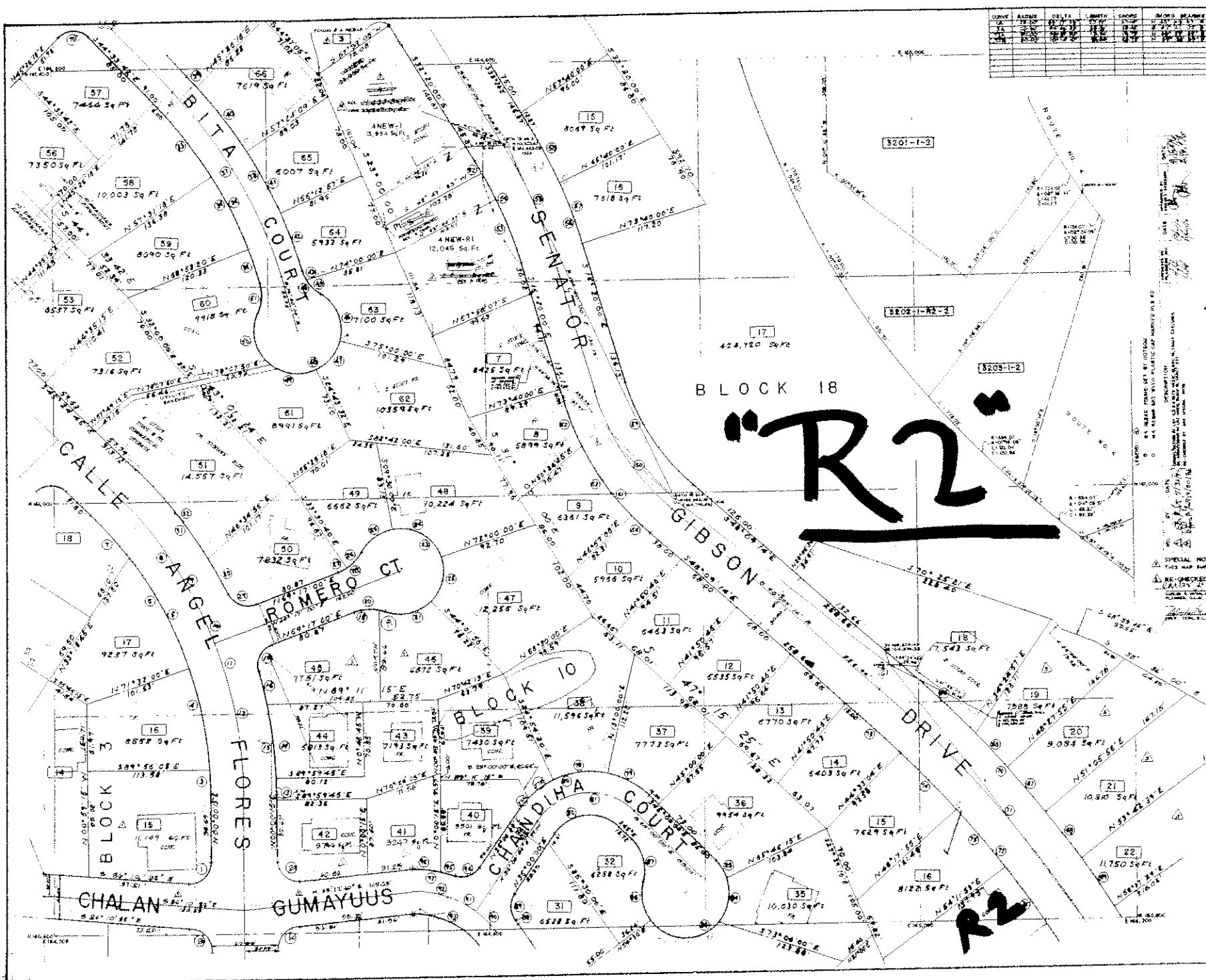
750 FT RADIUS



**SUBJECT  
PROPERTY**

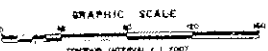
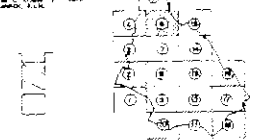
ACT 203





LOT	AREA	DATE	REMARKS	APPROVED
1	7350 Sq Ft	1988		
2	10003 Sq Ft	1988		
3	8000 Sq Ft	1988		
4	8557 Sq Ft	1988		
5	7316 Sq Ft	1988		
6	14557 Sq Ft	1988		
7	424,750 Sq Ft	1988		
8	5899 Sq Ft	1988		
9	6367 Sq Ft	1988		
10	5956 Sq Ft	1988		
11	6463 Sq Ft	1988		
12	5535 Sq Ft	1988		
13	6770 Sq Ft	1988		
14	5403 Sq Ft	1988		
15	7429 Sq Ft	1988		
16	8120 Sq Ft	1988		
17	7773 Sq Ft	1988		
18	71543 Sq Ft	1988		
19	7988 Sq Ft	1988		
20	9094 Sq Ft	1988		
21	10340 Sq Ft	1988		
22	11750 Sq Ft	1988		
23	11,149 Sq Ft	1988		
24	3897 Sq Ft	1988		
25	773 Sq Ft	1988		
26	11,149 Sq Ft	1988		
27	11,149 Sq Ft	1988		
28	11,149 Sq Ft	1988		
29	11,149 Sq Ft	1988		
30	7632 Sq Ft	1988		
31	6528 Sq Ft	1988		
32	6258 Sq Ft	1988		
33	10,030 Sq Ft	1988		
34	10,030 Sq Ft	1988		
35	10,030 Sq Ft	1988		
36	9954 Sq Ft	1988		
37	7773 Sq Ft	1988		
38	11,596 Sq Ft	1988		
39	11,596 Sq Ft	1988		
40	3247 Sq Ft	1988		
41	3247 Sq Ft	1988		
42	9740 Sq Ft	1988		
43	7193 Sq Ft	1988		
44	5013 Sq Ft	1988		
45	6872 Sq Ft	1988		
46	6872 Sq Ft	1988		
47	12,255 Sq Ft	1988		
48	70,224 Sq Ft	1988		
49	6662 Sq Ft	1988		
50	7632 Sq Ft	1988		
51	14,557 Sq Ft	1988		
52	7316 Sq Ft	1988		
53	8557 Sq Ft	1988		
54	8000 Sq Ft	1988		
55	10,003 Sq Ft	1988		
56	7350 Sq Ft	1988		
57	7350 Sq Ft	1988		
58	10,003 Sq Ft	1988		
59	8000 Sq Ft	1988		
60	9918 Sq Ft	1988		
61	8991 Sq Ft	1988		
62	10359 Sq Ft	1988		
63	7100 Sq Ft	1988		
64	5932 Sq Ft	1988		
65	6007 Sq Ft	1988		

SPECIAL NOTE:  
THIS MAP SUPERSEDES MAP RECORDED UNDER NO. 18288 & 18341  
RE-CHECKED BY: [Signature]  
DATE: [Date]



ESCO INTERNATIONAL	GUAM HOUSING AND URBAN RENEWAL AUTHORITY
P.O. BOX 60, HAGA, GUAM	P.O. BOX C.S. ASANA, GUAM
DATE: 12-3-89	SCALE: 1" = 100'
PROJECT AND SUBPROJECT APPROVED BY: [Signature]	DATE: 12-3-89
RECEIVED BY: [Signature]	DATE: 12-3-89
SUBDIVISION OF TRACT 232	
SILAJANA URBAN RENEWAL PROJECT (R-21A)	
MUNICIPAL DISTRICT OF SILAJANA	
U.S. 19, SEC. 2 U.S. 20, SEC. 1	
SHEET 6 OF 18	