

ACKNOWLEDGMENT OF RECEIPT  
SUMMARY ZONE CHANGE PACKET

on

Lot 17, Block 7, Municipality of Barrigada  
for  
Curt and Michelle Cruz

APPLICATION NO: SZC 2014-06

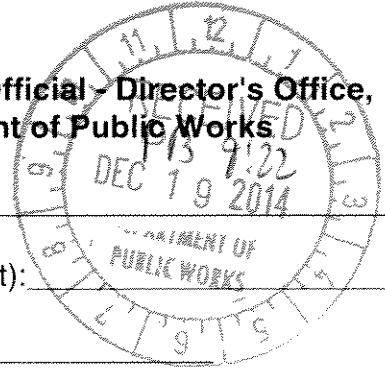
LEGISLATURE 2  
COPY

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

Signature: *Jim Ulick*  
Name (print): Allen, Tina  
12/19/14 10:11am  
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 \_\_\_\_\_

2014 DEC 19 AM 11:47

Name of Applicant and or Representative

2331

Signature \_\_\_\_\_

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

Office of the Legislative Secretary  
Senator Tina Romo Mufia Barnes  
Date: 12/19/14  
Time: 10:11am  
Received by: Allen, Tina

32-14-2331  
Office of the Speaker  
Judith T. Won Pat, Ed.D

Date: 12/19/14  
Time: 11:11am  
Received By: R



**SUMMARY ZONE CHANGE  
APPLICATION NO: 2014-06  
LOT 17, BLOCK 7  
MUNICIPALITY OF BARRIGADA**



Department of Land Management Office of the Recorder

File for Record is Instrument No. **864218**

On the Year 14 Month 04 Day 23 Time 9:12

Recording Fee **DE-OFFICIO** Receipt No. \_\_\_\_\_

Deputy Recorder Sua O Manggar

**SUMMARY ZONE CHANGE  
APPLICATION NO. 2014-06  
APPLICANT: CURT CRUZ AND MECHELLE CRUZ  
Prepared on FEBRUARY 17, 2014**

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

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

**LOT NO: 17**

**BLOCK NO. 7**

**TRACT: N/A**

**NAME PLACE: N/A**

**MUNICIPALITY: BARRIGADA**

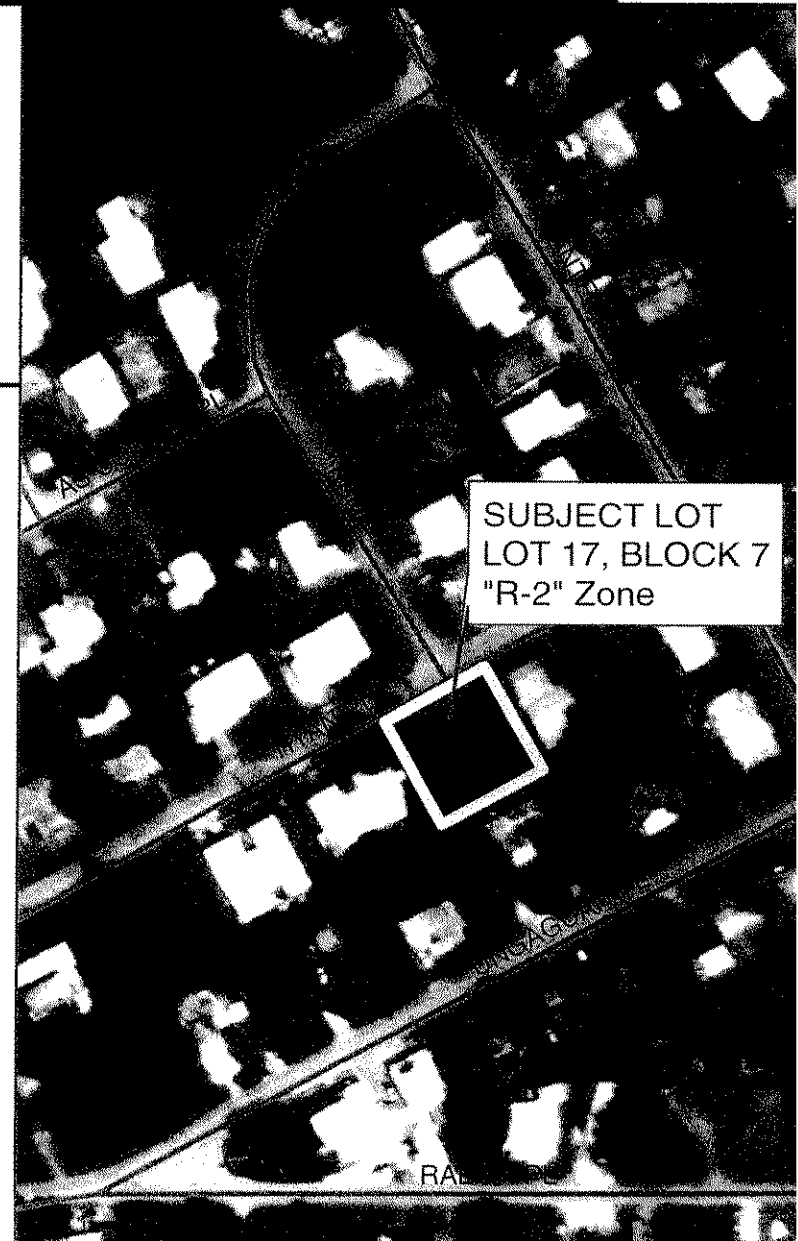
**SCALE: N/A**

**AMENDMENT NO: 102**

**ZONING MAP NO: F3-67 S35**

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 4/23/14  
**DAVID V. CAMACHO** **DATE**  
Acting Director  
Department of Land Management



CO DV



**DIPATIAMENTON 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

April 22, 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 2014-06**  
**Lot 17, Block 7, Municipality of Barrigada;**  
**for Curt & Michelle Cruz**

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

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

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

Pursuant to 21 GCA (Real Property), Chapter 61 ( Zoning Law ), Part 3 (Changes of Zones), Section 61639 ( Summary Procedure for Agricultural and Single - Family Residential Rezoning) and Executive Order 92-08 ( Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot 17, Block 7, Municipality Barrigada, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a 2-storey Duplex and future expansion to 4-units for family and rentals for the community.

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

Telephone:  
 671-649-LAND (5263)

Your expeditious response on this action is greatly appreciated.

Senseramente,

  
 David V. Camacho  
 Acting Director

Facsimile:  
 671-649-5383

Penmer C. Gulac, Project Planner  
 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. 102; Zoning Map No. F3 67 S35



(Space above for Recordation)

## SUMMARY ZONE CHANGE

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

## NOTICE OF ACTION

April 18, 2014

Date

To: Curt William Aguon Cruz &  
Michelle Nicole Brown Cruz  
POB 26677 GMF  
Barrigada, Guam 96921

Application No. 2014-06

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

XX / From "R-1" (Single Family Dwelling) to  
"R-2" (Multi-Family Dwelling to allow  
construction of a 2-storey Duplex and for  
future expansion to 4-units for family and  
rentals; Lot 17, Block 7, Barrigada.

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

N/A / OTHER:

Page 2 of 5

1. APPLICATION SUMMARY:

Mr. and Mrs. Curt Cruz, the owner, requests approval for rezoning Lot 17, Block 7, Barrigada from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to allow construction of a 2-storey Duplex and for future expansion to 4-units for family and rentals.

2. JUSTIFICATION : The criteria of **PUBLIC NECESSITY, CONVENIENCE and GENERAL WELFARE AND SAFETY** must be justified.

We provide the following:

**PUBLIC NECESSITY and CONVENIENCE**

The requested zone change is from "R-1 to "R-2" for the purpose of future development/construction of a Duplex and multi-family units for family and public rental units. In this regard, applicants have cited primary purpose for residential uses for their children family. One primary purpose of this program (Summary Zone Change) is to allow the property owners to rezone their properties in order to utilize their property in a manner that enhances their livability or livelihood unlike those major zone changes that result in major developments.

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

**GENERAL WELFARE AND SAFETY**

We have concluded our site inspection and did physically find that water, power, sewer, roadways and other utilities are existing and available near the lot and along the public easement. DPW, GWA, GPA, BoPS and DPR/HPO have submitted their certification and have no objections. While we have not received certifications from Guam EPA, we note that water and sewer are within the immediate area located along the public easement. It will be obvious that during the permitting phase, that requirements/clearance for water and sewer/waste water connections will be required for the proposed development of the subject lot. Connection to public sewer ensured protection of the waterlens and public health and welfare.

**NOTICE OF ACTION  
SUMMARY ZONE CHANGE**

**Lot 17, Block 7, Barrigada**

**Date of Preparation of NOA: April 18, 2014**

**Page 3 of 5**

**Application No. 2014-06**

Relative to the rezoning action, we find that there are no objections to the request. That neighbors signed a petition supporting the zone change and a Barrigada MPC Resolution was submitted by the Mayor supporting the zone change. That the proposed rezoning and development is conducive to the immediate land uses of single-family and multi-family residences within immediate and nearby surroundings, all infrastructure are all available and we therefore, find that there will be no significant impact on existing infrastructure and surrounding neighborhood, 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 revisions of Building construction Site Development Plan shall show details of structure location, parking layout, landscaping plan, sewage disposal type and connection; and further, that a copy of the floor plans shall be submitted to the Guam Chief Planner; and
- c. That any future increase in dwelling units or on the "intensity of use" from the approved revised plans shall require the Applicant to resubmit a new request and the proposed new Site Development Plan to the Chief Planner, Land Management for his reevaluation; and
- d. That such reevaluation may include another review by the appropriate Application Review Committee Agency and/or by the Municipal Planning Council to determine the physical, social and environmental impacts of the revised changes; and
- e. That under this Zone Change process, it shall not include conversions to: HORIZONTAL PROPERTY REGIMES (under 21 GCA, Chapters 45); TIME SHARE OWNERSHIP (under 21 GCA, Chapter 47); HOTELS/MOTELS; and RESIDENTIAL COMMERCIAL ACTIVITIES SUCH AS LAUNDRY ROOMS, GIFT SHOPS, AND THE LIKE; and TEMPORARY WORKFORCE HOUSING FACILITIES; and
- f. That the development be hooked up to public sewer and comply with GEPA's wastewater disposal system requirements and conditions; and
- g. That the Development shall be service with a Government approved Trash Receptacle; and

**NOTICE OF ACTION  
SUMMARY ZONE CHANGE**

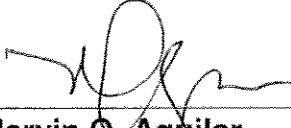
Lot 17, Block 7, Barrigada

Date of Preparation of NOA: April 18, 2014

Page 4 of 5

Application No. 2014-06

h. That each dwelling unit constructed shall be provided 2-parking.

  
\_\_\_\_\_  
Marvin Q. Aguilar  
Guam Chief Planner

4/21/14  
\_\_\_\_\_  
Date

  
\_\_\_\_\_  
David V. Camacho  
Acting Director

4/22/14  
\_\_\_\_\_  
Date

**ATTACHMENTS**

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

Case Planner: Penmer Gulac

NOTICE OF ACTION  
SUMMARY ZONE CHANGE  
Lot 17, Block 7, Barrigada  
Date of Preparation of NOA: April 18, 2014  
Page 5 of 5

Application No. 2014-06

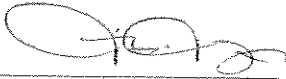
**CERTIFICATION OF UNDERSTANDING AND AGREEMENT**

**Curt and Michelle Cruz**  
I/We \_\_\_\_\_ / \_\_\_\_\_  
(Applicant [Please print name]) (Representative [Please print name])


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

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

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

 / \_\_\_\_\_  
Signature of Applicant (s) Signature of Representative  
Date: 4/22/2014 Date: \_\_\_\_\_

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

 \_\_\_\_\_ 4/23/14 \_\_\_\_\_  
Applicant(s) Date Representative Date



NOTICE OF ACTION (Attachment)  
SUMMARY ZONE CHANGE  
Lot 17, Block 7, Barrigada  
Date of Preparation of NOA: April 18, 2014

Application No. 2014-06

Planning Staff Review and Recommendation(s);

1. Frank P. Taitano, Planner IV  Approved  Disapproved

Comments: in good form & context - infrastructure available

Signature Frank Taitano Date: 4-21-14

2. Celine Cruz, Planner IV  Approved  Disapproved

Comments: No objections from ARe & any adjacent property owners should be considered favorably

Signature Celine Cruz Date: 4-21-14



**DIPATTAMENTON MINANĀ N 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

April 22, 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 2014-06**  
**Lot 17, Block 7, Municipality of Barrigada;**  
**for Curt & Michelle Cruz**

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

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

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

Pursuant to 21 GCA (Real Property), Chapter 61 ( Zoning Law ), Part 3 (Changes of Zones), Section 61639 (Summary Procedure for Agricultural and Single - Family Residential Rezoning) and Executive Order 92-08 ( Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), the Department of Land Management is herewith submitting to the Legislature, a Zone Change application for Lot 17, Block 7, Municipality Barrigada, from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a 2-storey Duplex and future expansion to 4-units for family and rentals for the community.

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

Telephone:  
 671-649-LAND (5263)

Your expeditious response on this action is greatly appreciated.

Senseramente,

Facsimile:  
 671-649-5383

  
 David V. Camacho  
 Acting Director

Penmer C. Gulac, Project Planner  
 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. 102; Zoning Map No. F3 67 S35





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



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

EDDIE BAZA CALVO  
 Governor

RAY TENORIO  
 Lieutenant Governor

MONTE MAFNAS  
 Director

DAVID V. CAMACHO  
 Deputy Director

April 22, 2014

**MEMORANDUM**

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

**TO:** Acting Director  
**FROM:** Guam Chief Planner

**SUBJECT: SZC Application No. 2014-06; Curt William Aguon Cruz & Michelle Nicole Brown Cruz**

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

Buenas Yan Hafa Adai:

Submitted is the SZC Packet for your review and action.

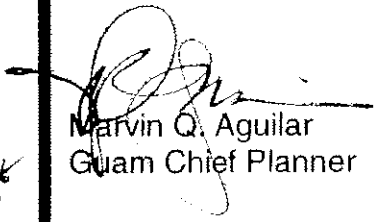
E-mail Address:  
[llmdir@dlm.guam.gv](mailto:llmdir@dlm.guam.gv)  
OV

I have reviewed the Application for **Curt William Aguon Cruz & Michelle Nicole Brown Cruz** and concur with the recommendations of the Case Planner and the Panel of Senior Planners for approval with conditions.

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

Telephone:  
 671-649-LAND (5263)

Senseramente,

  
 Marvin Q. Aguilar  
 Guam Chief Planner

Facsimile:  
 671-649-5383

w/Attachment(s): Noted





**DIPĀTTAMENTON MINANEH. 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

April 11, 2014

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

To: Director, Department of Land Management

From: Guam Chief Planner

Subject: Staff Report - Case No. SZC 2014-06

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

Re: Summary Zone Change- Lot 17, Block 7, Barrigada Village, Municipality of Barrigada

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

**1. PURPOSE:**

- a. **Application Summary.** The Applicants Curt William Aguon Cruz and Michelle Nicole Brown Cruz, are requesting for a zone change on Lot 17, Block 7, in the Municipality of Barrigada, from "R-1" (Single-Family Dwelling) Zone to "R-2" (Multi-Family Dwelling) Zone for a proposed construction of a 2-storey Duplex and for future expansion to 4-units for family and rentals.
- b. **Legal Authority.** 21 GCA (Real Property), Chapter 61 (Zoning Law), Part 3 (Changes of Zones, Section 61639 (Summary Procedure for Agricultural and Single Family Residential Rezoning) and Executive Order 92-08 (Establishing Interim Rules and Regulations for Individual, Small Landowner Zone Changes), Public Law 21-82:4 as amended by P.L. 21-144:8.

Telephone:  
 671-649-LAND (5263)

**2. FACTS:**

- a. **Location.** The subject lot is accessible thru a 40-foot public right of way known as Tiyan Place and is approximately 600 feet southwest of Barrigada's San Vicente church and community center (**see attached vicinity map**).
- b. **Field Description.** The subject lot is vacant. The topography is fairly flat on all areas of the lot. All public utilities such as sewer, water, power, telephone service connections are within 100 feet located on the right of way.
- c. **Lot Area.** 929 square meters or 10,000 square feet

Facsimile:  
 671-649-5383



- d. Present Zoning. "R-1" (Single-Family Dwelling) Zone
- e. 1967 Master Plan. Residential
- f. Community Design Plan. Residential; Medium Density
- g. Surrounding Area. The surrounding area consists of vacant lots, a single family dwellings, residential duplexes, tri-plexes, four-plexes, a retail stores, school and a church. The proposed development is conducive to the existing land use trend comprising of mix uses of residential single-family, duplexes and multi-family development and commercial activities nearby. The proposed development is not expected to have a major impact to existing infrastructure or immediate surroundings.

**3. APPLICATION CHRONOLOGICAL FACTS.**

- a. Date Application Accepted: December 24, 2013
- b. Certifications:

**DPW:** DPW's Official Certification have been received . DPW recommends approval with a condition to submit plans for review. Designs must meet all requirements of the building code applicable to civil, electrical, architectural, mechanical, plumbing, including flood zone and ADA requirements if applicable **(Certification Attached)**.

**GWA:** GWA's Official Certification have been received and notes approval for a duplex, and that per site investigation they have determined there is an existing eight (8.0') inches sewer line and eight (8.0") inches water line located along Tiyan Place. GWA advises the applicants to coordinate with GWA Engineering Staff and Customer Service Unit to obtain the required permits and clearances, fees and charges applicable for construction or additional water meter requirements or on any permits to be issued, plans must be reviewed and approved by GWA **(Certification Attached)**.

**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 project will be 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 submitted their official certification. GPA has no objections to the proposed zone change, however, the customer/applicants are required to comply with all requirements pursuant to the National Electric Safety Code and GPA's Service Rules and Regulations as noted in their official certification. **(Certification Attached).**

**BSP:** Has determined that the application for rezoning has been adequately presented and believes it will not have adverse effects on the surrounding neighborhood. The Bureau therefore recommends approval (**Certification Attached**).

**DPR/HPO:** Has submitted their Official Certification and have no objection, have determined there are no historic properties on the site (**Certification Attached**).

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

- c. Municipal Public Hearing Results: Pursuant to P.L. 21-144:3, the public hearing on this zone change application has been waived by Director of Land Management and any hearing is deferred to the Mayor and the Municipal Planning Council of Barrigada.
- d. Municipal Planning Council Resolution: The Mayor of Barrigada and Municipal Planning Council submitted an MPC Resolution dated April 4, 2014, supporting the rezoning request and proposed development of Mr. and Mrs. Curt on their property.

4. **DISCUSSION AND ANALYSIS:** The criteria of **PUBLIC NECESSITY, CONVENIENCE and GENERAL WELFARE AND SAFETY** must be justified.  
We provide the following:

#### **PUBLIC NECESSITY and CONVENIENCE**

The requested zone change is from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) zone for the purpose of allowing the construction of a residential duplex and for future expansion for family and rentals. In this regard, applicants have cited primary purpose for residential uses for family members. One primary purpose of this program (Summary Zone Change) is to allow the property owners to rezone their properties in order to utilize their property in a manner that enhances their livability or livelihood and also to provide affordable housing rental for the community.

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

#### **GENERAL WELFARE AND SAFETY**

We have concluded our site inspection and did physically find that water, power, sewer, roadways fronting the property. GPA, DPW, GWA, DPR/HPO & BOPS all have submitted their official certification with no objection. The proposed structure will be connected to public sewer to ensure a safe environment for the applicants and the adjacent neighbors. While we have not received certification from Guam EPA, we note that there is public water and sewer connections are fronting the property. It will be obvious that during the permitting phase, that requirements for new water and sewer connections will be required for the propose development.

Relative to rezoning action, we found no objections from immediate neighbors and or immediate lot owners. A petition of support from neighbors and Barrigada MPC Resolution was received supporting there zone change. The proposed rezoning and development is conducive to the immediate land uses of single-family and multi-family residences as well commercial land uses within the immediate or nearby, all infrastructure are available and we therefore, find that there will be no significant impact on existing infrastructure and surrounding neighborhood.

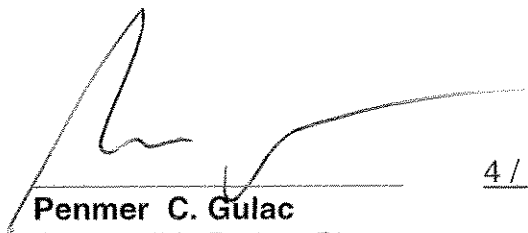
Therefore, it is our conclusion that the criteria for the rezoning as cited above has been satisfied.

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;



**Director of Land Management  
Staff Report- Case No. SZC 2014-06  
Lot 17, Block 7, Barrigada  
Page 6**

- 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

4 / 11 / 2014  
Date

Attachments; Application packet and Position Statements from GPA & BOPs



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



Street Address:  
 590 S. Marine Corps Drive  
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EDDIE BAZA CALVO  
 Governor

RAY TENORIO  
 Lieutenant Governor

MONTE MAFNAS  
 Director

DAVID V. CAMACHO  
 Deputy Director

February 24, 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 February 24, 2014, I hereby appoint you as panel members to review and provide recommendations relative to **SZC Application No. 2014-06 (Curt and Michelle Cruz)**.

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 2014-06

Mailing Address:  
 P.O. Box 2950  
 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





**DIPATAMENTON MINA' ANTANO'**  
 (Department of Land Management)  
**GUBETNAMENTON GUAHAN**  
 (Government of Guam)



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

EDDIE BAZA CALVO  
 Governor

MONTE MAFNAS  
 Director

RAY TENORIO  
 Lieutenant Governor

DAVID V. CAMACHO  
 Deputy Director

January 13, 2014

Honorable Mayor June U. Blas  
 Mayor of Barrigada  
 c/o Municipal Planning Council

received  
 1/28/14  
 Barrigada Mayor's Office  
 124 Mayao Lane  
 Barrigada, Guam 96913

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

Subject: SZC 2014-06 Public Hearing Waiver

Hafa Adai Mayor Blas:

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

An application has been filed with the Department of Land Management, Division of planning by: **Curt and Michelle Cruz**, owners of Lot 17, Block 7, Barrigada Village, Municipality of Barrigada, under Application No. SZC 2014-06, for a Zone Change from "R-1" (Single-Family) to "R-2" (Multi-Family Dwelling) Zone for a proposed future construction of a Duplex and future expansion to 4-units for family and affordable housing and rentals.

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

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

Telephone:  
 671-649-LAND (5263)

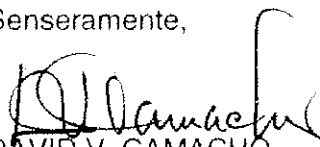
On the basis of the application contents and availability of infrastructure in the immediate area, and that proposed zone change is for residential use and is conducive and consistent to the surroundings, as Director I have waived the requirements of a formal public hearing and have made my final decision to approve the application with conditions. The "R2" Zone is the proper zoning designation for the intended use for residential dwellings.

Facsimile:  
 671-649-5383

Please contact Planning Division of this Department at 649-5383 extension 352, should you have questions or need further clarification on the matter.

Thank you for your attention to this matter.

Senseramente,

  
 DAVID V. CAMACHO  
 Acting Director

RECEIVED

Attachments: Application No. SZC 2014-06; Project Planner: Penmer C. Gulac

DM-COPY

# BARRIGADA

Office of the Mayor & Vice Mayor  
124 Luayao Lane, Barrigada, Guam 96913

Plan Planning Div

RECEIVED  
APR 08 2014

Department of Land Management  
Time: 9:55 Int: [Signature]

RECEIVED  
4/2/14  
Plan Planning

April 4, 2014

Mr. Lawrence S. Rivera  
Chairperson  
Guam Land Use Commission  
Tamuning, Guam 96931

Re: SZC 2014-06 Zone Change from "R-1" (Single Family) to "R-2" (Multi Family Dwelling) Zone for construction of a duplex and future expansion to 4 units for family and affordable housing and rentals.

Dear Mr. Chairman:

*Buenas yan Hafa Adai!* This is to inform you that Vice Mayor Jessie P. Bautista and I, together with the Barrigada Municipal Planning Council support the request of Curt and Michelle Cruz, owners of Lot No. 17, Block 7, Barrigada, under Application No. SZC 2014-06 for a zone change from "R-1" (Single Family) to "R-2" (Multi Family Dwelling) Zone for construction of a duplex and future expansion to 4 units for family and affordable housing and rentals.

The Barrigada Municipal Planning Council exercising its rights and privileges to review all zoning and rezoning requests within the its boundaries, does hereby support the rezoning of Lot No. 17 Block 7, Barrigada, under Application No. SZC 2014-06 for a zone change from "R-1" (Single Family) to "R-2" (Multi Family Dwelling) Zone for construction of a duplex and future expansion to 4 units for family and affordable housing and rentals. Also, the Barrigada Municipal Planning Council finds that neighbors residing in and around Lot No. 17 Block 7, Barrigada, support the zone change and application of the property owners.

Furthermore, the Guam Waterworks Authority has reviewed the SZC application and has determined the following:

1. that there is an existing 8.0" sewer line and an 8.0" water line located along Tiyan Place fronting the subject lot; and
2. the applicant is subject to the "Water and wastewater Development Fees" would be applicable at the time of building permit issuance.

A formal MPC resolution will be forwarded to you once adopted by the Council.

More importantly, the Barrigada Municipal Planning Council has reviewed the request and finds the following:

1. Based on GPA's preliminary inspection of the site, electrical facilities may require upgrading to meet the demand of the proposed project. The applicant and not the government, will be responsible for the costs of any required system upgrade.

Mr. Lawrence S. Rivera  
Guam Land Use Commission  
SZC 2014-06  
April 4, 2014

2. Government services facilities and infrastructure currently services the area, including but not limited to: power lines, poles and facilities; water pump lines, pumps and facilities; sewer and liquid waste disposal; storm water disposal; solid waste disposal; telephone lines and facilities. The applicant and not the government, will be responsible for the costs of any required system upgrade.
3. Once the rezone request is approved, the applicant should take appropriate measures to ensure that the property will be landscaped in such a way as to reduce storm water runoff, while at the same time provide a buffer between his property and the neighborhood.

Should you have any questions, please feel free to call us at 734-3737 or email us at [bmomayor@teleguam.net](mailto:bmomayor@teleguam.net).

*Sinceramente,*

  
**JUNE U. BLAS**  
Mayor


  
**JESSIE P. BAUTISTA**  
Vice Mayor

cc: M/M Curt Michelle Cruz  
Applicant  
P.O. Box 26677, GMF  
Barrigada, Guam 96921



The Honorable  
Eddie Baza Calvo  
Governor

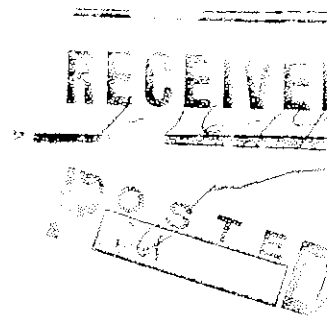
The Honorable  
Ray Tenorio  
Lieutenant Governor

  
**public works**  
DIPATTAMENTON CHE'CHOF PUPBLEKO  
Carl V. Dominguez  
Director  
Jessie P. Palican  
Deputy Director

January 13, 2014

MEMORANDUM

TO: Director, Department of Land Management  
FROM: Director  
APPLICANT: Curt & Michelle Cruz  
APPLICATION NO: SCZ 2014-06  
SUBJECT: To rezone from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone for the construction of 2- Storey Duplex and for future expansion to 4 units for family use and rentals on Lot 17, Block 7, Municipality of Barrigada.

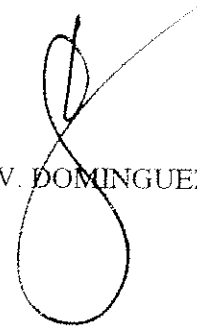



Buenas yan Hafa Adai!

The Department of Public Works (DPW) recommends approval of the subject application with a condition to submit a copy of the as-built drawings for the existing structure (Single-Family Dwelling) which was approved by building permit. Design drawings must meet all the requirements in conformance with the building code applicable to civil, electrical, architectural, mechanical, plumbing including flood zone and ADA requirement.

Should you have any questions, please call Mr. John F. Calanayan, Acting Chief Engineer or Maryrose M. Wilson, Engineer III in the Division of Capital Improvement Projects (CIP) at 646-3189/3225.

Dangkulu na Si Yu'os Ma'ase!

  
CARL V. DOMINGUEZ  


Mrv: 01/10/14  
cc: CIP - Acting Coe  
Chrono

**GUAM WATERWORKS AUTHORITY**  
578 North Marine Corps Drive | Tamuning | Guam 96913

1-10-14  
**RECEIVED**

January 8, 2014

**MEMORANDUM**

TO: Director, Department of Land Management  
FROM: Thomas A. Cruz, P.E., Chief Engineer *Thomas Cruz*  
SUBJECT: Request for Certification  
APPLICATION NO.: SZC 2014-06  
APPLICANT: Curt and Michelle Cruz

**DATE**  
1-10-14

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 construct a 2-storey Duplex and for future expansion to 4-units for family and rentals on Lot 17, Block 7, Municipality of Barrigada.

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

- 1.) GWA verified that there is an existing eight (8.0") inches sewer line and an eight (8.0") inches water line located along Tiyan Place fronting the subject lot.
- 2.) GWA approval is based on the proposed 2-storey Duplex. Any future expansion to multi-family units required GWA review and approval.
- 3.) The applicant is subject to the water and wastewater system development charges applicable at the time of building permit issuance.

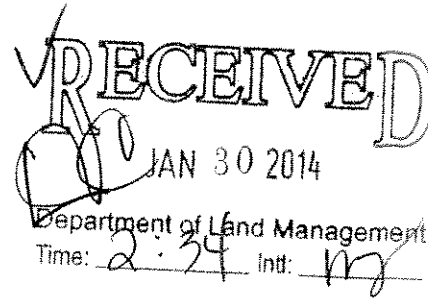
This GWA certification shall remain valid for 365 calendar days from the date of this response. For additional information please contact Mr. Thomas Cruz, Chief Engineer at 647-2613.



# GUAM POWER AUTHORITY

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

January 21, 2014



## MEMORANDUM

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

From: General Manager

Subject: Lot 17, Block 7, Municipality of Barrigada, (Curt and Michelle Cruz); Summary Zone Change Application from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) to construct a 2-storey Duplex. **Application No. 2014-06 SZC**

Guam Power Authority has reviewed the application described above and submits the following position statement:

### A. Comments and Recommendations Concerning GPA requirements:

- GPA has no objection, however customer is required to comply with the following pursuant to the National Electric Code, National Electric Safety Code and GPA's Service Rules and Regulations:
  - Coordinate overhead/underground power requirements with GPA Engineering for new structures.
  - Maintain minimum clearances as defined by the current edition of the National Electrical Safety Code and National Electrical Code.
  - Maintain adequate clearance between any structures and electric utility easements in accordance with NESC and GPA requirements.
  - Developer/Owner shall provide necessary electric utility easements to GPA prior to final connection.
  - Provide scheduling and magnitude of project power demand requirements for new loads.
  - All relocation costs for GPA's facilities, if necessary, is 100% chargeable to the applicant including but not limited to labor and materials.
- Primary distribution overhead and underground line extensions and GPA service connections must adhere to the guidelines outlined in the current issue of GPA's Service Rules and Regulations.
- A system impact assessment may be required to determine the effect of this facility on GPA's existing power facilities.
- All costs associated with the modification of GPA facilities shall be chargeable to the customer. This includes relocation costs, new installation costs and any required system upgrades.

### B. General Comments

GPA has no objection to the request subject to the conditions cited above.

  
JOAQUIN C. FLORES, P.E.

ASG/arp





## INFRASTRUCTURE CERTIFICATION FORM

Agency Certifying: **Guam Power Authority**  
 Applicant: Curt and Michelle Cruz  
 Location: Lots 17, Block 7, Barrigada  
 Type of Application: Summary Zone Change  
 GLUC/GSPC Application No. 2014-06  
 Brief Project Description:  
 R1 to R2 to construct a 2-storey Duplex.

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

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

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

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

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

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

  
 JOAQUIN C. FLORES, P.E.  
 General Manager

  
 Date


**Comments:**

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

ASG/arp

Eddie Baza Calvo  
Governor of Guam

Ray Tenorio  
Lieutenant Governor



**BUREAU OF  
STATISTICS & PLANS**

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



Lorilee T. Crisostom  
Director

JAN 07 2014

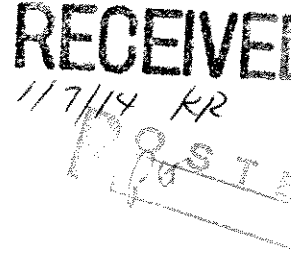
MEMORANDUM

To: Chairperson, Guam Land Use Commission

Via: Executive Secretary, Department of Land Management

From: Director, Bureau of Statistics and Plans

Subject: Position Statement on **Application No. SZC 2014-06**; Curt and Michelle Cruz; Lot No. 17, Block No. 7; Barrigada; Summary Zone Change; Proposed Use: Residential: residential duplex with future expansion to 4 units.



Pursuant to Public Law 21-82, Section 4, as amended by Public Law 21-144, Section 8, the applicants, Mr. and Mrs. Curt and Michelle Cruz, are requesting a summary zone change of Lot No. 17, Block No. 7 in the municipality of Barrigada from an "R-1" Single-family residential to "R-2" multi-family residential. The rezoning of the subject lot will allow for the construction of a 2-storey duplex. In the future, the applicants intend to convert the structure into 4-units for family and for future rentals. The subject lot has an area of 929 square meters, and is served by the basic infrastructure of sewer, power and water. The surrounding land uses consist predominantly of single family residences, some duplexes and multi-family dwellings.

Based on our review of the subject application as submitted, the Bureau provides the following comments and/or concerns.

1. 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 as this will help reduce storm water runoff and improve the area aesthetically. It is recommended that native plants be used in the landscaping.
2. Based on our calculations, the applicants meet the parking requirement on-site for the proposed units. There is a possibility of overflow parking, but we feel it would not be a major impact to the neighborhood.
3. The applicants have circulated a petition of support in the surrounding neighborhood, and thus the community is made aware of the plans to rezone for the proposed duplex with future plans for 4-units.

In light of the points presented in the application, the Bureau finds the proposed summary zone change request to be adequately presented and believes that the rezoning of this lot will not have adverse effects on the surrounding neighborhood. The Bureau therefore recommends approval. Si Yu'os Ma'ase.



LORILEE T. CRISOSTOMO

cc: GEPA  
DPR  
DPW  
GWA



**Eddie B. Calvo**  
Governor

**Ray Tenorio**  
Lt. Governor

**Department of Parks and Recreation**

**Government of Guam**

490 Chalan Palasyo

Agana Heights, Guam 96910

Director's Office: (671) 475-6296/7

Facsimile: (671) 477-0997

Parks Division: (671) 475-6288/9

Guam Historic Resources Division: (671) 475-6294/5

Facsimile: (671) 477-2822



**Raymond F.Y. Blas**  
Director

In reply refer to:  
RC2014-0294

January 21, 2014

Memorandum

To: Executive Secretary, Guam Land Use Commission

From: Director, Department of Parks and Recreation

Subject: DLM Application No. 2014-06, Summary Zone Change  
Lot 17, Block 7, Municipality of Barrigada  
Applicant: Curt and Michelle Cruz

1-23-14  
**RECEIVED**  
JAN 27 2014  
Department of Land Management  
Time: 1:30 Int: [Signature]

We reviewed the subject application and have determined that no historic properties will be affected by the zone change, within the subject lot. Therefore, we have no objection to the approval of this Summary Zone Change Application.

If you have any questions, please do not hesitate to call us.

Raymond F.Y. Blas



**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

December 24, 2013

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

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

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

Applicant(s): **Curt and Michelle Cruz**

Application No. **SZC 2014-06**

**Project Description:** To rezone the property from "R-1" (Single-Family Dwelling) to "R-2" (Multi-Family Dwelling) Zone in order to construct a 2-storey Duplex and for future expansion to 4-units for family and rentals;  
 Lot 17, Block 7, Municipality of Barrigada

Date Received: **November 22, 2013**

Date Accepted: **December 24, 2013**

**\*\* Due Date for Certification: January 10, 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 C. Aguilar

PCG: Attachment: SZC Application No. 2014-06 and supporting documents

"ORIGINAL COPY"

### 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.

11/22/13  
P. G. G. L. L.  
**RECEIVED**  
Planning Div

**1. Information on Applicant:**

Name of Applicant: Curt and Michelle Cruz U.S. Citizen:  Yes  No

Mailing Address: PO Box 26677 Barrigada, GU 96921  
Curt 483-4333

Telephone No.: Business: Michelle 483-5880 Home: N/A

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

Subdivision Name: N/A

Lot(s): 17 Block: 7 Tract: N/A

Lot Area: Acres: .24 Square Meters: 929 Square Feet: 10,000

Village: Barrigada Municipality: Barrigada Urban

Registered Owner(s): Curt William Aguon Cruz and Michelle Nicole Brown Cruz

Certificate of Title No.: 68952 Recorded Document No.: 20639

Deed (Gift, Warranty, etc.): Gift Deed Document No.: 813280

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

Current Use: Vacant Current Zoned: R-1

Duplex and for future expansion to 4 units

Proposed Use: for family and rentals Proposed Zone: R-2

**4. Justification Letter:** Attach a typed, brief and concise justification (letter format if possible) explaining your intentions and purpose of the Zone Change. Your letter should be addressed to the Director of Land Management.

## SUMMARY ZONE CHANGE

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

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

**GUĀHAN POWER AUTHORITY**

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

**GUĀHAN ENVIRONMENTAL PROTECTION AGENCY**

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

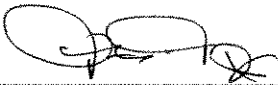
6. **Filing Fee:** Twenty-Five Dollars (\$25.00) filing fee, signed and approved by the Governor of Guāhan on May 18, 2007, under Public Law 29-02, Chapter V, Part III (*Fees and Charges Assessed by the Department of Land Management*).


### SUMMARY ZONE CHANGE

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

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

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

CURT CRUZ   
Owner (Print/Sign)

Michelle Cruz   
Owner (Print/Sign)

08-15-13  
Date

08-15-13  
Date

Representative (If any)

Date

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



**To:** Director, Department of Land Management  
c/o Land Planning Division, Zone Change Section  
Government of Guåhan  
P.O. Box 2950  
Hagatña, Guåhan 96932

**Subject:** Summary Zone Change Application on Lot 17, Block 7, Tract N/A,  
Municipality of Barrigada.

Dear Sir,

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.

**A. What is the current zone on the property?**

The current zone on the property is "R-1" (single family).

**B. Who currently owns the property?**

My wife, Michelle Nicole Brown Cruz, and I, Curt William Aguon Cruz, are the current owners of the property.

**C. How did you acquire the property?**

We have acquired this property Deeded to us through Gift.

**D. What is currently on the property?**

Currently, the property has an old house that is to be demolished

**E. Is/Are your structure(s) serviced by public sewer or by an individual septic tank/leaching field?**

Individual septic tank/leaching field but public sewer is available along the road fronting property; will be connecting to public sewer with the approval of GWA.

**F. What are our intentions or plans?**

Our reason for applying for a zone change is to build a duplex home and for future expansion up to four units for family and rentals.

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

Structures surrounding our property mostly consist of single family dwellings with a few duplex homes. Just southwest of our property is a vacant lot and a duplex home. In the immediate area just west of us is another duplex home.

750ft north are commercial buildings that consist of restaurants and retail stores. slightly northwest you will find a large vacant lot with single family dwellings surrounding it. A church is located at northeast of our property at about the 750ft marker.

To the east are more single family dwellings but further east, at the 750ft mark, is a Community Center that has a playground area, a basketball court, a volleyball court, and a public library.

South of our property are more single family dwellings with several vacant lots stretching from the southwest to the southeast.

**H. Topography:** Describe the topography of your property.

The property is relatively flat.

**I. Soil composition:** Very briefly describe your soil using layman's language. (i.e., rocky, clay, sand, mixed, etc.).

The soil composition of our lot consists sand.

**J. Access:** Describe the legal access to your property.

The access to the property is serviced by a 20ft wide coral based entrance road.

**K. All others:** Lastly, mention any other attributes of your property that will help us evaluate your application.

The subject lot has all the major elements required by an R-2 zone. Size of lot, existing access, and availability of public sewer and storm drain. As for its intended use to build a multi-family dwelling, it is consistent with its surrounding use. Development of the proposed duplex will be within the requirements of GovGuam agencies: such as parking, setbacks, recreation area, and utility capacity.

Thank you for taking time to evaluate our Summary Zone Change application and we hope you consider our request to rezone.

Senseramente,


---

Curt William Aguon Cruz and Michelle Nicole Brown Cruz

11/15/2013  
Date

Government of Guam  
Department of Land Management

813279

28

1:24

10 10

25

(Space above line for recorder's use only)

DEED OF GIFT

KNOW ALL MEN BY THESE PRESENTS:

We, WILLIAM R. CRUZ of 2655 Highland Drive, West Sacramento, CA. 95691, and BARBARA A. CRUZ of 141 Ramirez Way, Toto, Guam 96910 (hereinafter referred to as "Grantors") for and in consideration of love and affection which we have for our son, CURT WILLIAM AGUON CRUZ (born May 29, 1979) and daughter-in-law, MICHELLE NICOLE BROWN CRUZ (born February 10, 1979) (hereinafter referred to as "Grantees"), whose mailing address is P.O. Box 26677, GMF, Guam 96921, hereby convey and grant the real property described below in fee simple:

Lot No. 17, Block No. 7, Barrigada, Guam, as designated on the map recorded in the Department of Land Management, Government of Guam on November 21, 1949 under Document No. 20639, containing an area of 929 square meters, Certificate of Title No. 68952

Together with all and singular the tenements, hereditaments and appurtenances thereunto belonging, or in anywise appertaining unto said Grantees, their heirs and assigns forever.

//

//

DEED OF GIFT

WILLIAM R. CRUZ and BARBARA A. CRUZ (Grantors) to CURT WILLIAM AGUON CRUZ and Michelle

Grantors further hereby acknowledges and confirms that power and water are immediately available on the property described herein, or within 100 feet of said property.

In witness whereof, we have hereunto set our signature on this 5 day of OCTOBER, 2010.

Grantors:

WR  
WILLIAM R. CRUZ

Barbara A Cruz  
BARBARA A. CRUZ

ACKNOWLEDGMENT

On this 5 day of October, 2010 March, before me, the undersigned notary, personally appeared WILLIAM R. CRUZ, the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

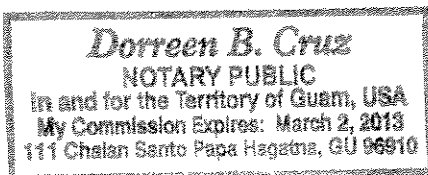
NOTARY PUBLIC



ACKNOWLEDGMENT

On this 19th day of October, 2010 March, before me, the undersigned notary, personally appeared BARBARA A. CRUZ, the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose.

NOTARY PUBLIC



Notary Public for the Territory of Guam  
My Commission Expires: March 2, 2013

813280

10 10 28 1:28

25

(Space above line for recorder's use only)

**AFFIDAVIT OF TRANSFEREE**

To: Director, Department of Land Management - Government of Guam:

We, Curt William Aguon Cruz (born May 29, 1979) and Michelle Nicole Brown Cruz (born February 10, 1979), being first duly sworn, depose and say:

1. That we are husband and wife.
2. That we have obtained the following real property described below through a Deed of Gift:

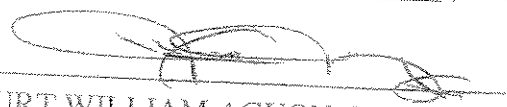
Lot No. 17, Block No. 7, Barrigada, Guam, as designated on the map recorded in the Department of Land Management, Government of Guam on November 21, 1949 under Document No. 20639, containing an area of 929 square meters, Certificate of Title No. 68952

3. That we acquired the above described property as ~~joint tenants with rights of survivorship~~; and

4. This affidavit is executed to satisfy the requirement of Title 21 Guam Code Annotated Section 29158 and for official use by the Government of Guam.

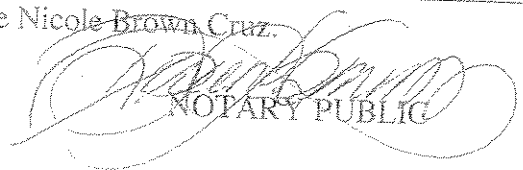
FURTHER AFFIANT SAYETH NAUGHT.

Dated: October 19, 2010

  
CURT WILLIAM AGUON CRUZ

  
MICHELLE NICOLE BROWN CRUZ

Subscribed and sworn to before me this 19th day of October, 2010, by Curt William Aguon Cruz and Michelle Nicole Brown Cruz.

  
NOTARY PUBLIC

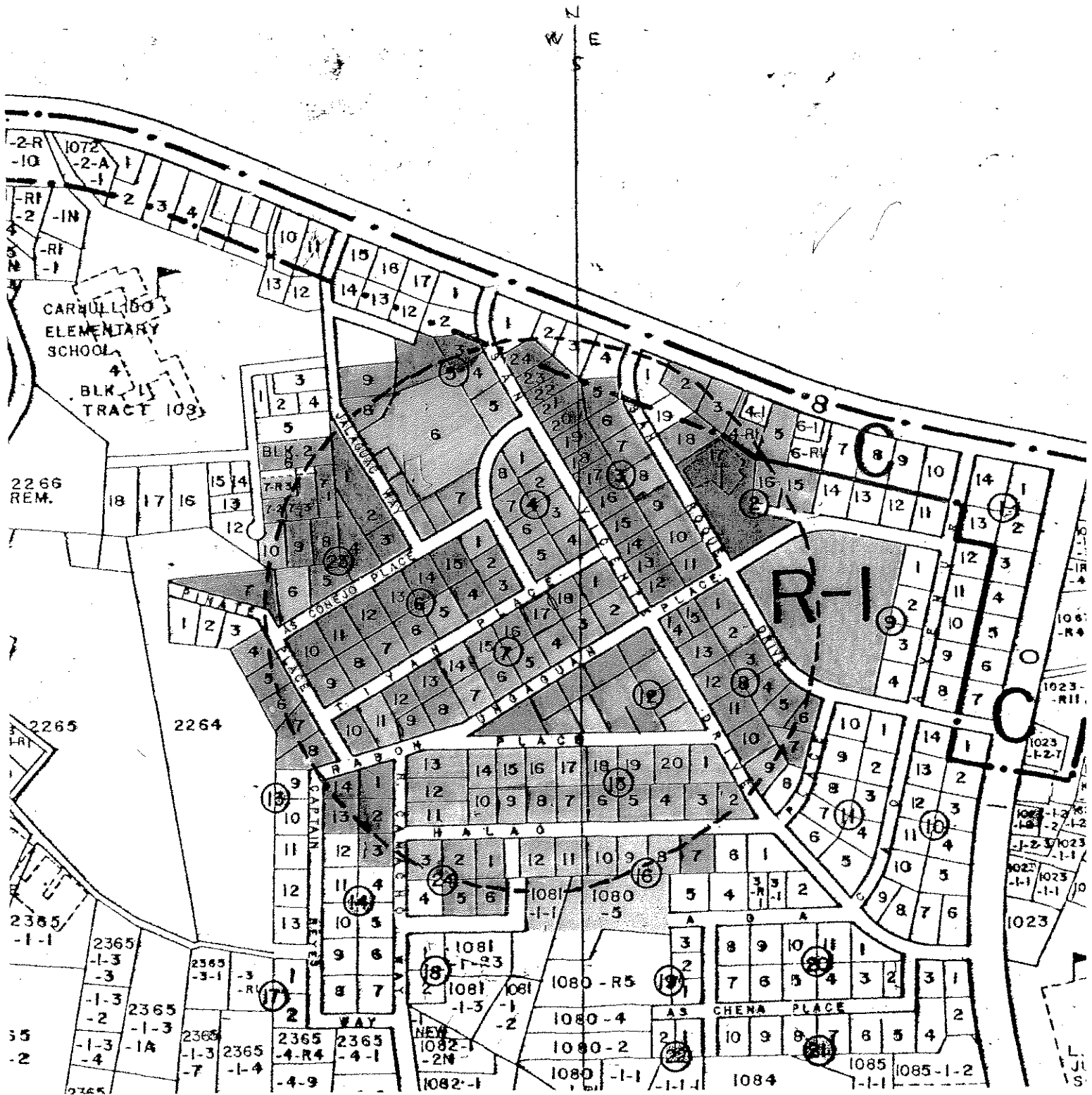
**Dorreen B. Cruz**  
NOTARY PUBLIC  
In and for the Territory of Guam, USA  
My Commission Expires: March 2, 2013  
111 Chalan Santo Papa Hagatna, GU 96910

# 750 FEET LAND USE MAP

## LEGEND:

S = SINGLE FAMILY    M = MULTI-FAMILY    C = COMMERCIAL

V = VACANT     PF = PUBLIC FACILITY/PARK





We the undersigned have been advised that Mr/Mrs/Miss CURT AND MICHELLE CRUZ owner of Lot 17 Block 7 Tract N/A, Municipality of BARRIGADA, Guåhan, has applied to rezone their property from "R1" ( ) "R2" according to Public Law 21-82, Section 4, as amended by Public Law 21-144, Section 8.

We understand that Mr/Mrs/Miss CURT AND MICHELLE CRUZ has complied with all Government requirements for rezoning, including their application directed to the Municipal Planning Council for their review and preparation of the MPC Resolution.

It is the applicant's intention to establish A DUPLEX HOME: ONE UNIT WILL BE OCCUPIED BY MR & MRS CRUZ WHILE THEY RENT OUT AND MANAGE THE OTHER. ALSO, FOR FUTURE EXPANSION TO FOUR UNITS. In light of the above I am in support of this Zone Change, Application No. 2014-06 filed with the Department of Land Management as acknowledged by my signature below.

Name (Print)	Signature	Lot/Block/Tract	Resident Of	Both
Ricardo FLORES		BLK 7 Lot 4	Barrigada	
WELMAN LAVA		BLK 7 LOT 10	Barrigada	
Tomas F. Garcia		BLK 6 Lot 9	Barrigada	
Charlene ANTON		BLK 6 LOT 8	Barrigada	
Cathy Bayona		BLK 6 LOT 8	Barrigada	
Gino Muejeluk		BLK 6 LOT 5	Barrigada	
RICHARD B. PEREZ		BLK 7 LOT 7	BARRIGADA	
Bernadette Flores		BLK 7 Lot 4	Barrigada	
Emma G. HARE		Block 7 Lot 12	Barrigada	
Gregory J. Perez		Block 7 Lot 16	Barrigada	
Jeremiah F. Diaz		Block 7 Lot 18	Barrigada	
Joshua Anderson		Block 7 Lot 2	Barrigada	



**"SAMPLE"**  
**LETTER OF SUPPORT**

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

Re: Support of Summary Zone Change for CURT & MICHELLE CRUZ on  
Lot/Block/Tract 17 / 7 in the Municipality of BARRIGADA

Dear Sir:

I (*Print Name*), \_\_\_\_\_ a resident/property owner have been advised that CURT & MICHELLE CRUZ owner of Lot 17 Block 7 Tract N/A and a long time resident of this village of BARRIGADA has applied for a Zone Change with your Department under the "**Fast Track Zone Change Program**" (P.L. 21-82:4). He/She plans to build a DUPLEX single-family residence/apartment complex to provide for his/her children. I want to go on record as supporting his/her children. I want to go on record as supporting his/her application as acknowledged by my signature below.

I know or have known CURT & MICHELLE for \_\_\_\_\_ years and believe he/she is a person of good moral character, responsible and dedicated to both his/her family and community. I believe that his/her plans to develop his/her property will benefit \_\_\_\_\_ and will not be detrimental in any way.

Lastly, as a resident of Guåhan, born and raised on Guåhan, I strongly feel that CURT & MICHELLE CRUZ should be given the opportunity rarely afforded to the average resident of Guåhan, but is all too often afforded to developers.

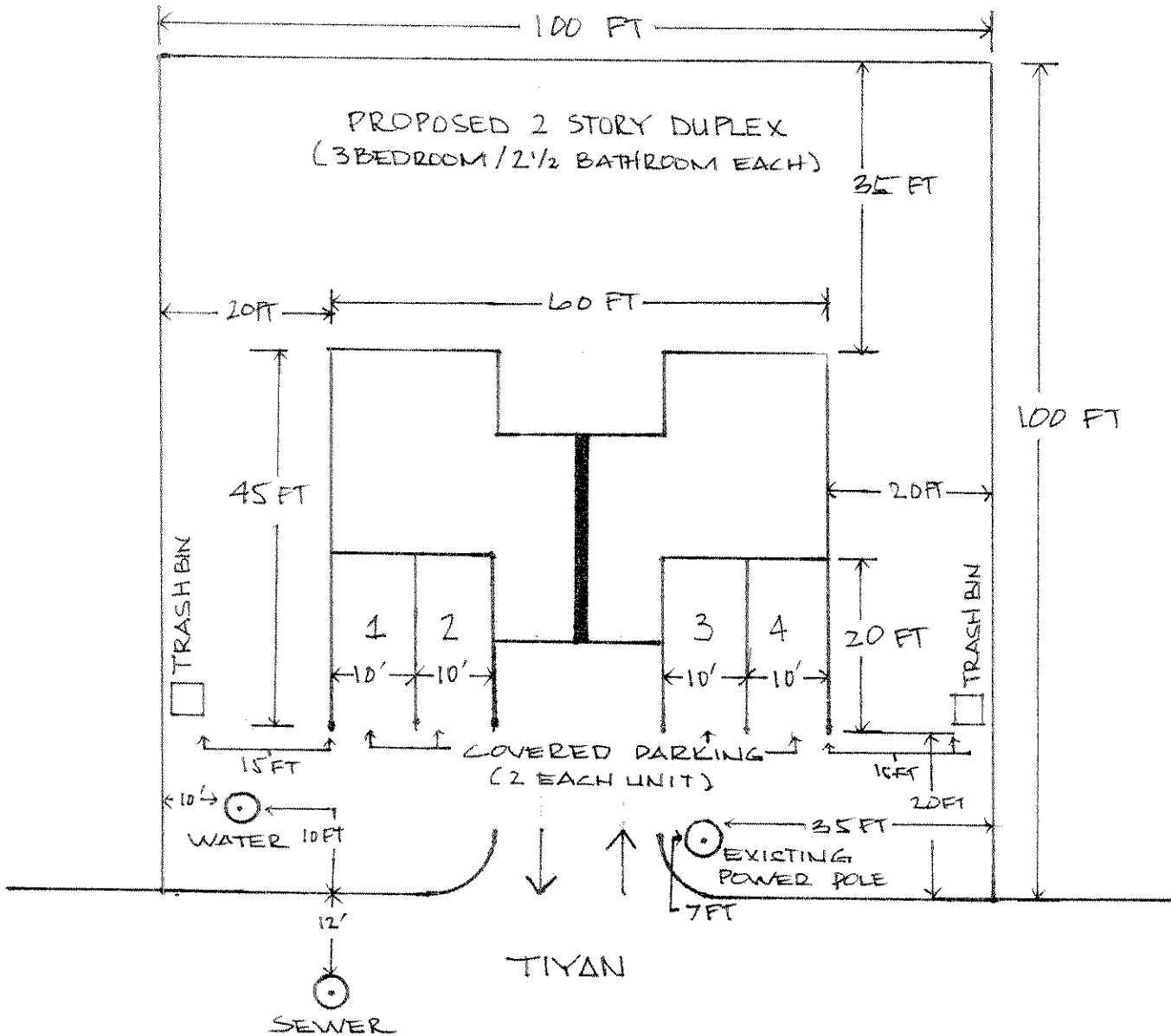
Therefore, I stand in support on his/her Zone Change Application.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

\_\_\_\_\_  
Time

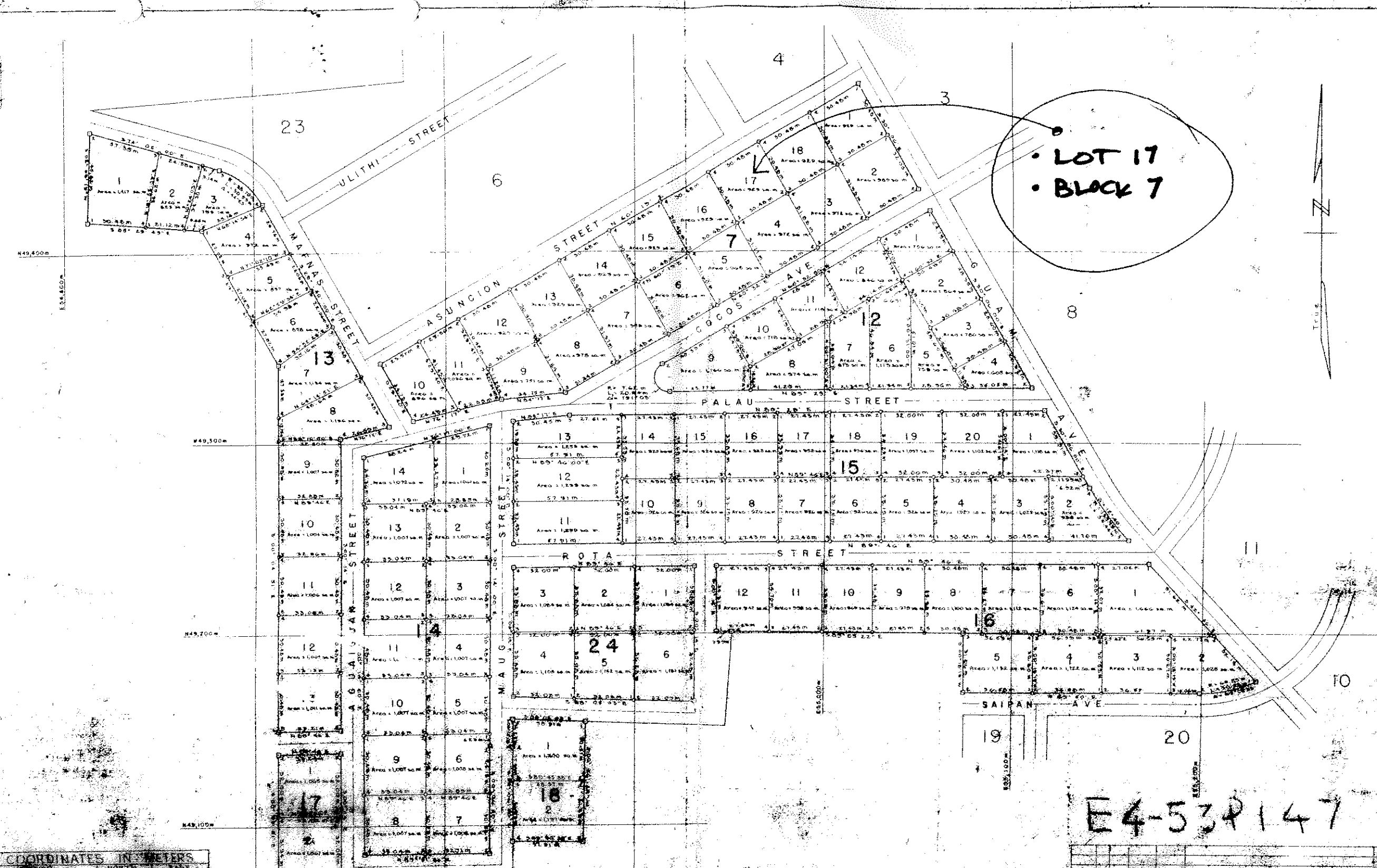
**ATTACHMENT 4**



(FOR ZONE CHANGE TO R-2)

SCALE: 1"=20'

113



• LOT 17  
• BLOCK 7

**COORDINATES IN METERS**

POINT	NORTH	EAST
A Guam Mt. SPT	48,441.78	55,012.24
A Guam Mt. SPT	48,503.55	55,066.68
A Tinian Mt. SPT	49,323.05	55,986.67
A Tinian Mt. SPT	49,342.78	55,186.41
Cor. Mt. Lot 17 Block 7	49,463.26	55,018.60
1	49,721.22	55,086.01
2	49,721.22	55,086.01
3	49,721.22	55,086.01
4	49,721.22	55,086.01
5	49,721.22	55,086.01
6	49,721.22	55,086.01
7	49,721.22	55,086.01
8	49,721.22	55,086.01
9	49,721.22	55,086.01
10	49,721.22	55,086.01
11	49,721.22	55,086.01
12	49,721.22	55,086.01
13	49,721.22	55,086.01
14	49,721.22	55,086.01
15	49,721.22	55,086.01
16	49,721.22	55,086.01
17	49,721.22	55,086.01
18	49,721.22	55,086.01
19	49,721.22	55,086.01
20	49,721.22	55,086.01
21	49,721.22	55,086.01
22	49,721.22	55,086.01
23	49,721.22	55,086.01
24	49,721.22	55,086.01

E4-53P147

Notes:  
1. Grid is based on Land & Marine Const. 1982  
2. All lot corners are marked with iron pins  
3. Except changes of direction on blocks which are marked with concrete monuments

REVISION DATE	DESCRIPTION
10024	
MARIANAS AREA	
PROPERTY MAP	
BLOCKS 7, 12, 13, 14, 15, 16, 17, 18	
VILLAGE OF BARRIGADA	
LAND SEC. 10, SEC. 2, MUN. OF BARRIGADA	
APPROVED	17 OCTOBER 1982

E-147A