

November 20, 2008

2008 NOV 20 PM 3:19
efm

Memorandum

To: Committee of Calendar
From: Vice-Speaker *[Signature]*
Subject: Withdrawal of Bill No. 380 (LS)

Please be informed that I am withdrawing and cancelling Bill No. 380 (LS) and replacing it with Bill No. 389 (LS) introduction.

Attachment (2)
Cc: Clerk of the Legislature

I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

2008 NOV 20 PM 12:08

Bill No. 389 (S)

Introduced by:

Dr. David L.G. Shimizu
Tina Rose Muna Barnes
Judith T. Won Pat

AN ACT TO WAIVE THE SUBDIVISION AND
ZONING SETBACK REQUIREMENTS FOR LOT NO
151, MUNICIPALITY OF INARAJAN, TO ALLOW
FOR DEVELOPMENT OF THE LOT AND A
PRIVATE ROAD.

1 BE IT ENACTED BY THE PEOPLE OF GUAM:

2 **Section 1.** “(a) **Background.** Lot No. 151, Municipality of Inarajan, containing an area of
3 4,796 sq. m., recorded on Land Management Document No. 278510, dated May 19, 1977, is a long
4 lot from front to back, with the narrow side fronting on an existing paved road. There is an existing
5 sewer line along the frontage road. There are two houses on the lot, one adjacent to the road and one
6 directly behind it. Behind the second house, there are, in a row, three lot areas with sizes ranging
7 from 7,395 sq. ft. to 7,980 sq. ft. The three lots behind the first two houses are landlocked, due to
8 lack of access from the existing road in front of the first house. It is desirable to waive the lot and set
9 back minimum requirements set out in § 61501 of Chapter 61 of Title 21 of the Guam Code
10 Annotated, and the minimum requirements for an access road, to allow family members of the

1 residents of the first two houses placed on Lot No. 151 to build homes behind their family members
2 on this lot.

3 The purpose of this waiver and allowance is to allow for the building of a 15" access road
4 along the side and within Lot No. 151, strictly for the use of the owners of Lot No. 151 only, to
5 enable the three lots in the rear of the family subdivision to have an access across the two lots in the
6 front. Without this access road, and area waivers, the area to the rear of Lot No. 151 cannot be
7 developed.

8 (b) **Waiver and allowances.** For Subdivision lots within Lot No. 151, Municipality of Inarajan,
9 containing an area of 4,796 sq. m., recorded on Land Management Document No. 278510, dated
10 May 19, 1977, the following setback and area requirements of law are waived:

- 11 1) Front yard setback requirement of Fifteen (15) feet as required by § 61501 (a) of Chapter 61
12 of Title 21, Guam Code Annotated, is waived to a minimum of zero (0) to five (5) feet.
- 13 2) Lot width requirement of Fifty (50) feet as required by § 61501 (b) of Chapter 61 of Title 21
14 of the Guam Code Annotated, is waived as long as the side yard requirement of Eight (8) feet is met.
- 15 3) Access road width requirement of Twenty (20) feet as required by § 62108 (b) of Chapter 62
16 of Title 21, Guam Code Annotated, is waived to Fourteen (14) feet.
- 17 4) Lot area requirement as required by § 61501 (a) Chapter 61 of Title 21, Guam Code
18 Annotated, and described in § 62105 (a) of Chapter 62 of Title 21, Guam Code Annotated, are
19 waived from Ten Thousand Square Feet (10,000) to areas up to 5,000 sq. ft., provided property
20 owners connect to the existing sewer line.
- 21 5) A dead end turn around is allowed at the end of Lot No. 151 to allow ingress and egress.

1 6) The road to be built on Lot No. 151 is a private road for use of Lot No. 151 owners and
2 lessees only. However, additionally, emergency vehicles such as fire trucks and ambulances are
3 allowed access over the road.

4 7) Any other provisions of law that would restrict the construction of 3 houses on the back
5 portion of Lot No. 151 and the construction of the private road as provided for in this Section are
6 also waived.”

ps.

I MINA' BENTE NUEBI NA LIHESLATURAN GUÅHAN
2008 (SECOND) Regular Session

Bill No. B80(LS)

Introduced by:

Dr. David L.G. Shimizu *Shir*
Tina Rose Muna Barnes *TR*
J. T. Won Pat, Ed.D. *JTW*

AN ACT TO WAIVE THE SUBDIVISION AND
SETBACK REQUIREMENTS FOR LOT NO 151,
MUNICIPALITY OF INARAJAN, TO ALLOW FOR
PRIVATE ROAD.

2008 NOV 17 PM 1:49
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BE IT ENACTED BY THE PEOPLE OF GUAM:

Section 1. “(a) **Background.** Lot No. 151, Municipality of Inarajan, containing an area of 4,796 sq. m., recorded on Land Management Document No. 278510, dated May 19, 1977, is a long lot from front to back, with the narrow side fronting on an existing paved road. There is an existing sewer line along the frontage road. There are two houses on the lot, one adjacent to the road and one directly behind it. Behind the second house, there are, in a row, three lot areas with sizes ranging from 7,395 sq. ft. to 7,980 sq. ft. The three lots behind the first two houses are landlocked, due to lack of access from the existing road in front of the first house. It is desirable to waive the lot and set back minimum requirements set out in § 61501 of Chapter 61 of Title 21 of the Guam Code Annotated, and the minimum requirements for an access road, to allow family members of the residents of the first two houses placed on Lot No. 151 to build homes behind their family members on this lot.

1 The purpose of this waiver and allowance is to allow for the building of a 15” access road
2 along the side and within Lot No. 151, strictly for the use of the owners of Lot No. 151 only, to
3 enable the three lots in the rear of the family subdivision to have an access across the two lots in the
4 front. Without this access road, and area waivers, the area to the rear of Lot No. 151 cannot be
5 developed.

6 **(b) Waiver and allowances.** For Subdivision lots within Lot No. 151, Municipality of Inarajan,
7 containing an area of 4,796 sq. m., recorded on Land Management Document No. 278510, dated
8 May 19, 1977, the following setback and area requirements of law are waived:

9 1) Front yard setback requirement of Fifteen (15) feet as required by § 61501 (a) Chapter 61 of
10 Title 21, Guam Code Annotated, is waived to a minimum of zero (0) to five (5) feet.

11 2) Access road width requirement of Twenty (20) feet as required by § 62108 (b) of Chapter 62
12 of Title 21, Guam Code Annotated, is waived to Fourteen (14) feet.

13 3) Lot area requirement as required by § 61501 (a) Chapter 61 of Title 21, Guam Code
14 Annotated, and described in § 62105 (a) of Chapter 62 of Title 21, Guam Code Annotated, are
15 waived from Ten Thousand Square Feet (10,000) to areas ranging from 7,395 sq. ft. to 7,980 sq. ft,
16 provided property owners connect to the existing sewer line.

17 4) A dead end turn around is allowed at the end of Lot No. 151 to allow ingress and egress.

18 5) The road to be built on Lot No. 151 is a private road for use of Lot No. 151 owners and
19 lessees only. However, additionally, emergency vehicles such as fire trucks and ambulances are
20 allowed access over the road.

21 6) Any other provisions of law which would restrict the construction of the private road as
22 provided for in this Section are also waived.”

1 7) Any other provisions of law that would restrict the construction of 3 houses on the back
2 portion of Lot No. 151 and the construction of the private road as provided for in this Section are
3 also waived.”