

# ZONE VARIANCE

**TYPE OF VARIANCE REQUESTED:**

<input type="checkbox"/> Use Variance	<input type="checkbox"/> Sign Variance		
<input type="checkbox"/> Density Variance	<input type="checkbox"/> Setback Variance	<u>Required</u>	<u>Current</u>
<input type="checkbox"/> Height Variance	<input type="checkbox"/> Right Side 8'-0' ft	_____ ft	_____ ft
<input type="checkbox"/> Parking Variance	<input type="checkbox"/> Left Side 8'-0' ft	_____ ft	_____ ft
	<input type="checkbox"/> Front 15'-0' ft	_____ ft	_____ ft
	<input type="checkbox"/> Rear 10'-0' ft	_____ ft	_____ ft

**TO: Executive Secretary, Guam Land Use Commission  
c/o Land Planning Division, Department of Land Management  
Government of Guam, P.O. Box 2950, Hagatna, Guam 96932**

The Undersigned owner(s)/lessee(s) of the following described property hereby request consideration for a Zone Variance, pursuant to Section 61616-61623, Article 6 (Administration & Enforcement), Division 2 (Regulations of Real Property Uses), Chapter 61 (Zoning Law), 21 GCA Real Property.

**1. Information on Applicant:**

Name of Applicant: \_\_\_\_\_ U.S. Citizen:  Yes  No

Mailing Address: \_\_\_\_\_

Telephone No.: Business: \_\_\_\_\_ Home: \_\_\_\_\_

**2. Location, Description and Ownership:**

Subdivision Name: \_\_\_\_\_

Lot(s): \_\_\_\_\_ Block: \_\_\_\_\_ Tract: \_\_\_\_\_

Lot Area: Acres \_\_\_\_\_ Square Meters \_\_\_\_\_ Square Feet \_\_\_\_\_

Village: \_\_\_\_\_ Municipality: \_\_\_\_\_

Registered Owner: \_\_\_\_\_

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

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

Current Use: \_\_\_\_\_ Zoned: \_\_\_\_\_

Proposed Use: \_\_\_\_\_ Proposed Zone: \_\_\_\_\_

Master Plan Designation: \_\_\_\_\_

**4. Attach a one page** typed, brief and concise justification (letter format) explaining the compatibility of the proposed project with adjacent and neighborhood developments as they exist and the nature of variance request in accordance with ***Guam Code Annotated 21 GCA, Chapter 61, Section 61617.***

- a. That the strict application of the provisions of Section 61617, 21 GCA would result in practical difficulties or unnecessary hardship inconsistent with the general purpose and intent of the law;

**ATTACHMENT: Section 61616 (Variance) – 61623 (Review by Municipal Planning Council) is attached for your information and guidance in preparing of your application and justification. For additional requirements, visit the Zoning Section, Land Planning Division.**

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**4. (Continuation):**

- b. That there are exceptional circumstances or conditions applicable to the property involved or to the intended use thereof that do not apply generally to other property in the same zone;
- c. That the granting of Variance(s) will not be materially detrimental to the public welfare or injurious to the property or improvements in the neighborhood in which the property is located;
- d. That granting of such Variance(s) will not be contrary to the objectives of any part of the "Guåhan Master Plan" adopted by the Commission or Legislature; and
- e. That, as to Variance(s) from the restrictions of Section 61617, 21 GCA, the proposed building will substantially enhance the recreational, aesthetic or commercial value of the beach area upon which the building is to be constructed and that such building shall not interfere with or adversely affect the surrounding property owners' or the public's right to an untrammelled use of the beach and its natural beauty.

**5. Supporting Information.** The following supporting information shall be attached to this application:

- a. **Site Plan required:** Plans, drawn to scale, showing dimensions and shape of lot; lot size; size and location of buildings; locations and dimensions of proposed buildings or alterations;
- b. 8 1/2" X 14" map, drawn to scale, showing existing zoning circled within 1000 feet radius from the subject lot's boundaries.
- c. 8 1/2" x 14" map, drawn to scale, showing all parcels and their uses within 750 feet radius circled from the subject lot's boundaries. The map shall also contain:
  - (1) Lot number of every parcel(s);
  - (2) Identify by name and use all existing activities on all parcels(s);
  - (3) All adjacent inclusive and exclusive easements and roads to the property, their widths, and condition of surfaces;
  - (4) The nearest location of all public utilities to the subject lot;
  - (5) Any natural or topographic peculiarities.
- d. 8 1/2" X 14" map, drawn to scale, showing all parcels within 500 feet radius of the subject lot's boundaries. Each parcel shall be identified with property lot number.
- e. The most recent survey map, certified and recorded in the Department of Land Management, showing the subject property;
- f. An initial comprehensive **Environmental Impact Assessment (EIA)** in accordance with Executive Order 90-10, or **FONSI** if acceptable to GEPA in place of an **EIA**.
- g. Additional information as required by the Guam Chief Planner.

**Submit one set of the Application with all the supporting information listed above. Once the Application is reviewed and accepted, applicant must submit the required number of hard copies (32 sets) of the application and nine (9) copies of the Application in electronic format (example: in CD format, etc.)**

- 6. Filing Fee: Seventy-Five Dollars (\$75.00)** filing fee for the first five pages, and \$.25 for any additional page, under Public Law 29-02, Chapter V, Part III (*Fees and Charges Assessed by the Department of Land Management*).

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7. In an effort to provide a more effective means by which the municipality's concerns are heard and accommodated according to the land and regulations of real property uses, this land use application must be assessed for the need to the empanelment of a Hybrid Commission pursuant to **P.L. 33-219. A Hybrid Commission will be empaneled if this application represents a development cost of more than three million dollars (\$3,000,000.00),** exclusive of the cost of the real property as described in this application.

**WILL THIS PROJECT COST MORE THAN \$3,000,000.00? YES  NO**

*(See attachment for more information on PL 33-219 and PL 33-209, as they affect the process of assessment of this application.)*

**Please sign attesting to your answer** ➡ \_\_\_\_\_

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

***"I hereby certify that all information contained in this application and its supplements is true and correct. I also understand that any misrepresentation in this application shall void the entire submission. Further, that thirty-two (32) sets of the above listed required information is provided."***

\_\_\_\_\_  
*(Owner(s) or Lessee(s) and Date)*

\_\_\_\_\_  
*(Representative, if any, and 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.**

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**FOR OFFICIAL USE ONLY**

Date Accepted: \_\_\_\_\_ Accepted By: \_\_\_\_\_

Date of Notice in Newspaper(s): \_\_\_\_\_

Date of Notice to Adjacent Property Owners: \_\_\_\_\_

Date of Public Hearing: \_\_\_\_\_

Filing Fee(s) Paid (\$ ): Yes [ ] No [ ] Check [ ] Cash [ ] Other [ ] \_\_\_\_\_

Receipt No.: \_\_\_\_\_ Application Number: \_\_\_\_\_

Date of GLUC Action: \_\_\_\_\_ Conditions: Yes [ ] No [ ] (See Below)

Conditions of Approval: \_\_\_\_\_

GLUC Resolution No.: \_\_\_\_\_ Date of Notice of Action: \_\_\_\_\_

(No Smaller than 4 FT X 8 FT Sign Board)

# NOTICE TO REZONE\*

\*1. Shall Occupy Two (2') Feet X Eight (8') Feet of the Sign Area

\*2. Letters are to be Twelve (12") Inches High, Colored Red on a White Background

3. Sign Shall be Erected and Displayed in a Visible and Prominent Place on the Subject Site No Less than **Five (5) Days** after Application is filed with the Commission and Shall be Removed when the Commission renders a Final Decision or Applicant Officially Withdraws the Application.

## PUBLIC NOTICE

### AN APPLICATION HAS BEEN FILED WITH THE GUAM LAND USE COMMISSION (GLUC) FOR A ZONE VARIANCE

APPLICATION DESCRIPTION:

OWNER:

DEVELOPER:

LOT, BLOCK, TRACT, MUNICIPALITY:

PROPOSED ZONE VARIANCE:

DATE:

TIME:

PLACE:

PUBLIC HEARING:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

GLUC MEETING:

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_