



Date: 6/20/23

Application # R 23-008

**REQUEST FOR ZONING MAP AMENDMENT**  
 A PETITION TO AMMEND THE OFFICIAL ZONING MAP OF THE CITY OF LOGANVILLE, GEORGIA

APPLICANT INFORMATION	PROPERTY OWNER INFORMATION*
NAME: <u>Jose Hurtado</u> ADDRESS: <u>316 Rockland way</u> CITY: <u>Lawrenceville</u> STATE: <u>GA</u> Zip: <u>30046</u> PHONE: <u>678-255-6731</u>	NAME: <u>Jose Hurtado</u> ADDRESS: <u>316 Rockland way</u> CITY: <u>Lawrenceville</u> STATE: <u>GA</u> Zip: <u>30046</u> PHONE: <u>678-255-6731</u> (*attach additional pages if necessary to list all owners)
Applicant is: <input checked="" type="checkbox"/> Property Owner <input type="checkbox"/> Contract Purchaser <input type="checkbox"/> Agent <input type="checkbox"/> Attorney	
CONTACT PERSON: <u>Jose Hurtado</u> PHONE: <u>404-754-7699</u> EMAIL: <u>baralean10@gmail.com</u> FAX: _____	
PROPERTY INFORMATION	
MAP & PARCEL # <u>LG100049</u> PRESENT ZONING: <u>01</u> REQUESTED ZONING: <u>R-44 residential</u> ADDRESS: <u>827 Lee Byrd Rd</u> COUNTY: <u>WALTON</u> ACREAGE: <u>5.1</u> PROPOSED DEVELOPMENT: <u>rezone to residential</u>	

You must attach:  Application Fee   
 Legal Description   
 Plat of Property   
 Campaign Contribution Disclosure  
 Letter of Intent   
 Site Plan   
 Names/Addresses of Abutting Property Owners   
 Impact Analysis

Pre-Application Conference Date: 6-20-23

Accepted by Planning & Development: [Signature] DATE: \_\_\_\_\_ FEE PAID: \$500.00

CHECK # \_\_\_\_\_ RECEIPT # \_\_\_\_\_ TAKEN BY: \_\_\_\_\_ DATE OF LEGAL NOTICE: \_\_\_\_\_ NEWSPAPER: THE WALTON TRIBUNE

PLANNING COMMISSION RECOMMENDATION:  Approve   
 Approve w/conditions   
 Deny   
 No Recommendation

Commission Chairman: [Signature] DATE: 8-24-23

CITY COUNCIL ACTION:  Approved   
 Approved w/conditions   
 Denied   
 Tabled to \_\_\_\_\_  
 Referred Back to Planning Commission   
 Withdrawn

Mayor \_\_\_\_\_ City Clerk \_\_\_\_\_ Date \_\_\_\_\_

**DISCLOSURE OF CAMPAIGN CONTRIBUTIONS**

The undersigned, making application for rezoning with the City of Loganville, Georgia, have complied with the Official Code of Georgia, Section 36-67A-1, et. seq., Conflict of Interest in Zoning Actions, and has submitted or attached the required information as requested below.

Jose Hurtado  
Applicant's Signature \_\_\_\_\_ Date \_\_\_\_\_

Jose Hurtado Ortiz  
Print Name \_\_\_\_\_

\_\_\_\_\_  
Signature of Applicant's Attorney or Agent \_\_\_\_\_ Date \_\_\_\_\_

\_\_\_\_\_  
Print Name \_\_\_\_\_

**Has the Applicant, attorney for applicant, or other agent, within the two years immediately preceding the filing of this application, made campaign contributions aggregating \$250.00 or more to the Mayor, Member of the City Council or member of the Planning Commission of the City of Loganville, Georgia?**

\_\_\_\_\_ YES      X \_\_\_\_\_ NO

**If YES, complete the following:**

NAME OF INDIVIDUAL MAKING CONTRIBUTION \_\_\_\_\_

NAME & OFFICIAL POSITION OF GOVERNMENT OFFICIAL	CONTRIBUTIONS (List all aggregating to \$250 or more)	DATE OF CONTRIBUTION
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

**Attach additional sheets as necessary to disclose and describe all contributions.**


**Applicant's Certification**

The undersigned hereby certifies that they are authorized by the property owner(s) to make this application and that all information contained herein is complete and accurate, to the best of their knowledge.

Jose Hurtado 6/20/23  
Applicant's Signature Date

Jose Hurtado Ortiz  
Print Name and Title

Sworn to and subscribed before me this 20 day of June, 2023.

(Seal)  Karen Pena  
Signature of Notary Public

**Property Owner's Certification**  
(complete a separate form for each owner)

The undersigned hereby certifies that they are: (check all that apply)


- a)  the owner of record of property contained in this application, and/or
- b)  the Chief Executive of a corporation or other business entity with ownership interest in the property and is duly authorized to make this application, and

that all information contained in this application is complete and accurate to the best of their knowledge.

Jose Hurtado 6/20/23  
Owner's Signature Date

Jose Hurtado Ortiz  
Print Name and Title

Sworn to and subscribed before me this 20 day of June, 2023.

(Seal)  Karen Pena  
Signature of Notary Public

### APPLICANT'S RESPONSES TO EVALUATION CRITERIA

In the space provided or in a separate attachment, provide responses to the following questions:

1. How does the proposed use impact the overall appearance of the City and aesthetic conditions of adjacent parcels?

no impact

2. How does the proposed use impact thoroughfare congestion and traffic safety?

will be reduced by changing from commercial to residential.

3. How does the proposed use impact population density and the potential for overcrowding and urban sprawl?

no impact

4. How does the proposed use impact the provision of water, sewerage, transportation and other urban infrastructure services;

no impact

5. How does the proposed zoning provide protection of property against blight and depreciation?

no impact

6. How is the proposed use and zoning consistent with the adopted Comprehensive Plan?

7. In what way does the proposed zoning affect adjacent property owners if the request is approved?

no impact, adjacent properties are residential, property to the right of home is owned by city of Loganville.

8. What is the impact upon adjacent property owners if the request zoning is not approved?

if kept as commercial there will be more traffic / congestion.

9. Describe any other factors affecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville.

no impact.

Abutting properties: TLJT LLC  
847 Lee Byrd Rd

City of Loganville  
Fire Station  
789 Lee Byrd.



# ACKNOWLEDGEMENT AND RECEIPT OF SETTLEMENT STATEMENT

DATE: 02/28/22

FILE: 2201-37

PURCHASER: JOSE GUADALUPE HURTADO ORTIZ

SELLER: PATRICIA MCDONALD

PROPERTY ADDRESS: 827 LEE BYRD ROAD, LOGANVILLE, GA 30052

Purchaser and Seller acknowledge that each has received, reviewed, and approved the entries appearing on the Settlement Statement, and each acknowledges receipt of a copy of same. Seller acknowledges receipt and payment in full of the proceeds due Seller from the settlement. Seller warrants the correctness of all payoff amounts for outstanding liens and encumbrances; if any deficiency occurs, Seller shall promptly remit the same to the settlement agent.

If the proration of taxes and assessments was made based on estimated amounts prior to receipt of current actual bills, Purchaser and Seller agree to adjust the prorations shown on the Settlement Statement between themselves when current actual bills are received. The payment of all outstanding taxes and assessments not paid at settlement are assumed by Purchaser, including, but not limited to, any additional taxes by reason of an increased or amended assessment or by reason of a failure to file homestead exemption.

Purchaser and Seller acknowledge that settlement agent makes no representations as to the status of any outstanding or past due water, sewerage, or other utility bills applicable to the property. The status of such items shall be determined by and are the responsibility of the Purchaser and Seller. Any deficiencies discovered after settlement relating to outstanding or past due amounts including, but not limited to, water, sewerage, sanitation, utility, termite inspections, assessments, or taxes shall be the responsibility of the Purchaser and Seller. Purchaser and Seller further agree to adjust the prorations shown on the Settlement Statement between themselves relating to the aforementioned items when current actual bills are received.

Purchaser and Seller agree that should any inadvertent errors or omissions later be discovered in any documents executed at settlement, they shall promptly execute such corrective documents and remit such sums as may be required to adjust or correct such errors or omissions.

Purchaser hereby acknowledges that a real property tax return and application for homestead exemption is required by law and is to be filed with the county tax collector in which the property lies, between January 1 and March 31 of the year immediately following settlement and that such filings are the sole responsibility of Purchaser. Seller warrants that all required tax returns and applicable exemption applications have been filed for the current tax year. Seller further agrees to reimburse Purchaser for any penalties caused by Seller's failure to file a proper and timely tax return.

As part of the consideration of this sale, the contract between the parties is by reference incorporated herein and made a part hereof; the terms and conditions contained therein shall survive the closing and shall not merge upon delivery of the Warranty Deed.

WARNING: It is a crime to knowingly make false statements to the United States on this or any similar form. Penalties upon conviction can include a fine and/or imprisonment. For details see: Title 18 U.S. Code Section 1001 and Section 1010.

*Patricia McDonald by*

*Donald Wesley McDonald VAF*

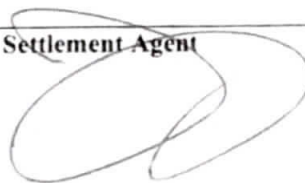
**PATRICIA MCDONALD by  
DONALD WESLEY MCDONALD,  
Attorney in Fact  
SELLER**

*Jose Hurtado*

**JOSE GUADALUPE HURTADO ORTIZ  
PURCHASER/BORROWER**

BY: \_\_\_\_\_

**Settlement Agent**



Return Recorded Document to  
THE JULES LAW GROUP, LLC  
3985 STEVE REYNOLDS BLVD.  
BUILDING D  
NORCROSS, GA 30093

**LIMITED  
WARRANTY DEED**

STATE OF GEORGIA  
COUNTY OF GWINNETT

FILE #: 2201-37

**THIS INDENTURE** made this **28th** day of **February, 2022**, between **PATRICIA MCDONALD**, of the County of Walton and State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **JOSE GUADALUPE HURTADO ORTIZ**, as party or parties of the second part, hereinafter called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of TEN AND NO/100 DOLLARS (\$10.00) and other good and valuable considerations in hand paid, at and before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantee, the following described property:

**827 LEE BYRD ROAD, LOGANVILLE, GA 30052**

**ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 153 OF THE 4TH LAND DISTRICT, WALTON COUNTY, GEORGIA, CONTAINING 5.108 ACRES AS SHOWN ON A PLAT OF SURVEY PREPARED BY WILLIAM J. GREGG, SR., SURVEYOR, DATED JANUARY 22, 1971, RECORDED IN PLAT BOOK 15, PAGE 246, WALTON COUNTY RECORDS, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:**

**BEGINNING AT A POINT MARKED BY AN IRON PIN ON THE EASTERLY RIGHT-OF-WAY LINE OF LEE BYRD ROAD LOCATED 1247.6 FEET SOUTHERLY AS MEASURED ALONG SAID RIGHT-OF-WAY LINE FROM THE POINT AT WHICH THE EASTERLY RIGHT-OF-WAY LINE OF LEE BYRD ROAD IS INTERSECTED BY THE ORIGINAL LAND LOT LINE SEPARATING LAND LOTS 153 AND 192; RUN THENCE NORTH 64 DEGREES 42 MINUTES EAST 1326.7 FEET TO AN IRON PIN; RUN THENCE SOUTH 26 DEGREES 38 MINUTES EAST ALONG PROPERTY NOW OR FORMERLY OWNED BY B.O. BYRD, 165 FEET TO A POINT; RUN THENCE SOUTH 64 DEGREES 42 MINUTES WEST, 1372.9 FEET TO A POINT ON THE EASTERLY RIGHT-OF-WAY LINE OF LEE BYRD ROAD; RUN THENCE NORTH 11 DEGREES 04 MINUTES WEST ALONG SAID RIGHT-OF-WAY LINE 170 FEET TO AN IRON PIN AT THE PLACE OR POINT OF BEGINNING.**

**TAX ID # LG100-00000-049-000**

This Deed is given subject to all easements and restrictions of record.

**TO HAVE AND TO HOLD** the said tract or parcel of land, together with all and singular the rights, members and appurtenances thereof, to the same being, belonging or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee, forever in **FEE SIMPLE**.

**AND THE SAID** Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons by, through and under the above-named grantor.

IN WITNESS WHEREOF, Grantor has hereunto set grantor's hand and seal this day and year first above written.

Signed, sealed and delivered in presence of:

Witness

\_\_\_\_\_

\_\_\_\_\_  
**PATRICIA MCDONALD by**  
**DONALD WESLEY MCDONALD,**  
**Attorney in Fact**

(SEAL)

Notary Public

\_\_\_\_\_ (SEAL)

June 16, 2023

City Of Loganville  
4303 Lawrenceville Rd.  
Loganville, GA 30052

RE: 827 Lee Byrd Rd

To Whom It May Concern,

I, Jose Hurtado, am requesting rezone for the property located at 827 Lee Byrd Rd Loganville, GA. The purpose of the rezone is to change from a commercial zone to residential zone. In doing so, this home will become my primary residence and only used as so. Having this property rezoned will help avoid traffic and congestion in the area, being that it will no longer be used for business. I hope you take high consideration upon my request.

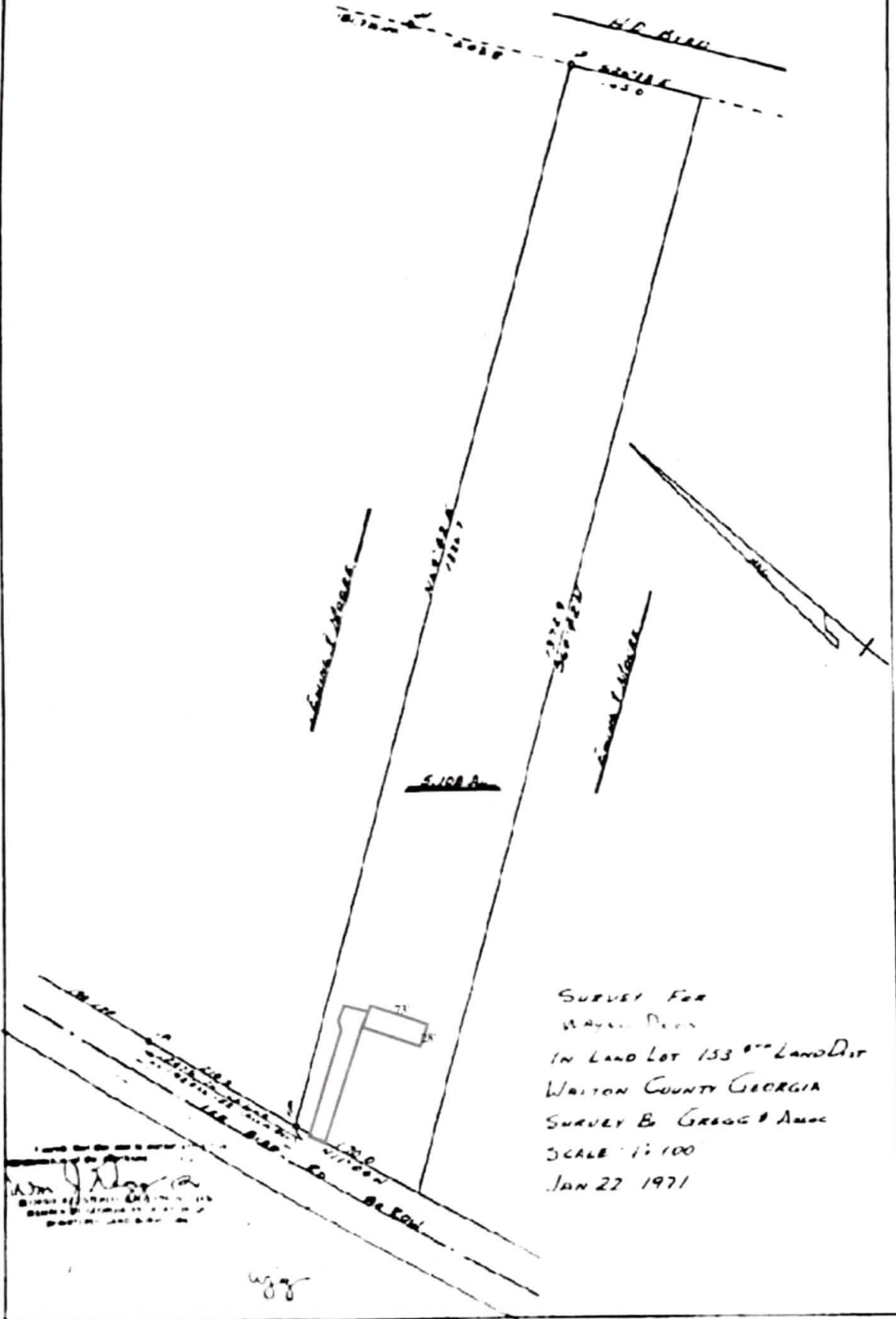
Please feel free to contact me with any questions or concerns.

Sincerely,

Jose Hurtado

Jose Hurtado





SURVEY FOR  
 WAGON POND  
 IN LAND LOT 153 8th LAND DIST  
 WALTON COUNTY GEORGIA  
 SURVEY BY GREGG & AMOS  
 SCALE 1/2" = 100'  
 JAN 22 1971

*[Handwritten signature and notes]*

*[Handwritten initials]*