



Planning & Development
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Case #: R23-008

Applicant: Jose Hurtado

Property Owner: Jose Hurtado

Property Location: 827 Lee Byrd Road

Tax Map/Parcel: LG100049

Property Size: 5.11 acres

Current Zoning: O&I

Proposed Zoning: R-44

Proposed Use: Residential

Applicant's Request

The applicant is seeking to return the property to its residential zoning to become his primary residence.

Existing Conditions

The house was built in 1971 and maintained its residential purpose until an application was filed in 2005 seeking an O&I classification. The case was approved by the Planning Commission on Sept. 26, 2005, with the conditions that the property be used for professional purposes only, the front of the house was not altered, parking was limited to the rear of the house and limits were placed on signage for the property. This was subsequently approved by the City Council.

An application was filed in 2021 seeking a CH designation for the property for the purpose of an office with storage. The Planning Commission recommended approval for the re-zone on July 22, 2021 but was denied by the City Council.

The applicant bought the property and sought to re-zone it to residential in March 2022, but City ordinances dictate that at least 12 months must pass between re-zoning attempts.

Impact Analysis/Recommendation

What is the impact upon the overall appearance of the City and impacts upon aesthetic conditions of adjacent parcels? There would be no aesthetic impact.

What is the impact upon thoroughfare congestion and traffic safety? This would potentially result in less traffic as a result of the property moving from a commercial to residential use.

What is the impact upon population density and the potential for overcrowding and urban sprawl? The impact would be minimal.

What is the impact upon the provision of water, sewerage, transportation and other urban infrastructure services? The impact would be minimal.

How does the proposed use provide protection of property against blight and depreciation? There would be no protection.

Is the proposed use consistent with the adopted Comprehensive Plan? The City's future land use map shows this property as maintaining its O&I zoning.

What is the impact upon adjacent property owners if the request is approved? Approval would place the property more in line with the character of the area, which is primarily R-44. The only non-residential zoning in the immediate vicinity is limited to the City's fire/public works/public utilities complex.

What is the impact upon adjacent property owners if the request is not approved? There would be no impact on adjacent property owners if this request is not approved.

Are there any other factors effecting the health, safety, morals, aesthetics, convenience, order, prosperity, or the general welfare of the present and future inhabitants of the City of Loganville?
No.

Recommended action: Staff recommendations are to approve the rezone to place the property more in line with surrounding zoning and the intended character of the area.

Staff recommends approval of the rezone.

Planning Commission Recommended Conditions

- 1) Approval with the condition that no home based business been run from the property.

City Council Conditions