



**DeKalb County Department of Planning & Sustainability**

**330 Ponce De Leon Avenue, Suite 300**

**Decatur, GA 30030**

**(404) 371-2155 / [www.dekalbcountyga.gov/planning](http://www.dekalbcountyga.gov/planning)**

**Planning Commission Hearing Date: September 6, 2022**

**Board of Commissioners Hearing Date: October 4, 2022**

**STAFF ANALYSIS**

**Case No.:** CZ-22-1245934 **Agenda #:** N18

**Location/Address:** The southeast quadrant of Lawrenceville Highway and Jordan Lane, approximately 415feet north of DeKalb Industrial Way at 1849 Lawrenceville Highway in Decatur, Georgia. **Commission District:** 4 **Super District:** 6

**Parcel ID(s):** 18 063 03 027

**Request:** To modify zoning conditions to remove condition #1 pursuant to CZ-06-1241 restricting the use of the property to office and retail uses to allow a car wash in the C-1 (Local Commercial) zoning district.

**Property Owner(s):** Karimshah Inc, Sadruddin Ashiq Ali

**Applicant/Agent:** ModWash LLC c/o Battle Law P.C.

**Acreage:** 1.28

**Surrounding Properties:** Surrounding properties include an auto-broker and multi-family apartments across Jordan Lane to the north; wholesale and medical office uses to the south; a parking lot and a vacant property to the east; and retail and restaurant uses to the west across Lawrenceville Highway.

**Comprehensive Plan:** Town Center (TC)      Consistent       Inconsistent

<b>Proposed Density:</b> NA	<b>Existing Density:</b> N.A.
<b>Proposed Units:</b> Drive-through Car Wash	<b>Existing Units:</b> Vacant building
<b>Proposed Lot Coverage:</b> NA	<b>Existing Lot Coverage:</b> N.A.

**STAFF RECOMMENDATION: FULL CYCLE DEFERRAL**

The request for a drive-through car wash facility is pre-mature since a companion Special Land Use Permit (SLUP) application is required for drive-through facilities. It is the understanding of Staff that the applicant will submit a SLUP application to be heard on the November agenda cycle. During the November agenda cycle the proposed automated drive-through car wash facility can be reviewed on its merits. Therefore, it is the recommendation of the Planning & Sustainability Department that the application be “Deferred, Full Cycle” to allow the applicant to submit a companion SLUP application.



**DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM**

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO  
MICHELLE ALEXANDER [mmalexander@dekalbcountyga.gov](mailto:mmalexander@dekalbcountyga.gov) AND/OR LASONDRA HILL  
[lahill@dekalbcountyga.gov](mailto:lahill@dekalbcountyga.gov)**

**COMMENTS FORM:  
PUBLIC WORKS WATER AND SEWER**

Case No.: \_\_\_\_\_

Parcel I.D. #: 18-063-03-027

Address: 1849 Lawrenceville Highway

Decatur GA 30033

**WATER:**

Size of existing water main: 12" DI & 6" AC (adequate/inadequate)

Distance from property to nearest main: adjacent

Size of line required, if inadequate: unknown

**SEWER:**

Outfall Servicing Project: South Fork Peachtree Creek

Is sewer adjacent to property: Yes () No ( ) If no, distance to nearest line: \_\_\_\_\_

Water Treatment Facility: Atlanta - CM Clayton  adequate ( ) inadequate

Sewage Capacity: 40 (MGPD) Current Flow: 36.6 (MGPD)

**COMMENTS:**

Will require sewer capacity approval.

Signature: \_\_\_\_\_

8/15/2022

To: Ms. Andrea Folgherait, Planning and Ms. LaShonda Hill  
From: Ryan Cira, Director  
Cc: Alan Gaines, Environmental Health Deputy Director  
Re: Rezone Application Review

General Comments:

DeKalb County Health Regulations prohibit use of on-site sewage disposal systems for

- multiple dwellings
- food service establishments
- hotels and motels
- commercial laundries
- funeral homes
- schools
- nursing care facilities
- personal care homes with more than six (6) clients
- child or adult day care facilities with more than six (6) clients
- residential facilities containing food service establishments

If proposal will use on-site sewage disposal, please contact the Land Use Section (404) 508-7900.

Any proposal, which will alter wastewater flow to an on-site sewage disposal system, must be reviewed by this office prior to construction.

This office must approve any proposed food service operation or swimming pool prior to starting construction.

Public health recommends the inclusion of sidewalks to continue a preexisting sidewalk network or begin a new sidewalk network. Sidewalks can provide safe and convenient pedestrian access to a community-oriented facility and access to adjacent facilities and neighborhoods.

For a public transportation route, there shall be a 5ft. sidewalk with a buffer between the sidewalk and the road. There shall be enough space next to sidewalk for bus shelter's concrete pad installation.

Since DeKalb County is classified as a Zone 1 radon county, this office recommends the use of radon resistant construction.



DeKalb County Board of Health

404.508.7900 • [www.dekalbhealth.net](http://www.dekalbhealth.net)

8/15/2022

N.16 2022-1996 LP-22-1245892 15-220-01-001, 15-220-01-023,15-220-01-024,15-220-01-041

1172 Longshore Drive, Decatur, GA 30032

Amendment

- Please review general comments.

N.17 2022-1997 Z22-1245922 15-220-01-001, 15-220-01-23,15-220-01-024,15-220-01-041

1172 Longshore Drive, Decatur, GA 30032

Amendment

- Please review general comments.

N.18 2022-1988 CZ-22-1245934 18-063-03-027

1849 Lawrenceville Hwy, Decatur, GA 30033

Amendment

- Please review general comments.

## Zoning Comments - September 2022

**N2. SLUP-22-1245880** - Briarcliff Road is SR 42. GDOT review and approval needed prior to Land Development Permit. ([MWilson@dot.ga.gov](mailto:MWilson@dot.ga.gov)). The property is within the Druid Hills Historic District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. **Briarcliff Road** is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)), 11 foot travel lanes with curb and gutter. University Drive is classified as a local residential road. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 12 foot travel lane from centerline, curb and gutter, a 5 foot sidewalk (Zoning Code) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). Concerned about the entrance and the interior intersection being too close and impacting Briarcliff Road. Traffic Study required to include a traffic signal warrant study at main entrance. Traffic operations at access point on University Drive will also need to be considered- as this will be a non-traditional intersection. Interior streets to be private. At time of permitting, verify sight distance at intersection of access points and Briarcliff Road and University Drive.

**N3 & N4. Z-22-1245923 & SLUP-22-1245924** - North Decatur Road is classified as a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with 11 foot travel lane with curb and gutter, a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). Please see Land Development Code Section 14-200 (5) for the number of access points required by code for 200 units. Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything is Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

**N5. SLUP-22-1245924** - Shallowford and Braircliff Roads are classified as a minor arterials. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane from centerline with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). Dedicate necessary right of way for the extension of the right turn lane from Briarcliff Road onto Shallowford Road.

**N6. SLUP-22-1245925** - No Comment

**N7. Z-22-1245928** - Mountain View Drive is classified as a collector street. The following minimum infrastructure requirements must be met: Right of way dedication of 35 feet from centerline OR such that

all public infrastructure is within county right of way, whichever greater, an 11 foot travel lane with curb and gutter, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). New local public streets have the following minimum requirements: Right of way dedication of 55 feet, 24 feet of pavement with curb and gutter, a 5 foot sidewalk (Zoning Code) located 6 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). Please see separation of access points Land Development Code Section 14-200 (6) which applies to both sides of the street. If you are seeking a variance for anything is Code Section 14-200 from the Board of Commissioners, I suggest you do it as part of your zoning.

**N8. Z-22-1245935** - Jordan Lane & Reverend D.L. Edwards Drive are classified as local streets have the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). Developer required to pay to relocate traffic calming speed table away from proposed driveways. Driveways need to be at least 33 feet apart (edge of drive to edge of drive) from each other to fit the relocated speed table. May need to flip driveway location on corner lot to accommodate.

**N9 & N10. Z-22-1245856 & SLUP-22-1245857** - No comment.

**N11. Z-22-1245874** - Clairmont Road is SR 155. GDOT review and approval needed prior to Land Development Permit. ([MWilson@dot.ga.gov](mailto:MWilson@dot.ga.gov)). Donate right of way necessary for GDOT's project at Clairmont Road project. Briarcliff Road is classified as a minor arterial. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)), 11 foot travel lanes with curb and gutter. Additional comments may be warranted after receipt of traffic study.

**N12. & N13. LP-22-1245937 & Z-22-1245875** - No comments.

**N14. Z-22-1245876** - 1893, 1901 and 1909 are within the I-20 Overlay District, Tier 2. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. East Field Street, Glenvalley Dr & Northview Ave are classified as local streets. Improvements required on all frontages. Where the overlay district is silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). Please note that the required right of way dedication may have significant impacts to your site plans. Please review.

**N15. SLUP-22-1245885** - Chamblee Tucker Road is classified a minor arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 40 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code)

with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)), 11 foot travel lanes with curb and gutter. If you are seeking a variance for the bike facility requirements, I would do so during zoning. Bolissa Drive is classified as a local road with the following minimum requirements: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)).

**N16. & N17. LP-22-1245892 & Z-22-1245922** - Properties are located in the Covington Overlay District. Please see the planner assigned to this district for infrastructure requirements- as the Overlay Districts trump the Zoning Code which trumps the Land Development Code. Redan Road and Longshore Drive are classified as local roads. Where silent the following minimum infrastructure requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from Centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). Interior streets to be private.

**N18. CZ-22-1245934** - Lawrenceville Hwy is a State Route. GDOT review and approval needed prior to Land Development Permit. ([MWilson@dot.ga.gov](mailto:MWilson@dot.ga.gov)). Lawrenceville Hwy is classified as a major arterial. The following minimum infrastructure requirements must be met: Right of way dedication of 50 feet from centerline OR such that all public infrastructure is within county right of way, whichever greater, a 6 foot sidewalk (Zoning Code) with a 4 foot bike lane (Land Development Code) OR a 10 foot shared multiuse path (preferred) located 5 feet from back of curb, Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)), 11 foot travel lanes with curb and gutter. Jordan Lane is classified as a local road. The following minimum requirements must be met: Right of way dedication of 27.5 feet from centerline, 12 foot travel lane from centerline with curb & gutter, a five foot planting strip and a 5 foot sidewalk (Zoning Code), Pedestrian Scale Street lighting required (Contact Street Light Engineer, Herman Fowler: [hefowler@dekalbcountyga.gov](mailto:hefowler@dekalbcountyga.gov)). Add pedestrian crossing and ADA ramps to the intersection of Jordan Lane at Lawrenceville Hwy.



## DEKALB COUNTY GOVERNMENT PLANNING DEPARTMENT DISTRIBUTION FORM

The following areas below may warrant comments from the Development Division. Please respond accordingly as the issues relate to the proposed request and the site plan enclosed as it relates to Chapter 14. You may address applicable disciplines.

### DEVELOPMENT ANALYSIS:

- **Storm Water Management**

Compliance with the Georgia Stormwater Management Manual, DeKalb County Code of Ordinances 14-40 for Stormwater Management and 14-42 for Storm Water Quality Control **(sections have been amended recently; please request the amended chapter)**, to include Runoff Reduction Volume where applicable is required as a condition of land development permit approval. Use Volume Three of the G.S.M.M. for best maintenance practices. Use the NOAA Atlas 14 Point Precipitation Data set specific to the site. Recommend Low Impact Development features/ Green Infrastructure be included in the proposed site design to protect as much as practicable the statewaters and special flood hazard areas.

**Conceptual plan doesn't indicate the location of the stormwater management facility. Location of stormwater management shall be shown or compliance with the County stormwater management regulations shall be explained.**

**Additional consideration must be given to the 10% downstream analysis.**

**Runoff Reduction Volume shall be provided, unless technical justification is provided in regard to the unfeasibility. Strongly recommend investigating the site and identify location where RRv can be provided and re-design/revise the layout to comply with the RRv requirement.**

- **Flood Hazard Area/Wetlands**

The presence of FEMA Flood Hazard Area **was not** indicated in the County G.I.S. mapping records for the site; and should be noted in the plans at the time of any land development permit application. Encroachment of flood hazard areas require compliance with Article IV of Chapter 14 and FEMA floodplain regulations

- **Landscaping/Tree Preservation**

Landscaping and tree preservation plans for any building, or parking lot must comply with DeKalb County Code of Ordinances 14-39 as well as Chapter 27 Article 5 and are subject to approval from the County Arborist.

- **Tributary Buffer**

State water buffer **was not** reflected in the G.I.S. records for the site. Typical state waters buffer have a 75' undisturbed stream buffer and land development within the undisturbed creek buffer is prohibited without a variance per DeKalb County Code of Ordinances 14-44.1.



DEKALB COUNTY GOVERNMENT  
PLANNING DEPARTMENT  
DISTRIBUTION FORM

N-18

**NOTE: PLEASE RETURN ALL COMMENTS VIA EMAIL OR FAX TO EXPEDITE THE PROCESS TO MICHELLE ALEXANDER [mmalexander@dekalbcountyga.gov](mailto:mmalexander@dekalbcountyga.gov) AND/OR LASONDRA HILL [lahill@dekalbcountyga.gov](mailto:lahill@dekalbcountyga.gov)**

**COMMENTS FORM:  
PUBLIC WORKS TRAFFIC ENGINEERING**

Case No.: CZ-22-1245934 Parcel I.D. #: 18-063-03-027

Address: 1849  
LAWRENCE W. HILL HWY  
DEKALB, GA 30023

Adjacent Roadway (s):

\_\_\_\_\_  
\_\_\_\_\_  
(classification) (classification)

Capacity (TPD) _____	Capacity (TPD) _____
Latest Count (TPD) _____	Latest Count (TPD) _____
Hourly Capacity (VPH) _____	Hourly Capacity (VPH) _____
Peak Hour. Volume (VPH) _____	Peak Hour. Volume (VPH) _____
Existing number of traffic lanes _____	Existing number of traffic lanes _____
Existing right of way width _____	Existing right of way width _____
Proposed number of traffic lanes _____	Proposed number of traffic lanes _____
Proposed right of way width _____	Proposed right of way width _____

Please provide additional information relating to the following statement.

According to studies conducted by the Institute of Traffic Engineers (ITE) 6<sup>TH</sup> Edition (whichever is applicable), churches generate an average of fifteen (15) vehicle trip end (VTE) per 1,000 square feet of floor area, with an eight (8%) percent peak hour factor. Based on the above formula, the \_\_\_\_\_ square foot place of worship building would generate \_\_\_\_\_ vehicle trip ends, with approximately \_\_\_\_\_ peak hour vehicle trip ends.

Single Family residence, on the other hand, would generate ten (10) VTE's per day per dwelling unit, with a ten (10%) percent peak hour factor. Based on the above referenced formula, the \_\_\_\_\_ (Single Family Residential) District designation which allows a maximum of \_\_\_\_\_ units per acres, and the given fact that the project site is approximately \_\_\_\_\_ acres in land area, \_\_\_\_\_ daily vehicle trip end, and \_\_\_\_\_ peak hour vehicle trip end would be generated with residential development of the parcel.

COMMENTS:

Plans and field reviewed. Found nothing that would disrupt traffic flow.

Signature: [Handwritten Signature]













DEPARTMENT OF PLANNING & SUSTAINABILITY

**MAJOR MODIFICATION APPLICATION**

Existing Conditional Zoning No.: CZ06-1241

APPLICANT NAME: ModWash, LLC c/o Battle Law, P.C.

Daytime Phone#: 404-601-7616 Fax #: 404-745-0045 E-mail: mlb@battlelawpc.com

Mailing Address: 3562 Habersham at Northlake Building J, Suite 100 Tucker, Georgia 30084

OWNER NAME: Karimshah Inc, Sadruddin Ashiq Ali (If more than one owner, attach contact information for each owner)

Daytime Phone#: \_\_\_\_\_ Fax #: \_\_\_\_\_ E-mail: \_\_\_\_\_

Mailing Address: 1845 Lawrenceville Highway Decatur, Georgia 30033

SUBJECT PROPERTY ADDRESS OR LOCATION: 1849 Lawrenceville Highway

Decatur, DeKalb County, GA, 30033

District(s): 18 Land Lot(s): 063 Block(s): 03 Parcel(s): 18 063 03 027

Acreage or Square Feet: 1.28 Commission District(s): 4, 6 Existing Zoning: C-1

I hereby authorize the staff of the Planning and Development Department to inspect the property that is the subject of this application.

Have you, the applicant, made a campaign contribution of \$250.00 or more to a DeKalb County government official within the two year period that precedes the date on which you are filing this application?

Yes  No If "yes", see page 4. (Conflict of Interest in Zoning Act, O.C.G.A., Chapter 36-67A)

Owner:  Agent:   
(Check One)

Signature of Applicant: 

Printed Name of Applicant: ModWash, LLC c/o Battle Law, P.C. **Major Modification Application**



Chief Executive Officer  
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Director  
Andrew A. Baker, AICP

**PRE-APPLICATION FORM**  
**REZONE, SPECIAL LAND USE PERMIT, MODIFICATION, AND LAND USE**  
**(Required prior to filing application: signed copy of this form must be submitted at filing)**

Applicant Name: \_ Battle Law \_ Phone: : 404-601-7616 ext 6\_\_\_\_\_ Email: mlb@Battlelawpc.com

Property Address: \_1849 Lawrenceville Hwy\_\_\_\_\_

Tax Parcel ID: \_18 063 03 027-\_\_\_\_\_ Comm. District(s): \_4 & 6\_\_\_\_\_ Acreage: 1.26\_\_\_\_\_

Existing Use: \_vacant lot\_\_\_\_\_ Proposed Use Car Wash (fancy express car wash)

Supplemental Regs: \_X Sec 4.2.13\_\_\_\_\_ Overlay District: \_NA \_\_\_\_\_ DRI: \_NA\_\_\_\_\_

**Rezoning:** Yes \_\_\_\_\_ No \_X \_\_\_\_\_

Existing Zoning: \_C-1 with conditions per CZ-06-1241\_ \_\_\_\_\_

Proposed Zoning: \_NA

Square Footage/Number of Units: \_\_\_\_\_

Rezoning Request: \_NA\_\_\_\_\_

**Land Use Plan Amendment:** Yes \_\_\_\_\_ No \_X \_\_\_\_\_

Existing Land Use: \_SUB\_\_\_\_\_ Proposed Land Use: \_CRC\_\_\_\_\_ Consistent \_\_\_\_\_  
Inconsistent \_\_\_\_\_

**Special Land Use Permit:** Yes \_\_\_\_\_ No \_X \_\_\_\_\_ Article Number(s) 27-

Special Land Use Request(s) \_\_\_\_\_

**Major Modification:**

Existing Case Number(s): \_CZ-06-1241\_\_\_\_\_

Condition(s) to be modified:

\_\_\_\_\_ Condition #1 pertaining to limit use to office and retail so can operate a car wash. Condition #5 require that access to Jordan Road to be closed but it never was...applicant would like to remain open.

DEPARTMENT OF PLANNING & SUSTAINABILITY

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting:  Review Calendar Dates:  PC: 09/01/22\*  
BOC:  09/29/22\*\* Letter of Intent:  Impact Analysis:  Owner Authorization(s):   
Campaign Disclosure:  Zoning Conditions:  Community Council Meeting:  08/16/22  
Public Notice, Signs:  (Applicant must pick up and post and/or will be done by Staff) Tree  
Survey, Conservation: \_\_\_\_\_ Land Disturbance Permit (LDP):  Sketch Plat:   
Bldg. Permits:  Fire Inspection:  Business License:  State License:  
\_\_\_\_\_ Lighting Plan: \_\_\_\_\_ Tent Permit: \_\_\_\_\_ Submittal Format: NO STAPLES, NO BINDERS  
PLEASE

**\*Land Use Amendment applications only heard in March and September and take priority over other cases; if cap is hit then may have to go to November agenda.**

**\*Deadline for hosting pre-community meeting with 15 days notice for September 2022 agenda cycle would be 06/29/22**

**\*\*Filing Deadline for application is 06/30/22**

Review of Site Plan

Density:  Density Bonuses:  Mix of Uses: \_\_\_\_\_ Open Space:   
Enhanced Open Space:  Setbacks: front  sides  side corner \_\_\_\_\_ rear   
Lot Size:  Frontage:  Street Widths:  Landscape Strips:   
Buffers: \_\_\_\_\_ Parking Lot Landscaping: \_\_\_\_\_ Parking - Auto:  Parking - Bicycle:  
 Screening:  Streetscapes:  Sidewalks:  Fencing/Walls:   
Bldg. Height:  Bldg. Orientation: \_\_\_\_\_ Bldg. Separation: \_\_\_\_\_ Bldg. Materials:  Roofs:  
 Fenestration:  Façade Design:  Garages:  Pedestrian Plan:   
Perimeter Landscape Strip: \_\_\_\_\_  
Possible Variances: \_\_\_\_\_

DEPARTMENT OF PLANNING & SUSTAINABILITY

Comments: \_\_. \_\_Applicant will need to justify how the proposed modification to zoning conditions to allow a car wash is consistent with pedestrian-oriented use and connectivity policies of the Town Center (TC) Character Area as well as consistent with adjacent and surrounding uses. Applicant will need to demonstrate compliance with C-1 zoning requirements and the Supplemental Regulations for car washes (Sec 4.2.13). Show compliance with C-1 requirements, including but not limited to required parking, transitional buffers, minimum open space, maximum building height, streetscape improvements, and required density bonus provisions (if applicable), etc. The applicant is encouraged to discuss possible transportation improvements that may be required (if the rezoning is approved by the Board of Commissioners) with the county Transportation Department. The applicant is encouraged to contact Land Development Division of Public Works regarding required storm water management, floodplain, and stream buffer issues.

**This only a preliminary review and is not a complete list of zoning requirements, a final and complete review will be done upon official submission of a rezoning application and concept plan.**

Planner: \_\_John Reid\_\_ Date \_\_05/05/22\_\_

Filing Fees

<b>REZONING:</b>	RE, RLG, R-100, R-85, R-75, R-60, MHP, RSM, MR-1	\$500.00
	RNC, MR-2, HR-1, HR-2, HR-3, MU-1, MU-2, MU-3, MU-4, MU-5	\$750.00
	OI, OD, OIT, NS, C1, C2, M, M2	\$750.00
<b>LAND USE MAP AMENDMENT</b>		\$500.00
<b>SPECIAL LAND USE PERMIT</b>		\$400.00

Community Meeting Mailing List

MARTINEZ JUDITH B	1618 JACKSON AVE E	OXFORD MS 38655
WELKER JOHN P	2652 WOODRIDGE DR	DECATUR GA 30033
KRUMP MELVIN R	2617 WOODRIDGE DR	DECATUR GA 30033
ROSS JOSHUA H	40 THE LEDGES RD	NEWTON CENTER MA 2459
THOMAS MOLLY MCCABE	824 GARDENIA LN	DECATUR GA 30033
CITRONBERG ROBERT H	3535 RIVER FERRY DR	ALPHARETTA GA 30022
VOL REPAIRS INC	2198 WINDING WOODS DR	TUCKER GA 30084
HAIG DONALD D III	818 WHELCHER DR	DECATUR GA 30033
NGUYEN VIVI	830 WHELCHER DR	DECATUR GA 30033
SATTANY SALEEM	2314 HUNTCRESY WAY	LAWRENCEVILLE GA 30043
FIVE A TRADING REAL ESTATE LLC	1845 LAWRENCEVILLE HWY	DECATUR GA 30033
KARIMSHAH INC	1845 LAWRENCEVILLE HWY	DECATUR GA 30033
FIVE A TRADING REAL ESTATE LLC	810 JORDAN LN	DECATUR GA 30033
MID OHIO SECURITIES CORP	520 EMORY CIR NE	ATLANTA GA 30307
LALANI SHAMSUDDIN	2734 HOLLYWOOD DR	DECATUR GA 30033
WEINHEIMER JOYCE E	2748 HOLLYWOOD DR	DECATUR GA 30033
GENDO KRISNA	2773 ORION DR	DECATUR GA 30033
SMITH AVRION CLOIS	844 CONSTELLATION DR	DECATUR GA 30033
LAKWANI NARESH	840 CONSTELLATION DR	DECATUR GA 30033
WRIGHT TIFFANY CHARISSE	828 CONSTELLATION DR	DECATUR GA 30033
GREENFIELD DAVID	2716 AURORA ST	DECATUR GA 30033
ROWAN MARY ANNE VAUGHN	2710 HARRINGTON DR	DECATUR GA 30033
SHEPHERD CONSTRUCTION CO INC	1800 BRIARCLIFF RD NE	ATLANTA GA 30329
VITTI JENNIFER	777 JORDAN LN 3	DECATUR GA 30033
PATEL VIJAY	781 JORDAN LN # F 1	DECATUR GA 30033
TURNER JAMES JORDAN	797 JORDAN LN UNIT 3	DECATUR GA 30033
DRUID SPRINGS CONDOMINIUM ASSO	2651 REDDING RD NE	ATLANTA GA 30319
DO THUONG D	809 JORDAN LN UNIT 3	DECATUR GA 30033
THOMPSON LAURA	813 JORDAN LN UNIT J1	DECATUR GA 30033
STALLWORTH CLARKE J III	2651 FOX HILLS DR	DECATUR GA 30033
MORGAN KELLY ANN	2674 FOX HILLS DR	DECATUR GA 30033
DECATUR OFFICE PLAZA LLC	1411 LAKESHORE DR	SNELLVILLE GA 30078
WAFFLE HOUSE INC	PO BOX 6450	NORCROSS GA 30091
RODRIGUEZ MALINA	2637 WOODRIDGE DR	DECATUR GA 30033
ROEDER KATHERINE A	2623 WOODRIDGE DR	DECATUR GA 30033
RICHARDS MELISSA	850 GARDENIA LN	DECATUR GA 30033
COZINE ROBERT BARNETT JR	834 WHELCHER DR	DECATUR GA 30033
GERMANI GREGORY T	846 WHELCHER DR	DECATUR GA 30033
WADHWANIYA KASAM	2755 HARRINGTON DR	DECATUR GA 30033
DI PIETRO VINCENZO	2741 HARRINGTON DR	DECATUR GA 30033
BIG ROCK II LP	5390 SILVER HILL TRL	STONE MOUNTAIN GA 30087
ANDERSON CEMETERY	2725 ARBORCREST DR	DECATUR GA 30033
AJ CUBE LLC	3250 PEACHTREE INDUSTRIAL BLVD # 203	DULUTH GA 30096
GILLANI ZAINULABDIN	1970 EMBASSY WALK LN	LILBURN GA 30047
TOWNS AT NORTH DECATUR ASSOCIATION INC	3245 PEACHTREE PKWY STE D242	SUWANEE GA 30024
BRUMFIELD RUSSELL	2767 ORION DR	DECATUR GA 30033
NOLTON LUCY J	2751 ORION DR	DECATUR GA 30033
WILLIAMS CHELSEA	856 CONSTELLATION DR	DECATUR GA 30033
PATEL SEFALI	852 CONSTELLATION DR	DECATUR GA 30033
AMBALAVANAN MANIKANDAN	2710 AURORA ST	DECATUR GA 30033
SAMUDDIN SHABNAM	84 CONSTELLATION DR	DECATUR GA 30033
NAIK SAMANTHA L	920 SYCAMORE DR	DECATUR GA 30030

Community Meeting Mailing List

WILLIAMS NICHOLAS J	2716 HARRINGTON DR	DECATUR GA 30033
MOEBES MICHAEL R	781 JORDAN LN # F4	DECATUR GA 30033
SCHULTE DYLAN JAMES	785 JORDAN LN UNIT 2	DECATUR GA 30033
BRADFIELD CATHERINE LIVING TRUST	2369 FAIROAKS RD	DECATUR GA 30033
MARSHALL IRENE	795 JORDAN LN UNIT 4	DECATUR GA 30033
BIRRU TESFAYE	1202 GOLDEN CIR	LILBURN GA 30047
WINSTON DONALD B	1101 JUNIPER ST NE 1015	ATLANTA GA 30309
ALI MURAD RAMZAN	771 JORDAN LN UNIT N	DECATUR GA 30033
MCBRIEN JULIA	771 JORDAN LN UNIT P	DECATUR GA 30033
PLANT IMPROVEMENT COMPANY INC	1800 BRIARCLIFF RD NE	ATLANTA GA 30329
DAC HOMES LLC	230 MURPHY ST	BUFORD GA 30518
MILLS ADAM TYLER	823 GARDENIA LN	DECATUR GA 30033
CONNOLLY SEAN M	3131 DEMOCRAT RD	MEMPHIS TN 38118
TIMBERLAKE MARK H	830 ALBERSON CT	DECATUR GA 30033
ANDREWS WILSON JESSICA	823 WHELCHER DR	DECATUR GA 30033
OWENS ALLISON M	817 WHELCHER DR	DECATUR GA 30033
HOOVER MARTIN	2670 BAGLEY RD	CUMMING GA 30041
WE ATLANTIC NORTH DECATUR OWNER LLC	12 COLLEGE RD	MONSEY NY 10952
CHERIANS REAL ESTATE LLC	751 DEKALB INDUSTRIAL WAY	DECATUR GA 30033
GULAMHUSSAIN ALNOOR	170 HARMONY GROVE RD	LILBURN GA 30047
MCCLATCHEY CARL J	2745 HOLLYWOOD DR	DECATUR GA 30033
TOOMSEN ERIC D	2763 HOLLYWOOD DR	DECATUR GA 30033
WOODALL EMILIE A	2756 HOLLYWOOD DR	DECATUR GA 30033
CARR CHARLES A	2782 HOLLYWOOD DR	DECATUR GA 30033
WILKOV JANE	2717 AUROUA ST	DECATUR GA 30033
CHISHOLM TALIBAH	874 CONSTELLATION DR	DECATUR GA 30033
KHOJA NOORALI	834 CONSTELLATION DR	DECATUR GA 30033
SHARP RIANE N	832 CONSTELLATION DR	DECATUR GA 30033
DUBIN JAY L	200 DAVIS GLEN CT	MILTON GA 30004
ALLISON WANDA SMITH	863 CONSTELLATION DR	DECATUR GA 30033
TOWNS AT NORTH DECATUR ASSOCIATION INC	3245 PEACHTREE PKWY TRIPLEX D242	SUWANEE GA 30024
VAN WICK SUSAN M	2992 WOODHAVEN CIR	MACON GA 31204
CHERIAN SOSAMMA	4775 SUMMERSET LN	DUNWOODY GA 30338
RKM GROUP INVESTMENTS LLC	1017 PEARL MIST DR SW	LILBURN GA 30047
BRAMLETTE ANNE WALLACE	809 JORDAN LN UNIT 1	DECATUR GA 30033
KURTZ HAROLD J III	771 JORDAN LN	DECATUR GA 30033
KELLEHER JOAN	771 JORDAN LN UNIT F	DECATUR GA 30033
WILLIAMSON RUTHELEN W	2652 FOX HILLS DR	DECATUR GA 30033
NORTH DEKALB ENTERPRISE LLC	4500 ADMIRAL RIDGE WAY SW	LILBURN GA 30047
WADHWANIYA KASAM	2677 WOODRIDGE DR	DECATUR GA 30033
HALL MARIE MONTANTE	2665 WOODRIDGE DR	DECATUR GA 30033
AIR HOSPITALITY GROUP LLC	P O BOX 3688	LILBURN GA 30048
ATLANTA GAS LIGHT COMPANY	241 RALPH MCGILL BLVD NE DEPT 10081	ATLANTA GA 30308
MITCHELL ALICIA MAE	4691 LUCERNE VALLEY RD	LILBURN GA 30047
KILGORE GERALD RUSSELL	3810 NIKKI LN	LOGANVILLE GA 30052
RANKIN WILLIAM L	2769 HOLLYWOOD DR	DECATUR GA 30033
GULAMHUSSIAN ALNOOR	2723 HOLLYWOOD DR	DECATUR GA 30033
LYONS AMANDA KATE	2739 HOLLYWOOD DR	DECATUR GA 30033
JOLLY KAYLA ALEXANDRA	2709 AURORA ST	DECATUR GA 30033
SHARP RHODA KNOX	2713 AURORA ST	DECATUR GA 30033
BAKER PATRICK DEWAYNE	866 CONSTELLATION DR	DECATUR GA 30033
HARGROVE SHERMIE	860 CONSTELLATION DR	DECATUR GA 30033



Community Meeting Mailing List

KAMALESWARAN RISHIKESAN	849 CONSTELLATION DR	DECATUR GA 30033
KHOJA RAFIQ	855 CONSTELLATION DR	DECATUR GA 30033
ROBINSON WILLIAM E JR	2754 HARRINGTON DR	DECATUR GA 30033
GREEN GAYLA L	2738 HARRINGTON DR	DECATUR GA 30033
SOUTHWELL GARY T	785 JORDAN LN E	DECATUR GA 30033
LAKHAI KAMALUDDIN	1017 PEARL MIST DR SW	LILBURN GA 30047
SHELL EDWARD RANDOLPH JR	793 JORDAN 2 LN UNIT 2	DECATUR GA 30033
OUYANG RONGHUA	3683 EASTBURY DR	JACKSONVILLE FL 32224
LINDER ASHLEY	771 JORDAN LN A	DECATUR GA 30033
SHARMA VIDYA	1953 FISHER TRL NE	ATLANTA GA 30345
ACTON HOLLY M	771 JORDAN LN UNIT J	DECATUR GA 30033
MAILLET REMY OLIVIER	771 JORDAN LN UNIT L	DECATUR GA 30033
GRONBERG ERIC A LIVING TRUST	793 LARRY LN	DECATUR GA 30033
WING BENJAMIN TYLER	833 GARDENIA LN	DECATUR GA 30033
GLASS JASON S	829 GARDENIA LN	DECATUR GA 30033
HIGHT ROSLYNN BATES	820 GARDENIA LN	DECATUR GA 30033
GOOZEE KARLY	839 ALBERSON CT	DECATUR GA 30033
JACQUES CLIFTON MICHAEL	835 ALBERSON CT	DECATUR GA 30033
FARMERY SPENCER S	811 WHELCHER DR	DECATUR GA 30033
HEDRICK JOHN JACKSON IV	806 WHELCHER DR	DECATUR GA 30033
FIVE A TRADING REAL ESTATE LLC	804 JORDAN LN	DECATUR GA 30033
AGA KHAN FOUNDATION U S A	685 DEKALB INDUSTRIAL WAY	DECATUR GA 30033
ADIC INC	133 NEW ST	DECATUR GA 30030
PAPPAS STEPHEN T	2761 ARBORCREST DR	DECATUR GA 30033
MCRA LAURA	5760 MARSHES CT	NORCROSS GA 30071
AIKEN FRAZIER M	2751 HOLLYWOOD DR	DECATUR GA 30033
DEAN NORMA C	2759 HOLLYWOOD DR	DECATUR GA 30033
FARRIS KRISTIN K	2762 HOLLYWOOD DR	DECATUR GA 30033
WILLIAMS ANITA J	2770 HOLLYWOOD DR	DECATUR GA 30033
LALANI SAMEER	872 CONSTELLATION DR	DECATUR GA 30033
MALONE KIMBERLYN	870 CONSTELLATION DR	DECATUR GA 30033
MISJA REBECCA ANN	836 CONSTELLATION DR	DECATUR GA 30033
JENKINS JERRELL D	830 CONSTELLATION DR	DECATUR GA 30033
GIDAY BOOTH SARON	859 CONSTELLATION DR	DECATUR GA 30033
PURVIS ELIZABETH E	861 CONSTELLATION DR	DECATUR GA 30033
DOLAN SEAN ANDREW	773 JORDAN LN # 4	DECATUR GA 30033
LAKHANI KARIM	2208 PACES PARK DR	DECATUR GA 30033
MELISSA G PELHAM IRA	3233 OAKBROOK LN	CLARKSTON GA 30021
LAKHANI KARIM	1017 PEARL MIST DR	LILBURN GA 30047
ZAGRODNY CHRISTOPHER MICHAEL	803 JORDAN LN STE 2	DECATUR GA 30033
CLEVELAND FLORA M	803 JORDAN LN UNIT 3	DECATUR GA 30033
RAJWANI LAILA A	3236 BRIDGE WALK DR	LAWRENCEVILLE GA 30044
GRAMLING TIMOTHY ALLEN	771 JORDAN LN	DECATUR GA 30033
JORDAN KELLY ANN	2662 FOX HILLS DR	DECATUR GA 30033
DECATUR CHURCH PROPERTIES LLC	3520 PIEDMONT RD NE STE 410	ATLANTA GA 30305
LEYRER MICHAEL	2670 WOODRIDGE DR	DECATUR GA 30033
MCKLIN THOMAS E	2646 WOODRIDGE DR	DECATUR GA 30033
JANKE ROBERT MATTHEW	181 AVERY ST	DECATUR GA 30030
JORDAN CLARICE TEAGUE	849 GARDENIA LN	DECATUR GA 30033
WEBER BRIAN L	840 GARDENIA LN	DECATUR GA 30033
GARRISON PROPERTY DEVELOPMENT LLC	5795 CHAUCER CIR	SUWANEE GA 30024
SHERRILL ROBERT A III	824 WHELCHER DR	DECATUR GA 30033

Community Meeting Mailing List

MORGAN MONICA	2739 HARRINGTON DR	DECATUR GA 30033
PATEL MAFAT	8110 SAINT LOUIS AVE	SKOKIE IL 60076
GREATER FRIENDSHIP MISSIONARY	PO BOX 33025	DECATUR GA 30033
RUEFLI KATHLEEN	2775 HOLLYWOOD DR	DECATUR GA 30033
AJ CUBE LLC	3250 PEACHTREE INDUSTRIAL BLVD	DULUTH GA 30096
GRANT ROBERT M	806 BRIARCLIFF RD NE APT B	ATLANTA GA 30306
WOO TUCK PROPERTIES LLC	1676 ARROWHEAD TRL NE	ATLANTA GA 30345
DUNCAN THOMAS EUGENE	2715 AURORA ST	DECATUR GA 30033
AYINDE ADEKUNLE REVOCABLE LIVING TRUST	862 CONSTELLATION DR	DECATUR GA 30033
BHIMANI AMAN	846 CONSTELLATION DR	DECATUR GA 30033
RICHARDSON NORMA LATRICE	2714 AURORA ST	DECATUR GA 30033
HENDERSON JERRY JERMAINE	851 CONSTELLATION DR	DECATUR GA 30033
DEKALB COUNTY	1300 COMMERCE DR # 6THF	DECATUR GA 30030
VIRANI ZEENAT	773 JORDAN LN APT 1	DECATUR GA 30033
STORM MANAGEMENT LLC	419 QUINCY ST	BROOKLYN NY 11221
GONZALEZ JUSTIN	785 JORDAN LN UNIT 4	DECATUR GA 30033
SARE KASSIM G	795 JORDAN LN # B1	DECATUR GA 30033
HANFMAN MARK T	P O BOX 15296	ATLANTA GA 30333
ANDERSON MERLE V	809 JORDAN LN # 2	DECATUR GA 30033
PHELPS RUBY M	1459 CAMBRIDGE CMN	DECATUR GA 30033
CHAPMAN CATHERINE H	771 JORDAN LN UNIT K	DECATUR GA 30033
BELLMAN STEPHANIE M CAMPBELL	2661 FOX HILLS DR	DECATUR GA 30033
NORTH DEKALB ONE ENTERPRISES LLC	4500 ADMIRAL RIDGE WAY SW	LILBURN GA 30047
NGUENA GABRIEL	2012 LITTLE RIVER DR	SUWANEE GA 30024
WOODRUFF ABIGAIL ROHDE	2657 WOODRIDGE DR	DECATUR GA 30033
LYNN GREGORY STEVE JR	2631 WOODRIDGE DR	DECATUR GA 30033
LEVY JARED D	846 GARDENIA LN	DECATUR GA 30033
BARGER NATHALIE HUNTER	2605 WOODRIDGE DR	DECATUR GA 30033
FRENCH CLAIRE V	840 WHELCHER DR	DECATUR GA 30033
ZAFARI ABARMARD M	2749 HARRINGTON DR	DECATUR GA 30033
JORDAN LANE INVESTORS LLC	788 JORDAN LN	DECATUR GA 30033
NEW DAIRY GEORGIA LLC	250 FILLMORE ST STE 525	DENVER CO 80206
EL KHALLI GEORGES Y	61 ROCKWOOD ST	JAMAICA PLAIN MA 2130
LAKHANI NADIA	2720 HOLLYWOOD DR	DECATUR GA 30033
DAY MATTHEW E	2759 ORION DR	DECATUR GA 30033
PARK WOON YOUNG	698 FREEMAN DR NW	LILBURN GA 30047
MALANI ALIAMMAR	858 CONSTELLATION DR	DECATUR GA 30033
OGLESBY RAE	854 CONSTELLATION DR	DECATUR GA 30033
CHAMBERS DIANE LYNETTE	850 CONSTELLATION DR	DECATUR GA 30033
HATHAWAY CHRISTOPHER	2712 AURORA ST	DECATUR GA 30033
HARRISON ISA	2708 AURORA ST	DECATUR GA 30033
HAWKINS MARLAN WILLIAM	2732 HARRINGTON DR	DECATUR GA 30033
HANDY MARIBEL	4504 CYPRESS MANOR CT	MANVEL TX 77578
SNYDER CODY B	781 JORDAN LN UNIT 3	DECATUR GA 30033
HUMPHREY MARCIA M	14599 SEAFORD CIR # 104	TAMPA FL 33613
WRIGHT LAURIE J	795 JORDAN LN # B3	DECATUR GA 30033
MATHEW CHERIAN	1129 OLD TUCKER RD	STONE MOUNTAIN GA 30087
DIEK GEOFFREY D	4145 N GLOUCESTER PL	ATLANTA GA 30341
RMS PROPERTIES INC	2651 REDDING RD NE	ATLANTA GA 30319
JAMES LASHAN	771 JORDAN LN	DECATUR GA 30033
TOWNHOMES OF DRUID SPRINGS	2888 CARTWRIGHT DR	DECATUR GA 30033
STIVERS REALTY LC	1034 BRENTWOOD BLVD 402	ST LOUIS MO 63117

Community Meeting Mailing List

YORK REGINA H	2036 STANFIELD AVE NW	ATLANTA GA 30318
CRUSE PAIGE L	2639 FOX HILLS DR	DECATUR GA 30033
1795 LAWRENCEVILLE HWY LLC	3139 BRANDY STA	ATLANTA GA 30339
SMITH SHERRY	2660 WOODRIDGE DR	DECATUR GA 30033
HENAO OLGA LUCIA	839 GARDENIA LN	DECATUR GA 30033
HODGE MARY EVELYN	830 GARDENIA LN	DECATUR GA 30033
MAGEE WILLACE D PC	1766 LAWRENCEVILLE HWY	DECATUR GA 30033
BASU NIVEDITA	812 WHELCHER DR	DECATUR GA 30033
FERDINAND AVA	2727 HARRINGTON DR	DECATUR GA 30033
METRO MEDICAL PROPERTIES LLC	11379 SOUTHBRIDGE PKWY # A	ALPHARETTA GA 30022
FIVE A TRADING REAL ESTATE LLC	818 JORDAN LN	DECATUR GA 30033
PONTON MARIKA E	2715 HOLLYWOOD DR	DECATUR GA 30033
SHADINGER LIVING TRUST	2726 HOLLYWOOD DR	DECATUR GA 30033
HAO SHUAI	2781 ORION DR	DECATUR GA 30033
TUCKER DARRELL D	2711 AURORA ST	DECATUR GA 30033
HARP KEISHA SMITH	868 CONSTELLATION DR	DECATUR GA 30033
S AND H FIRST RENTAL LLC	2864 LAURELGATE DR	DECATUR GA 30033
STROUD CRAIG EDWARD II	826 CONSTELLATION DR	DECATUR GA 30033
LORENZE STACIA	847 CONSTELLATION DR	DECATUR GA 30033
PARAYIL EPHREM THOMAS	2746 HARRINGTON DR	DECATUR GA 30033
SHEPHERD JAMES H III	PO BOX 15518	ATLANTA GA 30333
UMBAUGH ELIZABETH A	11 KENSINGTON RD	AVONDALE ESTATE GA 30002
HADDEN BRENDA	781 JORDAN LN # F2	DECATUR GA 30033
MCPEEKS LIVING TRUST	79 SPRINGFIELD DR	NEWNAN GA 30265
VAUGHAN JONATHAN B	793 JORDAN LN # C3	DECATUR GA 30033
DAS SATI	797 JORDAN LN APT 2	DECATUR GA 30033
BAKER RONALD	5541 BIG BOAT DR SW	ATLANTA GA 30331
BURFORD ALICE A	809 JORDAN LN # K4	DECATUR GA 30033
CLOANINGER JANET K	771 JORDAN LN # B	DECATUR GA 30033
WALKER BRIGHAM CODY	1104 ADAMS ST	NEW ORLEANS LA 70118
WINN REBECCA	771 JORDAN LN UNIT M	DECATUR GA 30033
HU YING PING	535 OAKVIEW RD	DECATUR GA 30030
WALKER CHRISTIANE WILSON	869 WINTERGREEN LN	DECATUR GA 30033
LASCANO MAURICIO S	2618 WOODRIDGE DR	DECATUR GA 30033



## Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100  
Tucker, Georgia 30084

### Zoom Instructions:

Go to <https://www.battlelawpc.com> . On the Home page, please click on “Projects”, then choose “DeKalb County”. Scroll down to the correct “Project Title” and click on “Join Meeting” under the correct meeting date. To join by phone, please dial (646) 558-8656 and enter the Meeting ID and Passcode provided on the website.

We encourage you to come out and participate!

*\*\*Please Note: This meeting is hosted solely by Battle Law, P.C.\*\**

For More Information Contact  
Brittney Butler at:  
Phone: 404-601-7616 ext. 7  
Fax: 404-745-0045  
Email: [btb@battlelawpc.com](mailto:btb@battlelawpc.com)

## CHANGE OF APPROVED CONDITIONS TO ALLOW FOR THE DEVELOPMENT OF AN AUTOMATED CAR WASH

You are invited to a Zoom meeting.

**Project Title: 1849 Lawrenceville  
Highway**

**When: Wednesday, June 22, 2022**

**Time: 7:30 PM Eastern (US and Canada)**

**Register in advance for this meeting:**

**<https://www.battlelawpc.com>**



**PROPOSED LOCATION(S):**

**1849 Lawrenceville Highway  
Decatur, Georgia 30033  
Parcel Number**



# Battle Law

3562 Habersham at Northlake, Bldg. J, Ste 100  
Tucker, Georgia 30084

PLEASE  
PLACE  
STAMP  
HERE

«Name»

«Address»

«City», «State» «Zip»

Community Meeting Sign-In Sheet 6/22/22

First Name	Last Name	Email	Registration Time	Approval Status
Theresa	Snelling	tmsnelling@aol.com	5/31/2022 17:12	approved
Matt	Leatherman	grammymix@gmail.com	6/2/2022 8:03	approved
Virginia	Kevorkian	Ginny.kevorkian@comcast.net	6/5/2022 16:10	approved
Eric	Gronberg	erics.junk@comcast.net	6/6/2022 16:25	approved
Brenda	Hadden	404bhadden@gmail.com	6/8/2022 20:29	approved
Monica	Morgan	monicamorgan180@gmail.com	6/9/2022 8:38	approved
Laurie	Wright	lauriewright13@hotmail.com	6/14/2022 8:42	approved
Jody	Steinberg	jody@jodysteinberg.com	6/15/2022 18:52	approved
Theresa	Same	t_same@bellsouth.net	6/21/2022 19:27	approved
Teresa	Curry	teresacurry@axiscompanies.com	6/22/2022 9:59	approved
Danielle	Wiggins	D.stiner@hotmail.com	6/22/2022 18:50	approved
ayaz		alienterprise87@gmail.com	6/22/2022 19:05	approved
Todd	Ellis	Tellis@naibg.com	6/22/2022 19:17	approved
Alice		a2burf@yahoo.com	6/22/2022 19:19	approved
Emily	Ragan	eragan@hutton.build	6/22/2022 19:23	approved
Joshua	Mahoney	jsm@battlelawpc.com	6/22/2022 19:25	approved
Victoria	Webb	vic@furiousdreams.com	6/22/2022 19:34	approved

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

**AUTHORIZATION**

The property owner should complete this form or a similar, signed and notarized form if the individual who will file the application with the County is not the property owner.

Date: JUNE 7th 2022

TO WHOM IT MAY CONCERN:

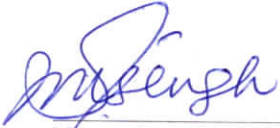
(I), (WE), Karimshah Inc  
Name of Owner(s)

being (owner) (owners) of the subject property described below or attached hereby delegate authority to

ModWash, LLC c/o Battle Law, P.C.

Name of Applicant or Representative

to file an application on (my), (our) behalf.



Notary Public

Karimshah Inc

By:   
Owner

Notary Public

Owner

Notary Public

Owner

Notary Public

Owner



After recording please return to:  
Zain N. Kapadia, Esq.  
Kapadia & Naik, Attorney at Law, LLC  
7000 Central Pkwy, Suite 1100  
Atlanta, Georgia 30328  
DeKalb County Tax Parcel ID: 18 063 03 027

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**STATE OF GEORGIA**

**COUNTY OF GWINNETT**

**EXECUTOR'S DEED**

**THIS INDENTURE** is made this 13th day of April, 2022, by and between **AYAZ ALI**, not individually, but as Independent Executor under the Last Will and Testament of Ashiq Ali Vansi a/k/a Ashiq Ali Sadruddin, late of Gwinnett County, Georgia (hereinafter referred to as the "Deceased"), (the aforesaid, as party of the first part, hereinafter called "Grantor"), and **AYAZ ALI**, a Georgia resident, as party of the second part, hereinafter called Grantee (the terms, "Grantor" and "Grantee" to include their respective heirs, successors, successors-in-title, heirs, executors, administrators, legal representatives, and assigns where the context requires or permits).

**WITNESSESTH:**

Grantor, acting under and by virtue of the power and authority contained in the will of the Deceased, it having been duly probated in solemn form on October 26, 2021, in Gwinnett County, Georgia, and subsequently amended to correct the omission of the Deceased's previous surname, and recorded as part of the records of the Probate Court of Gwinnett County, Georgia, on November 3, 2021, **FOR AND IN CONSIDERATION** of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee at and before the execution, sealing and delivery hereof, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, and the successors, legal representatives and assigns of Grantee, all that certain real property lying and being in DeKalb County, Georgia, being more particularly described on **Exhibit "A"**, attached hereto and incorporated herein by reference, subject only to those matters set forth on **Exhibit "B"**.

**TO HAVE AND TO HOLD** the said tract or parcel of land unto the said Grantee, its successors and assigns, so that neither the said Grantor nor its heirs, successors or assigns, nor any person claiming under it shall at any time, claim or demand any right, title or interest to the aforesaid described tract or parcel of land or its appurtenances.

**{SIGNATURE APPEARS ON THE FOLLOWING PAGE}**



IN WITNESS WHEREOF, Grantor has signed and sealed this Executor's Deed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Munira

Witness

Print Name: Munira Goawalla.

[Signature]

Notary Public

[Signature]

(SEAL)

AYAZ ALI, not Individually, but as Independent Executor under the Last Will and Testament of Ashiq Ali Vansi a/k/a Ashiq Ali Sadruddin

Commission Expires: 2/16/2025  
(AFFIX NOTARY SEAL)



4/13/2022

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All That Tract of parcel of land lying and being in Land Lot 63 of the 18<sup>th</sup> District, Dekalb County, Georgia, being more particularly described as follows:

Beginning at a concrete right-of-way monument found at the intersection of the easterly right-of-way (100 feet from centerline) of Lawrenceville Highway and the southerly right-of-way (30 feet from centerline) of Scottdale Road; thence South 54 degrees 25 minutes 09 seconds East 231.28 feet along the southerly right-of-way of Scottdale Road to a 1/2" rebar set; thence South 35 degrees 56 minutes 27 seconds West 220.94 feet to a 1/2" rebar set; thence North 47 degrees 58 minutes 56 seconds West 275.00 feet to a 1/2" rebar set on the easterly right-of-way (56 feet from centerline) of Lawrenceville Highway; thence North 35 degrees 28 minutes 57 seconds East 130.61 feet along said right-of-way to a concrete right-of-way monument (56 feet from centerline); thence continuing along the easterly right-of-way of Lawrenceville Highway North 64 degrees 19 minutes 14 seconds East 40.27 feet to a concrete right-of-way monument found at (75 feet from centerline of Lawrenceville Highway); thence continuing along the southeasterly right-of-way of Lawrenceville Highway South 85 degrees 06 minutes 28 seconds East 29.17 feet to the Point of Beginning; said tract containing 1.27 acres, all according to a plat of survey prepared by Donald W. Harkleroad & Associates, Inc. dated July 21, 1984.

LESS AND EXCEPT SO MUCH OF SAID PROPERTY AS HAS BEEN USED IN WIDENING ANY RIGHT-OF-WAY OF TAKEN BY CONDEMNATION OR CONVEYED BY DEED.

**EXHIBIT "B"**

**TITLE EXCEPTIONS**

1. Ad valorem real property taxes for the year 2022 not due and payable.
2. Present and future zoning laws, ordinances, resolutions, orders and regulations of all municipal, county, state or federal governments having jurisdiction over the Property and the use of improvements thereon (including any violations thereof).
3. The lien of any unpaid water charges and sewer rents for the year 2022.
4. The lien of all unpaid assessments encumbering the Property on the date hereof.
5. The lien of all unpaid assessments which first encumber the Property subsequent to the date hereof, and installments thereof.
6. All liens and encumbrances resulting from the investigations by and activities of Grantee or its representatives upon the Property prior to the date hereof.
7. Building codes heretofore or hereafter adopted by any public agency (including any violations thereof).
8. All easements, restrictions, and other matters of record.
9. All matters which would be disclosed by an accurate and current survey and inspection of the Property.
10. That certain billboard lease affecting a portion of the Property dated July 22, 1999, with Lamar Companies as tenant.

After recording please return to:  
Zain N. Kapadia, Esq.  
Kapadia & Naik, Attorney at Law, LLC  
7000 Central Pkwy, Suite 1100  
Atlanta, Georgia 30328  
DeKalb County Tax Parcel ID: 18 063 03 027

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**STATE OF GEORGIA**

**COUNTY OF GWINNETT**

**LIMITED WARRANTY DEED**

**THIS INDENTURE** is made this 13th day of April, 2022, by and between **AYAZ ALI**, a Georgia resident, (the aforesaid, as party of the first part, hereinafter called “Grantor”), and **KARIMSHAH, INC.**, a Georgia corporation, as party of the second part, hereinafter called Grantee (the terms, “Grantor” and “Grantee” to include their respective heirs, successors, successors-in-title, heirs, executors, administrators, legal representatives, and assigns where the context requires or permits).

WITNESSESTH:

**FOR AND IN CONSIDERATION** of the sum of Ten Dollars (\$10.00) in hand paid to Grantor by Grantee at and before the execution, sealing and delivery hereof, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, Grantor has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto Grantee, and the successors and assigns of Grantee that certain property located in DeKalb County, Georgia, more particularly described on Exhibit “A” attached hereto and incorporated herein by reference (the “**Property**”).

**TO HAVE AND TO HOLD** said Property, together with any and all of the rights, members and appurtenances thereof to the same being, belonging or in anywise appertaining to the only proper use, benefit and behalf of Grantee forever, in fee simple, subject only to those matters set forth on Exhibit “B”; and

**GRANTOR SHALL WARRANT** and forever defend the right and title to said Property unto Grantee, and the successors and assigns of Grantee, against the claims of all persons whomsoever, claiming by, through or under Grantor, but not otherwise.

**IN WITNESS WHEREOF**, Grantor has executed and sealed this indenture, and delivered this indenture to Grantee, the day and year first written above.

**{SIGNATURE APPEARS ON THE FOLLOWING PAGE}**

IN WITNESS WHEREOF, Grantor has signed and sealed this Limited Warranty Deed as of the day and year first above written.

Signed, sealed and delivered in the presence of:

Murica  
Unofficial Witness

[Signature]  
Notary Public

GRANTOR:

AYAZ ALI,  
a Georgia resident

By: [Signature] (SEAL)  
Name: Ayaz Ali

My Commission Expires: 2/16/2025

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



4/13/2022

**EXHIBIT "A"**  
**LEGAL DESCRIPTION**

All That Tract of parcel of land lying and being in Land Lot 63 of the 18<sup>th</sup> District, Dekalb County, Georgia, being more particularly described as follows:

Beginning at a concrete right-of-way monument found at the intersection of the easterly right-of-way (100 feet from centerline) of Lawrenceville Highway and the southerly right-of-way (30 feet from centerline) of Scottdale Road; thence South 54 degrees 25 minutes 09 seconds East 231.28 feet along the southerly right-of-way of Scottdale Road to a 1/2" rebar set; thence South 35 degrees 56 minutes 27 seconds West 220.94 feet to a 1/2" rebar set; thence North 47 degrees 58 minutes 56 seconds West 275.00 feet to a 1/2" rebar set on the easterly right-of-way (56 feet from centerline) of Lawrenceville Highway; thence North 35 degrees 28 minutes 57 seconds East 130.61 feet along said right-of-way to a concrete right-of-way monument (56 feet from centerline); thence continuing along the easterly right-of-way of Lawrenceville Highway North 64 degrees 19 minutes 14 seconds East 40.27 feet to a concrete right-of-way monument found at (75 feet from centerline of Lawrenceville Highway); thence continuing along the southeasterly right-of-way of Lawrenceville Highway South 85 degrees 06 minutes 28 seconds East 29.17 feet to the Point of Beginning; said tract containing 1.27 acres, all according to a plat of survey prepared by Donald W. Harkleroad & Associates, Inc. dated July 21, 1984.

LESS AND EXCEPT SO MUCH OF SAID PROPERTY AS HAS BEEN USED IN WIDENING ANY RIGHT-OF-WAY OF TAKEN BY CONDEMNATION OR CONVEYED BY DEED.

**EXHIBIT "B"**

**TITLE EXCEPTIONS**

1. Ad valorem real property taxes for the year 2022 not due and payable.
2. Present and future zoning laws, ordinances, resolutions, orders and regulations of all municipal, county, state or federal governments having jurisdiction over the Property and the use of improvements thereon (including any violations thereof).
3. The lien of any unpaid water charges and sewer rents for the year 2022.
4. The lien of all unpaid assessments encumbering the Property on the date hereof.
5. The lien of all unpaid assessments which first encumber the Property subsequent to the date hereof, and installments thereof.
6. All liens and encumbrances resulting from the investigations by and activities of Grantee or its representatives upon the Property prior to the date hereof.
7. Building codes heretofore or hereafter adopted by any public agency (including any violations thereof).
8. All easements, restrictions, and other matters of record.
9. All matters which would be disclosed by an accurate and current survey and inspection of the Property.
10. That certain billboard lease affecting a portion of the Property dated July 22, 1999, with Lamar Companies as tenant.



TITLE EXCEPTIONS

FIDELITY NATIONAL TITLE INSURANCE COMPANY... (g) EASEMENT FROM ED S. COOK TO GEORGIA POWER COMPANY... (h) RIGHT-OF-WAY DEED FROM E. S. COOK TO DEKALB COUNTY... (i) EASEMENT FOR RIGHT-OF-WAY FROM E. S. COOK TO GEORGIA POWER COMPANY... (j) PERMIT FOR ANCHORS, GUY POLES AND WIRES FROM DEKALB APARTMENTS INC. TO GEORGIA POWER COMPANY... (k) EASEMENT FROM DEKALB APARTMENTS INC. TO GEORGIA POWER COMPANY... (l) RIGHT-OF-WAY EASEMENT FROM DEKALB APARTMENTS INC. TO GEORGIA POWER COMPANY... (m) RIGHT-OF-WAY EASEMENT FROM DEKALB APARTMENTS INC. TO GEORGIA POWER COMPANY... (n) RIGHT-OF-WAY EASEMENT FROM DEKALB APARTMENTS INC. TO GEORGIA POWER COMPANY...

(o) PERMIT FOR ANCHORS, GUY POLES AND WIRES FROM DEKALB APARTMENTS INC. TO GEORGIA POWER COMPANY... (p) RIGHT OF WAY DEED FROM DEKALB APARTMENTS INC. TO STATE HIGHWAY DEPARTMENT OF GEORGIA... (q) RIGHT OF WAY DEED FROM DEKALB APARTMENTS INC. TO STATE HIGHWAY DEPARTMENT OF GEORGIA... (r) RIGHT-OF-WAY EASEMENT FROM DEKALB APARTMENTS INC. TO GEORGIA POWER COMPANY... (s) CONVEYANCE OF ACCESS RIGHTS FROM J.E.M. ENTERPRISES, INC. TO DEPARTMENT OF TRANSPORTATION... (t) EASEMENT FROM ATLANTA BIG BOY MANAGEMENT TO GEORGIA POWER COMPANY... (u) UNRECORDED BILLBOARD LEASE WITH LAMAR COMPANIES ('TENANT'), DATED JULY 22, 1999... (v) ALL THOSE MATTERS AS DISCLOSED BY THAT CERTAIN PLAT RECORDED IN PLAT BOOK 17, PAGE 94-A... (w) ALL THOSE MATTERS AS DISCLOSED BY THAT CERTAIN PLAT RECORDED IN PLAT BOOK 22, PAGE 84...

LEGAL DESCRIPTION

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 63, IN THE 18TH DISTRICT, IN DEKALB COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS: COMMENCING AT A CONCRETE RIGHT OF WAY MONUMENT AT THE INTERSECTION OF THE EASTERLY RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY (HAVING A VARIABLE WIDTH, PUBLICLY DEDICATED RIGHT OF WAY) AND THE SOUTHERLY RIGHT OF WAY OF JORDAN LANE (HAVING A 60 FOOT, PUBLICLY DEDICATED RIGHT OF WAY), SAID CONCRETE RIGHT OF WAY MONUMENT BEING THE TRUE POINT OF BEGINNING. THENCE LEAVING SAID RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY AND CONTINUING ALONG SAID RIGHT OF WAY OF JORDAN LANE SOUTH 54 DEGREES 43 MINUTES 48 SECONDS EAST A DISTANCE OF 231.48 FEET TO A 1/2-INCH REBAR FOUND; THENCE LEAVING SAID RIGHT OF WAY OF JORDAN LANE SOUTH 35 DEGREES 42 MINUTES 43 SECONDS WEST A DISTANCE OF 220.94 FEET TO A 1/2-INCH REBAR FOUND; THENCE NORTH 48 DEGREES 12 MINUTES 40 SECONDS WEST A DISTANCE OF 278.00 FEET TO A 5/8-INCH CAPPED REBAR SET ON THE EASTERLY RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY; THENCE CONTINUING ALONG SAID RIGHT OF WAY OF LAWRENCEVILLE HIGHWAY THE FOLLOWING COURSES AND DISTANCES: NORTH 35 DEGREES 05 MINUTES 25 SECONDS EAST A DISTANCE OF 138.59 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; NORTH 64 DEGREES 02 MINUTES 20 SECONDS EAST A DISTANCE OF 40.27 FEET TO A 5/8-INCH CAPPED REBAR SET; SOUTH 87 DEGREES 35 MINUTES 26 SECONDS EAST A DISTANCE OF 29.17 FEET TO A CONCRETE RIGHT OF WAY MONUMENT FOUND; SAID CONCRETE RIGHT OF WAY MONUMENT BEING THE TRUE POINT OF BEGINNING. SAID TRACT OR PARCEL OF LAND CONTAINING 1.274 ACRES (55,497 SQUARE FEET).

SURVEYOR'S CERTIFICATION

THIS PLAT IS A RETRACEMENT OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT SUBDIVIDE OR CREATE A NEW PARCEL OR MAKE ANY CHANGES TO ANY REAL PROPERTY BOUNDARIES. THE PREPARATION OF THIS PLAT COMPLIES WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-6(A), 8-9, 11(A), 13, 16-17, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 16, 2022.

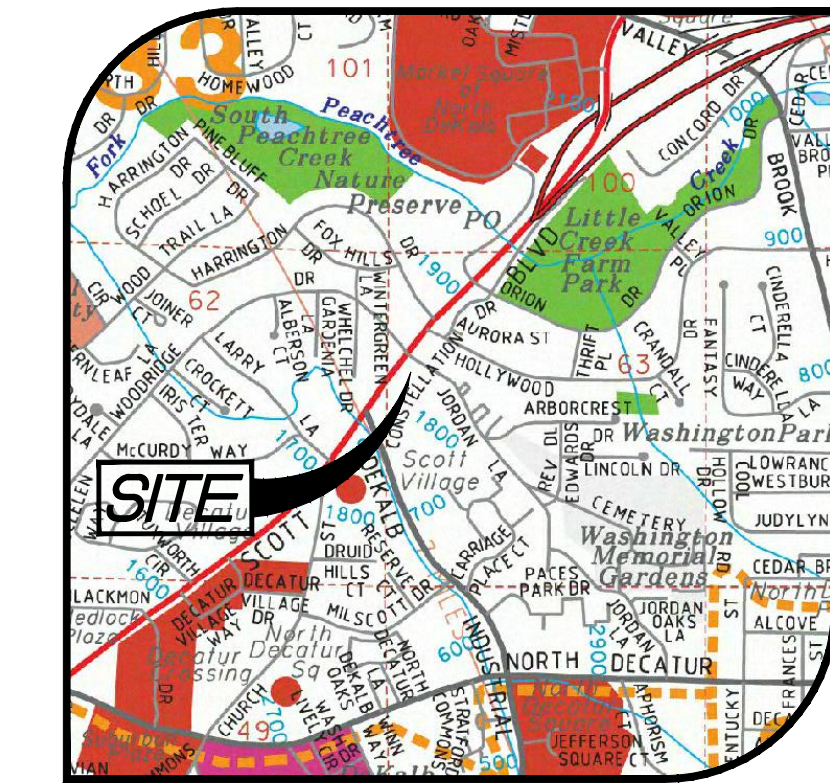
TO MODWASH, LLC, A DELAWARE LIMITED LIABILITY COMPANY AND FIDELITY NATIONAL TITLE INSURANCE COMPANY.

THIS IS TO CERTIFY THAT THIS MAP OR PLAT AND THE SURVEY ON WHICH IT IS BASED WERE MADE IN ACCORDANCE WITH THE 2021 MINIMUM STANDARD DETAIL REQUIREMENTS FOR ALTA/NSPS LAND TITLE SURVEYS, JOINTLY ESTABLISHED AND ADOPTED BY ALTA AND NSPS, AND INCLUDES ITEMS 1-6(A), 8-9, 11(A), 13, 16-17, AND 19 OF TABLE A THEREOF. THE FIELD WORK WAS COMPLETED ON JUNE 16, 2022.

ZONING

PER ITEMS 6(A) AND 6(B) OF THE 2021 ALTA/NSPS LAND TITLE SURVEY MINIMUM STANDARD DETAIL REQUIREMENTS, SETBACKS AND OTHER ZONING RESTRICTIONS/REQUIREMENTS CANNOT BE LISTED UNLESS A ZONING REPORT OR LETTER STATING SAID RESTRICTIONS/REQUIREMENTS IS PROVIDED.

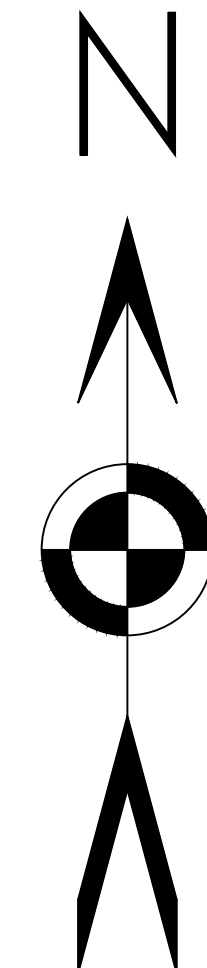
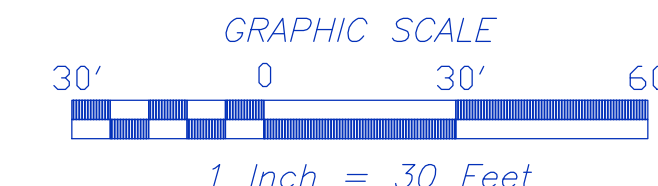
MITCHELL LOWERY, No. 3109 REGISTERED LAND SURVEYOR, GEORGIA, DATE OF PLAT OR MAP: JUNE 22, 2022



VICINITY MAP

SURVEY NOTES

- 1) PROPERTY SHOWN HEREON WAS SURVEYED JUNE 16, 2022.
2) THE FIELD DATA UPON WHICH THIS PLAT IS BASED HAS A CLOSURE OF 1" IN 42,734' WITH AN ANGULAR ERROR OF 3.21 SECONDS PER ANGLE POINT AND WAS ADJUSTED USING THE LEAST SQUARES METHOD.
3) A SOKKIA IX TOTAL STATION, CARLSON BRX7 GPS RECEIVER, AND CARLSON SURVEYOR+ DATA COLLECTOR WERE USED FOR FIELD SURVEY MEASUREMENTS.
4) THIS PLAT HAS A MAP CLOSURE OF 1" IN 199,058'.
5) SAID DESCRIBED PROPERTY IS LOCATED WITHIN AN AREA HAVING A ZONE DESIGNATION X ON FLOOD INSURANCE RATE MAP NO. 13080C007K, WITH A DATE OF IDENTIFICATION OF AUGUST 15, 2019, FOR COMMUNITY NUMBER 130065, IN DEKALB COUNTY, UNINCORPORATED, STATE OF GEORGIA, WHICH IS THE CURRENT FLOOD INSURANCE RATE MAP FOR THE COMMUNITY IN WHICH SAID PROPERTY IS SITUATED.
6) CONTROL AND BEARING BASIS FOR THIS SURVEY WERE ESTABLISHED USING A CARLSON BRX7 GPS RECEIVER UTILIZING OPUS-S FOR POST PROCESSING. THE RELATIVE POSITIONAL ACCURACY, AS CALCULATED ACCORDING TO THE FEDERAL GEOGRAPHIC DATA COMMITTEE PART 3: NATIONAL STANDARD FOR SPATIAL DATA ACCURACY, IS .03 FEET HORIZONTAL AND .05 FEET VERTICAL AT THE 95% CONFIDENCE LEVEL.
7) UTILITIES SHOWN PER MARKINGS PLACED BY UTILITY-MARKING, L.L.C. UTILITIES OTHER THAN THOSE SHOWN HEREON MAY EXIST. LOWERY & ASSOCIATES MAKES NO GUARANTEE AS TO THE EXISTENCE OR NON-EXISTENCE OF SAID UTILITIES.
8) NO OBSERVED EVIDENCE OF CEMETERIES, GRAVESITES, AND/OR BURIAL GROUNDS AT TIME OF SURVEY.
9) PROPERTY SHOWN HEREON LIES WITHIN THE RECORD DESCRIPTION AS STATED IN GENERAL WARRANTY DEED RECORDED IN DEED BOOK 30284, PAGE 624, DEKALB COUNTY RECORDS.
10) THIS DESCRIBES THE SAME PROPERTY AS DESCRIBED IN FIDELITY NATIONAL TITLE INSURANCE COMPANY COMMITMENT NO. 2-41637, DATED MAY 24, 2022, AT 5:00PM.
11) NO ENCROACHMENTS OTHER THAN THOSE SHOWN HEREON WERE OBSERVABLE AT TIME OF SURVEY.
12) AT THE TIME OF THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF EARTH MOVING WORK, BUILDING CONSTRUCTION OR BUILDING ADDITIONS.
13) AT THE TIME OF THE SURVEY THERE WERE NO PROPOSED CHANGES IN STREET RIGHT OF WAY LINES OR OBSERVABLE EVIDENCE OF STREET OR SIDEWALK REPAIRS.
14) AT THE TIME OF THE SURVEY, THERE WAS NO OBSERVABLE EVIDENCE OF THE SITE BEING USED AS A SOLID WASTE DUMP, SUMP OR SANITARY LANDFILL.
15) SUBJECT PROPERTY HAS DIRECT ACCESS TO LAWRENCEVILLE HIGHWAY & JORDAN LANE, BEING A PUBLICLY DEDICATED RIGHT OF WAY.
16) SUBJECT PROPERTY IS CONTIGUOUS TO ALL ADJACENT PROPERTIES AND RIGHTS OF WAY. NO GAPS, GORES, OR OVERLAPS ARE KNOWN TO EXIST.

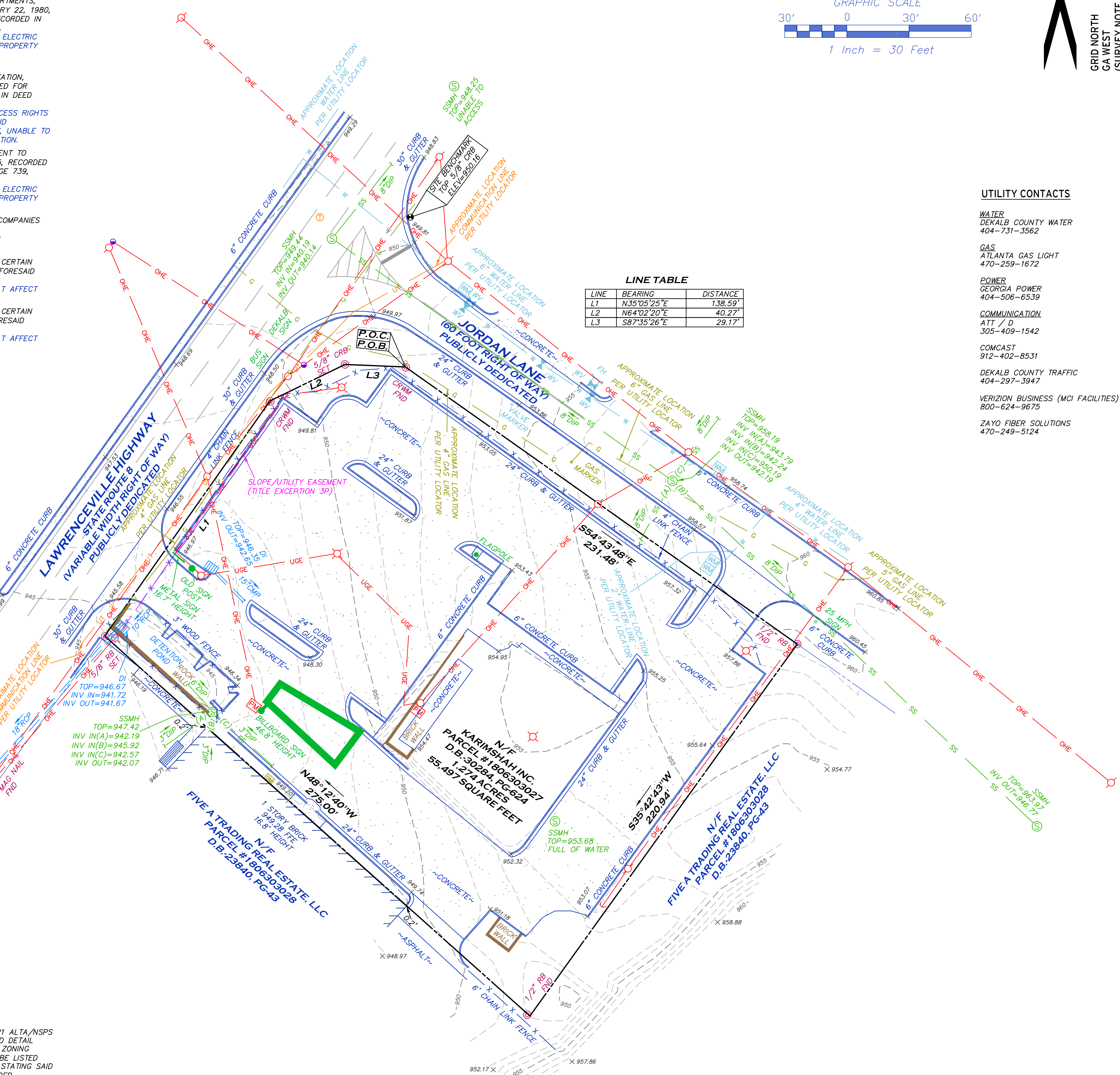


GRID NORTH GA WEST (SURVEY NOTE 6)

UTILITY CONTACTS

- WATER: DEKALB COUNTY WATER 404-731-3562
GAS: ATLANTA GAS LIGHT 470-259-1672
POWER: GEORGIA POWER 404-506-6539
COMMUNICATION: ATT / D 305-409-1542
COMCAST 912-402-8531
DEKALB COUNTY TRAFFIC 404-297-3947
VERIZON BUSINESS (MCI FACILITIES) 800-624-9675
ZAYO FIBER SOLUTIONS 470-249-5124

LINE TABLE with columns: LINE, BEARING, DISTANCE. Rows: L1, L2, L3.



LEGEND listing symbols for PROPERTY LINE, OVERHANG/AWNING, RECORD CALLS, BUILDING SETBACK LINE, INDEX CONTOUR, MINOR CONTOUR, SPOT ELEVATION, WATER LINE, OVERHEAD UTILITY LINE, GAS LINE, SANITARY SEWER LINE, UNDERGROUND ELECTRIC LINE, UNDERGROUND TELEPHONE LINE, FENCE LINE, STORM DRAIN PIPE, WATER VALVE, WATER METER, FIRE HYDRANT, GAS METER, GAS VALVE, POWER METER, SANITARY SEWER MANHOLE, DROP INLET, SINGLE-WING CATCH BASIN, REBAR, CAPPED REBAR, CONCRETE R/W MONUMENT, FOUND, LIGHT POLE, SIGNAL POLE, SIGN.

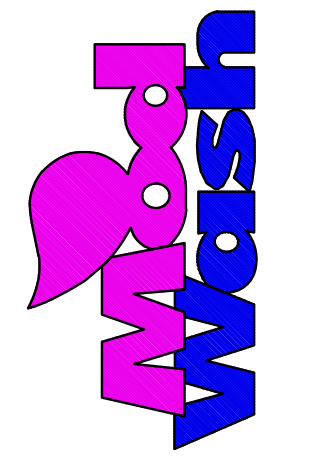
LOWERY & ASSOCIATES LAND SURVEYING, LLC 317 GRASSDALE ROAD CARTERSVILLE, GA 30121 770-234-8186 WWW.LOWERYLANDSURVEYS.COM INFO@LOWERYLANDSURVEYS.COM GEORGIA C.O.A.: LSF-00102

PREPARED FOR: MODWASH, LLC, A DELAWARE LIMITED LIABILITY COMPANY; FIDELITY NATIONAL TITLE INSURANCE COMPANY

ALTA/NSPS LAND TITLE SURVEY OF: 1849 LAWRENCEVILLE HIGHWAY DECATUR, GEORGIA 30033 PARCEL #806503027 COUNTY: DEKALB DISTRICT: 18TH STATE: GEORGIA LAND LOT: 63

REVISIONS table with columns: DATE, DESCRIPTION. Includes project name 'Lowery & Associates LAND SURVEYING, LLC', date 'JUNE 22, 2022', job # '223837', scale '1"=30'', and drafter 'H. FISHER'.

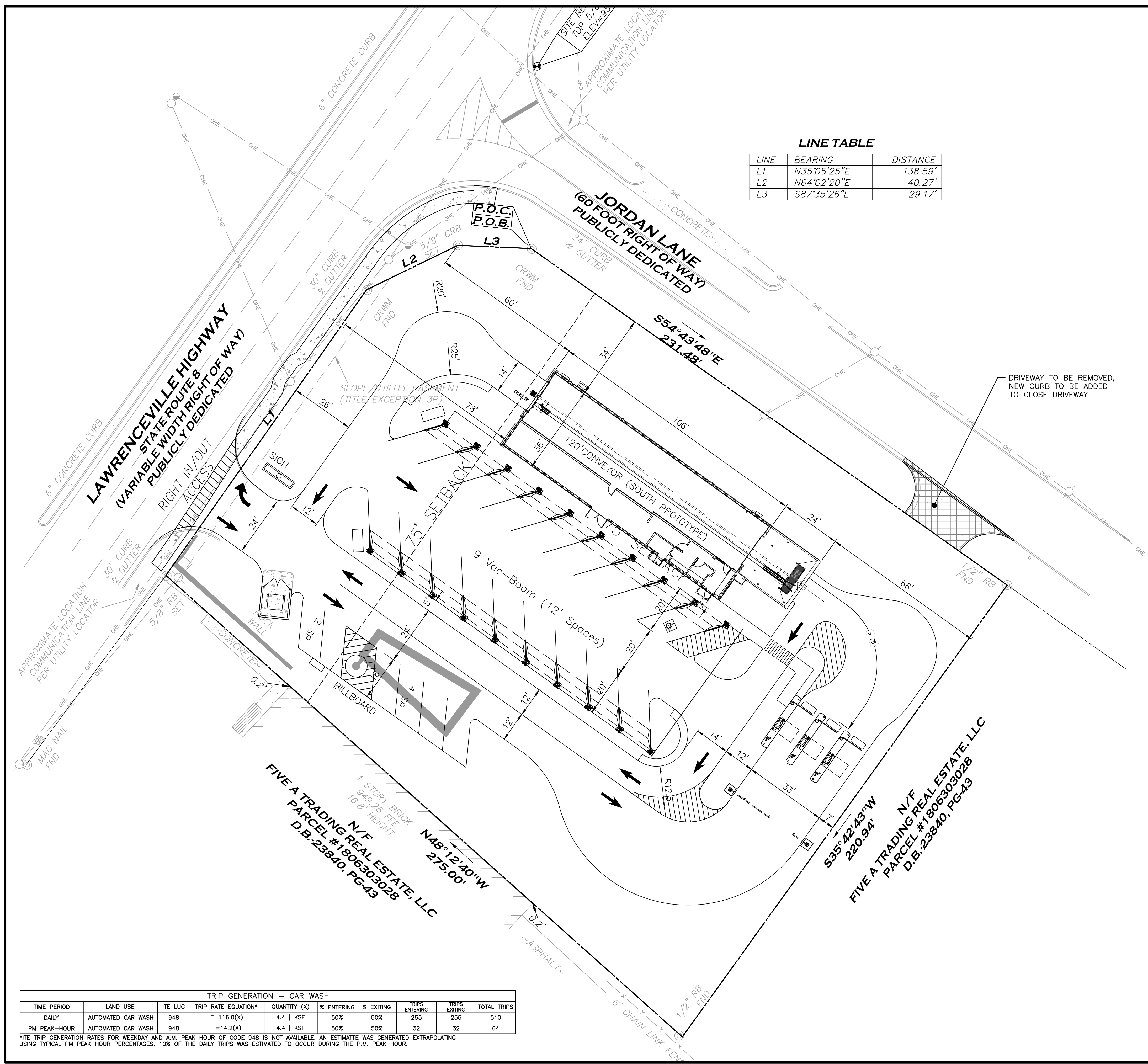




SITE DATA		
STREET LOCATION: 1849 LAWRENCEVILLE HWY, DECATUR, GEORGIA		
CURRENT SITE AREA: 1.28 A.C. TOTAL		
CURRENT ZONING: C-1 LOCAL COMMERCIAL (FLUM: TC)		
BUILDING TYPE: NEW 120' CONVEYOR		
ZONING REQUIREMENTS	REQUIRED	PROPOSED
<b>BUILDING SETBACKS</b>		
FRONT	20'	>20'
LEFT	15'	>15'
RIGHT	30'	>30'
REAR	20'	>20'
<b>PARKING (MAX.)</b>		
3 STACKING PER LANE	TBD	18 VAC
3 DRYING PER LANE		7 REGULAR
60 DEGREES	9'x17' (14' AISLE)	12'x20'
90 DEGREES	9'x18' (24' AISLE)	-
FAR (MAX.)	90%	8.2%
MIN. OPEN SPACE	15%	34% (0.44 AC.)

HOURS OF OPERATION 8AM TO 8PM

LINE	BEARING	DISTANCE
L1	N35°05'25"E	138.59'
L2	N64°02'20"E	40.27'
L3	S87°35'26"E	29.17'



DRIVEWAY TO BE REMOVED, NEW CURB TO BE ADDED TO CLOSE DRIVEWAY

NO.	DATE:	DESCRIPTION	REVISIONS
4			
3			
2			
1			

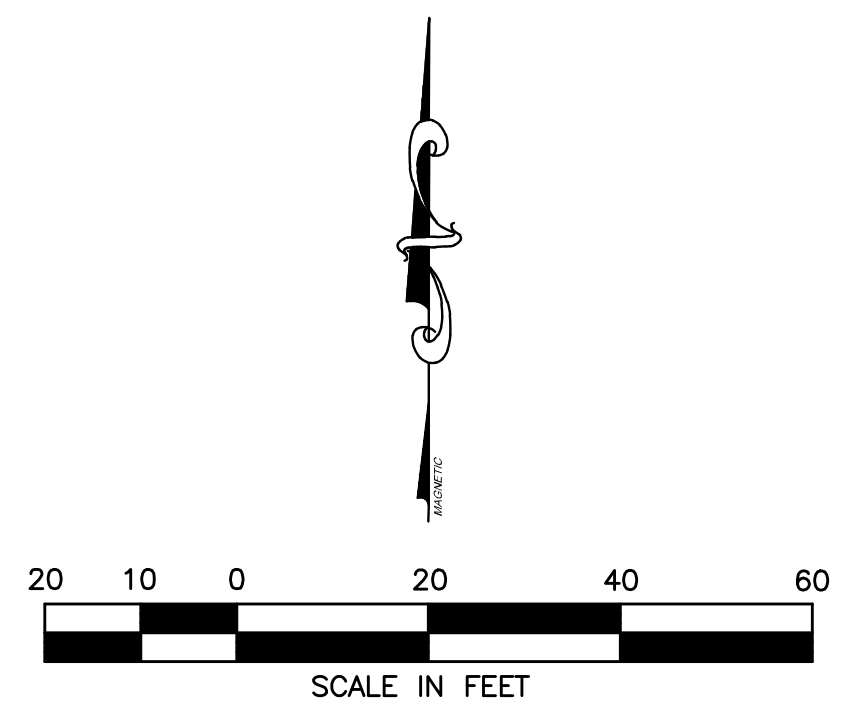


DRAWING TITLES	
SITE PLAN	
PROJECT NAME:	MODWASH 1849 LAWRENCEVILLE HWY, DECATUR, GEORGIA
CLIENT:	HUTTON 738 CHERRY STREET, CHATTANOOGA, TENNESSEE 37402

PROJECT NO.:	PROJ. MGR.:
DATE:	DRWN. BY:
SCALE:	CHKD. BY:
DRAWING SERIES:	
SITE	
SHEET NO.:	C-2.0

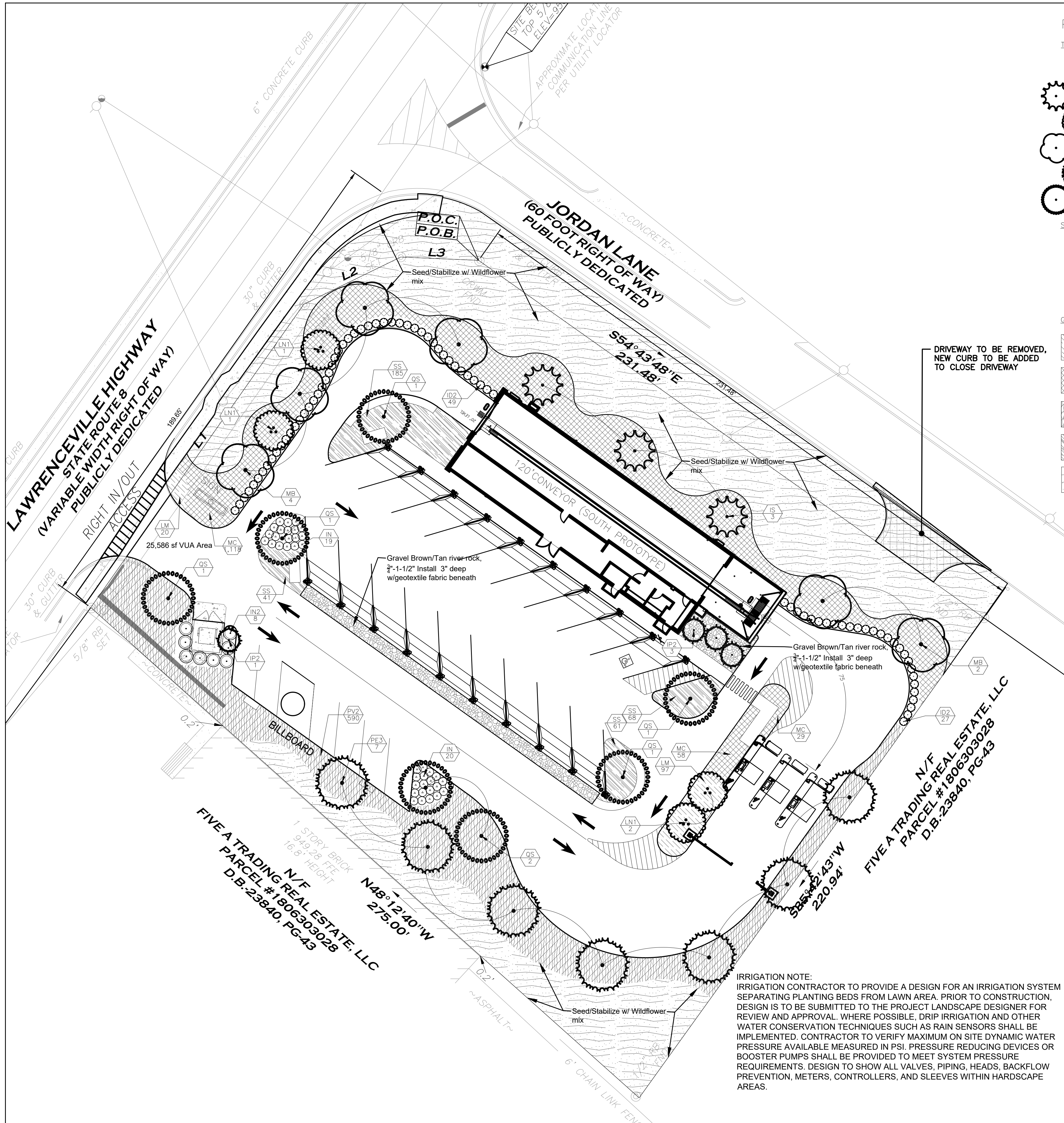
TIME PERIOD	LAND USE	ITE LUC	TRIP RATE EQUATION*	QUANTITY (X)	% ENTERING	% EXITING	TRIPS ENTERING	TRIPS EXITING	TOTAL TRIPS
DAILY	AUTOMATED CAR WASH	948	T=116.0(X)	4.4   KSF	50%	50%	255	255	510
PM PEAK-HOUR	AUTOMATED CAR WASH	948	T=14.2(X)	4.4   KSF	50%	50%	32	32	64

\*ITE TRIP GENERATION RATES FOR WEEKDAY AND A.M. PEAK HOUR OF CODE 948 IS NOT AVAILABLE. AN ESTIMATE WAS GENERATED EXTRAPOLATING USING TYPICAL PM PEAK HOUR PERCENTAGES. 10% OF THE DAILY TRIPS WAS ESTIMATED TO OCCUR DURING THE P.M. PEAK HOUR.



DATE





PLANT\_SCHEDULE

TREES	CODE	QTY	BOTANICAL / COMMON NAME	
	IP2	4	Ilex vomitoria 'Pendula' / Weeping Yaupon Holly 7'-8' ht. x 4'-5', 1-1/2" CAL., 30 gal	
	IS	3	Ilex x attenuata 'Savannah' / Savannah Holly 10'-12'; ht. x 4'-6' spd. 3' c.t. 2" cal min.	
	LN1	4	LAGERSTROEMIA INDICA 'NATCHEZ' / NATCHEZ CRAPE MYRTLE 6' Ht. 3 - 5 STEMS, 1" CAL. MIN., 3 LARGEST CANES, 30 GAL.	
	MB	6	Magnolia grandiflora 'Brackens Brown Beauty' / Bracken's Beauty Southern Magnolia 12'-14' ht, x 6'-8' spd. 3" cal.	
	PE3	7	PINUS ELLIOTTI / SLASH PINE 12' - 14' HEIGHT, 5' SPREAD MIN., 3" CAL., B & B	
	QS	7	Quercus shumardii / Shumard Oak 14'-16; ht. x 5'-7' spd. 4" cal min.	
SHRUBS	CODE	QTY	BOTANICAL / COMMON NAME	SPACING
	ID2	76	Ilex cornuta 'Dwarf Burford' / Dwarf Burford Holly36" o.c. 18"-24" ht. x 12"-18" spd., 3 gal.	
	IN	39	Ilex vomitoria 'Nana' / Dwarf Yaupon Holly 36" o.c. 12"-16" ht. x 14"-16" spd., 3 gal.	
	IN2	8	Ilex x 'Nellie R Stevens' / Nellie Stevens Holly 60" o.c. 4'-6' ht, x 3'-4' spd. full specimen	
GROUND COVERS	CODE	QTY	BOTANICAL / COMMON NAME	SPACING
	LM	117	Lantana camara 'Gold Mound' / Gold Mound Lantana 24" o.c. Full 1 gallon pots	
	MC	1,205	Muhlenbergia capillaris / Pink Muhly Grass 24" o.c. 12" - 14" ht. x 10"-14" spd., 1 gallon	
	PV2	590	Panicum virgatum / Switch Grass 36" o.c. Full 1 gallon pots	
	SS	355	Schizachyrium scoparium 'Standing Ovation' / Standing Ovation Little Bluestem 24" o.c. Full 1 gallon pots	

Wildflower Seed Georgia Wildflower mix available at Eaden Brothers, 2099 Brevard Road, Arden, N.C.  
Seed @ 1 lb./12000 s.f.

-All trees planted to meet tree canopy replacement requirements shall meet ANSI Z60.1 Standards for Nursery Stock and all planting shall be done in accordance with current ANSI A300 Standards for Tree Care Operations, ANSI Z133 Safety Standards and industry best management practices, as well as the administrative standards that accompany this Section.  
- Mulch all beds with tan/brown River rock 3/4" x 1-1/2". Install river rock 3" thick with geotextile cloth beneath.

Modwash - Decatur  
Parking lot tree canopy

Code	Qty.	Botanical/Common	Remarks	SF Coverage Ea.	SF Coverage Total
IP2	4	Ilex vomitoria 'Pendula' / Weeping Yaupon Holly	7'-8' ht. x 4'-5', 1-1/2" CAL., 30 gal	150	600
LN1	2	LAGERSTROEMIA INDICA 'NATCHEZ' / NATCHEZ CRAPE MYRTLE	6' Ht. 3 - 5 STEMS, 1" CAL. MIN., 3 LARGEST	150	300
QS	7	Quercus shumardii / Shumard Oak	14'-16; ht. x 5'-7' spd. 4" cal min.	1600	11200
<b>TOTAL</b>				<b>12100</b>	<b>12100</b>

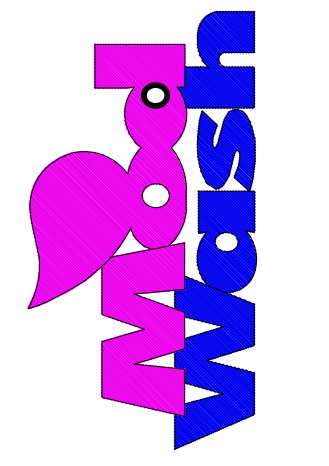
VUA GREEN	
VUA	25,586 SF
%GREEN REQUIRED	x 10%
-REQUIRED SF	2,558 SF
-PROVIDED SF	5,073 SF

TREE COVER	
VUA	25,586 SF
%REQUIRED	x 45%
-COVERAGE REQUIRED	11,514 SF
-COVERAGE PROVIDED	12,100 SF

TREES REQUIRED

PERIMETER TREES	Required	Provided
North West 190 lf/40=	5 trees	5 trees
North East 231 lf/40=	6 trees	6 trees
INTERIOR TREES		
PARKING SPACES 24/8 =	3 trees	9 trees

IRRIGATION NOTE:  
IRRIGATION CONTRACTOR TO PROVIDE A DESIGN FOR AN IRRIGATION SYSTEM SEPARATING PLANTING BEDS FROM LAWN AREA. PRIOR TO CONSTRUCTION, DESIGN IS TO BE SUBMITTED TO THE PROJECT LANDSCAPE DESIGNER FOR REVIEW AND APPROVAL. WHERE POSSIBLE, DRIP IRRIGATION AND OTHER WATER CONSERVATION TECHNIQUES SUCH AS RAIN SENSORS SHALL BE IMPLEMENTED. CONTRACTOR TO VERIFY MAXIMUM ON SITE DYNAMIC WATER PRESSURE AVAILABLE MEASURED IN PSI. PRESSURE REDUCING DEVICES OR BOOSTER PUMPS SHALL BE PROVIDED TO MEET SYSTEM PRESSURE REQUIREMENTS. DESIGN TO SHOW ALL VALVES, PIPING, HEADS, BACKFLOW PREVENTION, METERS, CONTROLLERS, AND SLEEVES WITHIN HARDSCAPE AREAS.



NO.	DATE:	DESCRIPTION
4		
3		
2		
1		

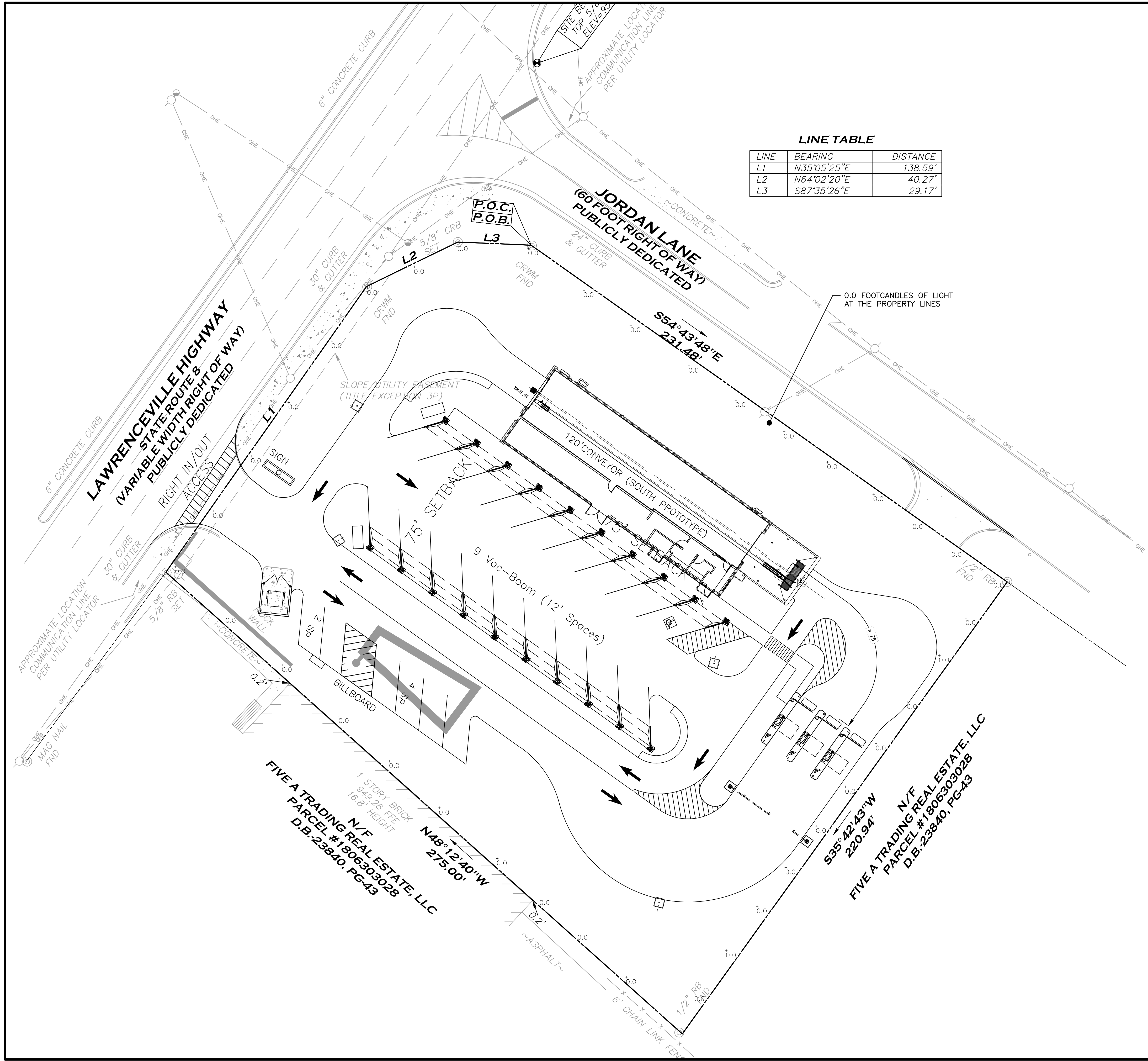


DRAWING TITLE: <b>LANDSCAPE PLAN</b>	PROJECT NAME: <b>MODWASH</b> 1849 LAWRENCEVILLE HWY., DECATUR, GEORGIA
	CLIENT: <b>HUTTON</b> 736 CHERRY STREET, CHATTANOOGA, TENNESSEE 37402

PROJECT NO.:	PROJ. MGR.:
DATE: <b>06.29.22</b>	DRWN. BY: <b>JDV</b>
SCALE: <b>AS NOTED</b>	CHKD. BY: <b>LW</b>
DRAWING SERIES: <b>LANDSCAPE</b>	
SHEET NO. <b>L-1.0</b>	

DATE





**LINE TABLE**

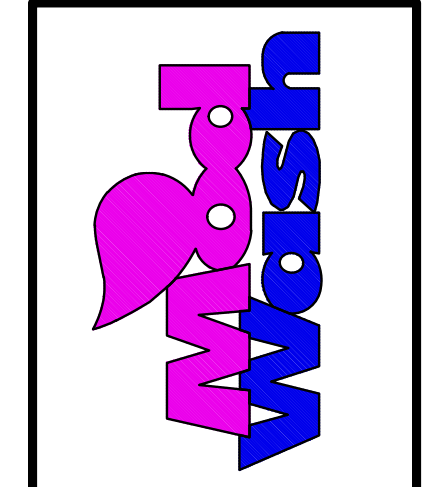
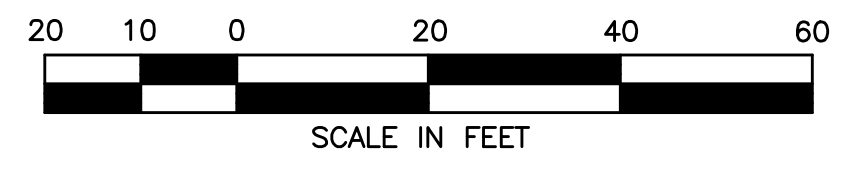
LINE	BEARING	DISTANCE
L1	N35°05'25"E	138.59'
L2	N64°02'20"E	40.27'
L3	S87°35'26"E	29.17'

- LIGHTING NOTES:**
1. LIGHTING IN ALL ZONING DISTRICTS SHALL BE ESTABLISHED IN SUCH A WAY THAT NO DIRECT LIGHT IS CAST UPON OR ADVERSELY AFFECTS ADJACENT PROPERTIES AND ROADWAYS.
  2. LIGHT FIXTURES SHALL INCLUDE GLARE SHIELDS TO LIMIT DIRECT RAYS ONTO ADJACENT RESIDENTIAL PROPERTIES.
  3. ALL LIGHTING FIXTURES (LUMINARIES) SHALL BE CUTOFF LUMINARIES WHOSE SOURCE IS COMPLETELY CONCEALED WITH AN OPAQUE HOUSING. FIXTURES SHALL BE RECESSED IN THE OPAQUE HOUSING. DROP DISH REFRACTORS ARE PROHIBITED.
  4. LIGHT SOURCE SHALL BE LIGHT EMITTING DIODES (LED), METAL HALIDE, OR COLOR CORRECTED HIGH-PRESSURE SODIUM NOT EXCEEDING AN AVERAGE OF FOUR AND ONE-HALF (4.5) FOOT CANDLES OF LIGHT OUTPUT THROUGHOUT THE PARKING AREA. A SINGLE LIGHT SOURCE TYPE SHALL BE USED FOR ANY ONE (1) SITE. FIXTURES MUST BE MOUNTED IN SUCH A MANNER THAT THE CONE OF THE LIGHT IS NOT DIRECTED AT ANY PROPERTY LINE OF SITE.
  5. THE MINIMUM MOUNTING HEIGHT FOR A POLE IS TWELVE (12) FEET. THE MAXIMUM MOUNTING HEIGHT FOR A POLE IS TWENTY-FIVE (25) FEET EXCLUDING A THREE-FOOT BASE.

**DEKALB COUNTY REQUIRED LIGHTING LEVELS:**

Location or Type of Lighting	Minimum Level	Average Level	Maximum Level
Non-residential parking lots	0.6	2.40	10.0
Multi-family residential parking lots	0.2	1.50	10.0
Walkways, access drives and loading/unloading areas	0.2	2.00	10.0
Landscape areas	0.0	0.50	5.0

0.0 FOOTCANDLES OF LIGHT AT THE PROPERTY LINES



NO.	DATE:	DESCRIPTION	REVISIONS
4			
3			
2			
1			



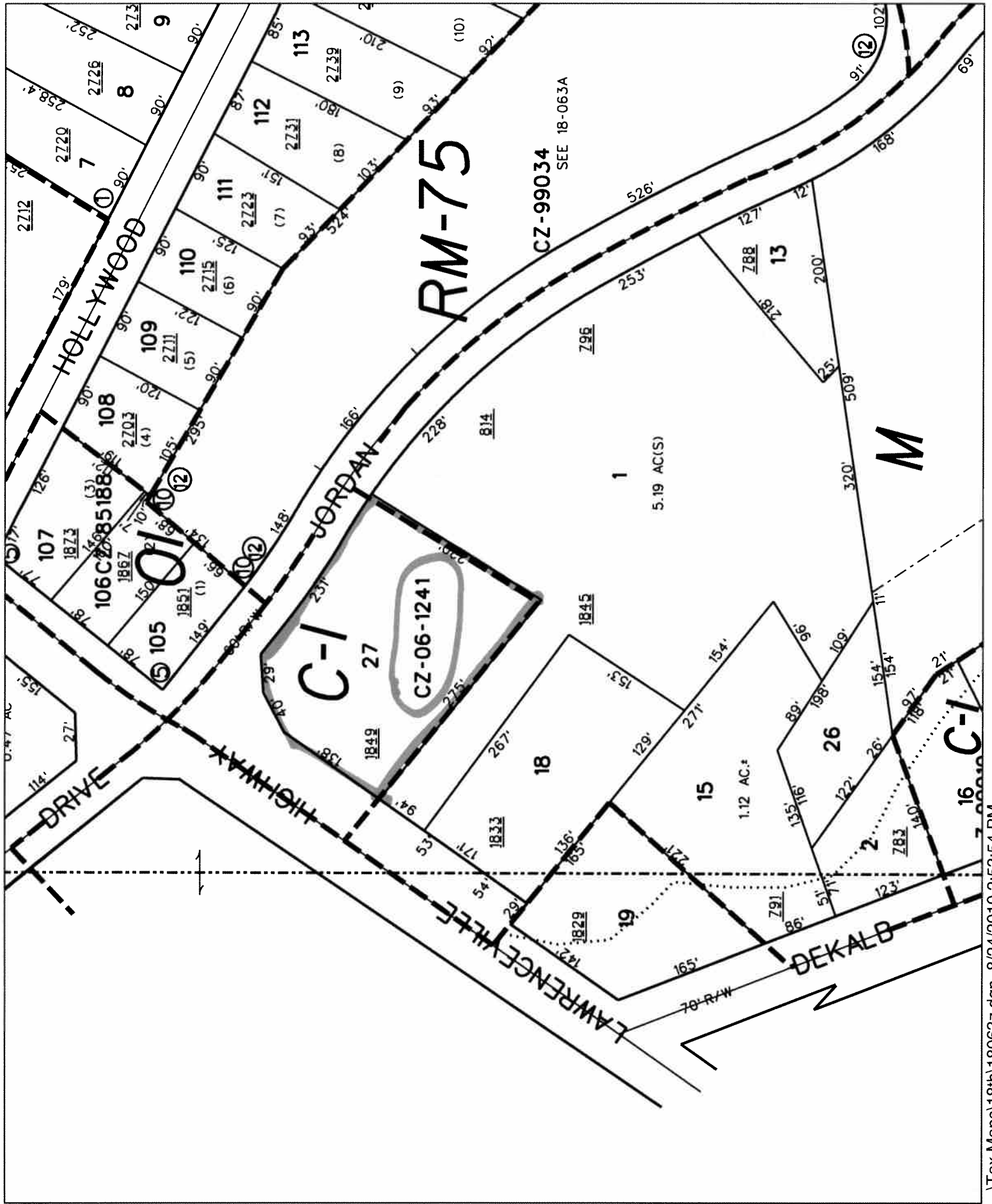
**DRAWING TITLES:** LIGHTING PLAN

**PROJECT NAME:** MODWASH  
1849 LAWRENCEVILLE HWY, DECATUR, GEORGIA

**CLIENT:** HUTTON  
736 CHERRY STREET, CHATTANOOGA, TENNESSEE 37402

PROJECT NO.:	PROJ. MGR.:
DATE:	DRWN. BY:
SCALE:	CHKD. BY:
DRAWING SERIES:	LIGHTING
SHEET NO.:	C-5.0

DATE



DEKALB COUNTY

ITEM NO.

BOARD OF COMMISSIONERS

ZONING AGENDA / MINUTES

MEETING DATE: June 27, 2006

ACTION TYPE

ORDINANCE

HEARING TYPE  
PUBLIC HEARING

SUBJECT: **Rezone** – Chung C. Chang

COMMISSION DISTRICTS: 4 & 6

DEPARTMENT: Planning

PUBLIC HEARING:  YES  NO

ATTACHMENT:  YES  No

INFORMATION CONTACT: Patrick Ejike/Kevin Hunter

PAGES: 19

PHONE NUMBER: (404) 371-2155

Deferred from 5/23/06 for a public hearing.

**PURPOSE:**

**Z-06-1241**

Application of Chung C. Chang to rezone property from M to C-1. The property is located on the southeast corner of Lawrenceville Highway and Jordan Lane. The property has approximately 178 feet of frontage on Lawrenceville Highway and approximately 260 feet of frontage on Jordan Lane and contains 1.27 acres.

**Subject Property:** 18-063

**RECOMMENDATION(S):**

**PLANNING DEPARTMENT:**

APPROVAL. Based on the submitted information as well as field investigation of the project site, it appears that the proposed zoning amendment meets the minimum requirements of the zoning ordinance for approval of the zoning proposal. It should be noted that the submitted site plan depicts building setbacks that do not meet building requirements of the zoning ordinance. Therefore, approval cannot be conditioned on the submitted site plan. In any event, it is the recommendation of the Planning and Development Department that this application be "Approved".

**PLANNING COMMISSION:**

Denial.

**COMMUNITY COUNCIL:**

Other (No Quorum)

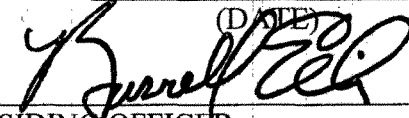


**FOR USE BY COMMISSION OFFICE/CLERK ONLY**

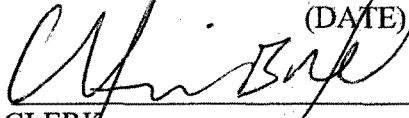
**ACTION: H21**

MOTION was made by Commissioner Gannon, seconded by Commissioner Ellis, and passed 5-0-0-1, to approve with conditions and site plan submitted by Commissioner Gannon for the record, the rezoning application of Chung C. Chang. Commissioner Johnson was out of the room and not voting.

ADOPTED: JUN 27 2006  
(DATE)

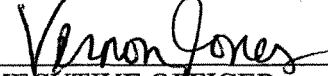
  
PRESIDING OFFICER  
DEKALB COUNTY BOARD OF COMMISSIONERS

CERTIFIED: JUN 27 2006  
(DATE)

  
CLERK,  
DEKALB COUNTY BOARD  
OF COMMISSIONERS

**FOR USE BY CHIEF EXECUTIVE OFFICER ONLY**

APPROVED: JUL 05 2006

  
CHIEF EXECUTIVE OFFICER  
DEKALB COUNTY

VETOED: \_\_\_\_\_

CHIEF EXECUTIVE OFFICER  
DEKALB COUNTY

VETO STATEMENT ATTACHED: \_\_\_\_\_

**MINUTES:**

Charles Chang, 11020 Black Brook Drive, Duluth, Ga. 30097 and Wanda Moore, 23 Hampton Street, McDonough, Ga. 30252, spoke in support of the application.

No one spoke in opposition of the application.

	FOR	AGAINST	ABSTAIN	ABSENT
DISTRICT 1 - ELAINE BOYER	<u>X</u>	_____	_____	_____
DISTRICT 2 - GALE WALLDORFF	<u>X</u>	_____	_____	_____
DISTRICT 3 - LARRY JOHNSON	_____	_____	_____	<u>X</u>
DISTRICT 4 - BURRELL ELLIS	<u>X</u>	_____	_____	_____
DISTRICT 6 - KATHIE GANNON	<u>X</u>	_____	_____	_____
DISTRICT 7 - CONNIE STOKES	<u>X</u>	_____	_____	_____

Z-06-1241  
Chang/Ali

~~11/17~~

M → C1

District 4 - 6

To: MR. Chang

Approve with conditions:

COMM.	
ITEM NO. #21	6/27/06
CLERK'S OFFICE	Chris Jaramal

- the the*
1. Conditioned to office and retail uses only.
  2. No drive-thru restaurants or liquor/package stores.
  3. Building to be set back in line with adjacent property
  4. Parking lot to include as many trees as code allows.
  5. Use existing curb cut on Lawrenceville Highway for ingress and egress and close access on Jordan Lane.

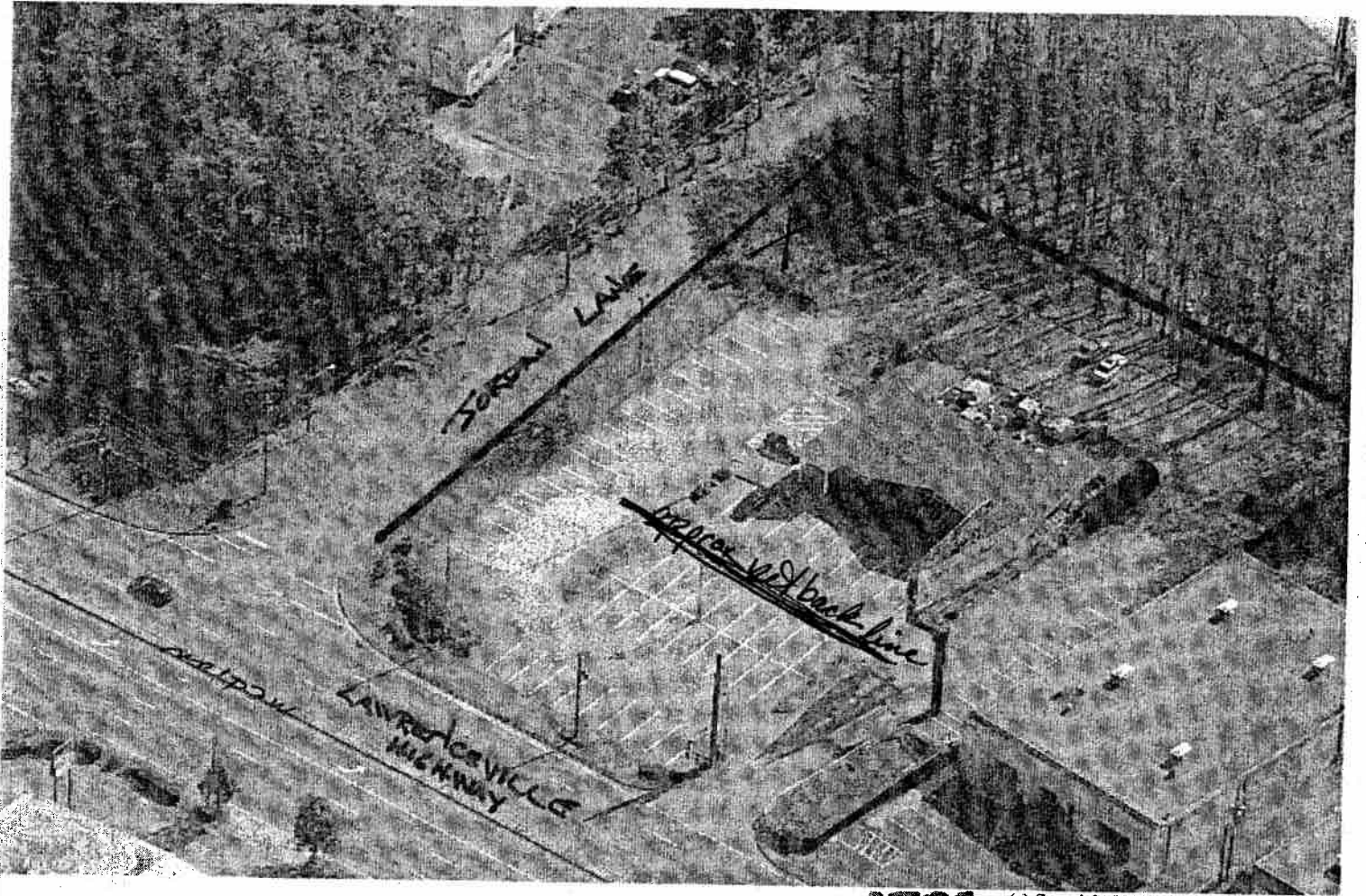
5/23/06

Public hearing  
start about 10AM - 10:30  
and you are item  
#21

MR Chang

These are the conditions proposed  
for Mr Ali's rezoning from  
M to C-1 on the morning  
of June 27\*. Please let  
me know if questions

Commissioner GANNON  
404-391-4909



**BEFORE** (c) Copyright 2003, Pictometry International

Z-06-1241









# Battle Law

## STATEMENT OF INTENT

and

Other Material Required by  
DeKalb County Zoning Ordinance  
For  
A Major Modification of Conditions to allow for  
An Express Luxury Car Wash

of

**MODWASH, LLC.**  
**c/o Battle Law, P.C.**

for

**+/-1.26Acres of Land**  
Being 1849 Lawrenceville Highway  
DeKalb County, Georgia and  
Parcel Nos. 18 063 03 027

Submitted for Applicant by:

Michèle L. Battle, Esq.  
Battle Law, P.C.  
Habersham at Northlake, Building J, Suite 100  
Tucker, Georgia 300384  
(404) 601-7616 Phone  
(404) 745-0045 Facsimile  
[mlb@battlelawpc.com](mailto:mlb@battlelawpc.com)



# Battle Law

## **I. LETTER OF INTENT**

ModWash, LLC. (the “Applicant”) is seeking to develop on +/- 1.26 acres of land being Tax Parcel No. 18 063 03 027 having frontage on 1849 Lawrenceville Highway (the “Subject Property”) with an express luxury car wash. The Applicant is seeking a Major Modification of Conditions on the Subject Property to allow for the car wash. Currently, a condition exists limiting the use of the Subject Property to a car dealership, which has ceased all operations. The condition in question arises from zoning case Z-0601241 and is condition number one (1).

This document serves as a statement of intent, analysis of the criteria under the DeKalb County Zoning Ordinance, and contains notice of constitutional allegations as a reservation of the Applicant’s rights.

## **II. MAJOR MODIFICATION OF CONDITIONS CRITERIA**

*Whether the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan;*

The zoning proposal is in conformity with the policy and intent of the Comprehensive Plan. The future land use designation on the Subject Property is Town Center, which permits the C-1 zoning district and its uses. The zoning proposal does not seek to change the zoning district on the Subject Property. Rather, the zoning proposal seeks to change condition one (1) as laid down in zoning case Z-0601241 which restricts the use of the Subject Property to a car dealership. The car dealership which was originally approved under Z-0601241 has gone out of business and is no longer operating. A change of condition to allow for a new use is required to have anything other than the approved car dealership. The zoning proposal request an express luxury car wash, which is a permitted use under the C-1 district and the Town Center land use designation. Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

*Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties;*

The zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties. The Subject Property is immediately abutted by properties zoned for commercial and industrial uses. So, the nearest neighbors to the Subject Property will be used for similar uses. Across Jordan Lane, there are some residential uses. The community members have indicated that luxury express car wash may be a use they can support so long as there is a suitable lighting



## Battle Law

package that does not shine light across the street onto their homes, that the ingress/egress onto Jordan Lane be closed, and that the operation wraps up at a reasonable hour so as not to disturb them late into the evening. The Applicant has agreed to these stipulations and has agreed to plant trees between the proposed car wash and the residential uses in the landscape strip. The trees would serve to screen the use from the residential use. Therefore, the zoning proposal will permit a use that is suitable in view of the adjacent and nearby properties.

*Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned;*

The Subject Property does not have a reasonable economic use as currently zoned. The original zoning case that placed conditions onto the Subject Property limited its use to “*the office and the retail uses only.*” (Emphasis added). The italicized “the” in the previous sentences were handwritten into the conditions. This seems to suggest that the only use permitted on the Subject Property were the car dealership and accompanying office use that was approved under zoning case Z-0601241. If this is the case, then there is no reasonable economic use for the property so long as that condition remains on the Subject Property because that dealership and office have since gone out of business and have vacated the property. In fact, the buildings from that use no longer exist on the site. Therefore, the Subject Property does not have a reasonable economic use as currently zoned.

*Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby properties;*

The zoning proposal will not adversely affect the existing use or usability of adjacent or nearby properties.

*Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the zoning proposal;*

There are other existing or changing conditions affecting the use and development of the property which give supporting grounds for approval of the zoning proposal. The original zoning case Z-0601241 included another condition which required the closure of the ingress/egress onto Jordan Lane. Unfortunately, that ingress/egress was never closed. In meeting with the community, the various community members expressed a great interest in getting that ingress/egress closed. The Applicant has agreed to close off that ingress/egress. Therefore, there are existing or changing conditions affecting



## Battle Law

the use and development of the property which give supporting grounds for approval of the zoning proposal.

*Whether the zoning proposal will adversely affect historic building, sites, districts, or archaeological resources;*

The zoning proposal will not adversely affect historic buildings, sites, districts, or archaeological resources. The Subject Property is not in any historic overlay district and not known historic buildings or archaeological resources are anywhere near the Subject Property.

*Whether the zoning proposal will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools; and*

The zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools. With proper conditions that limit the use to the proposed car wash, there will be no need to worry about any other commercial uses coming to this site. Any change in the use would require a Major Modification and public hearing process similar to the one the Applicant is currently applying for. This would allow the County and community members oversight in determining whether any other use is welcome on the Subject Property.

Additionally, the proposed use will not cause excessive use of existing streets, transportation facilities, utilities, or schools. The Subject Property fronts on Lawrenceville Highway, which is classified as a Major Arterial street. It is certainly capable of handling any trips generated by this use. Additionally, there will be no impact on schools or transportation facilities. Lastly, the Applicant uses technology to capture as much used water as possible for reuse in washing vehicles. The goal is to use as little water as possible while operating the car wash. This minimizes the impact on water utilities. Therefore, the zoning proposal will not result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

*Whether the zoning proposal adversely impacts the environment or surrounding natural resources*

The zoning proposal will not adversely impact the environment or surrounding natural resources. The Applicant uses technology to capture as much used water as possible



## Battle Law

for reuse in washing vehicles. The goal is to use as little water as possible while operating the car wash. This minimizes the impact on water utilities. The Applicant will also be installing solar powered lighting. The lighting plan will be powered entirely by solar energy. Lastly, the Applicant will be planting new trees native to the area in the required landscape strip to both shield the residential uses from the car wash, beautify the area, and enhance the environmental assets in the area. Therefore, the zoning proposal will not adversely impact the environment or surrounding natural resources.

### **III. CONCLUSION**

For the foregoing reasons, the Applicant hereby requests that the application for a Major Modification of Conditions be approved. The Applicant welcomes any questions and feedback from the planning staff.

### **IV. NOTICE OF CONSTITUTIONAL ALLEGATIONS AND PRESERVATION OF CONSTITUTIONAL RIGHTS**

The portions of the DeKalb County Zoning Ordinance, facially and as applied to the Subject Property, which restrict or classify or may restrict or classify the Subject Property so as to prohibit its development as proposed by the Applicant are or would be unconstitutional in that they would destroy the Applicant's property rights without first paying fair, adequate and just compensation for such rights, in violation of the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States and Article I, Section I, Paragraph I of the Constitution of the State of Georgia of 1983, Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and would be in violation of the Commerce Clause, Article I, Section 8, Clause 3 of the Constitution of the United States.

The application of the DeKalb County Zoning Ordinance to the Subject Property which restricts its use to any classification other than that proposed by the Applicant is unconstitutional, illegal, null and void, constituting a taking of Applicant's Property in violation of the Just Compensation Clause of the Fifth Amendment to the Constitution of the United States, Article I, Section I, Paragraph I, and Article I, Section III, Paragraph I of the Constitution of the State of Georgia of 1983, and the Equal Protection and Due Process Clauses of the Fourteenth Amendment to the Constitution of the United States denying the Applicant an economically viable use of its land while not substantially advancing legitimate state interests.

A denial of this Application would constitute an arbitrary irrational abuse of discretion and unreasonable use of the zoning power because they bear no substantial relationship to the public health, safety, morality or general welfare of the public and substantially harm the Applicant in



## Battle Law

violation of the due process and equal protection rights guaranteed by the Fifth Amendment and Fourteenth Amendment of the Constitution of the United States, and Article I, Section I, Paragraph I and Article I, Section III, Paragraph 1 of the Constitution of the State of Georgia.

A refusal by the DeKalb County Board of Commissioners to amend the land use and/or rezone the Subject Property to the classification as requested by the Applicant would be unconstitutional and discriminate in an arbitrary, capricious and unreasonable manner between the Applicant and owners of similarly situated property in violation of Article I, Section I, Paragraph II of the Constitution of the State of Georgia of 1983 and the Equal Protection Clause of the Fourteenth Amendment to the Constitution of the United States. Any MAJOR MODIFICATION OF CONDITIONS of the Property subject to conditions which are different from the conditions requested by the Applicant, to the extent such different conditions would have the effect of further restricting Applicant's utilization of the property, would also constitute an arbitrary, capricious and discriminatory act in zoning the Subject Property to an unconstitutional classification and would likewise violate each of the provisions of the State and Federal Constitutions set forth hereinabove.

A refusal to allow the land use amendment and/or Major Modification of Conditions in questions would be unjustified from a fact-based standpoint and instead would result only from constituent opposition, which would be an unlawful delegation of authority in violation of Article IX, Section II, Paragraph IV of the Georgia Constitution.

A refusal to allow the land use amendment and/or Major Modification of Conditions in question would be invalid inasmuch as it would be denied pursuant to an ordinance which is not in compliance with the Zoning Procedures Law, O.C.G.A Section 36-66/1 et seq., due to the manner in which the Ordinance as a whole and its map(s) have been adopted.

The existing land use designation and/or zoning classification on the Subject Property is unconstitutional as it applies to the Subject Property. This notice is being given to comply with the provisions of O.C.G.A. Section 36-11-1 to afford the County an opportunity to revise the Property to a constitutional classification. If action is not taken by the County to rectify this unconstitutional land use designation and/or zoning classification within a reasonable time, the Applicant is hereby placing the County on notice that it may elect to file a claim in the Superior Court of Fulton County demanding just and adequate compensation under Georgia law for the taking of the Subject Property, diminution of value of the Subject Property, attorney's fees and other damages arising out of the unlawful deprivation of the Applicant's property rights.

---

Michele L. Battle, Esq.  
Attorney for the Applicant



DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

In accordance with the Conflict of Interest in Zoning Act, OCGA Chapter 36-67A, the following questions must be answered.

Have you, the applicant, made \$250.00 or more in campaign contribution to a local government official within two years immediately preceding the filling of this application?

Yes \_\_\_\_\_ No X \*

If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

[Signature]  
Notary

ModWash, LLC

By: [Signature]  
Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent X

12/10/2025  
Expiration Date/ Seal



\*Notary seal not needed if answer is "no".

**DEPARTMENT OF PLANNING & SUSTAINABILITY**

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\_\_\_\_\_  
Notary

Karimshah Inc  
By:   
\_\_\_\_\_  
Signature of Applicant /Date

Check one: Owner  Agent \_\_\_\_\_



06/10/2023  
\_\_\_\_\_  
Expiration Date/ Seal

6/7/22

\*Notary seal not needed if answer is "no".

DEPARTMENT OF PLANNING & SUSTAINABILITY

DISCLOSURE OF CAMPAIGN CONTRIBUTION

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Yes  No  \*

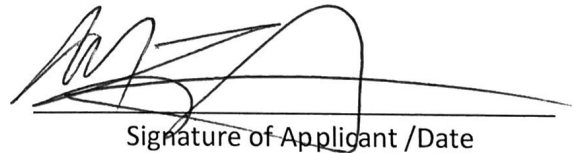
If the answer is yes, you must file a disclosure report with the governing authority of DeKalb County showing:

1. The name and official position of the local government official to whom the campaign contribution was made.
2. The dollar amount and description of each campaign contribution made during the two years immediately preceding the filing of this application and the date of each such contribution.

The disclosure must be filed within 10 days after the application is first filed and must be submitted to the C.E.O. and to the Board of Commissioners of DeKalb County, 1300 Commerce Drive, Decatur, GA 30030.

  
Notary



  
Signature of Applicant /Date

Check one: Owner \_\_\_\_\_ Agent

08/18/25  
Expiration Date/ Seal

\*Notary seal not needed if answer is "no".

Campaign Contribution Disclosure Statements  
Last Updated 6/17/2022

**CAMPAIGN CONTRIBUTIONS DISCLOSURE STATEMENT**

Pursuant to the provisions of 36 O.C.G.A. 67(A), please find below a list of those contributions made by Michèle L Battle or Battle Law, P.C. in the past two years, aggregating \$250.00 or more, to local government officials who will consider this application.

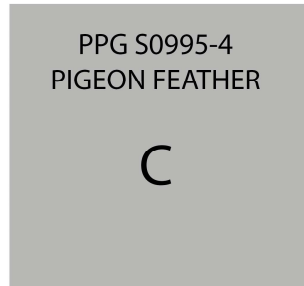
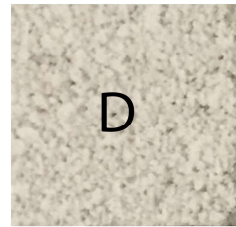
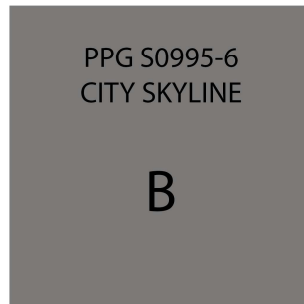
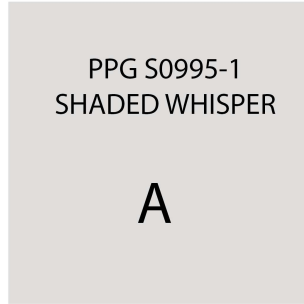
<b>NAME OF GOV'T OFFICIAL</b>	<b>OFFICIAL POSITION</b>	<b>AMOUNT OF CONTRIBUTION</b>
Ted Terry	<b>Commissioner</b>	<b>\$500</b>
Mereda Davis Johnson	<b>Commissioner</b>	<b>\$250</b>
Lorraine Cochran-Johnson	<b>Commissioner</b>	<b>\$750</b>

By:   
Printed Name: Michele L. Battle

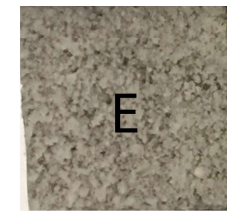


# ModWash CarWash

# PINE TOWNSHIP WEXFORD, PA



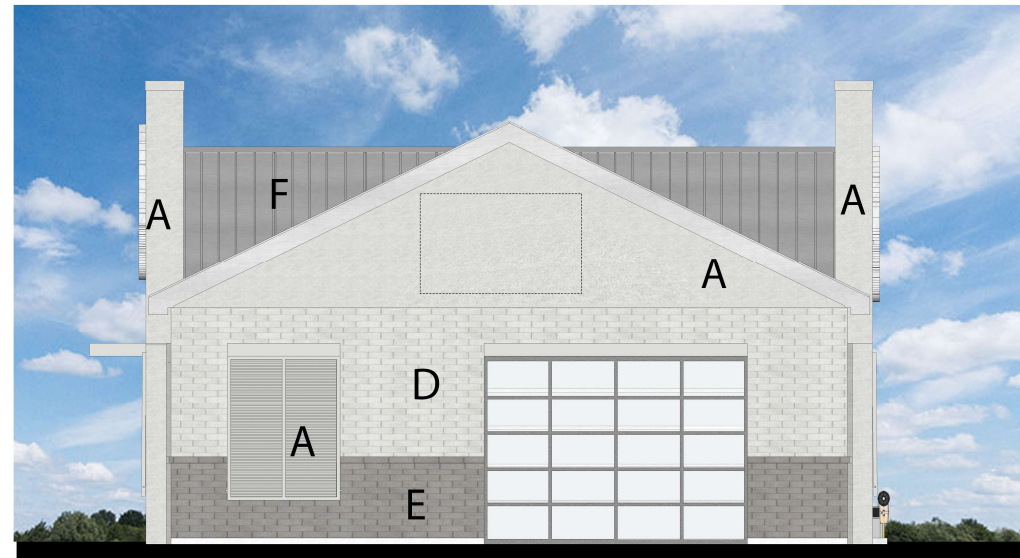
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SNOW RANGE



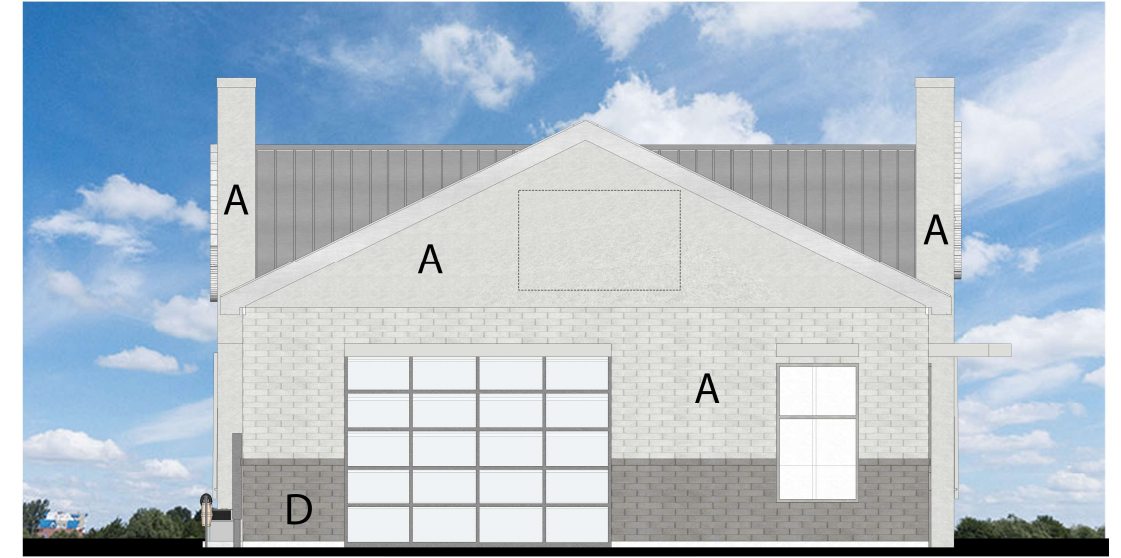
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INTERGRAL COLORED  
OYSTER RANGE



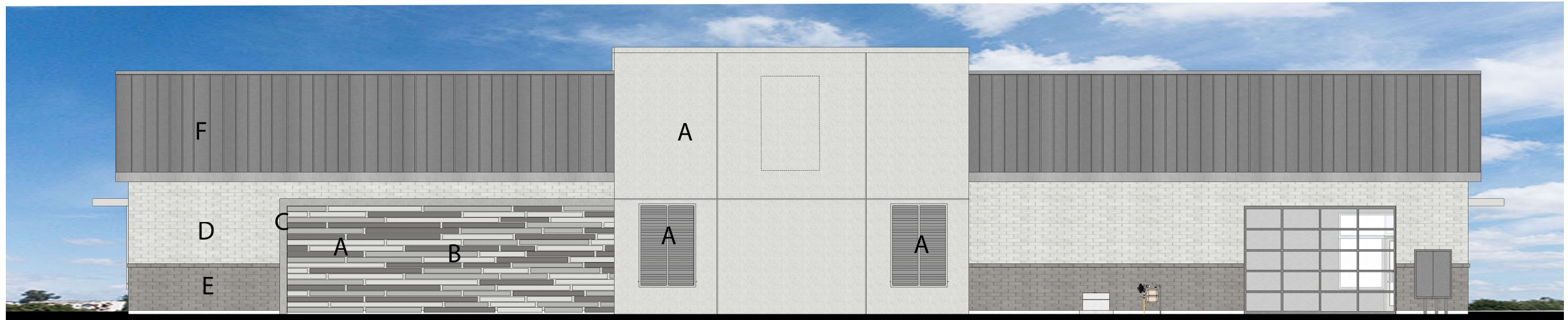
METAL ROOFING  
PREWEATHERED  
GALVALUME



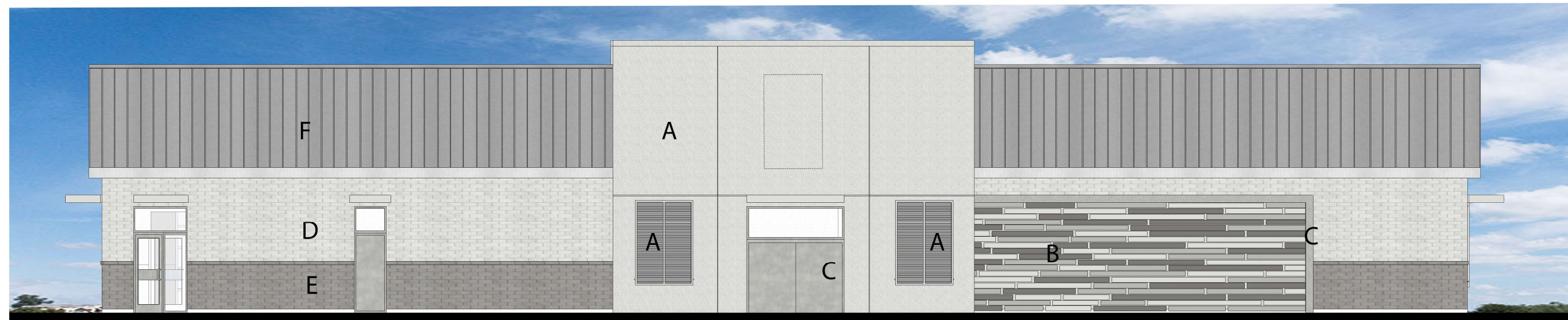
EXIT ELEVATION



ENTRY ELEVATION



TUNNEL ELEVATION



VACUUM ELEVATION