

DEPARTMENT OF PLANNING & SUSTAINABILITY

**Rezoning Application to Amend the Official Zoning Map of DeKalb
County, Georgia**

Date Received: _____ Application No: _____

Applicant Name: _____

Applicant E-Mail Address: _____

Applicant Mailing Address: _____

Applicant Daytime Phone: _____ Fax: _____

Owner Name: _____

If more than one owner, attach list of owners.

Owner Mailing Address: _____

Owner Daytime Phone: _____

Address of Subject Property: _____

Parcel ID#: _____

Acreage: _____ Commission District: _____

Present Zoning District(s): _____

Proposed Zoning District: _____

Present Land Use Designation: _____

Proposed Land Use Designation (if applicable): _____

Chief Executive Officer
Michael Thurmond

DEPARTMENT OF PLANNING & SUSTAINABILITY

Interim Director
Cedric Hudson

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: _____ Phone: _____ Email: _____

Property Address: _____

Tax Parcel ID: _____ Comm. District(s): _____ Acreage: _____

Existing Use: _____ Proposed Use: _____

Supplemental Regs: _____ Overlay District: _____ DRI: _____

Rezoning: Yes _____ No _____

Existing Zoning: _____ Proposed Zoning: _____ Square Footage/Number of Units: _____

Rezoning Request: _____

Land Use Plan Amendment: Yes _____ No _____

Existing Land Use: _____ Proposed Land Use: _____ Consistent _____ Inconsistent _____

Special Land Use Permit: Yes _____ No _____ Article Number(s) 27- _____

Special Land Use Request(s): _____

Major Modification:

Existing Case Number(s): _____

Condition(s) to be modified:

WHAT TO KNOW BEFORE YOU FILE YOUR APPLICATION

Pre-submittal Community Meeting: _____ Review Calendar Dates: _____ PC: _____ BOC: _____
Letter of Intent: _____ Impact Analysis: _____ Owner Authorization(s): _____ Campaign Disclosure: _____
Zoning Conditions: _____ Community Council Meeting: _____ Public Notice, Signs: _____
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

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: A site plan was not reviewed during this meeting. Variances may be sought.

Comments: The Applicant may consider rezoning 700 Jordan Lane from R-75 to OI for the operation
of a crematory. Additionally, a SLUP would be required to operate a crematory within an OI zoning district.

The Applicant may also consider, for consistency, rezoning 2907 Judylyn from M to OI.

Planner: Andrea Folgherait, Sr. Planner Date: 01/02/2025

FILING FEES

REZONING:	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
LAND USE MAP AMENDMENT		\$500.00
SPECIAL LAND USE PERMIT		\$400.00



Battle Law

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

Zoom Instructions:

Go to <https://battlelawpc.zoom.us/join> and Enter the Meeting ID that you have been provided with in the appropriate field and click “Join” . To join by phone, please dial (646) 558-8656. If you are unable to attend or would like to learn more about the proposed project, please call our office at the number below.

We encourage you to come out and participate!

For More Information Contact
Jordan Battle at:
Phone: 404-601-7616 ext. 8
Fax: 404-745-0045
Email: jeb@battlelawpc.com

FOLLOW-UP COMMUNITY MEETING TO DISCUSS REZONING FROM R-75 TO O-I TO ALLOW A CEMETERY AND FUNERAL HOME AS A PERMITTED USE, AND A SPECIAL LAND USE PERMIT APPLICATION TO ALLOW FOR AN ON- SITE CREMATORY

**Project Title: Washington Memorial Gardens– 700
Jordan Lane**

When: April 21, 2025

Time: 6:30 PM Eastern (US and Canada)

**Register in advance for this meeting:
<https://battlelawpc.zoom.us/join>**

Meeting ID: 861 7532 6573

Property owner mailing list disclaimer for DeKalb County

We are providing a list of property owners as a courtesy. It may or may not contain all property owners. It is the applicant's responsibility to ensure that they are complying with the community meeting requirements, including contacting all property owners within 500 feet of the subject property.

No application for an amendment to the land use plan, an amendment to the official zoning map or special land use permit or a major amendment/modification to a condition of zoning shall be filed and/or accepted for filing until such time as the applicant has conducted a publicized pre-submittal community meeting(s) with surrounding neighborhood association(s)/community groups within one-half (1/2) mile of the subject property and adjacent and nearby property owners within five hundred (500) feet of the subject property.

A notice of the pre-submittal community meeting shall be made in writing. The pre-submittal community meeting shall be held via an online meeting service (e.g. Zoom, Skype, Microsoft Teams, etc.). The online, pre-submittal community meeting shall take place no less than fifteen (15) days after the date of the written notice. Additionally, online, pre-submittal community meetings shall be conducted no earlier than 5:00p.m. on weekdays or between the hours of 9:00a.m. – 5:00p.m. on weekends. Online meetings shall be recorded. Applicants are required to provide documentation that verifies the occurrence of said meeting(s), including but not limited to notice letter, sign-in sheets or correspondence from the neighborhood association(s) or residents from the community before the application can be considered complete by the published Filing Deadline.

DEI INC
646 KENTUCKY ST
SCOTTDALE , GA 30079

NOTTINGHAM WILFRED A
2838 JORDAN OAKS LN
DECATUR , GA 30033

LINDSEY GARY JAMES
2860 JORDAN OAKS LN # 11
DECATUR , GA 30033

OCP KENTUCKY LLC
PO BOX 881
SCOTTDALE , GA 30079

BROYLES TOMMY L
2840 JORDAN OAKS LN
DECATUR , GA 30033

CHAN MONICA
2961 JORDAN OAKS LN
DECATUR , GA 30033

DEI INC
625 KENTUCKY ST
SCOTTDALE , GA 30079

GORE JOHN
2842 JORDAN OAKS LN
DECATUR , GA 30033

SNELLING THERESIA M
2859 JORDAN OAKS LN
DECATUR , GA 30033

DOWNS ROBERT W JR
2968 N DECATUR RD # G
DECATUR , GA 30033

STERN ANNE M
2844 JORDAN OAKS LN
DECATUR , GA 30033

GAPUTIS REVOCABLE LIVING TRUST
2857 JORDAN OAKS LN
DECATUR , GA 30033

HELPING HANDS CHARITABLE FOUND
11625 RAINWATER DR # 500
ALPHARETTA , GA 30033

CURRY ALFONSO DEAN
2846 JORDAN OAKS LN
DECATUR , GA 30033

MALINIAK LIVING TRUST
10215 FRANK RD
COLLIERVILLE , TN 30033

WIESBOECK WALTER ROBERT
1850 CASTLEWAY LN NE
ATLANTA , GA 30033

NELSON MARY E
2848 JORDAN OAKS LN
DECATUR , GA 30033

ROSZKOWSKI EVAN
2853 JORDAN OAKS LN
DECATUR , GA 30033

STORAGE TRUST PROPERTIES L P
PO BOX 25025
GLENDALE , CA 30033

OBRIEN MICHAEL K
2852 JORDAN OAKS LN
DECATUR , GA 30033

CLAWSON ANGELA
2851 JORDAN OAKS LN
DECATUR , GA 30033

EI PACES PARK LLC
12 PIEDMONT CTR STE 100
ATLANTA , GA 30033

WOOLFOLK EVONNIE MARIE
2854 JORDAN OAKS LN
DECATUR , GA 30033

PATEL JAYESH SHIRISH
2849 JORDAN OAKS LN
DECATUR , GA 30033

THREE S COMPANY
PO BOX 1005
DECATUR , GA 30033

MONTERO RICHARD JOSEPH
2856 JORDAN OAKS LN # 9
DECATUR , GA 30033

WILKINSON DAVID
2847 JORDAN OAKS LN
DECATUR , GA 30033

LIFE STORAGE LP
6890 S 2300 E
SALT LAKE CITY , UT 30033

WELLINGTON RUTH E
2858 JORDAN OAKS LN UNIT 10
DECATUR , GA 30033

KINNARD JOYCE K
2845 JORDAN OAKS LN # 20
DECATUR , GA 30033

THE OAKS ON JORDAN LLC
175 CLIFTWOOD DR NE
ATLANTA , GA 30033

CARROLL CHRISTINE A
815 PINETREE DR
DECATUR , GA 30033

GREATER FRIENDSHIP MISSIONARY
PO BOX 33025
DECATUR , GA 30033

HADC AVENUES LLC
750 COMMERCE DR STE 201
DECATUR , GA

TEJANI SHAIZAN
3865 SHACKLEFORD RD UNIT 718
DULUTH , GA 30033

MOSSAVI MAHMOUD
2877 HOLLYWOOD DR
DECATUR , GA 30033

JARNAC SANDEE LOUISE
675 JORDAN LN
DECATUR , GA 30033

PIERCE JOANN THOMPSON
189 MARTHA AVE NE
ATLANTA , GA 30033

MOSAVI SEYED MOHAMMAD
791 CRANDALL CT
DECATUR , GA 30033

SAWICKI LYNNE
663 JORDAN LN
DECATUR , GA 30033

JORDAN WILLIAM HILL HIS ESTATE PERS REP
3141 ROBINSON AVE
SCOTSDALE , GA 30033

PITTS CLAIRE
783 CRANDALL CT
DECATUR , GA 30033

CREAMER MAGNOLIA
659 JORDAN LN
DECATUR , GA 30033

THOMPSON ANNIE REE
189 MARTHA AVE NE
ATLANTA , GA 30033

WHYTE JESSICA
775 CRANDALL CT
DECATUR , GA 30033

STOKES LOUIS C
653 JORDAN LN
DECATUR , GA 30033

LEVINS SAVANNAH JOAN
745 REVEREND D L EDWARDS DR
DECATUR , GA 30033

VOGT VAN DOORN HENDRIKA ANNA
770 CRANDALL CT
DECATUR , GA 30033

RIMMER STEPHANIE ANN
647 JORDAN LN
DECATUR , GA 30033

PAPPAS STEPHEN T
2761 ARBORCREST DR
DECATUR , GA 30033

VOIGT LOIS ANN
774 CRANDALL CT
DECATUR , GA 30033

EDWARDS ERNESTINE L
633 JORDAN LN
DECATUR , GA 30033

GULAMHUSSAIN ALNOOR
170 HARMONY GROVE RD
LILBURN , GA 30033

HERROD WILLIAM D
782 CRANDALL CT
DECATUR , GA 30033

ANDERSON CEMETERY
2725 ARBORCREST DR
DECATUR , GA 30033

GULAMHUSSAIN ALNOOR
2773 ABORCREST DR
DECATUR , GA 30033

OZMORE B MAURNEEN
792 CRANDALL CT
DECATUR , GA 30033

KEVORKIAN VIRGINIA G
741 REVEREND DL EDWARDS DR
DECATUR , GA 30033

JORDAN C R
675 JORDAN LN
DECATUR , GA 30033

OH KAP RYUL
2855 HOLLYWOOD DR
DECATUR , GA 30033

CHOW DANIEL
2847 HOLLYWOOD DR
DECATUR , GA 30033

WALLS MABEL M
2829 ARBORCREST DR
DECATUR , GA 30033

BAKER CHARLIE BAKER JR ESTATE OF
1055 E chapman LN E
STONE MOUNTAIN , GA 30033

DEKALB COUNTY
1300 COMMERCE DR
DECATUR , GA 30033

ROLAX KATHERINE ALGARRA
2825 ARBORCREST DR
DECATUR , GA 30033

MCCARTER LOUIS
14112 S ZAMORA AVE
COMPTON , CA 30033

MORRIS CARRIE GLOVER
2831 HOLLYWOOD DR
DECATUR , GA 30033

NGUYEN PHUONG
2821 ARBORCREST DR
DECATUR , GA 30033

HUNTER CEDRIC
2840 LINCOLN DR
DECATUR , GA 30033

GROFT TSANG LYDIA CAROL
2595 OAK CROSSING DR
DECATUR , GA 30033

DEKALB COUNTY
4380 MEMORIAL DR # 100
DECATUR , GA 30033

HUNTER JOYCE
2840 LINCOLN DR
DECATUR , GA 30033

FLOWERS WAX DAVID
2825 HOLLYWOOD DR
DECATUR , GA 30033

RAUSHER MICHAEL HERBERT
2785 ARBORCREST DR
DECATUR , GA 30033

LOW MEAGAN
2846 LINCOLN DR
DECATUR , GA 30033

MCNICHOLS BRENDAN T
2810 ARBORCREST DR
DECATUR , GA 30033

ISMAILY BABAR J
754 REVEREND DL EDWARDS DR
DECATUR , GA 30033

VAN OOSTEN JOHN CORNEILUS
2839 LINCOLN DR
DECATUR , GA 30033

LANG PRASHANTHI
3 BRANCH BEND CIR
HOUSTON , TX 30033

LI YANG
746 REVEREND D L EDWARDS DR
DECATUR , GA 30033

OOSTEN JOHN VAN
2839 LINCOLN DR
DECATUR , GA 30033

GREENLEE STEPHEN A
2431 FOX MINE LN
HERNDON , VA 30033

LEE TRAVIS
157 LAUREL WAY
WOODSTOCK , GA 30033

GRYWALSKI JOSEPH E
2827 LINCOLN DR
DECATUR , GA 30033

SIMS SADIE
1031 JIMSON DR SE
CONYERS , GA 30033

FABB JORDAN JULIA
2802 LINCOLN DR
DECATUR , GA 30033

REYNOLDS JARED LEON
2821 LINCOLN DR
DECATUR , GA 30033

SIMS SADIE S
5739 HUNTERS CHASE CT
LITHONIA , GA 30033

MARGOL COLE AARON
2816 LINCOLN DR
DECATUR , GA 30033

RIVAS LENET
2819 LINCOLN DR
DECATUR , GA 30033

WILKES MICHAEL D
2817 LINCOLN DR
DECATUR , GA 30033

PEACOCK JOYCE W
696 JORDAN LN
DECATUR , GA 30033

SAIKAS JOHN PATRICK
2801 ARBORCREST DR
DECATUR , GA 30033

REEVES KIMBERLY JEAN
2813 LINCOLN DR
DECATUR , GA 30033

PEACOCK JOYCE
696 JORDAN LN
DECATUR , GA 30033

FNU NASEEM
2812 LINCOLN DR
DECATUR , GA 30033

KANT DOUGLAS JR
2811 LINCOLN DR
DECATUR , GA 30033

WHITLOCK ROBERT
2415 S EIFFEL CT
DECATUR , GA 30033

MISSION HOMES BUYERS LLC
3846 GLADNEY DR
ATLANTA , GA 30033

AZFAR SYED M
4649 MEMORIAL DR
DECATUR , GA 30033

WU JIJUN
1650 AURELIA DR
CUMMING , GA 30033

CLARK MARCINDRA ANN
2822 HOLLYWOOD DR
DECATUR , GA 30033

JOHNSON JONATHAN
1517 WIRE DR
DECATUR , GA 30033

MORRIS CHARLES A
668 JORDAN LN
DECATUR , GA 30033

CARLTON JASON D
2826 HOLLYWOOD DR
DECATUR , GA 30033

ROBERTS MARK
201 LOCUST ST
MARIETTA , GA 30033

LEEINDECATUR LLC
646 JORDAN LN
DECATUR , GA 30033

WARD CHARLES N
2844 HOLLYWOOD DR
DECATUR , GA 30033

ROBERTS MARK A
201 LOCUST ST
MARIETTA , GA 30033

OLEARY MICHAL
646 JORDAN LN
DECATUR , GA 30033

BRADFORD RUSSELL REI
2852 HOLLYWOOD DR
DECATUR , GA 30033

MEMORIAL PROPERTIES INC
2275 JOSEPH E BOONE BLVD NW
ATLANTA , GA 30033

GUTHRIE CHARLIE
642 JORDAN LN
DECATUR , GA 30033

TOPPING NANCY R
2862 HOLLYWOOD DR
DECATUR , GA 30033

RAGLIN KEVIN A
2811 ARBORCREST DR
DECATUR , GA 30033

ROSENWASSER ELIZABETH C
2817 ARBORCREST DR
DECATUR , GA 30033

CARDER CHRISTOPHER
2934 LOWRANCE DR
DECATUR , GA 30033

SHALOM RESTORATIONS LLC
695 JORDAN LN
DECATUR , GA 30033

MCCARTER LOUIS F
14112 ZAMORA AVE
COMPTON , CA 30033

HODGES THEODORE S
771 GATES MILL DR UNIT 304
FORT MILL , SC 30033

LEONE AUSTIN ELIZABETH
2924 LOWRANCE DR
DECATUR, GA 30033

PEISNER LYNN REVOCABLE TRUST
2899 FANTASY LN
DECATUR, GA 30033

CRISP RUSSELL LEE REVOCABLE TRUST
234 GIBSON ST SE
ATLANTA, GA 30033

LI JENNY
2918 LOWRANCE DR
DECATUR, GA 30033

DREYER TIMOTHY
2893 FANTASY LN
DECATUR, GA 30033

VIRGA ROBIN
2933 LOWRANCE DR
DECATUR, GA 30033

RUHLMAN JILL
2914 LOWRANCE DR
DECATUR, GA 30033

PALMER TIMOTHY
2889 FANTASY LN
DECATUR, GA 30033

TAYLOR TRACY
308 W PONCE DE LEON AVE STE B
DECATUR, GA 30033

GUNTER CLIFTON III
827 W PONCE DE LEON AVE
DECATUR, GA 30033

QI LI
612 GLENDALE AVE
DECATUR, GA 30033

HILL MELANIE A
733 HILLMONT AVE
DECATUR, GA 30033

VINCENT TROWBRIDGE REVOCABLE TRUST
2904 LOWRANCE DR
DECATUR, GA 30033

DOTSON JANIS
2763 LAUREL RIDGE DR
DECATUR, GA 30033

LUCAS ALLISON FARNHAM
2936 WESTBURY DR
DECATUR, GA 30033

HERNANDEZ DIONICIO
2898 LOWRANCE DR
DECATUR, GA 30033

HERBERT DEVA G
2871 FANTASY LN
DECATUR, GA 30033

MARTINEZ ADAM W
2932 WESTBURY DR
DECATUR, GA 30033

STAIKOVA EKATERINA
2923 FANTASY LN
DECATUR, GA 30033

ALLEN MARIA
2865 FANTASY LN
DECATUR, GA 30033

DEAN GAIL O
2926 WESTBURY DR
DECATUR, GA 30033

MCCOY THOMAS A III
2917 FANTASY LN
DECATUR, GA 30033

FARMER NERISSA D
719 COOL HOLLOW DR
DECATUR, GA 30033

CRANDALL NORMAN C
691 COOL HOLLOW DR
DECATUR, GA 30033

DEVLIN JAMES D
2911 FANTASY LN
DECATUR, GA 30033

ERWIN JESSICA L
727 COOL HOLLOW DR
DECATUR, GA 30033

KALLENBERG E PARKE
707 COOL HOLLOW DR
DECATUR, GA 30033

MOSS KATHRYN
2905 FANTASY LN
DECATUR, GA 30033

MERTENS GRIT
735 COOL HOLLOW DR
DECATUR, GA 30033

PAINTER LAVONNE
2927 WESTBURY DR
DECATUR, GA 30033

KEELER CATHERINE C
2933 WESTBURY DR
DECATUR , GA 30033

VANPELT SCOT A
PO BOX 326
CLARKSTON , GA 30033

VSP ATLANTA LLC
3495 PIEDMONT RD NE BLDG 11 300
ATLANTA , GA 30033

GREEN PETER
1756 NOBLE DR NE
ATLANTA , GA 30033

MANSON PHILIP S
2936 JUDYLYN DR
DECATUR , GA 30033

GATEWAY AT CEDAR BROOK LLC
2020 PONCE DE LEON BLVD UNIT 1005A
CORAL GABLES , FL 30033

VICTOR WARREN PROPERTIES INC
754 LULLWATER RD NE
ATLANTA , GA 30033

WALDROP SCOTT M
2932 JUDYLYN DR
DECATUR , GA 30033

GLIER RAYMOND G
734 COOL HOLLOW DR
DECATUR , GA 30033

HEXING DEVELOPMENT INC
PO BOX 2898
LILBURN , GA 30033

SCHMUTZ CASSANDRA P
2926 JUDYLYN DR
DECATUR , GA 30033

WEIBEL ANNA C
726 COOL HOLLOW DR
DECATUR , GA 30033

PRITCHARD RENTALS LLC
3035 WILL ROGERS PL SE
ATLANTA , GA 30033

KIMBALL BRUCE A
2933 JUDYLYN DR
DECATUR , GA 30033

GOODRIDGE CHERYL L
1892 JACKSON LAKE RD
MANSFIELD , GA 30033

SYLVAN ANITA
2959 WESTBURY DR
DECATUR , GA 30033

HENLEY YASMIN
2937 JUDYLYN DR
DECATUR , GA 30033

BLACK ROBERT
716 COOL HOLLOW DR
DECATUR , GA 30033

LOCKLEDGE JEFFREY CARLETON
2964 JUDYLYN DR
DECATUR , GA 30033

WHITELEGG ANDREW J
2943 JUDYLYN DR
DECATUR , GA 30033

GUNTER REBECCA E
710 COOL HOLLOW DR
DECATUR , GA 30033

HUBER RICHARD W
2958 JUDYLYN DR
DECATUR , GA 30033

COX BEVERLY M
3911 THORN RIDGE WAY
ATLANTA , GA 30033

BREAZEALE RONALD STEPHEN
706 COOL HOLLOW DR
DECATUR , GA 30033

HARDY MICHAEL A
2952 JUDYLYN DR
DECATUR , GA 30033

LUTZ WILLIAM
2953 JUDYLYN DR
DECATUR , GA 30033

BASSETT BONNIE ANN
7954 FALLS CREEK MAIN
DURANGO , CO 30033

LEDBETTER MARY JO
2948 JUDYLYN DR
DECATUR , GA 30033

HELMY BETH A
2959 JUDYLYN DR
DECATUR , GA 30033

DEROSA BRIGIT
696 COOL HOLLOW DR
DECATUR , GA 30033

TRINITY MEMORIAL CEMETERY INC
4685 GLENWOOD RD
DECATUR , GA 30033

THOMSON LAURA
796 CINDERELLA WAY
DECATUR , GA 30033

GALLAGHER REBECCA LYNN
784 CINDERELLA WAY
DECATUR , GA 30033

JUNE HOY & WILLIAMS JAY FAMILY
6555 RAINES DR
CUMMING , GA 30033

ELLIOTT HILARY
2914 FANTASY LN
DECATUR , GA 30033

MILLER DEBRA L
2906 FANTASY LN
DECATUR , GA 30033

NDE BEATRICE
1655 MILLHOUSE LNDG
MARIETTA , GA 30033

TUPLE DANIEL
2876 FANTASY LN
DECATUR , GA 30033

MOORE BERKELEY
824 CINDERELLA WAY
DECATUR , GA 30033

SORENSEN KELLY L
8009 PINEY BRANCH RD
SILVER SPRING , MD 30033

WOOTUCK PROPERTIES LLC
804 CINDERELLA WAY
DECATUR , GA 30033



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STATEMENT OF INTENT

and

Other Material Required by
DeKalb County Zoning Ordinance
For
A Rezoning from R-75 to OI to allow
a Funeral Home

of

**Memorial Properties, Inc. Doing Business As Washington Memorial Gardens
c/o Battle Law, P.C.**

for

+/-34.16 Acres of Land
Being 700 Jordan Lane
DeKalb County, Georgia and
Parcel Nos. 18 063 09 074

Submitted for Applicant by:

Michèle L. Battle, Esq.
Battle Law, P.C.
Habersham at Northlake, Building J, Suite 100
Tucker, Georgia 300384
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I. LETTER OF INTENT

Memorial Properties, Inc. doing business as Washington Memorial Gardens (the “Applicant”) is seeking to develop on +/- 34.16 acres of land being Tax Parcel No. 18 063 09 074 having frontage on 700 Jordan Lane (the “Subject Property”) with a funeral home. The Applicant is seeking a rezoning from R-75 to OI. The proposed funeral home will complement the existing cemetery use, enhance service offerings to the community, and ensure that families are provided a seamless, dignified experience in times of loss.

Washington Memorial Gardens was established in 1928 and brought to prominence following Tobie Grant’s ownership of the cemetery in 1947. Grant was a local celebrity, businesswoman, clairvoyant, fortune teller, and philanthropist whose had an immense impact in Atlanta. Her legacy lives on at Washington Memorial Gardens, where she is buried. The proposed development is both a continuation and an enhancement of her vision—ensuring that the cemetery remains a vital, compassionate community resource for generations to come.

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

II. DEKALB COUNTY REZONING CRITERIA

When considering rezoning applications, the DeKalb County Code of Ordinances states that the following criteria shall be considered:

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

The future land use map has assigned the Institutional land use designation to the Subject Property, which specifically permits the OI (Office-Institutional) zoning district. The DeKalb County 2050 Comprehensive Plan states that “the intent of the Institutional Character Area is to designate specific areas that provide institutional services.” Both “Cemetery, columbarium, and mausoleum,” and “Funeral home, mortuary” are listed as “Institutional/Public” uses in the DeKalb County Code of Ordinances Section 4.1.3 Use Table in Table 4.1. Therefore, the zoning proposal is in conformity with the policy and intent of the Comprehensive Plan.

2. *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 allow for a funeral home in the existing Washington Memorial Gardens cemetery. The funeral home is situated in the center of the 34-acre site such that it is as far away as possible from surrounding residential uses. The building will be no closer than 469 feet to the nearest property line. The new funeral home will not drastically change the operations or use on



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the Subject Property. So, the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby properties.

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

Washington Memorial Gardens operates as a cemetery today, but it is zoned R-75. The cemetery will never be developed under the R-75 zoning district given the current use. Furthermore, given time, Washington Memorial Gardens will run out of land for burials. If another long-term plan is not enacted, Washington Memorial Gardens will not have any economically viable use. However, a funeral home may provide for a long-term plan that will ensure Washington Memorial Gardens can continue to sustainably serve the community. So, today there is no economically viable use as currently zoned, but this application can remedy that problem.

4. *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. The funeral home will be centrally located within the 34-acre site, ensuring that it remains well-buffered from neighboring properties. Furthermore, the volume of customer traffic is not expected to increase. In fact, with the funeral home operating on-site, there will likely be a reduction in outside funeral homes utilizing the cemetery, resulting in less overall traffic to and from the property.

5. *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;*

Washington Memorial Gardens, founded in 1928 by philanthropist Tobie Grant, carries significant historical value. Without a long-term plan, the sustainability of the cemetery is at risk. Implementing a sustainable business strategy—such as adding a funeral home to the property—will help ensure that Washington Memorial Gardens can sustain itself indefinitely. This will preserve the cemetery's legacy, honor Tobie Grant's contributions, and continue to provide a dignified resting place for those laid to rest there.

6. *Whether the zoning proposal will adversely affect historic buildings, 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 site today. However, implementing a long-term business plan will allow for the cemetery to continue to exist and honor the historic figures that rest there. Furthermore, the zoning proposal only seeks to allow for a funeral home on the Subject Property. The existing office building can be converted into the funeral home to preserve the building.



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7. *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. The proposed use will have little to no effect on the aforementioned resources.

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

The zoning proposal will not impact the environment or surrounding natural resources. The zoning proposal does not include development that encroaches into any stream buffer or call for removal of trees.

III. CONCLUSION

For the foregoing reasons, the Applicant hereby requests that the application for a rezoning from R-75 to OI 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



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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 Rezoning 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 rezoning and special land use permit 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 rezoning and special land use permit 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 DeKalb 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

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: 04/15/25

TO WHOM IT MAY CONCERN:

(I) (WE) Memorial Properties, Inc. DBA Washington Memorial Gardens
Name of owner(s)


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


Battle Law P.C.

Name of Agent or Representative

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

TIMOTHY AMOUI


Notary Public Exo 10/30/2028
Angeles S Shinholster
NOTARY PUBLIC
DeKalb County, GEORGIA
Notary Public


Owner

Owner

Notary Public

Owner

Notary Public

Owner

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 filing of this application?

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

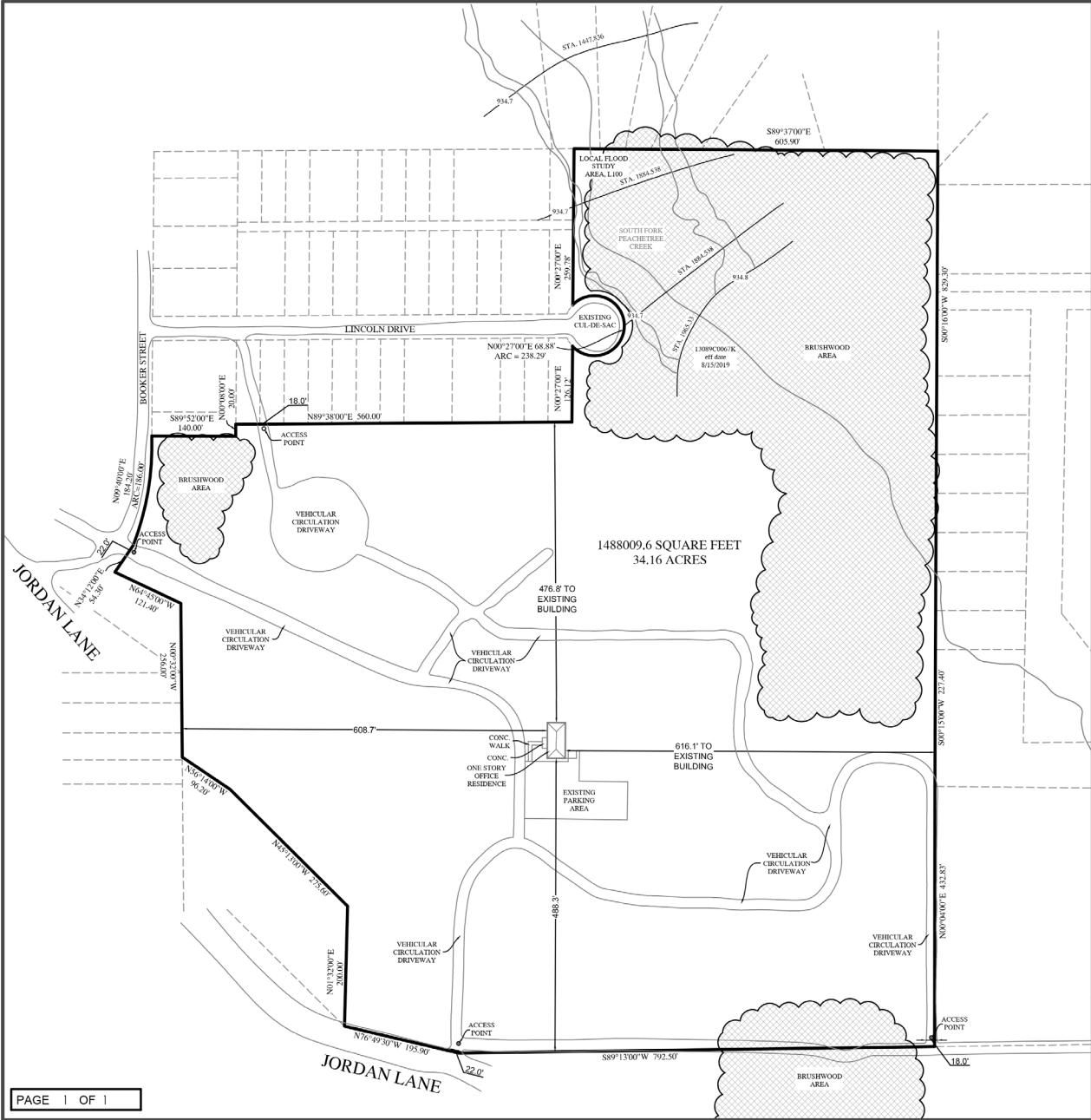


Signature of Applicant /Date

Check one: Owner____Agent____

Expiration Date/ Seal

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



VICINITY MAP
MAY NOT SHOW LATEST IMPROVEMENTS. NOT-TO-SCALE.

LEGAL DESCRIPTION:

THAT CERTAIN PARCEL OF LAND SITUATED IN THE ADDRESS 700 JORDAN LANE, DECATUR, GA 30033, USA DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY LINE OF JORDAN LANE , THENCE RUNNING:
NORTH 76°49'30" WEST, A DISTANCE OF 195.90 FEET;
NORTH 01°32'00" EAST, A DISTANCE OF 200.00 FEET;
NORTH 45°13'00" WEST, A DISTANCE OF 275.60 FEET;
NORTH 56°14'00" WEST, A DISTANCE OF 96.20 FEET;
NORTH 00°32'00" WEST, A DISTANCE OF 256.00 FEET;
NORTH 64°45'00" WEST, A DISTANCE OF 121.40 FEET;
NORTH 34°12'00" EAST, A DISTANCE OF 54.30 FEET;
NORTH 09°40'00" EAST, A DISTANCE OF 184.20 FEET;
SOUTH 89°52'00" EAST, A DISTANCE OF 140.00 FEET;
NORTH 00°08'00" EAST, A DISTANCE OF 20.00 FEET;
NORTH 89°38'00" EAST, A DISTANCE OF 560.00 FEET;
NORTH 00°27'00" EAST, A DISTANCE OF 126.12 FEET;
NORTH 00°27'00" EAST, A DISTANCE OF 259.78 FEET;
SOUTH 89°37'00" EAST, A DISTANCE OF 605.90 FEET;
SOUTH 00°16'00" WEST, A DISTANCE OF 829.30 FEET
NORTH 00°15'00" EAST, A DISTANCE OF 227.40 FEET;
NORTH 00°04'00" EAST, A DISTANCE OF 432.83 FEET ;
SOUTH 89°13'00" WEST, A DISTANCE OF 792.50 FEET ;
TO THE POINT OF BEGINNING

LOT OWNER:
MEMORIAL PROPERTIES, INC.

PARCEL NUMBER:
18 063 09 074

SCOPE OF WORK:

SITE NOTES AND SPECIFICATIONS:
1-AS-BUILT AND BOUNDARY SURVEY PROVIDED BY OTHERS.
2-THIS SCOPE OF THE PROPOSED IMPROVEMENTS INCLUDES THE CONSTRUCTION OF A FUNERAL HOME FACILITY WITHIN THE EXISTING OFFICE BUILDING.
3-PROPOSED IMPROVEMENTS DEPICTED WITHIN THIS PLAN ARE PRELIMINARY AND FOR PLANNING PURPOSES ONLY. PRIOR TO CONSTRUCTION, ALL APPLICABLE STATE AND LOCAL LAND DISTURBANCE AND BUILDING PERMITS MUST BE APPROVED.

AREA & LOT COVERAGE	
EXISTING STRUCTURES	
FUNERAL HOME (OFFICE)	1774.22 SQ.FT.
PROPOSED STRUCTURES	
FUNERAL HOME (OFFICE)	1774.22 SQ.FT.
PARKING AREA	
PARKING SPACE	30±
TOTAL BRUSHWOOD AREA	
TOTAL AREA	48606.13± SQ.FT.
TOTAL STRUCTURE COVERAGE	
TOTAL AREA	4 290.1± SQ.FT.

ADDRESS:
700 JORDAN LANE,
DECATUR, GA 30033, USA

Scale: 1" = 200'	Size: 11"x17"
Drawn By: DanPlans	Date of Field Work: 01/11/2025

SITE PLAN

surveysiteplan@gmail.com

2025033941 DEED BOOK 31872 PG 370
Debra DeBerry
Clerk of Superior Court
DeKalb County, Georgia

Exhibit "A"

As to DeKalb County Tax Parcel No. 18 063 09 074; Commonly known as 700 Jordan Lane, Decatur, GA 30033:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 63 of the 18th District, DeKalb County, Georgia, and being more particularly described as follows:

BEGINNING at an iron pin located at the point of intersection of the Northeasterly right-of-way line of Cemetery Drive with the Easterly right-of-way line of Booker Street; thence running Northerly along the easterly right-of-way line of Booker Street, and following the curvature thereof, one hundred eighty-six (186) feet to an iron pin, said measured distance being one hundred eighty-four and twenty-two hundredths (184.22) feet as measured along a chord line running North 9 degrees 39 minutes 56 seconds East; thence running South 89 degrees 52 minutes East along the south line of Lot 4, Block D of said Washington Park Subdivision, one hundred forty (140) feet to an iron pin; thence running North 00 degrees 08 minutes East along the east line of said Lot twenty (20) feet to an iron pin; thence running North 89 degrees 37 minutes 34 seconds East along the South line of said Lots in Block D of said Washington Park Subdivision, five hundred sixty (560) feet to an iron pin; thence running North 00 degrees 27 minutes 18 seconds East along the East side of Grant Street (not open), four hundred fifty-four and seventy hundredths (454.70) feet to an iron pin; thence running South 89 degrees 37 minutes 22 seconds East along the South line of Arborcrest Drive (not open), six hundred five and ninety-four hundredths (605.94) feet to an iron pin located on the line dividing Land Lots 63 and 64 of the 18th District, DeKalb County, Georgia; thence running South 00 degrees 24 minutes 12 seconds West along said Land Lot Line, fourteen hundred eighty-seven and ninety-five hundredths (1,487.95) feet to an iron pin located at the common corner of Land Lots 63, 64, 47 and 48; thence running South 89 degrees 33 minutes 58 seconds West along the line dividing Land Lots 48 and 63, seven hundred and ninety-six (796) feet to an iron pin located on the northeasterly right-of-way line of Scottdale Road; thence running Westerly along the northeasterly right-of-way line of Scottdale Road, and following the curvature thereof, one hundred ninety-three (193) feet to an iron pin, said distance being one hundred ninety-two and twenty-two hundredths (192.22) feet as measured along a chord line running North 76 degrees 49 minutes 10 seconds West; thence running North 1 degree 34 minutes East, along the east line of the P. H. Jones Subdivision, two hundred and thirty hundredths (200.30) feet to an iron pin; thence North 45 degrees 00 minutes 44 seconds West along the northeasterly line of said P. H. Jones Subdivision, two hundred seventy-five and thirteen hundredths (275.13) feet to an iron pin; thence running North 55 degrees 12 minutes 04 seconds West, and continuing along the northeasterly line of said P. H. Jones Subdivision, ninety-six and sixty-two hundredth (96.62) feet to an iron pin; thence running North 00 degrees 16 minutes 27 seconds West and continuing along a straight line extension thereof crossing the right-of-way of Cemetery Drive, three hundred seventeen and thirty-six hundredths (317.36) feet to an iron pin located on the northeasterly right-of-way line of Cemetery Drive; thence running North 70 degrees 29 minutes 46 seconds West, and running along the northeasterly right-of-way line of Cemetery Drive, eighty-one and sixty-one hundredths (81.61) feet to an iron pin located at the Point of Beginning. Said tract being described as Tract "A" containing 34.0285 acres, as per that plat of survey for Washington Memorial Park, Inc., dated October 5, 1967, by Sam G. Evans, Jr. Registered Land Surveyor.

LESS AND EXCEPT: That portion of land conveyed in that Quitclaim Deed executed on April 15, 1968, from Washington Memorial Gardens, Inc. to Willie Walker, recorded in Deed Book 2299, Page 242, DeKalb County, Georgia Records.

LESS AND EXCEPT: That portion of land conveyed in that Right of Way Deed by and between Memorial Properties, Inc. and DeKalb County, a political subdivision of the State of Georgia, dated April 21, 1986, recorded in Deed Book 5461, Page 29, aforesaid Records.









WASHINGTON
MEMORIAL GARDENS

