



CITY OF DAHLONEGA

City Council Public Hearing Agenda

July 20, 2026, 4:00 PM

Gary McCullough Chambers, Dahlonega City Hall

I. CALL TO ORDER

II. APPROVAL OF AGENDA

III. PUBLIC HEARING

- (1.) REZN 26-4: Applicants and owners John and Kasey Sharp seek rezoning of their property consisting of .69 acres located at 399 North Chestatee Street (Tax Parcel 007-024) from Zoning District R-1 (single family) to Zoning District R-2 (multi-family).
Doug Parks, City Attorney
- (2.) Ordinance 2026-03 to Amend Chapter 22, Section 5. Noise Pollution of the City of Dahlonega Code of Ordinances.
Doug Parks, City Attorney
- (3.) Ordinance 2026-02 to Amend Chapter 123, Section 8. Holiday Lighting of the City of Dahlonega Code of Ordinances.
Doug Parks, City Attorney

IV. ADJOURNMENT



Agenda Memo

DATE: 7/20/2026
TITLE: REZN 26-4
PRESENTED BY: Doug Parks, City Attorney
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

REZN 26-4 Applicants and owners John and Kasey Sharp seek rezoning of their property consisting of .69 acres located at 399 North Chestatee Street (Tax Parcel 007-024) from Zoning District R-1 (single family) to Zoning District R-2 (multi-family).

HISTORY/PAST ACTION

The Planning Commission at its public hearing on this matter recommended denial.

FINANCIAL IMPACT

None.

RECOMMENDATION

Denial.

SUGGESTED MOTIONS

Motion to deny.

ATTACHMENTS

Consulting Planner's Report.

CONSULTING PLANNER'S REPORT

TO: Dahlonga Planning Commission and City Council
c/o Doug Parks, City Attorney

FROM: Jerry Weitz, Consulting City Planner

DATE: April 29, 2026

SUBJECT: **REZN 26-04:** Rezoning from R-1 (Residential Single-Family District) to R-2 (Multiple Family Residential District Low to Medium Density)

PUBLIC HEARINGS: TBD

APPLICANT: John and Kasey Sharp

OWNER(S): John and Kasey Sharp

LOCATION: Fronting on the south side of Chestatee Street and the east side of Happy Hollow Road (399 North Chestatee Street) (Land Lot 927, 12th District, 1st Section)

PARCEL #: D07 024

ACREAGE: 0.69

EXISTING USE: Residential dwelling with separate upper and lower occupancies (duplex)

PROPOSED USE: Residential dwelling with separate upper and lower occupancies (duplex)

SURROUNDING LAND USE/ZONING:

NORTH: (across N. Chestatee Street): Bed and breakfast inn, B-1
EAST: Vacant (part of church property), R-1
SOUTH: Vacant (part of church property), R-1
WEST: (across Happy Hollow Road): Church, B-1

RECOMMENDATION: **Approval, Conditional**



Vicinity Map (Subject property outlined in blue)



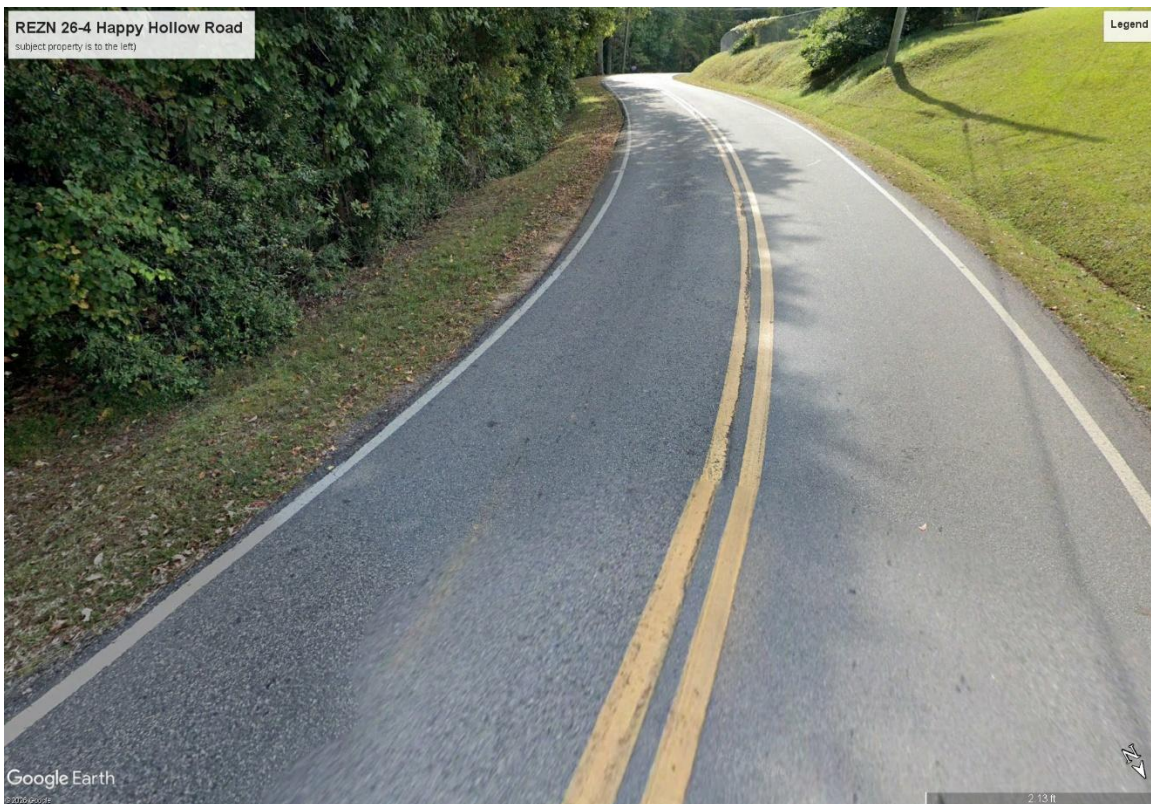
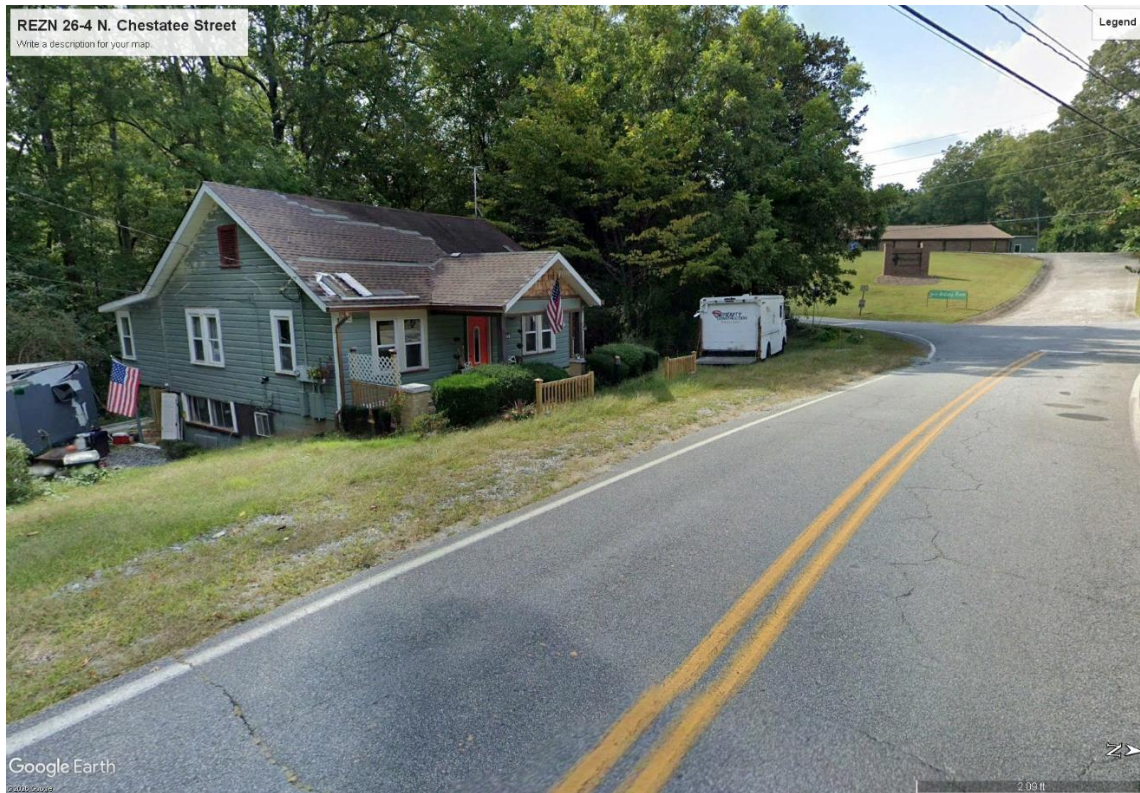
Tax Map/Aerial Photograph of Property (blue outline)

SUMMARY OF PROPOSAL

The applicant seeks rezoning from single-family (R-1) to multi-family (R-2) to authorize use of a dwelling on the property for two family occupancy. A letter of intent and a site plan have been submitted and are attached to this report. The applicant has also addressed in writing various zoning criteria. The applicant has also included as-built floor plans of the first and second floors of the dwelling.

This property was improperly used as a duplex by a prior owner and does not have the required second water or sanitary sewer connections paid and installed.

REZN 26-4 Rezoning from R-1 to R-2



ZONING CRITERIA

Section 2607 of the Dahlonge zoning ordinance articulates the criteria by which an application for rezoning should be evaluated. They are as follows:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonge.
5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Note: The Planning Commission and City Council may adopt the findings and determinations provided in this report as written (provided below), if appropriate, or it may modify them. The planning commission and city council may cite one or more of these in its own determinations, as it determines appropriate. The Planning Commission and City Council may modify the language provided here, as necessary, in articulating its own findings. Or, the Planning Commission and City Council can reject these findings and make their own determinations and findings for one or more of the criteria as specified in the Dahlonge zoning ordinance and any additional considerations it determines appropriate.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Finding: The subject property abuts institutional properties (churches) to the west, east, and south. One of the churches is zoned R-1, while the other (to the west) is zoned B-1 (Neighborhood Business District) To the north is a detached dwelling zoned for neighborhood business (B-1) and utilized as a bed and breakfast inn. Based on the fact that the subject property is surrounded by institutional and neighborhood commercial land uses and does not abut any detached, single-family dwelling, the proposal for R-2 zoning is considered suitable (**supports request**), provided that it is restricted to use of the existing structure as opposed to new construction. Unless restricted, unconditional R-2 zoning would authorize the owner to demolish the existing dwelling and replace it with multiple-family dwellings which would not be in keeping with the

character of the neighborhood and would be inconsistent with the comprehensive plan policies and character area map (discussed below). Therefore, a condition of zoning approval is recommended that limits the use to the existing structure and prohibits construction of new dwelling units (**supports conditional approval**).

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Finding: Since there are no other detached dwellings in the immediate vicinity, use of the existing dwelling for multi-family will not adversely affect the existing use or usability of adjacent property. Nor will it adversely affect nearby property (**supports request**). Unrestricted R-2 zoning that enables construction of new dwellings would be considered out of context with the neighborhood and may have adverse effects on nearby property (**supports conditional approval**).

3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Finding: The subject property is a corner lot, with frontage on Happy Hollow Road and N. Chestatee Street. Use of the dwelling for two households will not cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools. However, access and parking to the property is not formalized. The applicant proposes to have two driveways, one of which is very close to the intersection of N. Chestatee Street and Happy Hollow Road. The proposal for a curb cut and driveway that has parking for one of the units that backs into the street near the intersection of Happy Hollow Road and N. Chestatee Street is considered potentially hazardous. A condition of approval is recommended that requires construction of any driveway at a safe location from the street intersection (**supports conditional approval**).

4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonega.

Finding: Community goals in the comprehensive plan support the rezoning request. Goals indicate that “The City should also be prepared for more multi-family developments by planning where and how best to accommodate such projects most efficiently and without damaging local character” (p. 12). Also, with regard to neighborhood preservation, plan policies (p. 13) indicate as follows: “Preserving these neighborhoods and subdivisions is not only critical to sustaining the city’s cost of living but will contribute to the variety of housing options needed in the future. The City should be proactive in monitoring these areas for signs of distress or blight, working to help preserve the viability of residential areas by ensuring the safety and accessibility of each. Where possible this should include pedestrian connections to key public destinations. The City should also ensure land use regulations foster compatible infill without incurring undue costs on the landowners” (**supports request**).

Finding: The subject property is included in the “residential” character area. The description of the residential character area calls for “preservation of existing structures where possible, or context sensitive infill development” and one- to two-story structures oriented close to the street front...”. The existing dwelling matches this description. The proposal is considered generally consistent with the residential character area recommendation **(supports request)**. It is also noted that all properties to the north, east, and south of the subject property are in a public square character area, and extension of that character area to the subject property would be logical **(further supports request)**.

5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Finding: Although the subject property is zoned R-1 and is within an area that includes some R-1 zoning, the use pattern is institutional (with three different churches nearby) with a neighborhood commercial use operating in the vicinity. The use pattern tends to support the change and lessens the need to maintain detached, single-family zoning **(supports request)**. As noted in the letter of intent, the subject property is located in close proximity to Dahlonga’s downtown and the university. The location is such that there is added pressure to transition land uses from low density to a more urban density. The requested rezoning is considered in alignment with these trends **(supports request)**.

CONCLUSION

The application is consistent with all of the criteria for zoning decisions, which support R-2 zoning on the subject property. Consulting planner recommends approval, but with a condition that requires any driveways to be a safe distance from the intersection of Happy Hollow Road and N. Chestatee Street. Also, conditions are recommended to restrict the use of the subject property to the existing building and to require second water and sewer connections for a second dwelling unit.

RECOMMENDED CONDITIONS OF ZONING APPROVAL

If this request for R-2 zoning is approved, it should be approved R-2 conditional, subject to the owner’s agreement to abide by the following conditions:

1. Use of the property shall be limited to one residential building which shall contain no more than two dwelling units. Individual bedrooms shall not be rented.
2. The owner/developer shall be required to construct driveways and parking in accordance with applicable city specifications. No driveway onto Happy Hollow Road shall be located closer than 125 feet from the intersection of the centerlines of Happy Hollow Road and N. Chestatee Street. No driveway onto N. Chestatee

Street shall be authorized between the existing building and the intersection of Happy Hollow Road and N. Chestatee Street.

3. Prior to occupancy for more than one dwelling unit, the applicant shall be required to pay for and install an additional public water and additional sanitary sewer connections to serve the second unit.

REZONING APPLICATION – EXHIBIT A

John & Kasey Sharp
399 North Chestatee Street
Dahlonega, Georgia 30533

April 16, 2026

City of Dahlonega
Planning & Zoning Department
465 Riley Road
Dahlonega, Georgia 30533

Re: Letter of Intent & Rezoning Request – 399 North Chestatee Street

Dear Members of the Planning Commission and City Council,

This Letter of Intent is submitted in support of our application to rezone 399 North Chestatee Street from Single-Family Residential (R-1) to Multiple-Family Residential (R-2).

The purpose of this request is to align the zoning designation with the property's longstanding physical layout, historical use pattern, and compatibility with the surrounding Chestatee corridor. The existing structure includes distinct upper and lower living areas, separate exterior access, multiple bedrooms and bathrooms, and a layout that is consistent with residential duplex-compatible use. The requested rezoning is intended to regularize and align the zoning classification with the existing built form and surrounding neighborhood context.

Existing Property Conditions

The home is an established residential cottage located in close proximity to downtown Dahlonega and the University of North Georgia. Historically, the structure has functioned in configurations that included multiple residential living areas and separate access points. The current physical layout continues to reflect this longstanding configuration, including an independently accessible lower level that is compatible with duplex-style residential use.

No expansion of the existing footprint, increase in density, or new construction is proposed as part of this request. Rather, the rezoning seeks to align the zoning classification with the existing physical characteristics of the home.

Compatibility with Surrounding Land Uses

The subject property is located within a transitional corridor that includes a mix of residential, hospitality, institutional, and neighborhood commercial uses. Nearby properties include existing lodging accommodations, church properties, and other mixed-use residential uses, making the requested R-2 classification highly compatible with the surrounding area.

Letter of Intent (1 of 2)

REZONING APPLICATION – EXHIBIT A

The requested rezoning is therefore consistent with the existing development pattern and neighborhood character along North Chestatee Street.

Proposed Use

The proposed use is residential duplex-compatible occupancy under R-2 zoning. This classification will provide flexibility for long-term residential use while aligning the property with its historical configuration and surrounding land uses.

Importantly, this request does not seek any use intensity beyond what the existing structure already supports.

Suitability of the Property

The lot configuration, existing structure layout, utility access, and off-street parking potential make this property well suited for R-2 residential zoning. The property is already served by public water, sewer, and street access, and no new public infrastructure improvements are required as part of this request.

Impact on Adjacent Properties

Because the request primarily regularizes the zoning designation to match the existing structure and neighborhood pattern, we do not anticipate adverse impacts to adjacent properties or neighborhood character.

We intend to continue investing in the restoration, maintenance, and stewardship of this historic cottage so that it remains a positive asset to the surrounding community.

Consistency with Planning Objectives

The requested rezoning supports the City's broader planning objectives of encouraging compatible residential land uses, preserving existing housing stock, and supporting thoughtful corridor transitions near downtown Dahlonga.

REZONING APPLICATION – EXHIBIT A

Conclusion

For the reasons outlined above, we respectfully request approval of the rezoning of 399 North Chestatee Street from R-1 to R-2.

Thank you for your time and consideration.

Respectfully submitted,



John & Kasey Sharp
(303) 726-2226 / (303) 809-5547

Attachments:

- Exhibit A – Rezoning Application Form
- Exhibit B – Site Plan / Parking Layout
- Exhibit C – Boundary Survey / Plat
- Exhibit D – Existing Structure / Layout

Letter of Intent (2 of 2)

Complete the following information. (This section may be addressed in the letter of intent.)

1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property.

The subject property is located within a transitional corridor along North Chestatee Street that includes a mix of residential, hospitality, institutional, and nearby business uses. Existing nearby properties include residential homes, lodging accommodations, church properties, and other mixed-use uses consistent with the evolving character of the corridor. The requested R-2 zoning is compatible with the surrounding development pattern and is not expected to adversely affect adjacent properties, as no increase in building footprint, height, or development intensity is proposed. See attached Letter of Intent as Exhibit A and site / parking plan as Exhibit B.

2. The extent to which property values are diminished by the particular zoning restrictions.

The current R-1 zoning does not fully align with the property's longstanding physical layout and historical use pattern, which includes distinct upper and lower living areas and separate exterior access. Because the existing structure is more consistent with duplex-compatible residential use, the current zoning may limit reasonable flexibility for lawful residential occupancy and may negatively affect long-term value, financing, and marketability. See Exhibit A.

3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.

Approval of the requested rezoning will promote the public welfare by regularizing the zoning classification to better match the existing structure and surrounding corridor character. The property will remain residential in nature and will continue to benefit from planned improvements to drainage, parking, and general restoration, supporting neighborhood safety and long-term preservation of existing housing stock. See Exhibits A and B.

4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.

Approval provides public benefit through preservation and continued investment in an existing residential structure in a transitional corridor near downtown Dahlenega. Denial would create hardship by maintaining a zoning classification that does not fully align with the existing built form and longstanding residential configuration of the property. See Exhibit A.

Applicant's Response to Zoning Criteria (1 of 2)

5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.

The property is physically well suited for R-2 zoning due to the existing structure layout, lot configuration, public utility access, and off-street parking potential. The existing physical configuration of the structure is already compatible with duplex-style residential use. See Exhibits A and B.

6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.

The property is not vacant; however, conditions in the surrounding corridor support the requested rezoning. The existing neighborhood pattern includes transitional residential, hospitality, and institutional uses that make the requested R-2 classification appropriate and consistent with current land use conditions. See Exhibit A.

7. The zoning history of the subject property.

The property is currently zoned R-1. To the best of the applicant's knowledge, this request is intended to align the zoning classification with the existing structure's longstanding physical layout and historical residential use pattern.

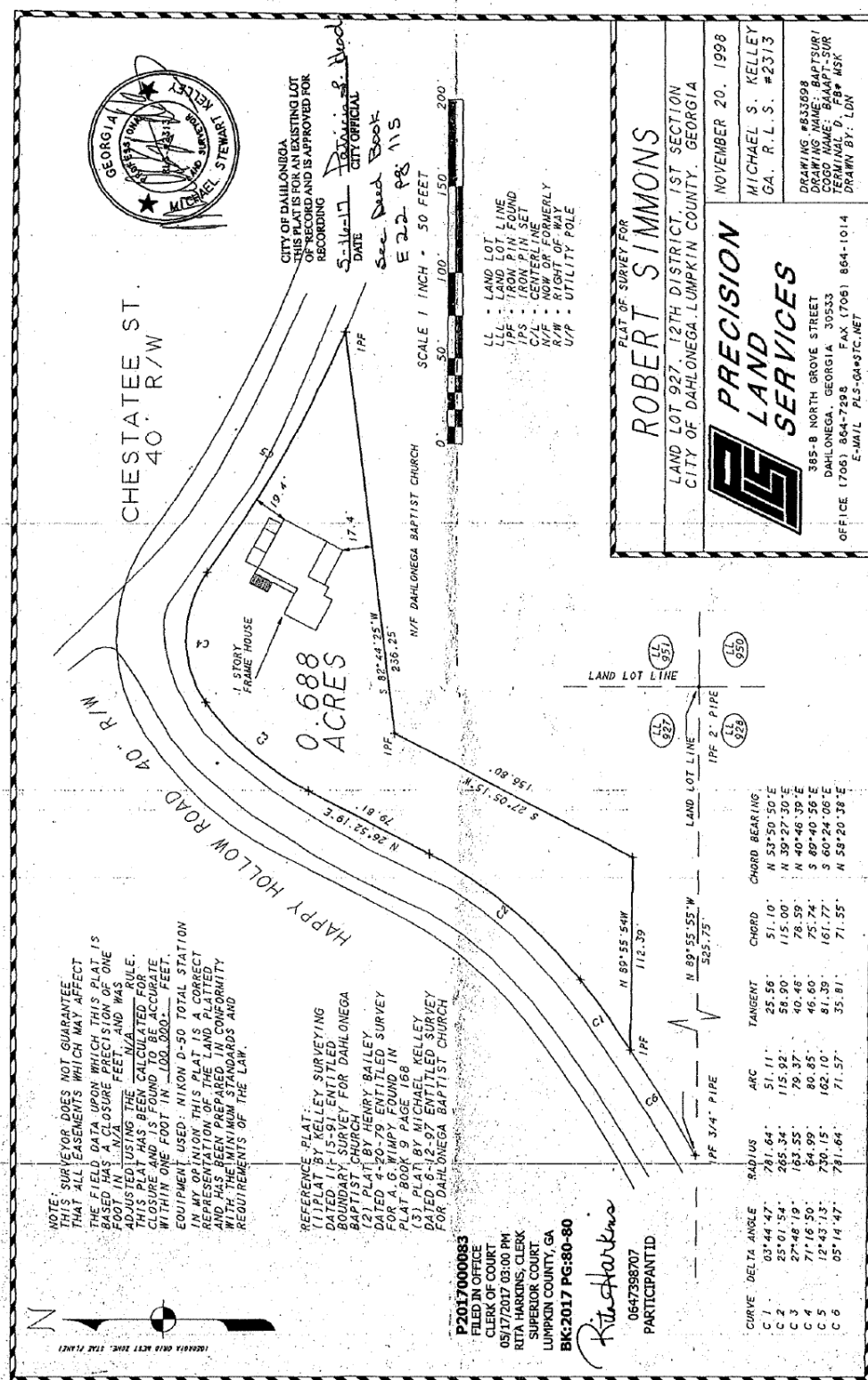
8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.

The requested rezoning will not create excessive burden on public streets, utilities, or public facilities. The property is already served by city water, city sewer, and existing street access. Adequate off-street parking is proposed and shown in Exhibit B. No increase in density beyond the existing structure is proposed.

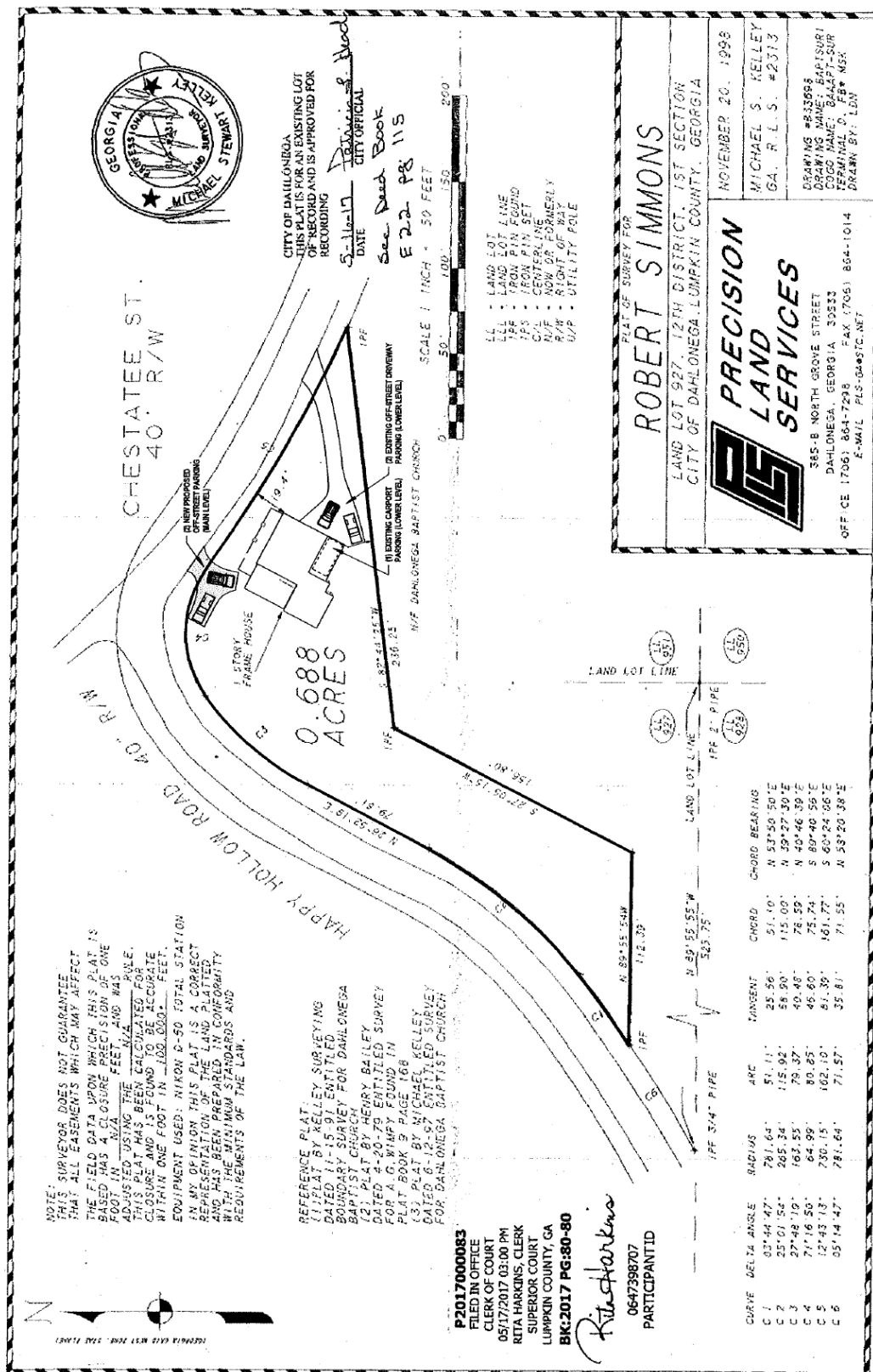
9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.

The requested rezoning is consistent with the City's planning objectives for compatible residential land use transitions, preservation of existing housing stock, and thoughtful corridor development near downtown Dahlonega. The request aligns the zoning designation with both the existing built form and surrounding neighborhood character. See Exhibit A.

Applicant's Response to Zoning Criteria (2 of 2)



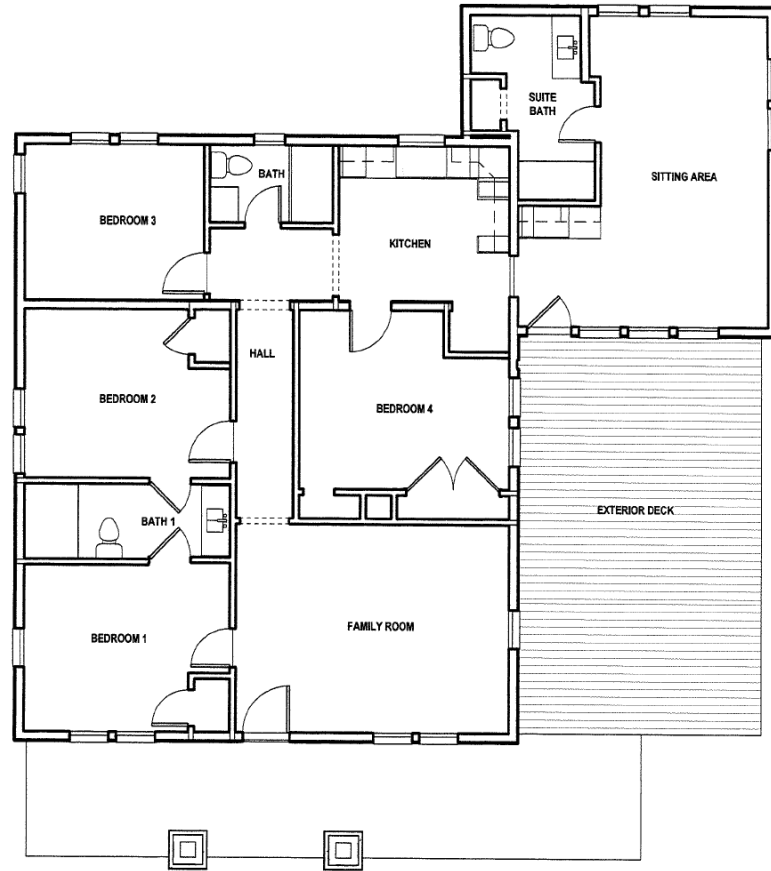
Boundary Survey



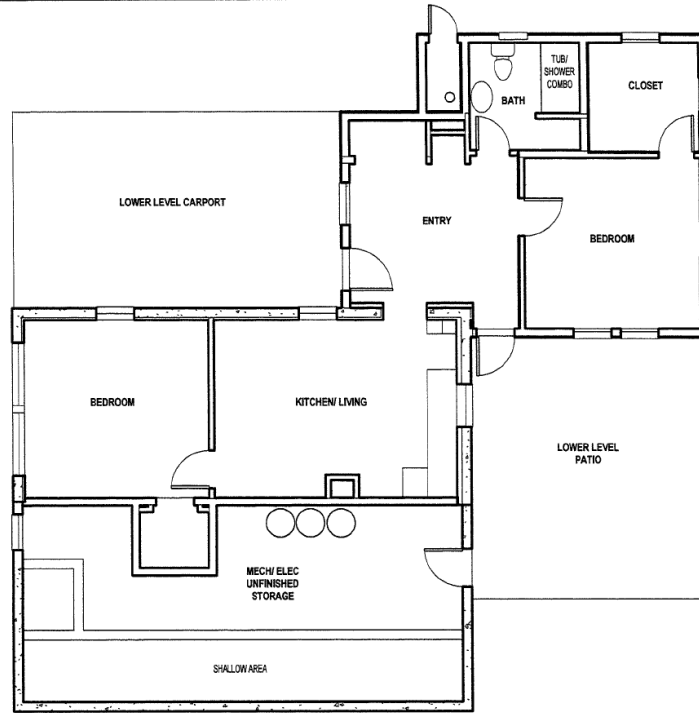
Recorded Plat



Aerial Photo/ Site Plan of Proposed Development



MAIN LEVEL AS-BUILT FLOOR PLAN
399 NORTH CHESTATEE STREET, DAHLONEGA | 04/16/26



LOWER LEVEL AS-BUILT PLAN
399 NORTH CHESTATEE STREET, DAHLONEGA | 04/16/26

**CITY OF DAHLONEGA
REQUEST FOR CONDITIONAL R-2 REZONING
REZN 26-04
399 North Chestatee Street**

Prepared for
Mayor and Members of the Dahlonega City Council

Submitted by
John & Kasey Sharp

July 15, 2026

**Preserving an Existing Historic Structure, Respecting the City's Planning Process &
Aligning Zoning with Existing Conditions**



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 - Exhibit B – Rezoning Application
 - Exhibit C – Existing Zoning Map
 - Exhibit D – Property History
 - Exhibit E – Various Property & Location Photos

LETTER TO THE MAYOR AND CITY COUNCIL

Mayor Norton & Members of the City Council,

Thank you for your time, your service to the City of Dahlonega, and your careful consideration of our application regarding 399 North Chestatee Street.

When we purchased this property, we did so because we fell in love with Dahlonega. Both of us grew up in Georgia, and our long-term goal is to make Dahlonega our permanent home as we spend more time with our family and eventually retire here. We view this property as an opportunity to preserve an older home, improve it, and become part of a community that we deeply respect.

As we learned more about the property's history and existing configuration, we recognized that the most responsible course of action was to bring the property before the City through the public rezoning process. Rather than simply continuing the property's historical pattern of use, we chose transparency and asked the City to evaluate the property under its current zoning ordinance and Comprehensive Plan.

We are **not** requesting a new land use or permission to construct additional dwellings, increase residential density, or substantially alter the character of the property. We are requesting the most appropriate zoning classification that recognizes the property's existing physical configuration that has existed in substantially its current configuration for decades while preserving the existing home and maintaining compatibility with the surrounding area.

We appreciate the thoughtful review conducted by the City's Consulting Planner. His report carefully evaluated our application under each of the City's five rezoning criteria and concluded that the request supports conditional approval, provided that the property remains limited to the existing structure and appropriate conditions are imposed. We fully support those recommendations and are willing to accept the proposed conditions.

We respectfully ask the City Council to evaluate this application based upon the City's adopted rezoning criteria, the surrounding land-use pattern, the Comprehensive Plan, and the City Consulting Planner's recommendation attached as Exhibit A.

Thank you again for your consideration and for your service to the citizens of Dahlonega.

Respectfully,

John Sharp
Kasey Sharp
399 North Chestatee Street

EXECUTIVE SUMMARY

We respectfully request approval of Conditional R-2 zoning for the existing residence located at 399 North Chestatee Street. The request is limited to the existing structure and is consistent with the conditions recommended by the City Consulting Planner (Exhibit A).

What Makes This Property Unique

- Available records and witness testimony indicate **the property has functioned as a multi-unit rental property rather than an owner-occupied single-family residence for decades.**
- Unlike a traditional interior residential lot, 399 North Chestatee occupies a unique **location along one of Dahlonga's primary gateway corridors** into downtown.
- The property is immediately **surrounded by institutional and neighborhood business** uses, including churches on three sides and a Bed & Breakfast / Wedding Venue across North Chestatee Street.
- It serves as a **transition between the downtown commercial area and the residential** neighborhood farther north.

Because of this, the property's immediate context differs substantially from a typical detached single-family residential block.

The proposal is intentionally limited. We seek approval only for:

- Continued use of the existing structure
- Preservation of the existing residence
- Improvements to parking, landscaping, and site aesthetics
- Compliance with all conditions recommended by the City Consulting Planner

*No increase in residential density is requested.
No dwelling expansion beyond the existing structure is contemplated.*

Consulting Planner Recommendation (Exhibit A)

After evaluating the application under each of the City's adopted rezoning criteria, the City Consulting Planner concluded that the application satisfies each of the required criteria and recommended **Conditional Approval**, including conditions that:

- limit the approval to the existing structure;
- prohibit construction of additional dwelling units; and
- require safe driveway improvements and utility compliance.

We accept these recommended conditions.

PROPERTY OVERVIEW

Location

- 399 North Chestatee Street is ***located where different land uses meet*** and gradually transition from one to another vs. being located within an established residential neighborhood.
- Located ***walking distance from Dahlonga's Public Square (0.20 miles)***, the property sits along one of the City's principal gateway corridors.
- Unlike properties located deeper within traditional residential neighborhoods, it occupies a unique position at the ***intersection of institutional, neighborhood business, and residential land uses***.
- Immediately ***surrounding the property are two churches, a bed & breakfast / wedding venue business, and a major collector roadway*** leading directly into downtown.

Rather than functioning as part of a continuous block of detached single-family residences, the property serves as a transition between the downtown activity center and the residential neighborhood farther north. This context is what makes the property unique.

The City Consulting Planner reached the same conclusion, stating “Based on the fact that the subject property is surrounded by institutional and neighborhood commercial land uses and does not abut any detached, single-family dwelling, the proposal for R-2 zoning is considered suitable (supports request).”

Existing Residential Configuration

Long before we purchased the property, the residence had already been configured with:

- An existing residential appearance consistent with the corridor
- Separate upper and lower living areas (no interior stairs)
- Separate exterior entrances
- Independent living spaces
- Three electrical panels & meters labeled Apt A, B and C
- USPS currently recognizes 399 N. Chestatee Street using Apt A, B and C
- Three water heaters
- No homestead exemption
- Only permit on record was in 2024
- Consultant recommends Conditional R-2

We did not create this configuration. It existed when the property was purchased. We do not seek to change these defining characteristics, rather preserve them.

Existing Character of the Property

This request is based upon preserving what already exists—not creating something fundamentally different.

The existing residence:

- remains one of the older homes along the corridor;
- contributes to the visual character of the area;
- provides a residential transition between surrounding uses;
- can continue serving that role without demolition or substantial redevelopment.

Conditional R-2 zoning allows that preservation to occur while maintaining appropriate limitations on future development.

Immediate Surrounding Land Uses

North: Yellow Daisy Bed & Breakfast / Wedding Venue (Neighborhood Business) zoned B-1

West: The Torch Church (Neighborhood Business District) zoned B-1

East: Dahlonga Baptist Church

South: Dahlonga Baptist Church Property

Unlike many R-1 properties, ***the subject parcel does not directly adjoin detached single-family residences on any side.*** Instead, it is immediately surrounded by institutional and neighborhood business uses, a fact recognized in the City Consulting Planner's analysis.

Rather than being situated within the interior of a traditional detached single-family neighborhood, ***399 North Chestatee Street occupies a prominent location along a gateway corridor*** where institutional, neighborhood business, and residential uses converge.

The immediate surroundings therefore reflect a land-use pattern that ***differs significantly from a conventional R-1 neighborhood.***

The City Consulting Planner reached the same conclusion, stating “Since there are no other detached dwellings in the immediate vicinity, use of the existing dwelling for multi-family will not adversely affect nearby property (supports request).”

Functions as a Transition Property

Land use does not change abruptly. Cities rarely change from one land use to another overnight. Instead, transitions occur gradually. The area surrounding 399 North Chestatee illustrates this principle.

Traveling north from Downtown Dahlonega, visitors experience a progression from Downtown Commercial Core -> Institutional Uses -> **399 North Chestatee** -> Neighborhood Business -> Traditional Residential Neighborhood

The subject property occupies the point where these different land use patterns intersect. This location makes it fundamentally different from homes located farther north within established residential blocks.

Transition Between Two Different Character Areas

This property occupies a location where two distinctly different development patterns meet.

To the South

- Downtown Dahlonega
- Commercial activity
- Neighborhood business uses
- Higher pedestrian activity
- Gateway corridor

To the North

- Neighborhood business uses
- Traditional residential neighborhood
- Detached homes
- Lower traffic volumes
- Local residential streets

399 North Chestatee functions as the transition between these two environments.

Rather than interrupting a homogeneous residential block, it **provides a gradual change between the City's commercial gateway and its residential neighborhoods.**

This type of transition is consistent with accepted planning principles and with the City's Comprehensive Plan encouraging context-sensitive development. The City Consulting Planner stated “The location is such that there is added pressure to transition land uses from low density to a more urban density. The requested rezoning is considered in alignment with these trends (supports request).”

Compatibility with Adjacent Properties

The proposed conditional rezoning maintains compatibility in several important ways.

Residential Appearance

- The home continues to appear as a traditional residence from the public street.
- No architectural changes are proposed that would alter its residential character.

Existing Neighborhood Scale

- Not requesting authority to increase the number of dwelling units beyond the existing structure.
- The proposal maintains the existing scale of development while avoiding the type of higher-density construction that unrestricted R-2 zoning could otherwise permit.
- Because no additional dwelling units are proposed, traffic impacts remain comparable to the existing residential use of the property.

Existing Gateway Character

- The proposal preserves an existing residential structure that contributes positively to the visual transition from downtown into the surrounding neighborhoods.

Per the City Consulting Planner's report "Use of the dwelling for two households will not cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools (supports conditional approval)."

CONSISTENCY WITH THE COMPREHENSIVE PLAN

The City's Comprehensive Plan recognizes that different areas of the community require different approaches to future development.

The ***City Consulting Planner concluded that this application supports those adopted policies*** by:

- preserving an existing structure;
- encouraging context-sensitive development;
- maintaining residential use;
- accommodating housing within an appropriate location; and
- recognizing the property's position within an evolving transition corridor.

Rather than encouraging redevelopment, the proposal preserves an existing building while allowing the property to function in a manner consistent with its current structure and surroundings.

CITY CONSULTING PLANNER FINDINGS SUMMARY (Exhibit A)

Evaluation Under the City's Five Rezoning Criteria

The City Consulting Planner evaluated the application under each of the five criteria required by the Dahlenega Zoning Ordinance & recommended ***Conditional Approval***.

Required Criterion	Consulting Planner Finding
Suitable considering surrounding development	✓ Supports Approval
No adverse impact on adjacent property	✓ Supports Approval
Streets, transportation and utilities	✓ Supports Approval with driveway condition
Consistency with Comprehensive Plan	✓ Supports Approval
Existing and changing conditions	✓ Supports Approval

WHAT MAKES THIS APPLICATION DIFFERENT

Unlike many rezoning requests, this application ***does not seek to maximize development*** potential. Instead, the applicants agree that:

- the existing residence remains; no additional residential dwellings constructed;
- future development should remain compatible with the surrounding area; and
- reasonable conditions are appropriate to ensure these commitments remain in place; these voluntary limitations substantially reduce the concerns often associated with broader rezoning requests.

A BALANCED SOLUTION

The City Consulting Planner's recommendation reflects a balanced planning approach. Rather than recommending unrestricted R-2 zoning, the report recommends Conditional Approval that:

- recognizes the property's unique setting;
- preserves the existing structure;
- adds no additional dwelling units;
- improves parking and circulation;
- maintains compatibility with the surrounding area.

We fully support these recommendations as these conditions eliminate the concerns typically associated with rezoning requests involving broader development rights.

KEY TAKEAWAY

- The question before the City Council is not whether unrestricted R-2 zoning would be appropriate throughout Dahlonaga.
- The question is whether this specific property—with its existing structure, unique location, surrounding institutional and neighborhood business uses, and the limitations proposed through conditional zoning—is appropriately classified as Conditional R-2.

The City Consulting Planner concluded that it is. We respectfully ask the Council to reach the same conclusion based on the City's adopted rezoning criteria.

WHY CONDITIONAL R-2 IS APPROPRIATE

Conditional zoning exists to allow flexibility where unique circumstances exist while protecting surrounding properties through enforceable limitations. This application presents precisely that situation.

The existing property:

- the property's existing physical configuration has existed for decades;
- occupies a unique transition location;
- is surrounded by institutional and neighborhood business uses;
- is not proposed for redevelopment;
- can be appropriately regulated through conditions.

Appropriate zoning benefits not only the current owners but also future owners, lenders, insurers, and the City by ***ensuring that the property's legal classification accurately reflects its long-established physical configuration.***

Aligning zoning with existing conditions reduces uncertainty during future financing, insurance underwriting, property transfers, and permitting while preserving the existing historic structure under enforceable conditions.

Conditional R-2 provides a mechanism to recognize those circumstances while preventing future development inconsistent with the surrounding area.

WHY WE CHOSE THE PUBLIC PROCESS

Transparency

- When purchasing the property, we could have simply maintained the existing dual-residence and delayed addressing the property's long-standing zoning questions. Instead, we chose a different approach.
- We voluntarily submitted an application through the City's public rezoning process so the property could be evaluated under current zoning standards, reviewed by professional planning staff, considered by the Planning Commission, and ultimately decided by the City Council.
- This decision reflects our commitment to transparency, collaboration, and respect for the City's planning process.

Respect for the City's Process

We recognize that land use decisions affect the broader community.

For that reason, they have:

- participated in public hearings;
- met with City staff;
- responded to questions;
- prepared supporting materials;
- accepted recommended conditions; and
- sought to provide complete information throughout the review process.

Bringing the Property Into Compliance

- This application is not an effort to avoid regulation.
- It is an effort to work **within** the City's established planning framework.
- We believe that voluntarily seeking review through the public process is the appropriate way to address the property's existing condition and long-term use.
- We respectfully ask the City Council to evaluate the request based upon the City's adopted rezoning criteria and the specific facts applicable to this property.

Why not leave the property as it is?

- We bought it believing the merits of the property would be evaluated based on the property's facts, history, compatibility with the surrounding area, and the evidence we've submitted—not on the assumption that it should remain unchanged simply because that's how it was zoned when we purchased it.
- Because we believe that addressing the property's zoning through the City's established public process is the responsible course of action for all parties.
- We support the City Consulting Planner's recommended conditions limiting the use to the existing structure, addressing driveway safety, and requiring appropriate utility compliance per Exhibit A.

CONCLUSION

Evaluating the Property Before You

Every rezoning application is unique. The decision is whether this property, given its unique physical characteristics, surrounding land uses, existing improvements, and location, satisfies the City's adopted criteria for rezoning; not whether conditional R-2 zoning is appropriate everywhere in Dahlonega.

THIS APPLICATION IS UNIQUE

Several characteristics distinguish this property from a typical single-family residential lot.

The property:

- existed with multiple independent living areas for decades with separate upper & lower living spaces;
- fronts one of Dahlonega's primary gateway corridors;
- is located within walking distance of Downtown;
- is immediately surrounded by churches and neighborhood business uses;
- does not directly adjoin detached single-family residences;
- contains an existing historic residential structure;
- has long existed in a configuration different from a traditional detached residence;
- USPS currently recognizes 399 N. Chestatee Street using Apt A, B & C address designations, consistent with the property's long-standing multi-unit configuration;
- is proposed to remain exactly where it is, within its existing footprint.

THIS REQUEST IS LIMITED

Throughout this process, we have consistently sought to narrow—not broaden—the scope of the request. It intentionally limits future use through conditions that preserve compatibility with the surrounding area.

We agree to:

- preserving the existing residence;
- no additional dwelling units;
- improving access and parking;
- maintaining residential character; and
- complying with conditions recommended by the City Consulting Planner (Exhibit A)

These limitations ensure that approval of this request does not create an opportunity for the type of higher-density redevelopment that is sometimes associated with unrestricted R-2 zoning.

PLANNING COMMISSION HEARING

During the Planning Commission hearing, a few Dahlonega residents expressed concerns regarding traffic, parking, neighborhood character and future residential occupancy.

We appreciate those concerns. Our intent is not to increase density or fundamentally change the character of North Chestatee Street.

Accordingly:

- no additional dwelling units are proposed;
- additional parking improvements are planned;
- we accept the Consulting Planner's recommended conditions (Exhibit A);
- our long-term goal is to occupy the home ourselves as our permanent residence.

The question before Council is therefore not whether to approve new development. It is whether this existing historic structure should receive a zoning classification that accurately reflects its long-standing physical configuration while preserving the property through enforceable conditions.

REQUEST FOR APPROVAL

For the reasons presented throughout this packet, we respectfully request that the Mayor and City Council approve **REZN 26-04 as Conditional R-2**, subject to the conditions recommended by the City Consulting Planner.

Exhibit A

CITY CONSULTING PLANNER'S REPORT

(See Attached)

CONSULTING PLANNER'S REPORT

TO: Dahlonga Planning Commission and City Council
c/o Doug Parks, City Attorney

FROM: Jerry Weitz, Consulting City Planner

DATE: April 29, 2026

SUBJECT: **REZN 26-04:** Rezoning from R-1 (Residential Single-Family District) to R-2 (Multiple Family Residential District Low to Medium Density)

PUBLIC HEARINGS: TBD

APPLICANT: John and Kasey Sharp

OWNER(S): John and Kasey Sharp

LOCATION: Fronting on the south side of Chestatee Street and the east side of Happy Hollow Road (399 North Chestatee Street) (Land Lot 927, 12th District, 1st Section)

PARCEL #: D07 024

ACREAGE: 0.69

EXISTING USE: Residential dwelling with separate upper and lower occupancies (duplex)

PROPOSED USE: Residential dwelling with separate upper and lower occupancies (duplex)

SURROUNDING LAND USE/ZONING:

NORTH: (across N. Chestatee Street): Bed and breakfast inn, B-1
EAST: Vacant (part of church property), R-1
SOUTH: Vacant (part of church property), R-1
WEST: (across Happy Hollow Road): Church, B-1

RECOMMENDATION: **Approval, Conditional**



Vicinity Map (Subject property outlined in blue)



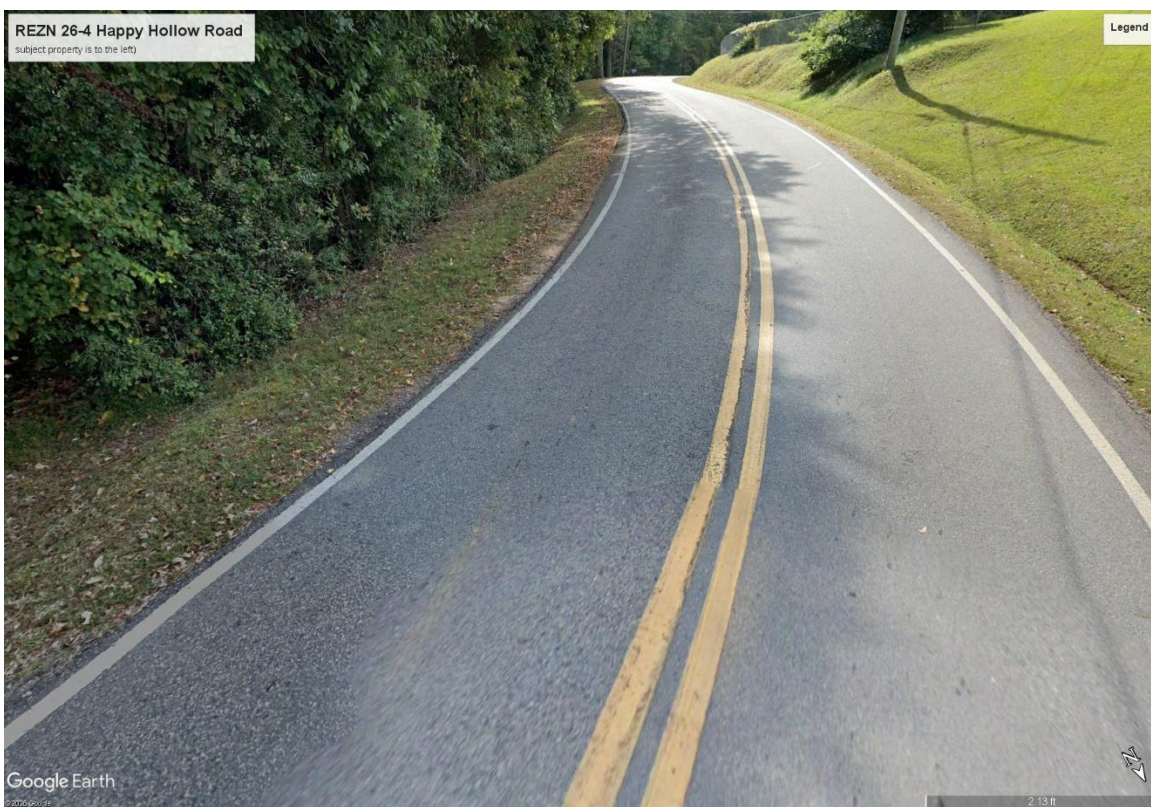
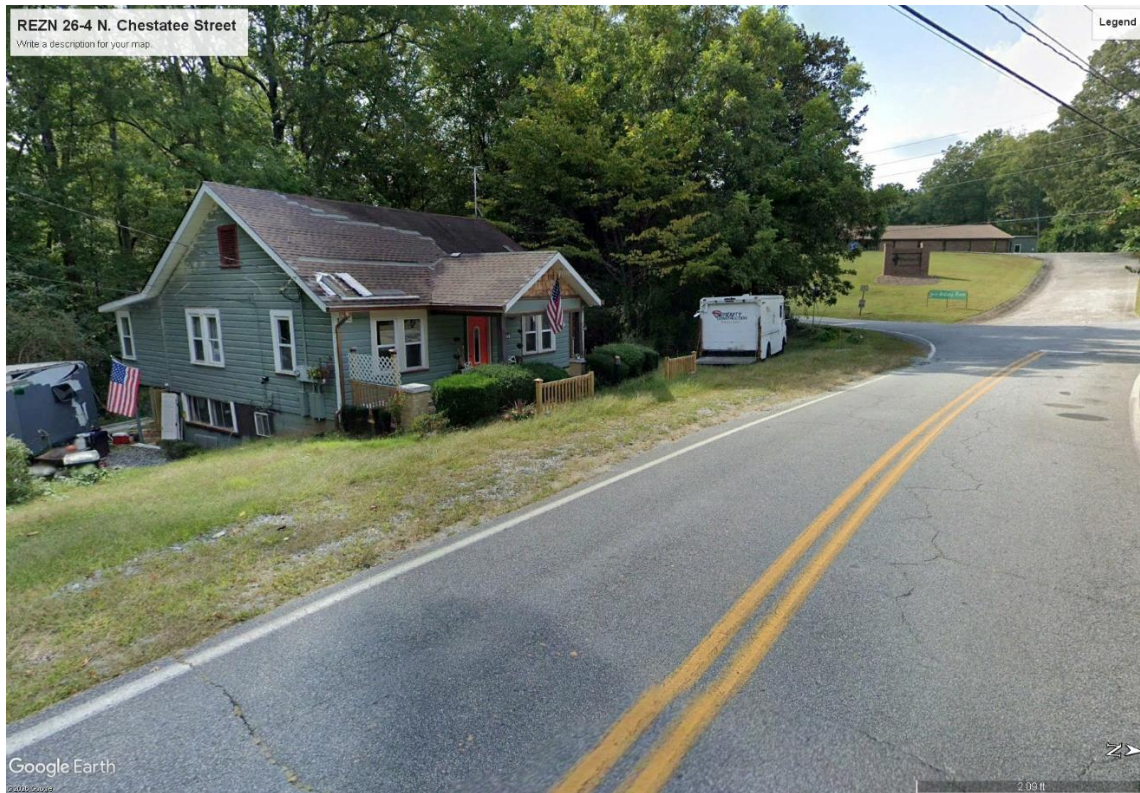
Tax Map/Aerial Photograph of Property (blue outline)

SUMMARY OF PROPOSAL

The applicant seeks rezoning from single-family (R-1) to multi-family (R-2) to authorize use of a dwelling on the property for two family occupancy. A letter of intent and a site plan have been submitted and are attached to this report. The applicant has also addressed in writing various zoning criteria. The applicant has also included as-built floor plans of the first and second floors of the dwelling.

This property was improperly used as a duplex by a prior owner and does not have the required second water or sanitary sewer connections paid and installed.

REZN 26-4 Rezoning from R-1 to R-2



ZONING CRITERIA

Section 2607 of the Dahlonge zoning ordinance articulates the criteria by which an application for rezoning should be evaluated. They are as follows:

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.
2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.
3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.
4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonge.
5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Note: The Planning Commission and City Council may adopt the findings and determinations provided in this report as written (provided below), if appropriate, or it may modify them. The planning commission and city council may cite one or more of these in its own determinations, as it determines appropriate. The Planning Commission and City Council may modify the language provided here, as necessary, in articulating its own findings. Or, the Planning Commission and City Council can reject these findings and make their own determinations and findings for one or more of the criteria as specified in the Dahlonge zoning ordinance and any additional considerations it determines appropriate.

1. Whether the zoning proposal will permit a use that is suitable in view of the use and development of adjacent and nearby property.

Finding: The subject property abuts institutional properties (churches) to the west, east, and south. One of the churches is zoned R-1, while the other (to the west) is zoned B-1 (Neighborhood Business District) To the north is a detached dwelling zoned for neighborhood business (B-1) and utilized as a bed and breakfast inn. Based on the fact that the subject property is surrounded by institutional and neighborhood commercial land uses and does not abut any detached, single-family dwelling, the proposal for R-2 zoning is considered suitable (**supports request**), provided that it is restricted to use of the existing structure as opposed to new construction. Unless restricted, unconditional R-2 zoning would authorize the owner to demolish the existing dwelling and replace it with multiple-family dwellings which would not be in keeping with the

character of the neighborhood and would be inconsistent with the comprehensive plan policies and character area map (discussed below). Therefore, a condition of zoning approval is recommended that limits the use to the existing structure and prohibits construction of new dwelling units (**supports conditional approval**).

2. Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property.

Finding: Since there are no other detached dwellings in the immediate vicinity, use of the existing dwelling for multi-family will not adversely affect the existing use or usability of adjacent property. Nor will it adversely affect nearby property (**supports request**). Unrestricted R-2 zoning that enables construction of new dwellings would be considered out of context with the neighborhood and may have adverse effects on nearby property (**supports conditional approval**).

3. Whether the zoning proposal will result in a use that will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.

Finding: The subject property is a corner lot, with frontage on Happy Hollow Road and N. Chestatee Street. Use of the dwelling for two households will not cause excessive or burdensome use of existing streets, transportation facilities, utilities or schools. However, access and parking to the property is not formalized. The applicant proposes to have two driveways, one of which is very close to the intersection of N. Chestatee Street and Happy Hollow Road. The proposal for a curb cut and driveway that has parking for one of the units that backs into the street near the intersection of Happy Hollow Road and N. Chestatee Street is considered potentially hazardous. A condition of approval is recommended that requires construction of any driveway at a safe location from the street intersection (**supports conditional approval**).

4. Whether the zoning proposal is consistent with the Comprehensive Plan, transportation plans, or other plans adopted for guiding development within the City of Dahlonga.

Finding: Community goals in the comprehensive plan support the rezoning request. Goals indicate that “The City should also be prepared for more multi-family developments by planning where and how best to accommodate such projects most efficiently and without damaging local character” (p. 12). Also, with regard to neighborhood preservation, plan policies (p. 13) indicate as follows: “Preserving these neighborhoods and subdivisions is not only critical to sustaining the city’s cost of living but will contribute to the variety of housing options needed in the future. The City should be proactive in monitoring these areas for signs of distress or blight, working to help preserve the viability of residential areas by ensuring the safety and accessibility of each. Where possible this should include pedestrian connections to key public destinations. The City should also ensure land use regulations foster compatible infill without incurring undue costs on the landowners” (**supports request**).

Finding: The subject property is included in the “residential” character area. The description of the residential character area calls for “preservation of existing structures where possible, or context sensitive infill development” and one- to two-story structures oriented close to the street front...”. The existing dwelling matches this description. The proposal is considered generally consistent with the residential character area recommendation **(supports request)**. It is also noted that all properties to the north, east, and south of the subject property are in a public square character area, and extension of that character area to the subject property would be logical **(further supports request)**.

5. Whether there are other existing or changing conditions affecting the use and development of property that give supporting grounds for either approval or disapproval of the zoning or special use proposal.

Finding: Although the subject property is zoned R-1 and is within an area that includes some R-1 zoning, the use pattern is institutional (with three different churches nearby) with a neighborhood commercial use operating in the vicinity. The use pattern tends to support the change and lessens the need to maintain detached, single-family zoning **(supports request)**. As noted in the letter of intent, the subject property is located in close proximity to Dahlonga’s downtown and the university. The location is such that there is added pressure to transition land uses from low density to a more urban density. The requested rezoning is considered in alignment with these trends **(supports request)**.

CONCLUSION

The application is consistent with all of the criteria for zoning decisions, which support R-2 zoning on the subject property. Consulting planner recommends approval, but with a condition that requires any driveways to be a safe distance from the intersection of Happy Hollow Road and N. Chestatee Street. Also, conditions are recommended to restrict the use of the subject property to the existing building and to require second water and sewer connections for a second dwelling unit.

RECOMMENDED CONDITIONS OF ZONING APPROVAL

If this request for R-2 zoning is approved, it should be approved R-2 conditional, subject to the owner’s agreement to abide by the following conditions:

1. Use of the property shall be limited to one residential building which shall contain no more than two dwelling units. Individual bedrooms shall not be rented.
2. The owner/developer shall be required to construct driveways and parking in accordance with applicable city specifications. No driveway onto Happy Hollow Road shall be located closer than 125 feet from the intersection of the centerlines of Happy Hollow Road and N. Chestatee Street. No driveway onto N. Chestatee

Street shall be authorized between the existing building and the intersection of Happy Hollow Road and N. Chestatee Street.

3. Prior to occupancy for more than one dwelling unit, the applicant shall be required to pay for and install an additional public water and additional sanitary sewer connections to serve the second unit.

Exhibit B

REZONING APPLICATION

(See Attached)

REZONING APPLICATION – EXHIBIT A

John & Kasey Sharp
399 North Chestatee Street
Dahlonega, Georgia 30533

April 16, 2026

City of Dahlonega
Planning & Zoning Department
465 Riley Road
Dahlonega, Georgia 30533

Re: Letter of Intent & Rezoning Request – 399 North Chestatee Street

Dear Members of the Planning Commission and City Council,

This Letter of Intent is submitted in support of our application to rezone 399 North Chestatee Street from Single-Family Residential (R-1) to Multiple-Family Residential (R-2).

The purpose of this request is to align the zoning designation with the property's longstanding physical layout, historical use pattern, and compatibility with the surrounding Chestatee corridor. The existing structure includes distinct upper and lower living areas, separate exterior access, multiple bedrooms and bathrooms, and a layout that is consistent with residential duplex-compatible use. The requested rezoning is intended to regularize and align the zoning classification with the existing built form and surrounding neighborhood context.

Existing Property Conditions

The home is an established residential cottage located in close proximity to downtown Dahlonega and the University of North Georgia. Historically, the structure has functioned in configurations that included multiple residential living areas and separate access points. The current physical layout continues to reflect this longstanding configuration, including an independently accessible lower level that is compatible with duplex-style residential use.

No expansion of the existing footprint, increase in density, or new construction is proposed as part of this request. Rather, the rezoning seeks to align the zoning classification with the existing physical characteristics of the home.

Compatibility with Surrounding Land Uses

The subject property is located within a transitional corridor that includes a mix of residential, hospitality, institutional, and neighborhood commercial uses. Nearby properties include existing lodging accommodations, church properties, and other mixed-use residential uses, making the requested R-2 classification highly compatible with the surrounding area.

Letter of Intent (1 of 2)

REZONING APPLICATION – EXHIBIT A

The requested rezoning is therefore consistent with the existing development pattern and neighborhood character along North Chestatee Street.

Proposed Use

The proposed use is residential duplex-compatible occupancy under R-2 zoning. This classification will provide flexibility for long-term residential use while aligning the property with its historical configuration and surrounding land uses.

Importantly, this request does not seek any use intensity beyond what the existing structure already supports.

Suitability of the Property

The lot configuration, existing structure layout, utility access, and off-street parking potential make this property well suited for R-2 residential zoning. The property is already served by public water, sewer, and street access, and no new public infrastructure improvements are required as part of this request.

Impact on Adjacent Properties

Because the request primarily regularizes the zoning designation to match the existing structure and neighborhood pattern, we do not anticipate adverse impacts to adjacent properties or neighborhood character.

We intend to continue investing in the restoration, maintenance, and stewardship of this historic cottage so that it remains a positive asset to the surrounding community.

Consistency with Planning Objectives

The requested rezoning supports the City's broader planning objectives of encouraging compatible residential land uses, preserving existing housing stock, and supporting thoughtful corridor transitions near downtown Dahlonga.

REZONING APPLICATION – EXHIBIT A

Conclusion

For the reasons outlined above, we respectfully request approval of the rezoning of 399 North Chestatee Street from R-1 to R-2.

Thank you for your time and consideration.

Respectfully submitted,



John & Kasey Sharp
(303) 726-2226 / (303) 809-5547

Attachments:

- Exhibit A – Rezoning Application Form
- Exhibit B – Site Plan / Parking Layout
- Exhibit C – Boundary Survey / Plat
- Exhibit D – Existing Structure / Layout

Letter of Intent (2 of 2)

Complete the following information. (This section may be addressed in the letter of intent.)

1. The existing uses and zoning of nearby property and whether the proposed zoning will adversely affect the existing use or usability of nearby property.

The subject property is located within a transitional corridor along North Chestatee Street that includes a mix of residential, hospitality, institutional, and nearby business uses. Existing nearby properties include residential homes, lodging accommodations, church properties, and other mixed-use uses consistent with the evolving character of the corridor. The requested R-2 zoning is compatible with the surrounding development pattern and is not expected to adversely affect adjacent properties, as no increase in building footprint, height, or development intensity is proposed. See attached Letter of Intent as Exhibit A and site / parking plan as Exhibit B.

2. The extent to which property values are diminished by the particular zoning restrictions.

The current R-1 zoning does not fully align with the property's longstanding physical layout and historical use pattern, which includes distinct upper and lower living areas and separate exterior access. Because the existing structure is more consistent with duplex-compatible residential use, the current zoning may limit reasonable flexibility for lawful residential occupancy and may negatively affect long-term value, financing, and marketability. See Exhibit A.

3. The extent to which the destruction of property values promotes the health, safety, morals or general welfare of the public.

Approval of the requested rezoning will promote the public welfare by regularizing the zoning classification to better match the existing structure and surrounding corridor character. The property will remain residential in nature and will continue to benefit from planned improvements to drainage, parking, and general restoration, supporting neighborhood safety and long-term preservation of existing housing stock. See Exhibits A and B.

4. The relative gain to the public as compared to the hardship imposed upon the individual property owner.

Approval provides public benefit through preservation and continued investment in an existing residential structure in a transitional corridor near downtown Dahlonaga. Denial would create hardship by maintaining a zoning classification that does not fully align with the existing built form and longstanding residential configuration of the property. See Exhibit A.

Applicant's Response to Zoning Criteria (1 of 2)

5. The physical suitability of the subject property for development as presently zoned and under the proposed zoning district.

The property is physically well suited for R-2 zoning due to the existing structure layout, lot configuration, public utility access, and off-street parking potential. The existing physical configuration of the structure is already compatible with duplex-style residential use. See Exhibits A and B.

6. The length of time the property has been vacant, considered in the context of land development in the area in the vicinity of the property, and whether there are existing or changed conditions affecting the use and development of the property which give supporting grounds for either approval or disapproval of the rezoning request.

The property is not vacant; however, conditions in the surrounding corridor support the requested rezoning. The existing neighborhood pattern includes transitional residential, hospitality, and institutional uses that make the requested R-2 classification appropriate and consistent with current land use conditions. See Exhibit A.

7. The zoning history of the subject property.

The property is currently zoned R-1. To the best of the applicant's knowledge, this request is intended to align the zoning classification with the existing structure's longstanding physical layout and historical residential use pattern.

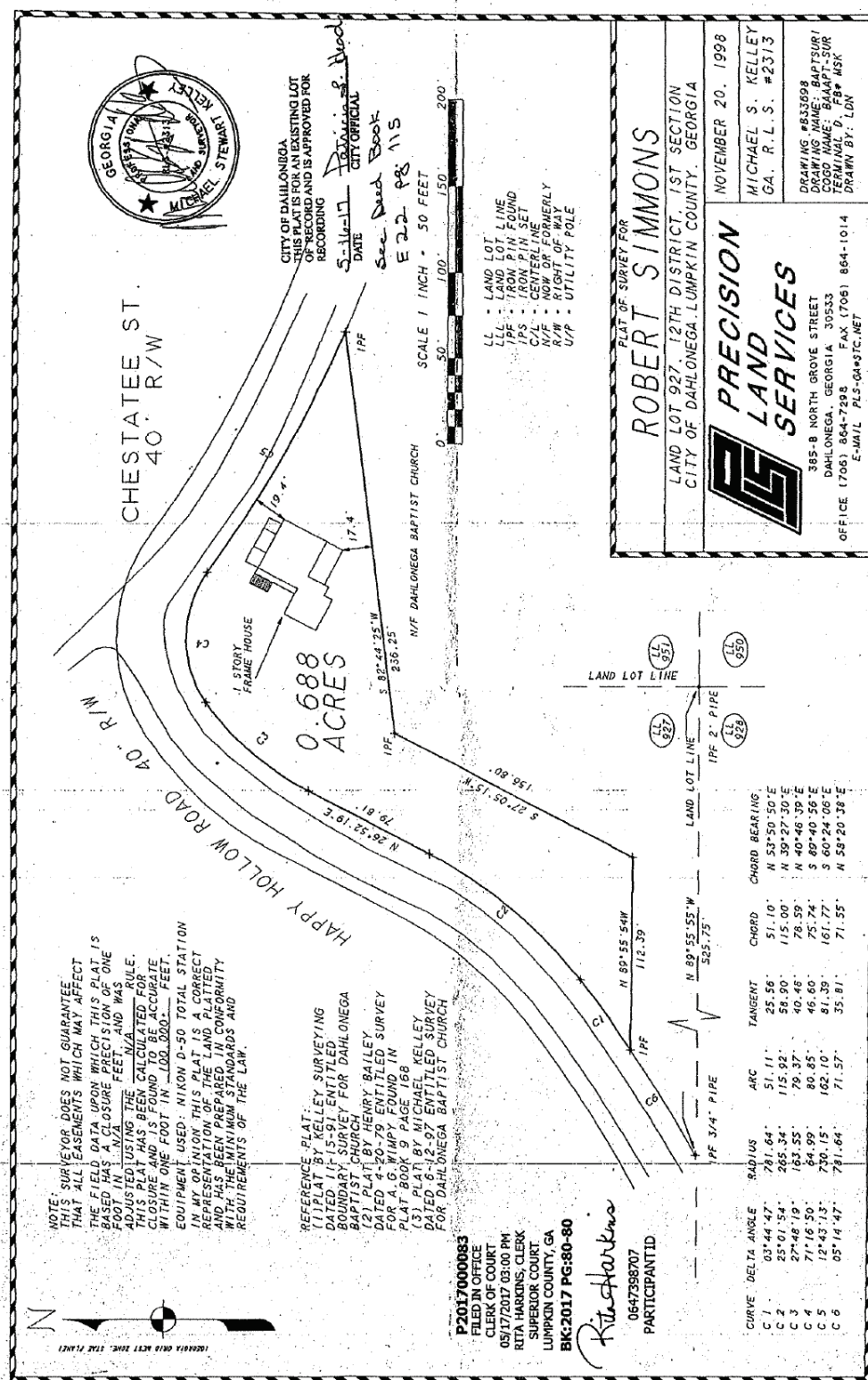
8. The extent to which the proposed zoning will result in a use which will or could cause excessive or burdensome use of existing streets, transportation facilities, utilities, schools, parks, or other public facilities.

The requested rezoning will not create excessive burden on public streets, utilities, or public facilities. The property is already served by city water, city sewer, and existing street access. Adequate off-street parking is proposed and shown in Exhibit B. No increase in density beyond the existing structure is proposed.

9. Whether the zoning proposal is in conformity with the policy and intent of the comprehensive plan, land use plan, or other adopted plans.

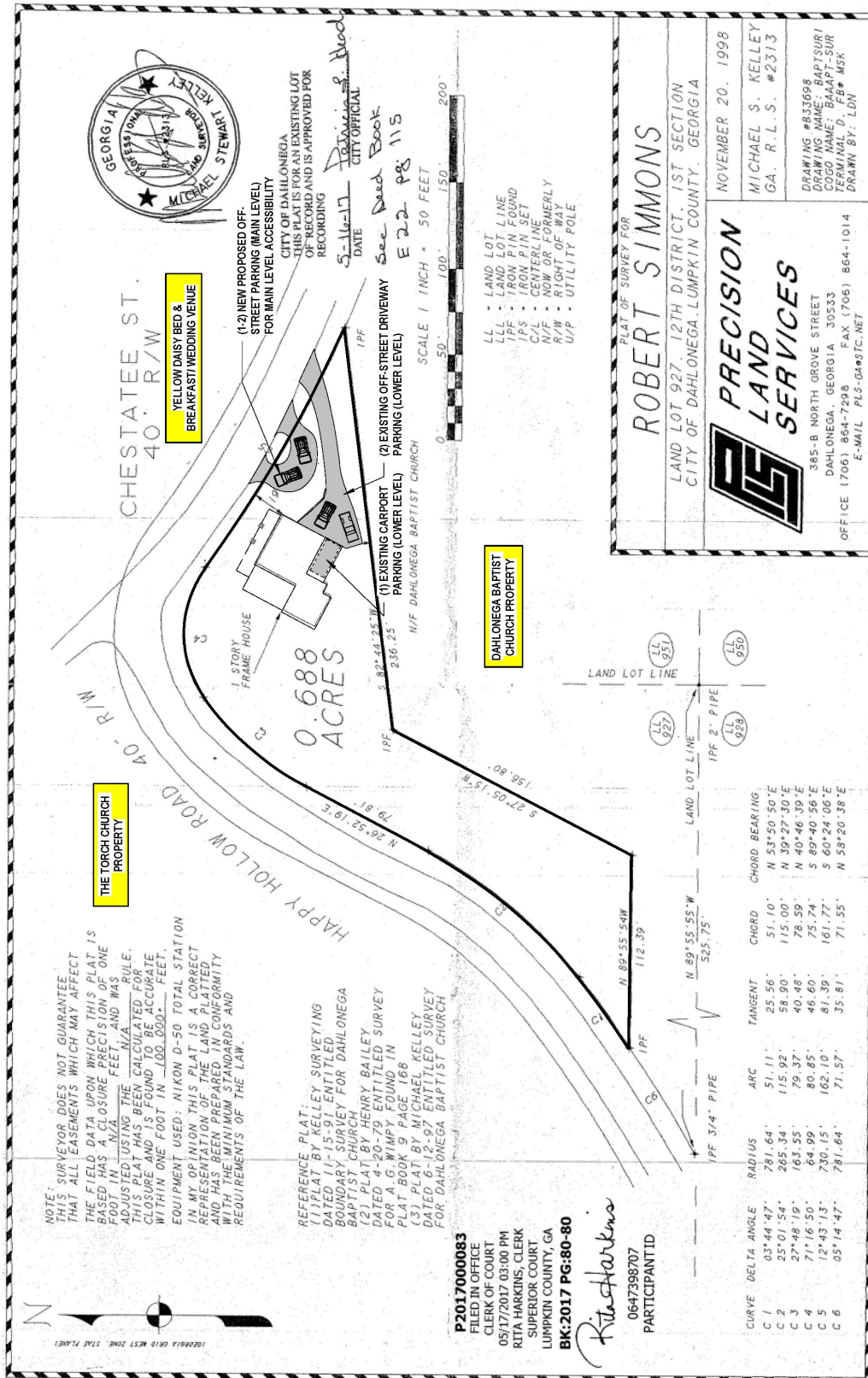
The requested rezoning is consistent with the City's planning objectives for compatible residential land use transitions, preservation of existing housing stock, and thoughtful corridor development near downtown Dahlonega. The request aligns the zoning designation with both the existing built form and surrounding neighborhood character. See Exhibit A.

Applicant's Response to Zoning Criteria (2 of 2)



Boundary Survey

UPDATED (PARKING)

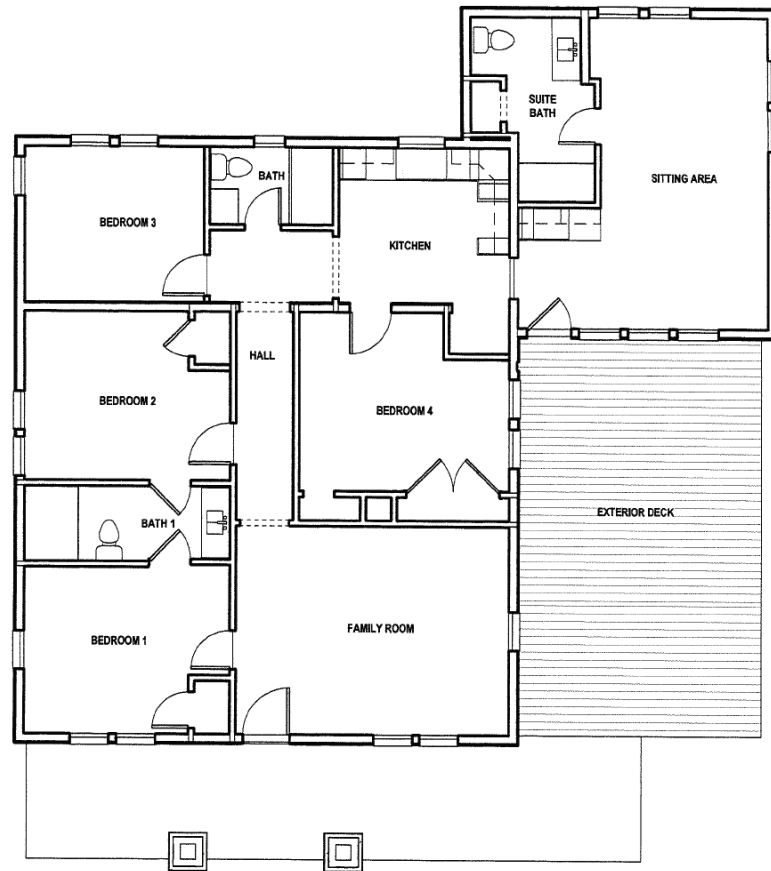


Recorded Plat

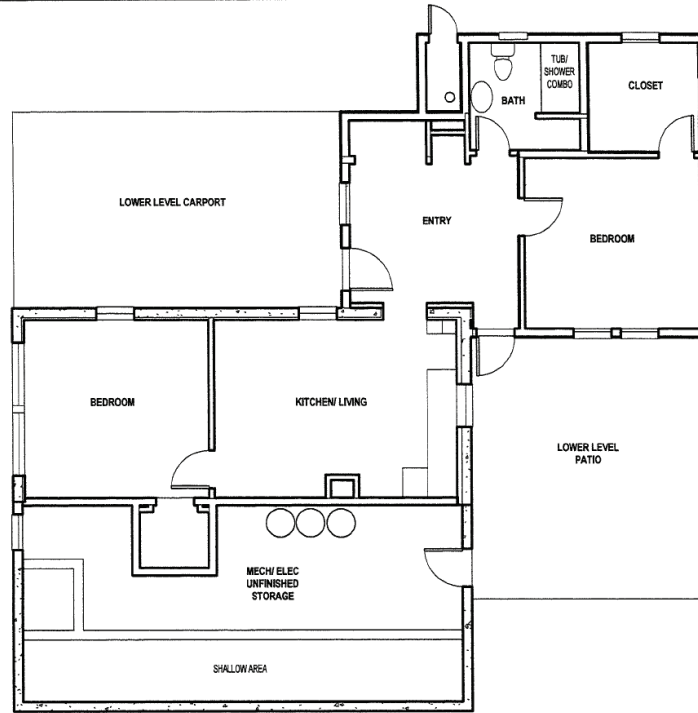
UPDATED



Aerial Photo/ Site Plan of Proposed Development



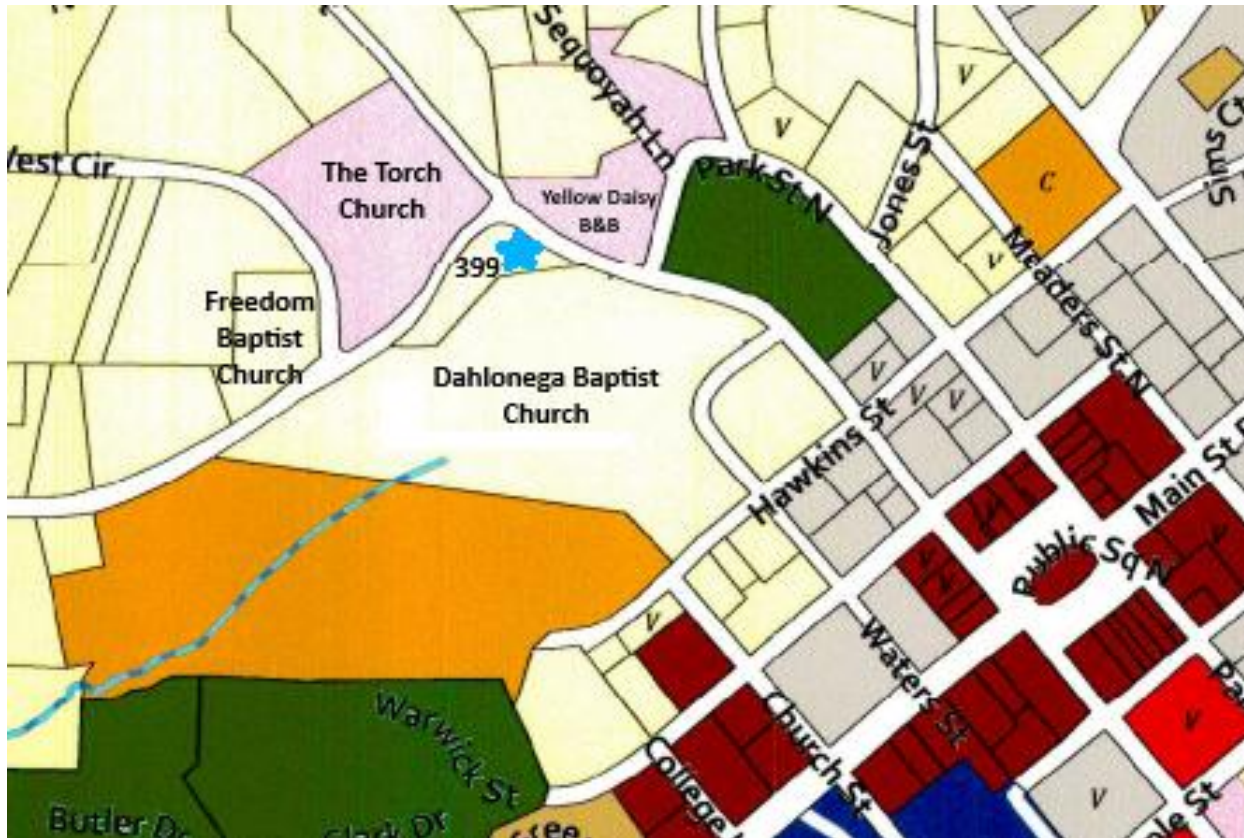
MAIN LEVEL AS-BUILT FLOOR PLAN
399 NORTH CHESTATEE STREET, DAHLONEGA | 04/16/26



LOWER LEVEL AS-BUILT PLAN
399 NORTH CHESTATEE STREET, DAHLONEGA | 04/16/26

Exhibit C

EXISTING ZONING MAP (PARTIAL)



★ 399 NORTH CHESTATEE STREET

Legend City of Dahlonega Zoning B-1 - Neighborhood Business District B-2 - Highway Business District B-3 - Historical Business District CBD - Central Business District I - Industrial District O-1 - Office/Institutional District PUD - Planned Unit Development District R-1 - Residential Single-Family District R-2 - Multiple-Family Residential District Low to Medium Density R-3 - Multiple-Family Residential District Medium to High Density U - Utilities Parcels			This is to certify that this Official Zoning Map supersedes and replaced the Official Zoning Map adopted August 17, 2020 as part of the Zoning Ordinance of the City of Dahlonega, Georgia. This is to certify that this is the Official Zoning Map referred to in Article IV of the Zoning Ordinance, City of Dahlonega Adopted: February 3, 2025 Amendments included through: December 31, 2023 <i>Julianne Taylor</i> Julianne Taylor, Mayor <i>Rhonda P Hamand</i> Rhonda P Hamand, City Clerk
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Exhibit D

PROPERTY HISTORY

Based on documentary evidence, tax records, MLS records, physical utility infrastructure, historical apartment designations, and witness testimony, the property has functioned as multiple residential units for nearly 30 years, and likely significantly longer.

1998 – 1999

- James Elliott owned the property prior to Robert Simmons
- James Elliott sold it to Robert Scott Simmons in 1999

1999 – 2014 (Never Owner Occupied)

- Robert Simmons owned the property
- He didn't claim a homestead exemption, indicating it was not his primary residence
- Tax bills were mailed to an address in Cumming, Georgia
- Available evidence indicates the property continued to function as rental housing during this ownership period

2014 – 2022 (Never Owner Occupied)

- Mitchell & Miranda Ridley acquired the property in 2014
- The MLS listing described the property as:
 - Income producing
 - Owner has never lived in the home
 - Triplex rental
 - Two 2-bedroom/1-bath units
 - One 1-bedroom/1-bath studio unit with kitchen

2022 – 2026 (Never Owner Occupied)

- Only a renovation permit on record
- The city has no recorded permit showing the triplex was created in 2024
- The triplex already existed before the renovation

2026 Rezoning Application

- Purchased April 15th, 2026 by John & Kasey Sharp
- Our April 16th, 2026 application requests **Conditional R-2 zoning for two dwelling units**, consistent with the recommendation of the City's Consulting Planner

Exhibit E

VARIOUS PROPERTY & LOCATION PHOTOS



Georgia Power recognizes three separate service locations at the property since 1998.

Exhibit E



Photos illustrate multiple unit current configuration w/ separate lower level entrance.

Step 4: Find your home address
Fill out all the required fields and validate your address so it can be verified as a valid delivery address.

Enter Your Address

Country: UNITED STATES

Address Line 1: 399 N Chestnut

399 N CHESTNUT ST APT A, DAHLONEGA GA 30533

399 N CHESTNUT ST APT B, DAHLONEGA GA 30533

399 N CHESTNUT ST APT C, DAHLONEGA GA 30533

City: City State: Select State

ZIP Code: ZIP Code

Search Address

USPS.COM

USPS LINKS: Contact Us, Site Index, FAQs, USPS 2025

ON ABOUT USPS.COM: About USPS Home, Newsroom, USPS Service Options, Forms & Publications, Government Services

OTHER USPS DATA: Business Customer Gateway, Postal Inspections, Request for Service, Postal Employee, National Postal Museum

LEGAL INFORMATION: Privacy Policy, Terms of Use, FOIA, No FEAR Act/EO 12812, Fair Chance Act

USPS currently recognizes 399 N. Chestnut Street using Apt A, Apt B, and Apt C.

hughesnet Plans & Pricing FAQs About Find a Local Dealer Support

Find Satellite Internet Plans
Find Hughesnet plans available in your area

Address: 399 N Chestnut St Dahlonega GA

399 N Chestnut St Apt A Dahlonega, GA 30533

399 N Chestnut St Apt B Dahlonega, GA 30533

399 N Chestnut St Apt C Dahlonega, GA 30533

[Enter Address Manually](#)

Find Plans

HughesNet internet indicates Apt A, Apt B, and Apt C.

Overview Property Details Schools Price & Tax History

Sold

\$325,000

Listed For: \$325,000

Sold for Asking

Estimated \$2,033 - \$2,638/mo

MLS #6976741 CLIP #4324416037

Beds 5

Baths 3 (3 full)

Size 2,783 sqft

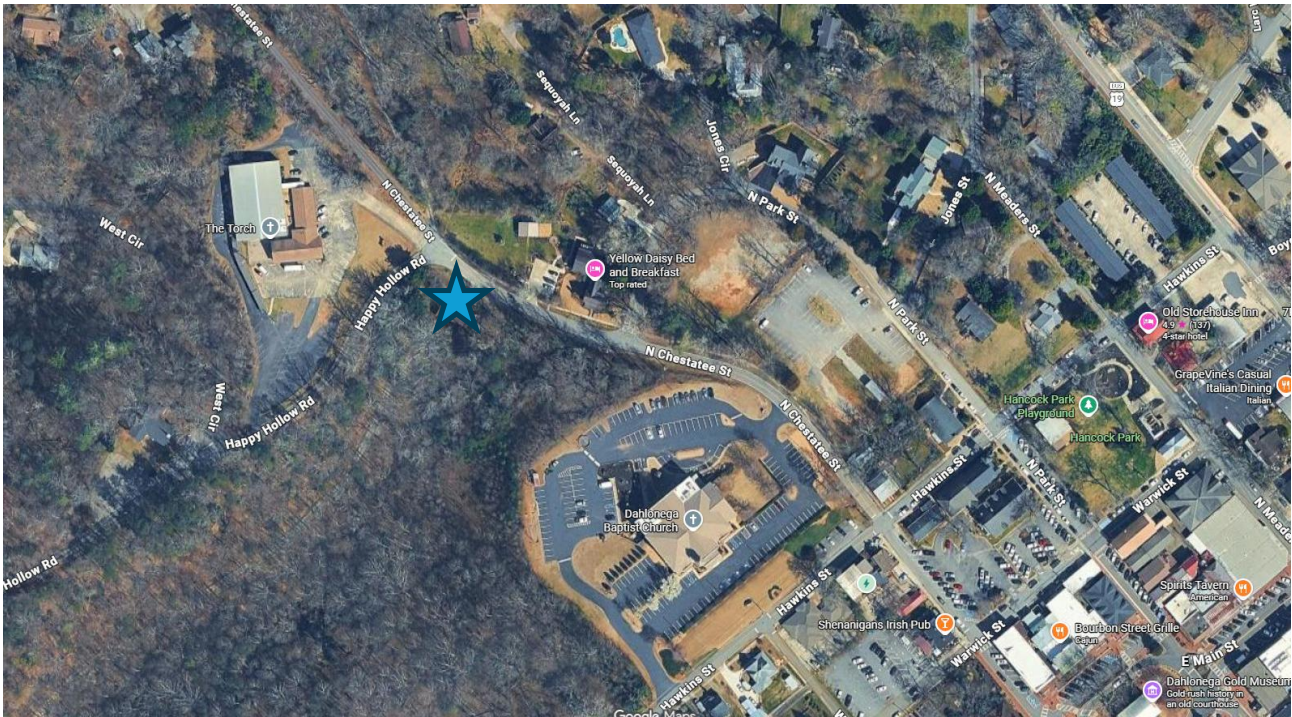
Days on OneHome 8

Location, location, location! Downtown Dahlonega..walk to the public square with ease (.2miles)!! Rare opportunity to be in town..Restaurants, shopping, & festivals! Corner lot on .69 acres. Commercial potential possible, Single family home or a triplex rental. Currently the property is setup as a triplex..two 2BR/1BA units & 1BR/1BA unit w/ kitchens. Income producing! Opportunities like this don't come along very often! Looks like original 1920/30s hardwoods under carpet and Vintage wood walls as well!!! Sold "as-is", no SPD, owner has never lived in home.

MLS from property use from 2014 – 2022

Exhibit E

GOOGLE MAP – Aerial View



★ 399 NORTH CHESTATEE STREET

GOOGLE MAP – Street View

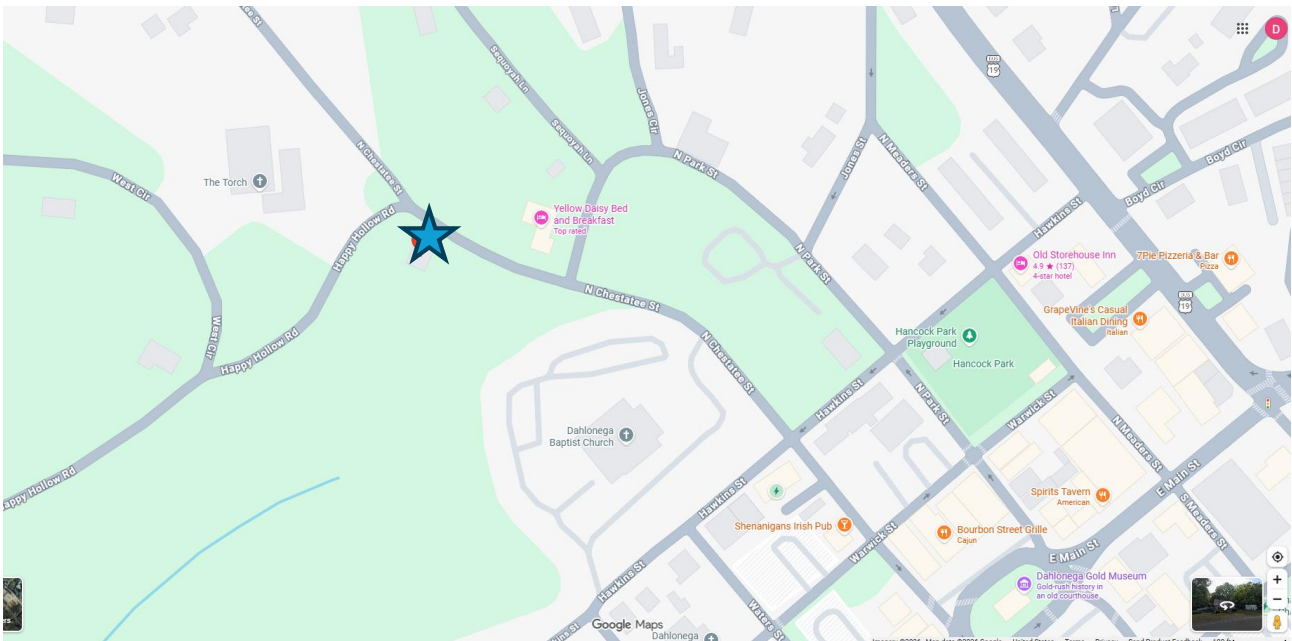


Exhibit E

399 NORTH CHESTATEE STREET LOCATED DIRECTLY ACROSS THE STREET FROM THE 'YELLOW DAISY' BED & BREAKFAST / WEDDING VENUE (ZONED B-1)



399 NORTH CHESTATEE STREET LOCATED ON MAIN TRANSITION COORIDOR FROM DOWNTOWN. THE TORCH CHURCH IS LOCATED ACROSS FROM THE STOP SIGN (ZONED B-1)



Exhibit E

NORTH ON N CHESTATEE TOWARDS CLOSEST R-1 PROPERTIES NORTHBOUND FROM 399 NORTH CHESTATEE STREET



CLOSEST R-1 PROPERTY ON N CHESTATEE STREET (399 PROPERTY NOT LOCATE ON THIS PORTION OF PRIVATE WOODED STREET WITH SINGLE FAMILY HOUSES ON CUL-DE-SAC)

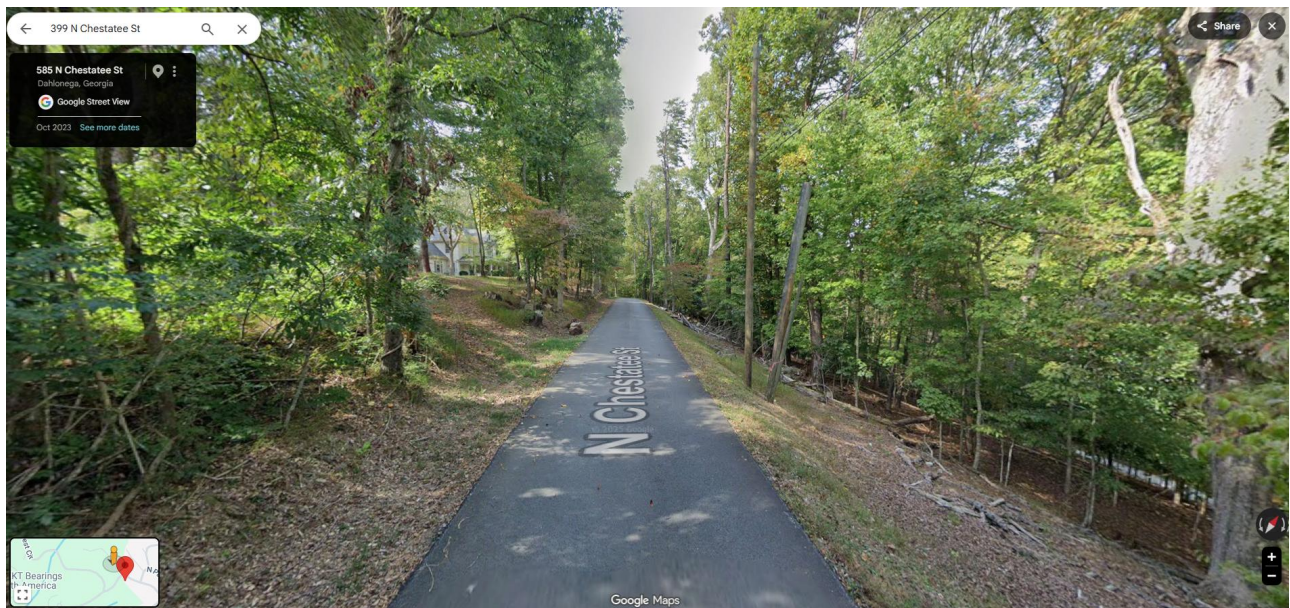
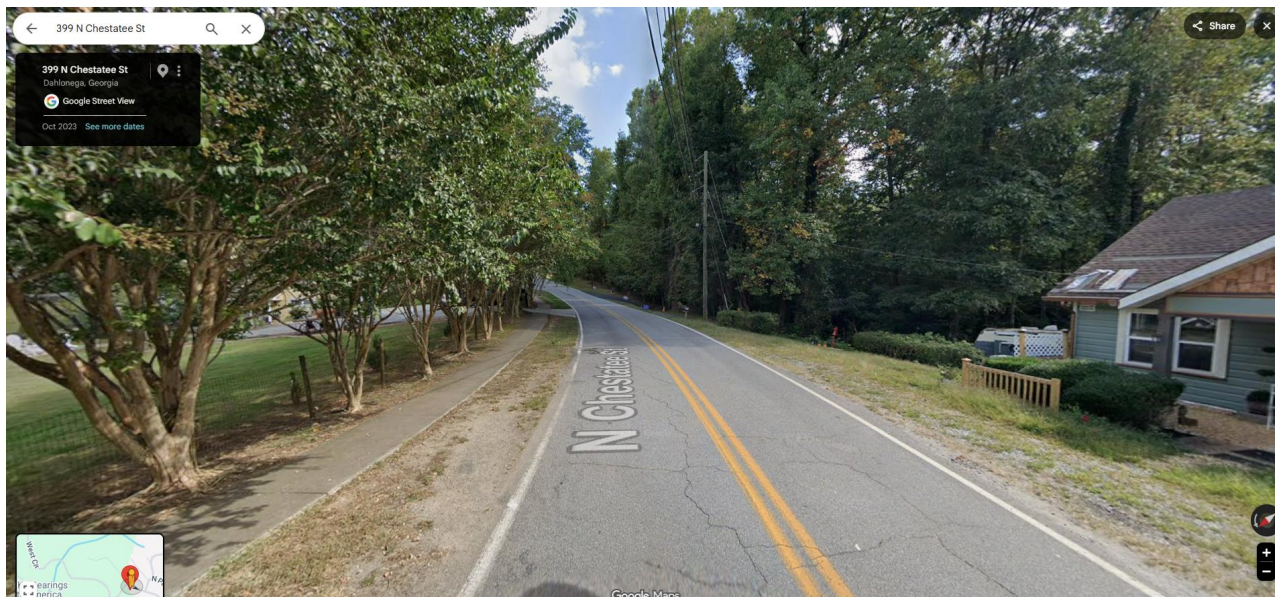


Exhibit E

SOUTHBOUND ON N CHESTATEE STREET PASSING 399 PROPERTY ON THE RIGHT, YELLOW DAISY (BED & BREAKFAST/ WEDDING VENUE) ON THE LEFT



SOUTH ON CHESTATEE <0.1 (ONE-TENTH) MILE FROM 399 NORTH CHESTATEE STREET APPROACHING DOWNTOWN SQUARE





Agenda Memo

DATE: 7/20/2026
TITLE: Ordinance 2026-03
PRESENTED BY: Doug Parks, City Attorney
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

Ordinance 2026-03 to Amend Chapter 22, Section 5. Noise Pollution of the City of Dahlonaga code of ordinances.

HISTORY/PAST ACTION

The change prohibits sound amplifying devices being used on the public square at all times.

FINANCIAL IMPACT

None.

RECOMMENDATION

Approval.

SUGGESTED MOTIONS

Motion to Approve.

ATTACHMENTS

Ordinance 2026-03

ORDINANCE 2026-03

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DAHLONEGA BY ADOPTION OF AN AMENDMENT TO THE NOISE POLLUTION ORDINANCE

WHEREAS, the City Council desires to promote the public health, safety, and general welfare of the residents of the city; and

WHEREAS, the City Council wishes to protect public square area within the City from excessive noise pollution; and

WHEREAS, the City Council finds that noise pollution is distracting to pedestrians seeking to visit the downtown area, and substantially detracts from the vintage environment of the City; and

WHEREAS, the City Council further finds that there is a substantial need directly related to the public health, safety and welfare to address comprehensively these concerns through the adoption of this amendment to the noise pollution regulations.

NOW THEREFORE, be it ordained, and it is so ordained by the authority of the City Council of Dahlonega, that the Code of the City of Dahlonega, Georgia shall be amended, as detailed in the paragraphs set forth herein. This amendment is adopted with the express authority for Municode to renumber the ordinance sections based on their numbering system and to take other measures necessary for proper codification.

In Section 22-5. Noise pollution the following portions of the regulations shall be amended to read as follows:

“(c) Prohibited conduct.

- (1) *Restrictions of 200 feet for 7:00 a.m. through 11:00 p.m. Sunday through Thursday and 7:00 a.m. through 12:00 midnight on Friday and Saturday.:*
 - a. *Mechanical sound-making devices.* It is unlawful for any person to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 200 feet or more from the building, structure, outdoor location, or motor vehicle or, in the case of real property, beyond the property limits, in which it is located, whichever is farthest. Neither shall any person within said hours and times use or cause to be used a sound amplifying device or equipment on any part of the public sidewalks, rights of way or other public property located in the Public Square area of Dahlonega for the amplification of the human voice, music or any other sound. Sound amplifying equipment shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed or include warning devices, sounds emitting from authorized emergency vehicles, automobile horns or other warning devices on any vehicle used for traffic safety purposes. Sounds occurring during an authorized special event are also excluded as well as sounds emanating from any City of Dahlonega approved or sponsored activity. The Public Square area of Dahlonega is defined as that area located within the B3 Zoning District.”

and

“(2) Restrictions of 100 feet for 11:00 p.m. through 7:00 a.m. Sunday through Thursday and 12:00 midnight through 7:00 a.m. on Saturday and Sunday.

- a. *Mechanical sound-making devices.* It is unlawful for any person to play, use, operate, or permit to be played, used, or operated any radio receiving device, television, stereo, musical instrument, phonograph sound amplifier or other machines or devices for the producing, reproducing or amplifying of sound and/or noise at such a volume and in such a manner so as to create, or cause to be created, any noises or sounds which are plainly audible at a distance of 100 feet or more from the building, structure, outdoor location, or motor vehicle or, in the case of real property, beyond the property limits, in which it is located, whichever is farthest. Neither shall any person within said hours and times use or cause to be used a sound amplifying device or equipment on any part of the public sidewalks, rights of way or other public property located in the Public Square area of Dahlonega for the amplification of the human voice, music or any other sound. Sound amplifying equipment shall not include standard automobile radios when used and heard only by the occupants of the vehicle in which the automobile radio is installed or include warning devices, sounds emitting from authorized emergency vehicles, automobile horns or other warning devices on any vehicle used for traffic safety purposes. Sounds occurring during an authorized special event are also excluded as well as sounds emanating from any City of Dahlonega approved or sponsored activity. The Public Square area of Dahlonega is defined as that area located within the B3 Zoning District.”

Except as modified herein, The Code of the City of Dahlonega, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The City Attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The City Clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

BE IT ORDAINED by the City Council of Dahlonega, and it is ordained by authority of the same, that if any portion of this Ordinance is for any reason found to be invalid or unconstitutional by the final decision of any tribunal of competent jurisdiction, it is the intention of the City Council of Dahlonega that the remainder of this Ordinance shall be in full force and effect.

So ordained and effective this ____ day of _____ 2026.

Sam Norton, Mayor

Attest: Rhonda Hansard, City Clerk



Agenda Memo

DATE: 7/20/2026
TITLE: Ordinance 2026-02
PRESENTED BY: Doug Parks, City Attorney
PRIORITY Strategic Priority - Communication

AGENDA ITEM DESCRIPTION

Ordinance 2026-02 to Amend Chapter 123 of the City of Dahlonega code of ordinances.

HISTORY/PAST ACTION

Enforcement has asked for a definitive enforce standard based on the Kelvin Scale.

FINANCIAL IMPACT

None.

RECOMMENDATION

Approval.

SUGGESTED MOTIONS

Motion to Approve.

ATTACHMENTS

Ordinance.

ORDINANCE 2026-02

**AN ORDINANCE TO AMEND THE CODE OF THE CITY OF DAHLONEGA BY ADOPTION
OF AN AMENDMENT TO THE SIGN ORDINANCE**

WHEREAS, the City Council desires to promote the public health, safety, and general welfare of the residents of the city; and

WHEREAS, the City Council finds that uniformity of lighting adds to the overall ambiance of the downtown area.

NOW THEREFORE, be it ordained, and it is so ordained by the authority of the City Council of Dahlonega, that the Code of the City of Dahlonega, Georgia shall be amended, set forth herein. This amendment is adopted with the express authority for Municode to renumber the ordinance sections based on their numbering system and to take other measures necessary for proper codification.

Section 123-8(f) shall be amended to read as follows:

“(f) Holiday lighting. In the B-3 and CBD zoning districts. Only holiday lighting in the form of white/clear outdoor lighting approved by a nationally recognized certification organization is permitted in the B3 and CBD zoning districts without a Dahlonega Historic Preservation Commission Certificate of Appropriateness. More specifically, holiday lighting must meet the following standard: emit light that is on the Kelvin Color Temperature Scale within the range of 1,500K-3,200K. The time period during which holiday lighting is allowed is between October 20th and January 31st of the following year. Letters and/or words and/or phrases spelled and exhibited through the use of holiday lighting are not allowed. This paragraph applies exclusively to outdoor lighting and not the lighting inside the premises itself as long as the lighting is at least three feet away from the window. There is no restriction on holiday lighting other than in the B-3 and CBD zoning districts.”

Except as modified herein, The Code of the City of Dahlonega, Georgia, is hereby reaffirmed and restated. The codifier is hereby granted editorial license to include this amendment in future supplements of said Code by appropriate section, division, article or chapter. The City Attorney is directed and authorized to direct the codifier to make necessary minor, non-substantive corrections to the provisions of this Code, including but not limited to, the misspelling of words, typographical errors, duplicate pages, incorrect references to state or federal laws, statutes, this Code, or other codes or similar legal or technical sources, and other similar amendments, without necessity of passage of a corrective ordinance or other action of the Mayor and Council. The City Clerk shall, upon the written advice or recommendation of the city attorney and without the necessity of further council action, alter, amend or supplement any non-codified ordinance, resolution or other record filed in his or her office as necessary to effect similar non-substantive changes or revisions and ensure that such public records are correct, complete and accurate.

BE IT ORDAINED by the City Council of Dahlonega, and it is ordained by authority of the same, that if any portion of this Ordinance is for any reason found to be invalid or unconstitutional by the final decision of any tribunal of competent jurisdiction, it is the intention of the City Council of Dahlonega that the remainder of this Ordinance shall be in full force and effect.

So ordained and effective this ____ day of _____ 2026.

Sam Norton, Mayor

Attest: Rhonda Hansard, City Clerk