

**HALL COUNTY BOARD OF COMMISSIONERS  
STAFF REPORT**

**Applicant** ..... The Ark at Lake Lanier, LLC c/o Jeff Hylton

**Request** ..... (A) **Special Use** | for event facility  
(B) **Variance** | to Section 8.1

**Proposed Use** ..... (A) Event facility  
(B) Event facility with off-site shared parking

**Size** ..... (A) 3.59± acres  
(B) 3.59± acres

**Zoning** ..... Vacation Cottage (V-C)

**Location** ..... **6250 & 6255 Old Dawsonville Road** | Tax  
Parcels 10035 000006A & 10035 000008B

**Commission District** ..... Two

**Commission Date** ..... July 9, 2026

**Staff Recommendation** ..... (A) **Approval, with conditions**, as the proposed  
use meets the standards of the UDC.  
(B) **Denial**, as no hardship exists pursuant to the  
criteria of 11.1.1.D.11.

**Record Number**..... (A) HZCU26-0019  
(B) HVAR26-0019

**(A) Staff recommends APPROVAL of the applicant’s request with the following conditions:**

1. The property shall be utilized in accordance with the site plan and narrative dated May 8, 2026, modified as necessary for compliance with conditions herein and development standards enforced at the time of site plan approval.
2. Prior to the development of any additional impervious area on the site, the applicant shall submit an as-built survey to ensure permitted lot coverage is not exceeded. The survey shall document the total impervious lot coverage and clearly specify the percentage of coverage attributable to principal and accessory structures versus all other impervious surfaces.
3. No development or building permits for new construction shall be issued for 6255 Old Dawsonville Highway until a plat is approved by Hall County and recorded with the Georgia Clerk of Courts.

4. The existing driveway for the parking across the street shall be used. No new access will be allowed.
5. A pedestrian crossing plan between the two properties shall be submitted to Hall County Engineering for approval.
6. One of the driveways serving the sports court area (one of five serving the site) shall be closed.
7. All building code violations identified in the Building Inspections Division Memorandum dated June 5, 2026, must be resolved before the business license for the short-term rental can be renewed and before a business license for the event facility can be issued.
8. All Fire Code requirements shall be met as identified in the Memorandum dated June 3, 2026, from the Fire Marshal's Office prior to issuance of a business license for the event facility use.
9. No variances or development exceptions are granted as part of this request that are not explicitly granted by board approval. The development shall be compliant with the Unified Development Code of Hall County, as well as any other agencies or reviewing departments.
10. All conditions of zoning shall be made a part of any plats or construction plans created for the property.

**(B) Staff recommends DENIAL of the applicant's request.**

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**The following should be considered a variance to the Unified Development Code of Hall County, and shall warrant further determination by the Board should it choose to approve the submitted narrative and site plan:**

- **Section 8.1.4 – Off-site Shared Parking** – If off-street parking cannot be reasonably provided on the same lot on which the principal use is conducted, the Planning Commission may permit such spaces to be provided on other off-street property upon approval of a variance in accordance with Sec. 11.2. Off-site parking spaces must be associated with the permitted use and may not thereafter be reduced or encroached upon in any manner.
    - The applicant is proposing approximately 25-30 off-site shared parking spaces located at 6255 Old Dawsonville Highway to be used for the event facility at 6250 Old Dawsonville Highway.
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**Summary Analysis**

The applicant has submitted two concurrent requests on two tracts, with a combined acreage of 3.59± acres, zoned Vacation Cottage (V-C) for: (A) a Special Use for an event facility and (B) a Variance to Section 8.1 for off-site shared parking.

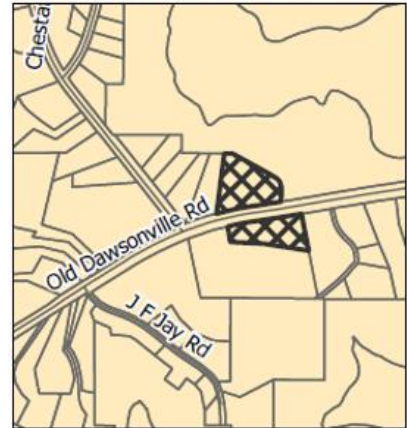
Per the Tax Assessor and/or Building records, the site is developed with the following:

- 10,151 square foot single-family residence, originally constructed in 1955 (remodeled and expanded in 2008 subsequent to fire damage; RES2008-01387 & RES2010-00618)

- 504 square foot accessory structure constructed in 1950 (1991 Plat identifies as “barn”) and converted to a single-family residence (date of conversion unknown – possibly Permit# 990003180 for a “residential guest house”)
- 840 square foot single-family residence constructed in 1988 (predates building permit records)
- Pool and cabana constructed in 1999 & 2000
- Sports court (HRNEW26-0270)

The surrounding properties are zoned and developed as outlined below:

- North: Army Corps of Engineers (Lake Lanier)
- East: Army Corps of Engineers (Lake Lanier)
- South: Vacation Cottage (V-C): Single-family residences
- West: Vacation Cottage (V-C): Single-family residences



Per the submitted narrative, the applicant is requesting Special Use approval for an event facility with lodging to accommodate structured group retreats, family gatherings, leadership retreats, non-profit programs, ministry retreats and small private gatherings. In addition to the 27 overnight guests allowed under the current short term rental license, the applicant seeks approval to host special events associated with overnight bookings for a total on-site capacity of 80 people. To support the additional attendance, the applicant is also requesting a Variance to Section 8.1.4 to permit the use of off-site shared parking on the parcel located across the street at 6255 Old Dawsonville Highway, which is under the same ownership.

The submitted site plan identifies the various residential structures, outdoor amenities, and three on-site parking areas accommodating 40-45 parking spaces at the 6250 Old Dawsonville Highway parcel, as well as, approximately 25-30 off-site shared parking spaces at the 6255 Old Dawsonville Highway property.

Water service is provided by the City of Gainesville, and sanitary sewer services are provided by on-site septic.



## History

In 2014, a business license (BUS-0030444) was issued for a short-term rental at 6250 Old Dawsonville Highway (Tax Parcel 10035 000006A). At that time, the maximum occupancy was approved for 3 bedrooms and 9 occupants within the primary single-family residence. In 2024, the maximum occupancy for the short-term rental was increased to 6 bedrooms and 15 occupants in the primary residence (HOCC24-0091). In 2025, following the 2024 UDC update to the definition of “guest house,” which removed the restriction prohibiting guest houses from being rented, the maximum occupancy was further increased to 27 occupants. This expansion included the addition of two guest houses identified on the site plan: the “Honeymoon Cabin” (Cottage 1), approved for 1 bedroom and 5 occupants, and the “Barn Cabin” (Cottage 2), approved for 2 bedrooms and 7 occupants.

While the Business License allows occupancy of 9 bedrooms, the Environmental Health Department has stated in their Memorandum dated June 9, 2026, that “The total number of approved bedrooms for 6250 Old Dawsonville Hwy is 7 (seven) regardless of the design/capabilities of the septic systems installed.”

## Parking Analysis

The subject property is permitted to host up to 27 overnight guests under the existing short-term rental license. While neither the Unified Development Code (UDC) nor MuniCode Chapter 5.100 (Short-Term Rental) establishes a specific on-site parking requirement for short-term rentals, the additional request for an event facility triggers the parking standards applicable to that use.

For event facilities, the UDC requires either 1 parking space per 4 seats or 1 space per 200 square feet of assembly area when seating is not fixed. Because the applicant has not designated a specific event area or provided fixed seating calculations, it is reasonable and consistent with the code to apply the standard of 1 parking space per 4 event attendees.

Assuming each of the 27 overnight guests requires one parking space, the maximum number of additional event attendees would be 53 persons to reach the total requested capacity of 80 persons. Applying the event standard of one parking space per four additional attendees, the event component would require approximately 14 additional spaces. This results in a total parking need of approximately 41 spaces.

Per the applicant, the existing property at 6250 Old Dawsonville Highway can accommodate between 40 and 45 on-site parking spaces. Because the on-site capacity meets or exceeds the calculated demand for both overnight guests and associated event attendees, additional off-site parking is not required to support the proposed use.

## Comprehensive Plan

**The subject properties are located within the future land use designation of Lakeside Residential within the Murrayville/Sardis character area.** These areas are located near and adjacent to the edges of Lake Lanier and can range from low density residential to resort-style multifamily. Lakeside Residential is intended to preserve established lakefront neighborhoods and create opportunities for permanent and vacation residences along and adjacent to the lake. While some of these areas are not located directly on the lake, they have a development pattern similar to their lakeside neighbors or are likely to see a

style of development that is denser than Rural Neighborhood or slightly less dense than Suburban Neighborhood, Low Density.

**(A) Zoning Analysis – Special Use**

When considering a use subject to the approval of the County Commission, the Commission must study the need and justification for the change based on a determination of the facts applicable to the particular case, and the following general lines of inquiry must be considered:

- a) Whether the zoning proposal will permit a use that is suitable in view of the use, development and zoning of adjacent and nearby property; **While the surrounding area is primarily developed with single-family residential uses, the property already supports an established short-term rental operation with multiple approved guest accommodations. The event facility would be incorporated into this existing framework on a large tract that provides natural separation from nearby residences. With appropriate conditions to address operational impacts, the proposed use can be accommodated on the site.**
- b) Whether the zoning proposal will adversely affect the existing use or usability of adjacent or nearby property; **It is not anticipated that the proposed special use will adversely affect the existing use or usability of adjacent or nearby properties. If parking is properly accommodated and activity areas are appropriately buffered from surrounding residential properties, the continued usability of adjacent and nearby properties can be maintained.**
- c) Whether the property to be affected by the zoning proposal has a reasonable economic use as currently zoned; **The property has reasonable economic use as currently zoned, however, the applicant cannot operate an event facility without obtaining Special Use approval by the Board of Commissioners.**
- d) Whether the zoning proposal will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, schools, police protection, fire protection, public health facilities or emergency medical service; **If approved and in compliance with all Hall County standards, the use is not anticipated to cause an excessive or burdensome use of the existing streets, transportation facilities, utilities, schools, police protection, fire protection, public facilities, or emergency medical service.**
- e) Whether the zoning proposal is in conformity with the policy and intent of the future land use plan for the physical development of the area; **The proposed use is consistent with the intent of the Lakeside Residential future land use designation in the Comprehensive Plan. These areas are located near and adjacent to the edges of Lake Lanier and can range from low density residential to resort-style multifamily. Lakeside Residential is intended to preserve established lakefront neighborhoods and create opportunities for permanent and vacation residences along and adjacent to the lake.**
- f) The extent to which property values are diminished by the existing zoning restrictions; **Staff is unable to determine the extent to which property values are affected by the existing zoning restrictions.**

- g) The extent to which the destruction of the subject property's value under the existing zoning promotes the health, safety, morals or general welfare of the public; **Staff is unable to comment on the impact of property values without a full market analysis. Multiple factors impact property values including construction types, proposed uses, and maintenance. Often it is difficult to determine the effect of a development on adjacent properties until the development is completed.**
- h) The relative gain to the public as compared to the hardship imposed upon the individual property owner; **Staff has not identified a hardship imposed on the property owner as the property is currently zoned.**
- i) The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property. **The property has been developed with a single-family residential use since 1955 and short-term rental use since 2014.**
- j) Whether there are other existing or changing conditions affecting the use or development of the property which give supporting grounds for either approval or disapproval of the zoning proposal; **Staff is not aware of any changing conditions affecting the use or development of the property.**
- k) Whether the change would create an isolated district unrelated to the surrounding districts; **While there are no other event facilities in the immediate area, the proposed use could be described as a resort-style multi-family development which is a use within the Lakeside Residential future land use designation in the Murrayville/Sardis character area. The Special Use itself does not create an isolated district unrelated to the surrounding districts.**
- l) Whether the present zoning district boundaries are illogically drawn in relation to existing conditions in the area; **There is no evidence that the present zoning district boundaries are illogically drawn.**
- m) Whether the change requested is out of scale with the needs of the county as a whole or the immediate neighborhood; **The request does not appear to be out of scale with the needs of the county, and the proposed use can be accommodated within the generally low-density, residential character of the surrounding neighborhood.**
- n) Whether it is impossible to find adequate sites for the proposed use in districts permitting such use and already appropriately zoned; **Event facilities require Special Use approval in every zoning district where they are allowed. Therefore, no zoning district provides the use by right, and the applicant is not limited in the availability of appropriately zoned sites based on this criterion.**
- o) Whether the need for rezoning could be handled instead by a variance request to the Planning Commission; **The request could not be handled alternatively as a variance.**
- p) Whether there would be an ecological or pollution impact resulting from major modifications to the land if the request is granted; **Any land disturbance activities on the property shall be required to go through the land development permitting process, and as a result are subject to local, state, and federal regulations. As a result, there are no anticipated ecological or pollution impacts resulting from any modification to the land if the request is granted.**

- q) Whether there is reasonable evidence based upon existing and anticipated land use that would indicate a mistake was made in the original zoning of the property; **There is no indication that a mistake was made in the original zoning.**

**(B) Zoning Analysis – Variance**

The Commission may grant variances in individual cases of unnecessary hardship upon a finding of the board that:

1. There are extraordinary and exceptional conditions pertaining to the lot in question because of its size, shape, or topography (the hardship must relate to the physical character of the lot and not to a personal or economic hardship); **There are no extraordinary or exceptional conditions related to the size, shape or topography of the lot that would justify the requested variance.**
2. The application of the requirements of this UDC to this particular piece of property would create an unusual hardship; **As adequate parking can be provided on the 6250 Dawsonville Highway property itself based on calculated demand for both overnight guests and associated event attendees, there is no demonstrated hardship or practical need for off-site shared parking.**
3. Such conditions are peculiar to the particular piece of property involved and are not common to other properties in the neighborhood; **Although the proposed use may be unique to the 6250 Dawsonville Highway property, the site itself can accommodate the required parking, therefore no peculiar site conditions exist that warrant relief.**
4. Such conditions are not the result of any actions of the property owner; **The request for additional parking stems from the operational preferences of the applicant/property owner.**
5. Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of this UDC; provided, however, that no variance may be granted for a use of land or building or structure that is prohibited by this UDC or for a Conditional Use Permit which has been denied by the Planning Commission; **Relief, if granted, may not cause substantial detriment to the public good, but it would undermine the intent of the UDC, which requires demonstration of true hardship before varying parking standards.**

**11.2.6.E - Submission requirements**

1. Any person or persons requesting a change in the official zoning map or use subject to approval of the County Commission must file an application with a plat or map of the property attached thereto, together with payment of such fees set forth in this Sec 11.2. to cover administrative and advertising costs, in the Planning and Zoning Department office. Such person or persons or their authorized agent must appear in person at the public hearing held to consider the district change. **The proposal meets the requirement. The applicant has paid the appropriate fees and understands that someone must be present at the voting meeting of the Hall County Board of Commissioners.**

2. All applications for a change of zoning classification or use subject to approval of the County Commission must include:
  - a. A narrative statement identifying the existing and proposed use of the property and addressing each of the criteria set forth in this Sec. 11.2. **The proposal provides a narrative outlining the intent of the development; however, the applicant has not prepared a response to each of the criteria listed in 11.2.6.E.2.**
  - b. A site plan drawn to scale designating the area covered by the application and identifying existing and proposed buildings and uses, adjacent existing land uses, zoning on contiguous parcels, including those across an abutting public right-of-way, and any other significant site improvements proposed to accommodate the proposed use or buffer adjacent uses, etc., or a plat of the subject property where no specific land use is proposed. In cases where only a plat or map is provided and no land use is proposed, the Planning Commission and County Commission may evaluate the application based on the most intense possible land use permitted in the proposed district. **The proposal meets the requirement.**
  - c. For any application for a slow rate land treatment system as defined in 7.6.9.D.1, additional requirements apply. **This standard is not applicable to the applicant's request.**
  - d. For any application proposing the development of 100 or more residential dwelling units, a traffic impact study must be submitted prior to consideration of the application by the County Commission. At the applicant's expense, the traffic impact study must be prepared by a professional engineer in accordance with requirements established by the Hall County Engineering Department. The Engineering Department must review the traffic impact study and forward any comments to the County Commission. **This standard is not applicable to the applicant's request.**

### **Development Support and Constraints**

#### **Hall County Environmental Health**

In a memorandum dated June 9, 2026, the Hall County Environmental Health Department stated "6250 Old Dawsonville Hwy is served by two septic systems consisting of a 6 bedroom Eljen system and a 1 bedroom Eljen system. The total number of approved bedrooms for 6250 Old Dawsonville Hwy is 7 (seven) regardless of the design/capabilities of the septic systems installed. Property should be rented as a whole to one tenant/related party. Approval for Short Term Rental use/licensing to be determined by Hall County Community Development & Infrastructure. 6255 Old Dawsonville Hwy is served by a 2 bedroom septic system. Any proposed parking on this parcel must meet required setbacks to the existing septic system and not impact future repair area."

#### **Georgia Department of Transportation**

In an email dated June 9, 2026, Christopher Hash, D1 Traffic Operations Supervisor, stated "Off-System no impacts expected to the State Route system."

#### **Hall County Public Works and Utilities**

In a memorandum dated June 10, 2026, Jorge Gomez, Director of Public Works and Utilities, provided the following comments:

**Engineering:**

This site may require a stormwater management report should the site plan indicate the proposed development that meets stormwater thresholds for impervious surfaces and/or disturbed acreage

**Traffic:**

The existing driveway for the parking across the street shall be used. No new access will be allowed. The existing site has 5 driveways. One of the driveways serving the sports court area shall be closed. A pedestrian crossing plan shall be submitted to Hall County Engineering for approval.

**Utilities:**

No comment. Property is in Hall County sewer district, but no sewer facilities are located in the area.

**Hall County Fire Marshal**

In a memorandum dated June 3, 2026, the Hall County Fire Marshal's office provided the following comments:

"Hall County Fire Marshal's Office comments for proposed event facility with lodging.

**Life Safety Code 2024 Edition 43.7.2 Change of Occupancy Classification.**

Where the occupancy classification of an existing building or portion of an existing building is changed, the building shall meet the requirements of Life Safety Code Section 43.7.2.1 or 43.7.2.3.

The applicant is changing the occupancy and use from short term rental to event venue with lodging. The change of use will require the current structure to meet life safety code requirements for the occupancy created by the change. Applicant is requesting sleeping accommodations for 27 overnight guests including an assembly area for gatherings.

**Life Safety Code 2024 Edition, 3.3.180 Lodging or Rooming House.**

A building or portion thereof that does not qualify as a one- or two-family dwelling, that provides sleeping accommodations for a total of 16 or fewer people on a transient or permanent basis.

**Life Safety Code 2024 Edition, 3.3.157\* Hotel.**

A building or groups of buildings under the same management in which there are sleeping accommodations for more than 16 persons.

Both lodging and hotel occupancies are required by life safety code to have a supervised fire protection system including fire alarm system. If the occupancy exceeds 12,000 square feet an emergency responders radio communications system test will be required to determine emergency radio signal strength compliance."

### **Hall County Business License Division**

In a memorandum dated June 4, 2026, Brandi Smith, Business License Director stated “Mr. Hylton is currently licensed for a short-term vacation rental. If approved, he would need to amend his business license to allow for the Event Facility”

### **Hall County Building Inspections**

In a memorandum dated June 5, 2026, Kristie Turner, Development Services Director and Cody Edwards, Interim Building Official/Building Inspections Manager, provided the following comments:

“The property is currently operating as a short-term rental (STR) with a maximum approved overnight occupancy of 15 transient guests in the main house. Two additional accessory structures, the Garage apartment, Kathy’s Cabin, and the Barn Cabin.

On June 5th, 2026, representatives from the Hall County Fire Marshal’s Office and Hall County Building Development conducted a site inspection at Ark on Lanier. The following memorandum outlines all code violations identified by Hall County Building Development during that visit.

#### **Main House**

- Remove the smoke detector that is located inside the garage.
- Provide GFCI protection for all outlets located inside the garage.
- Relocate smoke detectors to maintain a minimum 3-foot clearance from any air vent.
- Bedroom located in the basement does not contain proper egress, so therefore it cannot be considered a bedroom.
- Provide required landings at the bottom of all stairways.
- Remove all obstructions from egress windows.

#### **Garage Apartment**

- Repair firewall inside the mechanical closet located in the garage.
- Ensure all outlets inside the gym/garage are GFCI protected.

#### **Kathy’s Cabin**

- A handrail is required to be installed along the stairs leading out the front door of the residence.

#### **Barn Cabin**

- The upstairs room does not have proper egress and therefore cannot be used as sleeping quarters.

#### **Conclusion:**

Hall County Building Development appreciates the cooperation of the property owner and representatives present during the June 5, 2026, inspection. The items outlined in this memorandum must be corrected to bring the main house and accessory structures into compliance with applicable life-safety and building code requirements. Once all deficiencies have been addressed, please contact our office to schedule a follow-up inspection. We look forward to working with you to ensure the Ark on Lanier operates safely and in accordance with Hall County regulations.”