

INFORMATION SHEET FOR REZONING REQUESTS

Application # 222-24+22-25 DATE OF READING 12-20-2022

REZONE FROM 24-A-1 TO RA-1  
25-A-1 R-6

APPLICANT Paul Svitla

OWNER \_\_\_\_\_

LOCATION OF PROPERTY 549 Cornelison Rd.  
555 Cornelison Rd.  
Rydal, GA

DESCRIPTION OF PROPERTY  
4.23 and .99 ACRES Tracts

THIS REQUEST COMES TO THE BOARD OF COMMISSIONERS FROM  
THE PLANNING COMMISSION WITH THEIR RECOMMENDATIONS FOR:

- Approval

STIPULATIONS:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**REZONING APPLICATIONS #Z22-24 & #Z22-25, PAUL SVIHLA**

Vice-Chairman Lovelace read rezoning applications #Z22-24 and #Z22-25, Paul Svihla, requesting to rezone a 4.23 acre tract from A-1 to RA-1 and a .99 acre tract from A-1 to R-6 located at 549 Cornelison Road, Rydal. Mr. Svihla represented the request explaining that they had purchased this property with the intent of renovating an existing house but in the process there was a fire that destroyed the house and now to go through the loan process they need to bring into compliance with the ULDC. The 4.23 acres is the tract the new home will be sitting on and the .99 acres will be for the existing mobile home for his aging parents to live in. All adjoining property owners had been notified.

On rezoning application #Z22-24, Sabrina Poole made the motion to approve the application from A-1 to RA-1 to allow construction of a new home on the 4.23 acre tract. Tommy Hibberts seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

On rezoning application #Z22-25, Tommy Hibberts made the motion to approve the application from A-1 to R-6 for the existing mobile home on a .99 acre tract. Sabrina Poole seconded the motion. All voted aye. The recommendation for approval was sent to the Board of Commissioners.

**REZONING APPLICATIONS #Z22-26, THUY TRUONG (owner)  
JACOB WILLIAMS (legal rep.)**

Vice-Chairman Lovelace read rezoning application #Z22-26, Thuy Truong (owner) Jacob Williams (legal representative), requesting to rezone a 35 acre tract located at 835 Goat Road, Resaca from A-1 to Conditional Use. Sam Truong and Mr. Williams, with Georgia Poultry, represented the request explaining that there is currently 4 – 66’x600’ chicken houses and they would like to build 3 more 66’x600’ chicken houses on the property to improve cash flow for the family business. A letter was read from James Darrell Conaway, an adjoining property owner, who stated he didn’t have a problem with the addition of more chicken houses. Area and adjoining property owners, Doug Jones, Carrie Wilson, Jeff Worley, Eddie Smith, Jeffrey Kirkland, and Meg Reidy spoke in opposition to the addition of more chicken houses in the area. The concerns mentioned were air quality, flies, run-off, health hazards, property values, noise, etc. Also noted that there was currently 34 chicken houses in a 1 square mile that housed 3 million birds and this effects hundreds of homes and families way of living. Sam Truong stated that he lives on farm and it doesn’t have smell and that they keep it clean. All adjoining property owners had been notified.

Sabrina Poole made the motion to deny the rezoning application identified as #Z22-26 from A-1 to Conditional Use to construct 3 additional chicken houses. Tommy Hibberts seconded the motion. All voted aye. The recommendation for denial was sent to the Board of Commissioners.

**Cover Sheet  
Proposal for Land Use Action**

Application Number: 222-24 Present Zoning: A-1 Proposed Zoning: RA-1

Date of Planning Commission Meeting: 12/12/2022

Date of Board of Commissioners' Meeting: 12/20/22

Applicant: PAUL SVIHLA

Property Owner: *(if different from applicant)* \_\_\_\_\_

Property Address: 549 CORNELISON RD SE, RYDAL, GA 30171

Said Property having a frontage of 282.12 feet and containing 4.23 acres.

Future Development Map Classification: Rural/Agricultural Reserve

Current Zoning Map Classification: A-1

Proposed Action: DIVIDE THE PROPERTY INTO TWO PARCELS. ONE FOR  
THE MOBILE HOME AND ONE FOR THE NEW HOUSE BEING BUILT.

Reason for Proposed Action: NEED TO HAVE THE HOUSE ON ITS OWN PARCEL  
IN ORDER TO FINALIZE FINANCING FOR NEW HOUSE BEING BUILT AND  
TO KEEP THE MOBILE HOME ON A SEPERATE PARCEL FOR MY PARENTS  
TO LIVE IN.

Directions to Property: HWY 53 (FAIRMOUNT HWY), RIGHT ON SHOPE LAKE  
ROAD, LEFT ON CORNELISON ROAD, HOUSE ON RIGHT

**Planning Staff Report  
To the  
Gordon County Planning Commission  
  
Rezoning Proposal**

**Date of Report:** November 23 2022

**Application #** Z22-24

**Applicant/Property Owner:** Paul Svihla

**Location of Property:** 549 Cornelison Rd. SE, Rydal, GA 30171

**Property Frontage:** 282.12 +/- Feet    **Tract Size:** 4.23 +/- Acres

**Directions to property:** Hwy 53E, right onto Shope Lake Rd, left onto Cornelison Rd. go about ¼ mile on right. Construction of new house on property.

**Proposed Action:** Rezone from A-1, Agricultural District to RA-1, Residential Agricultural District

**Reasons for Proposed Action:** Property is being divided into 2 tracts in order to finalize financing for the new house, there was an existing house that burnt and I'm rebuilding a new one and keep the existing mobile home on a separate parcel for my parents to live in.

**Future Development Map Classification:** Rural/Agricultural District

**Departmental Reviews**

It shall be understood that the following Departmental Review requirements, if any, shall be satisfied by the Applicant in addition to all standard County zoning, building, and development codes prior to the issuance of any land disturbance permit, building permit and/or certificate of occupancy, as deemed applicable by the County building official relating to the subject proposal if said proposal is approved by the Gordon County governing authority.

*Environmental Health Services:* With the extra information you provided me, I was able to locate the septic file for 555 Cornelison Rd. (MH). For the rezoning, please be sure the existing drain field does NOT cross your proposed new property line. The sheet on top dated 8-22-2003 is the correct sketch. The system installed 6-16-2003 was disapproved since the drain field was too close to the well. According to Mr. Svihla, the drain field for 555 (MH) will not be crossing his new proposed property line. We discussed locating himself or having a licensed installer locate... whichever he feels more comfortable with discussing with the zoning board.

*Building Inspection Department:* N/A

*Fire Department:* Okay with the Fire Department.

*Gordon County School System:* N/A

*Public Works Department:* Applicant must obtain a driveway permit from the Public Works Dept. even if a current driveway exists.

*Georgia Dept. of Transportation:* No comment.

*Water & Sewer (City of Calhoun):* This area is served by a 4" water line. No City sewer service in this area.

*Zoning Division:* A Notice of Public Hearing has been properly advertised in the local newspaper, zoning application fees have been paid and Applicant has been advised to post a Notice of Public Hearing on the property.

### **Planning Staff Findings & Recommendations**

The following standards from Section 10.03.0212.6 of the Gordon County Unified Land Development Code (ULDC), in addition to the Departmental Reviews above, have been considered in the findings and recommendations of the planning staff:

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

The subject property is adjacent to agricultural zoning used for residential and farming.

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

The proposed zoning will not adversely affect the existing use of usability of adjacent or nearby property. There were 2 existing dwellings on this property but due to financing issues they were required to separate the properties into 2 tracts, hence, rezoning is required to bring the property onto compliance.

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

The subject property will not allow having 2 dwellings as currently zoned.

*4. Whether the proposed zoning will result in a use which will or could cause an excessive or burdensome use of existing streets, transportation facilities, utilities, or schools.*

The proposed zoning will not generate additional vehicular traffic and/or impede on traffic flow.

*5. Whether the zoning proposal is in conformity with the policy and intent of the Future Development Map and Comprehensive Plan.*

The subject property is classified as: Rural/Agricultural Reserve on the Gordon County Future Development Map. This classification supports land uses intended for large lot residential, agricultural, agribusiness, conservation, passive recreation.

*6. Whether there are other existing or changing conditions affecting the use and development of the property which give supporting grounds for either approved or disapproved of the zoning proposal.*

The proposed zoning is compatible to the surrounding area and is compliance with the Future Land Development Map.

### **Planning Staff's Recommendation**

The Rezoning Application #Z22-24 is recommended for approval.

*This report is a part of the official record of the subject application*



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## 555 Cornelison Road septic file

1 message

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Blair, Christy <[Christy.Blair@dph.ga.gov](mailto:Christy.Blair@dph.ga.gov)>

Mon, Nov 21, 2022 at 12:38 PM

To: "paulsvihla@me.com" <[paulsvihla@me.com](mailto:paulsvihla@me.com)>

Cc: Ursula Richardson <[urichardson@gordoncounty.org](mailto:urichardson@gordoncounty.org)>, "Williams, Matthew" <[Matthew.Williams@dph.ga.gov](mailto:Matthew.Williams@dph.ga.gov)>

Paul,

With the extra information you provided me, I was able to locate the septic file for 555 Cornelison Rd (MH).

For the rezoning, please be sure this existing drain field does NOT cross your proposed new property line. The sheet on top dated 8-22-2003 is the correct sketch. The system installed 6-16-2003 was disapproved since the drain field was too close to the well.

Ursula,

According to Mr. Svihla, the drain field for 555 (MH) will not be crossing his new proposed property line. We discussed locating himself or having a licensed installer locate...whichever he feels more comfortable with discussing with the zoning board.

Let me know if you have any questions.

Thanks!

~Christy

Christy Blair

Gordon County Environmental Health

310 North River Street

Calhoun, GA 30701

706-624-1440 Extension 2

Public Health...Inform. Prevent. Protect.

[Christy.Blair@dph.ga.gov](mailto:Christy.Blair@dph.ga.gov)

DEPARTMENTAL REVIEW – ENVIRONMENTAL HEALTH

Application # Z22-24 Svinla A-1 to RA-1

Date: 11-16-22

Reviewed by: Christy Blair

ENVIRONMENTAL HEALTH

Comments, recommendation, or any condition of approval to serve proposed rezoning or variance with Environmental Health services:

Unknown area of septic tank and drainfield for MH (#555 Cornelison Rd). Need to have system located by a licensed installer. Need to ensure drainfield does NOT cross proposed property line. MH will also need 100% future repair area. Sketch for #549 (House) is attached ~ was installed 4-12-22. Pole barn paperwork was issued 10/18/22 (attached). House will also need 100% future repair area.

See attached

**GEORGIA DEPARTMENT OF PUBLIC HEALTH  
ON-SITE SEWAGE MANAGEMENT SYSTEM INSPECTION REPORT**

CONSTRUCTION PERMIT NUMBER

OSC06402759

COUNTY	COUNTY CODE	HEALTH DISTRICT	MONTH	DAY	YEAR
Gordon	064	1-1	04	12	2022

SUBDIVISION:	LOT:	PROPERTY OWNER: PAUL SVIHLA
PROPERTY LOCATION / ADDRESS: 549 CORNELISON RD RYDAL, GA 30171	SEWAGE CONTRACTOR: Randy Bagley	
CONTRACTOR LICENSE: 16171		

ALL ITEMS: (BLANK) = Not Applicable (0) = Unknown \*ITEMS (1) = Yes (2) = No

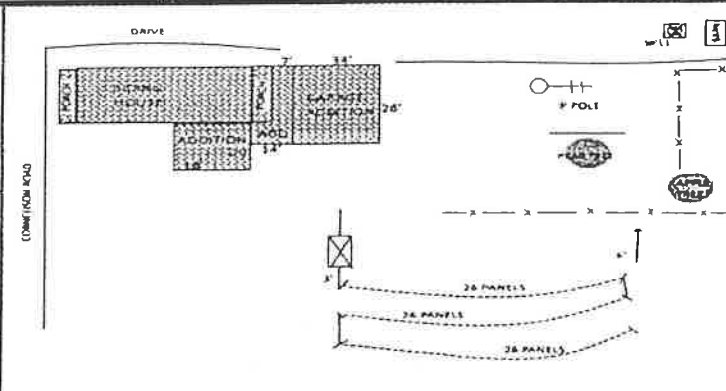
Section A - General	Section B - Primary / Pretreatment	Section C - Secondary Treatment
1. WATER SUPPLY: (1) Public (2) Private (3) Community	1. DISPOSAL METHOD: (1) Septic Tank (2) Privy (3) Aerobic Unit (4) Other:	1. ABSORPTION FIELD DESIGN (1) Level (2) Serial (3) Drip (4) Bed (5) Distribution box (6) Mound (7) Other:
2. ** TYPE OF STRUCTURE: (see below)	2. SEPTIC TANK: a. Capacity (gals):	2. ABSORPTION FIELD: a. Total square feet:
3. STRUCTURE AGE: (1) New (2) <1 year (3) >1 year	b. Material: (1) Concrete (2) Polyethylene (3) Fiberglass (4) Poured (5) Other:	b. Total linear feet:
4. SEWAGE SYSTEM: (1) New (2) Repair (3) Addition	c. Distance from (feet): (1) Well: (2) Building: (3) Lake/Stream: (4) Nearest property line:	c. Number of trenches:
5. AGE OF SYSTEM (repairs): (1) <1 (2) 1-5 (3) 5-10 (4) 11-20 (5) 21-30 (6) 31-40 (7) >40	d. Manufacturer: Calhoun Precast	d. Length trenches (feet):
6. * IN SUBDIVISION?:	3. FILTER MANUFACTURER/MODEL: Polylok, Incorporated / PL-68	e. Distance between trenches (feet):
7. WATER USAGE BY: (1) Bedroom Numbers (2) Gallons per day	4. AEROBIC UNIT: a. Treatment capacity:	f. Depth of trenches (range in inches):
8. NO. OF BEDROOMS/ GALLONS PER DAY:	b. Manufacturer/Model:	g. * Aggregate proper size:
9. LOT SIZE :	5. DOSING TANK CAP. (gals):	h. * Aggregate proper depth:
10. PERCOLATION RATE/ LOADING RATE:	6. GREASE TRAP CAP.(gals):	i. Distance from (feet): (1) Well: (2) Building: (3) Lake/Stream: (4) Nearest property line:
11. SOIL CLASSIFIER:		j. Nearest property line:
12. SOIL SERIES:		k. Product used:
		3. ABSORPTION LINE: Quick 4 Plus High Capacity - 14

\*\* TYPE OF FACILITY  
(1) Single-Family Residence  
(2) Multi-Family Residence  
(3) Commercial <2000  
(4) Commercial ≥2000  
(5) Restaurant  
(6) Mobile Home Park  
(7) Other (specify)

REMARKS:  
See Addendum

Drawing not to scale

Issuance of a construction permit for an on-site sewage management system, and subsequent approval of same by representatives of the County Board of Health shall not be construed as a guarantee that such systems will function satisfactorily for a given period of time. Furthermore, said representatives do not, by any action taken in affecting compliance with these rules, assume any liability for damages which are caused, or which may be caused, by the malfunction of such system.

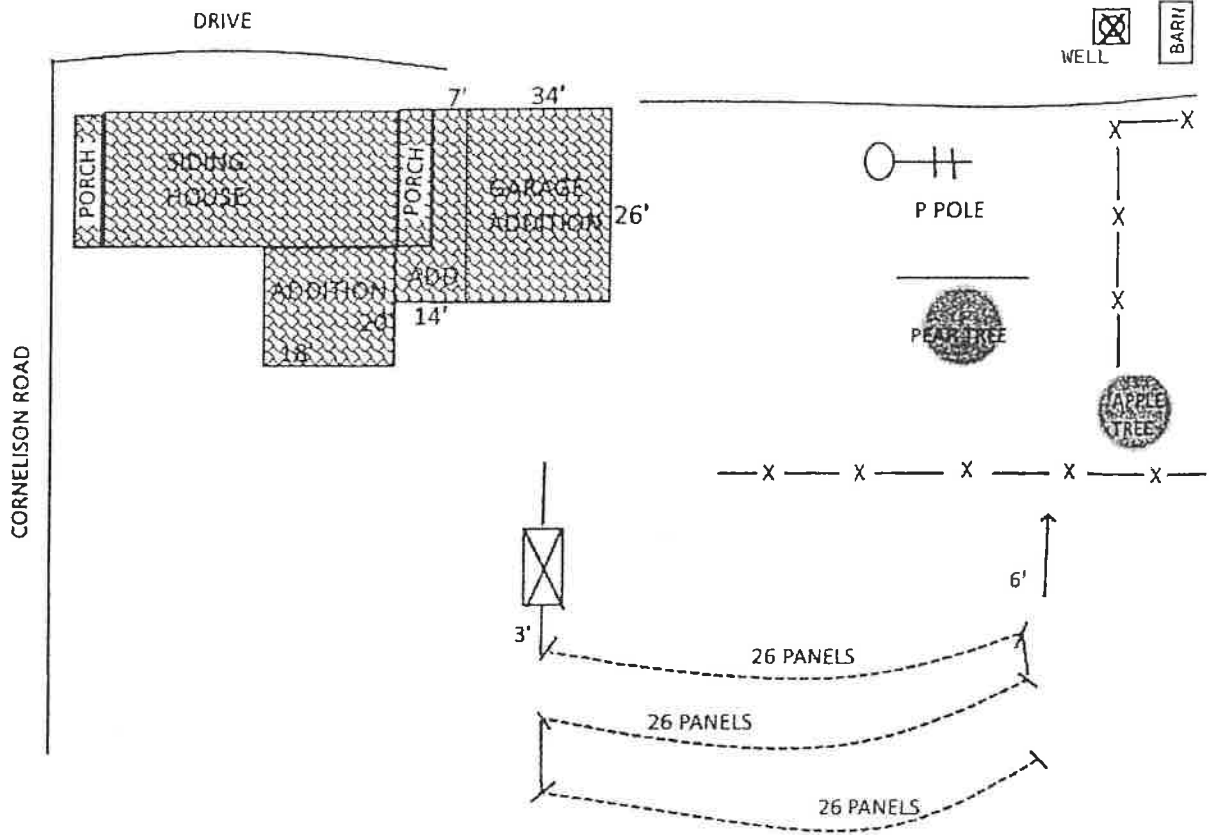


ENVIRONMENTALIST Matthew Williams	TITLE Environmental Health Specialist IV	*SYSTEM APPROVED: (see Sect. A 7 & 8) <input type="checkbox"/>
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County: Gordon  
Permit Number: OSC06402759  
Property Address: 549 CORNELISON RD RYDAL, GA 30171  
Property Owner: PAUL SVIHLA

Remarks: INSTALLED NEW CP-1000 GALLON SEPTIC TANK AND 78 PANELS OF INFILTRATOR QUICK 4 HC PLUS CHAMBER. SIZED AND APPROVED FOR FOUR BEDROOM HOME.







Georgia Department of Public Health

Northwest Health District  
GORDON COUNTY HEALTH DEPARTMENT

Gary Voccio, M.D., FCCP  
Director, Gordon County Board of Health

310 North River Street  
Calhoun, Georgia 30701  
Phone 706-624-1444  
Fax 706-624-1450

[www.nwgapublichealth.org](http://www.nwgapublichealth.org)

According to the information provided below, our office has determined that the proposed construction and/or addition at this property should not adversely affect the proper functioning of the existing septic system.

**No Septic Permit Required**


Property Information		
Owner Name: Paul Svihla		
Applicant Name: same		
Address: 549 Cornelison Road Parcel 089 008 5.12 acres		
City: Rydal	State: GA	Zip: 30171
Phone Number: 972-207-9622	Phone Number:	
<b>Directions:</b>		
Hwy 53 E, right on Shope Lake Rd, left on Cornelison, house on right (additions still under construction).		
<b>Type of Construction or Addition:</b>		
Proposed pole barn (20 x 30) at back side of existing workshop.		
Signature of Owner/Applicant: 		Date: 10/18/22

**Environmental Health Comments:**

Owner states this pole barn will be used for storage only and will be built on the back/left of the property. A new septic system was installed on the back/right of the house on 4-12-2022. Proposed location of pole barn will not affect the septic system for house (see attached).

\*\*\* Please allow minimum of 24 hours for issuance of this form \*\*\*

If you have any questions or concerns, please contact the Gordon County Environmental Health office at (706) 624-1440.

Inspector:  Date: 10/18/22

222-24

Recorded 02/25/2022 12:51  
Doc: WD Rpt#: 352992  
TRANSFER TAX: 310.80  
TRANSFER TAX ID: 0642022000468  
Grant Walraven, C.S.C.  
GORDON County, Ga  
DEED Bk: 2584 Pg: 37

Return Recorded Document to:  
Brumlow, Corwin & Delashmit, P.C.  
1287 Curtis Parkway SE  
Calhoun, GA 30701  
File #: 0122G126

STATE OF GEORGIA,  
COUNTY OF GORDON

**JOINT TENANCY WITH SURVIVORSHIP  
WARRANTY DEED**

This Indenture made this 24th day of February, 2022 between **Tony Lee Angel and Teresa Ann Angel**, of the County of Gordon, State of Georgia, as party or parties of the first part, hereinafter called Grantor, and **Paul Svihla and Sara Gossett Svihla**, as joint tenants with survivorship and not as tenants in common as parties of the second part, hereinafter called Grantees (the words "Grantor" and "Grantees" to include their respective heirs, successors and assigns where the context requires or permits).

**WITNESSETH** that: Grantor, for and in consideration of the sum of **TEN AND 00/100'S (\$10.00) Dollars** and other good and valuable considerations in hand paid at and before the sealing and delivery of these presents, the receipts whereof is hereby acknowledged, has granted, bargained, sold, aliened, conveyed and confirmed, and by these presents does grant, bargain, sell, alien, convey and confirm unto the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them, in fee simple, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor, the following described property:

ALL THAT TRACT OR PARCEL OF LAND lying and being in Land Lot 156 and 157 of the 6th District and 3rd Section of Gordon County, Georgia and containing 8.8 acres, being more particularly described according to a plat of survey prepared for Tony L. Wofford by Peter L. Bakkum, Georgia Registered Land Surveyor No. 1096, dated September 16, 1982 and being recorded in the office of the Clerk of Superior Court of Gordon County, Georgia, in Plat Book 13, page 69, to which said plat and the record thereof reference is hereby made for a full and complete description of the lands herein conveyed.

LESS AND EXCEPT that certain 3.679 acres recorded at Plat Book 36, Page 137, Gordon County, Georgia Records.

TOGETHER WITH the mobile home located on the land, the same being an improvement and immovable fixture permanently attached to said land, as evidenced by Certificate of Permanent Location being recorded in the deed records of Gordon County, Georgia and being a 2002 Waycross Riverwood Mobile Home with VIN No: WHC011964GAAB.

THIS CONVEYANCE is made subject to all zoning ordinances, easements and restrictions of record affecting said bargained premises.

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoove of the said Grantees, as joint tenants and not as tenants in common, for and during their joint lives, and upon the death of either of them, then to the survivor of them in **FEE SIMPLE**, together with every contingent remainder and right of reversion, and to the heirs and assigns of said survivor.

THIS CONVEYANCE is made pursuant to Official Code of Georgia Section 44-6-190, and it is the intention of the parties hereto to hereby create in Grantees a joint tenancy estate with right of survivorship and not as tenants in common.

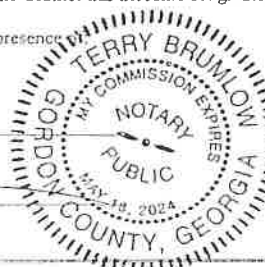
AND THE SAID Grantor will warrant and forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has hereunto set grantor's hand and seal this day and year first above written.

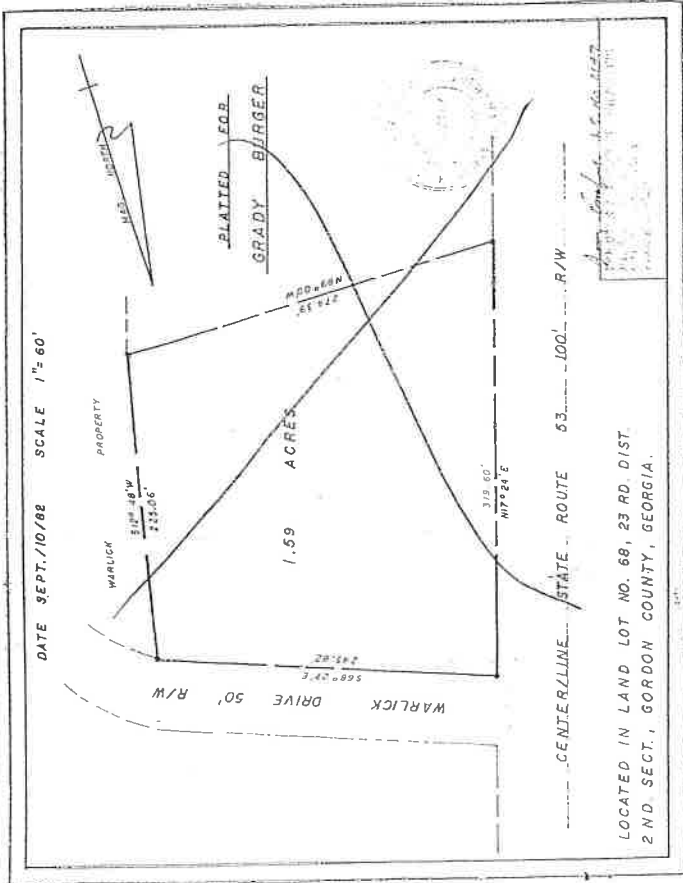
Signed, sealed and delivered in the presence

*[Handwritten signature]*  
Witness

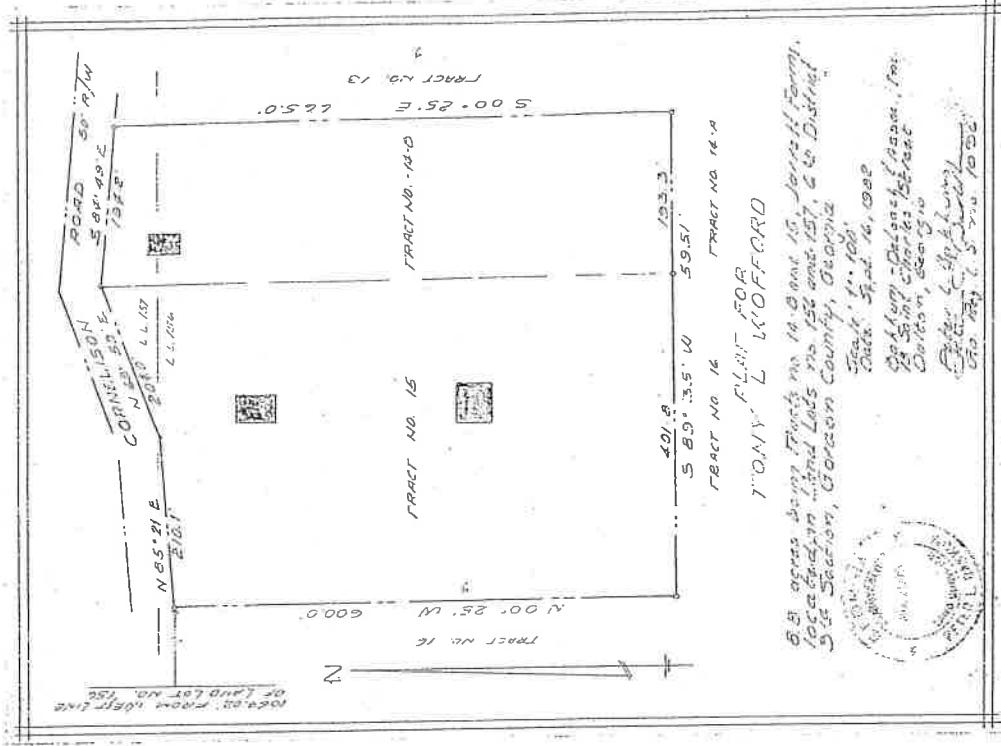
Notary Public



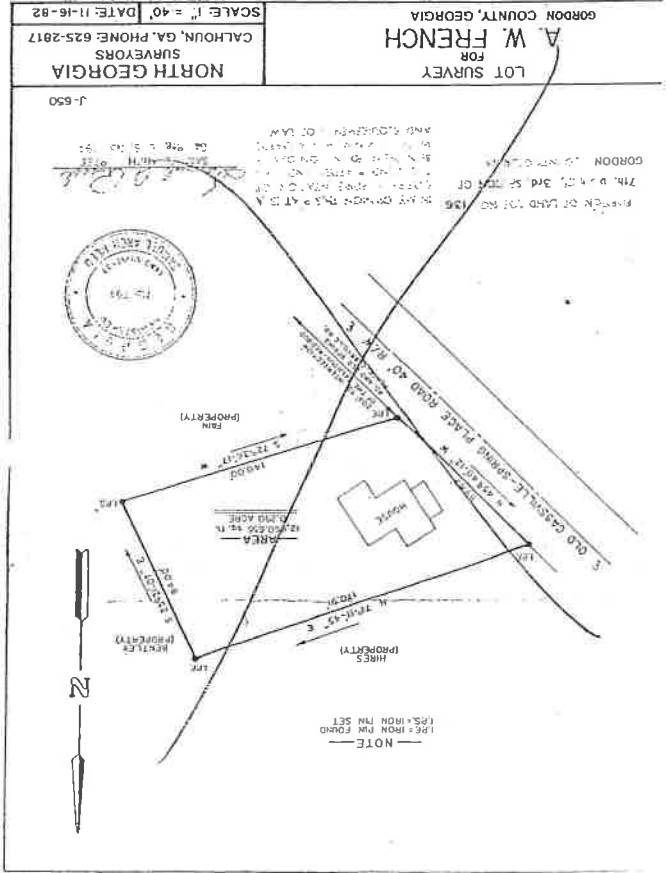
*[Handwritten signature]* (Seal)  
Tony Lee Angel  
*[Handwritten signature]* (Seal)  
Teresa Ann Angel

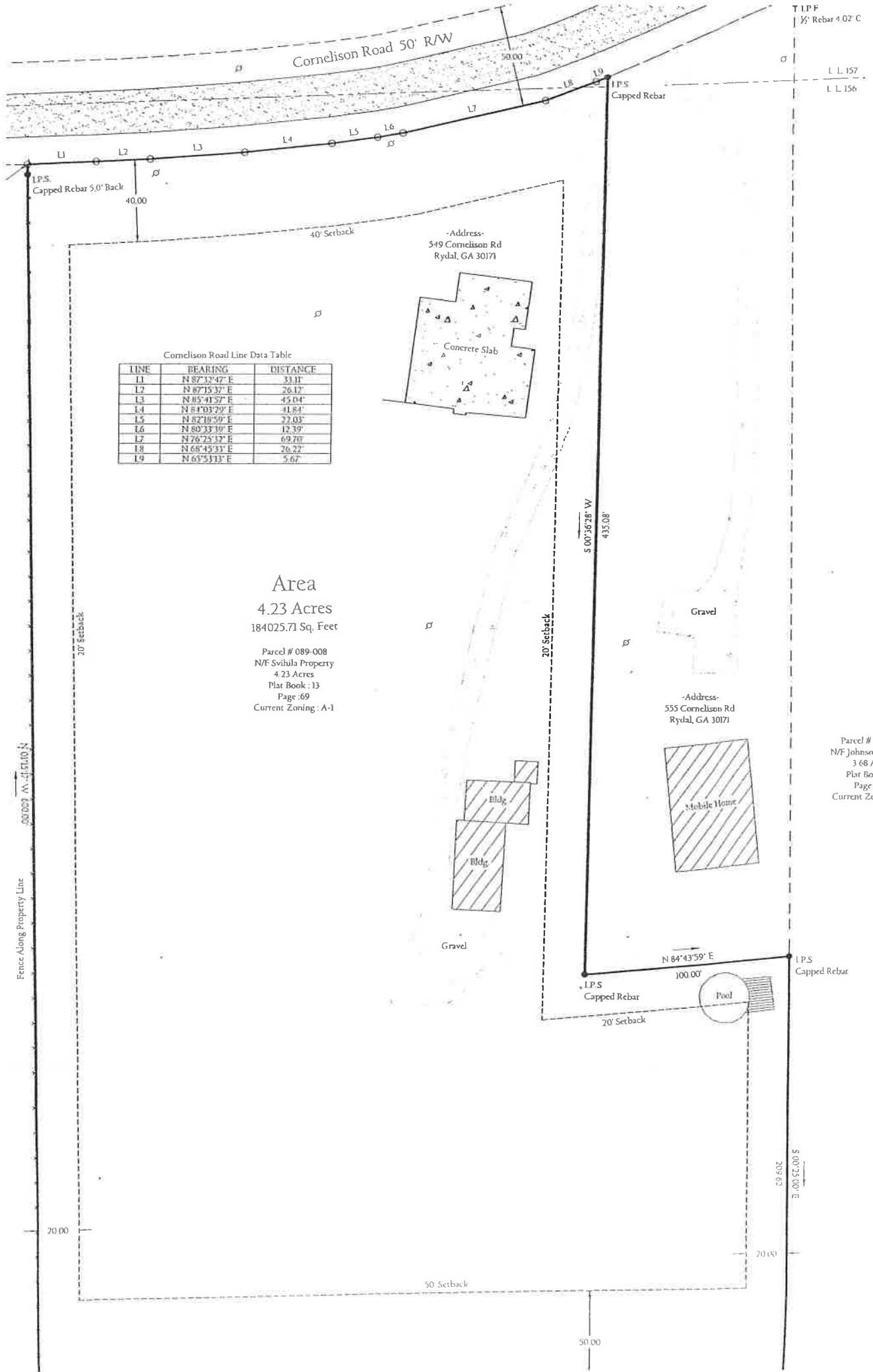


Filed in office 9-21-82 1 P.M. Dorothy Callahan, Dep.



Filed in office 10-4-82 3 PM Dorothy Callahan, Dep.





Cornelson Road Line Data Table

LINE	BEARING	DISTANCE
L1	N 87° 32' 47" E	33.11'
L2	N 87° 15' 32" E	26.17'
L3	N 85° 41' 57" E	45.04'
L4	N 84° 03' 29" E	41.83'
L5	N 82° 16' 59" E	22.03'
L6	N 80° 33' 39" E	13.39'
L7	N 76° 25' 32" E	69.70'
L8	N 68° 45' 31" E	26.22'
L9	N 61° 53' 13" E	5.67'

Area  
 4.23 Acres  
 184025.71 Sq. Feet

Parcel # 089-008  
 N/F Svihala Property  
 4.23 Acres  
 Plat Book : 13  
 Page : 69  
 Current Zoning : A-1

Parcel # 08:  
 N/F Johnson F  
 3.68 Acr.  
 Plat Book  
 Page 12  
 Current Zonin

Fence Along Property Line  
 000027 N. 1/4 110 N

S 00° 23' 00" E  
 209.62

50.00

DEPARTMENTAL REVIEW – FIRE DEPARTMENT

Application # Z22-24 Svihla A-1 to RA-1

Date: 11/22/22

Reviewed by: R. Chance & G. Hasty

FIRE DEPARTMENT

**Comments, recommendation, or any condition of approval to serve proposed rezoning or variance with Fire Department services:**

Ok with Fire Department.

*Ron-Chance*

**DEPARTMENTAL REVIEW – PUBLIC WORKS DEPARTMENT**

Application # 222-24 Svihla A-1 to RA-1

Date: 11-21-22

Reviewed by: Rusty Hogay

**PUBLIC WORKS DEPARTMENT**

**Comments, recommendation, or any condition of approval to serve proposed rezoning or variance with Public Works Department services:**

Applicant must obtain a Driveway Permit From the Public Works Dept. even if a current Driveway exist.

CITY OF CALHOUN  
WATER AND SEWER DEPARTMENTAL REVIEW

APPLICATION NUMBER: Z22-24  
APPLICATION NAME Paul Svihla  
TYPE OF ZONING: A-1 to RA-1  
DATE: 11/22/2022  
REVIEWED BY: Mark Williamson

WATER COMMENTS:

This area is served by a 4" water line.

SEWER COMMENTS:

No City sewer service in this area.

THE INFORMATION IN THIS REPORT WAS OBTAINED USING MAPS AND RECORDS THAT MAY NOT BE ENTIRELY ACCURATE. THIS INFORMATION CANNOT BE CONSIDERED ACCURATE UNTIL A FEILD SURVEY HAS BEEN COMPLETED.