

ATTACHMENT A - VARIANCE APPLICATION

Application Date: 03/14/2022

Applicant/Agent: Catalyst Investment Partners, LLC / Dan Haroun

Applicant Email Address: dan@catalystios.com

Phone # 203-644-8266

Applicant Mailing Address: 420 Madison Avenue, Suite 1001

City: New York State: NY Zip Code: 10017

Property Owner, if different from above: Earnest J. Oetgen

Include Signed & Notarized Authorization of Property Owner

Owner's Email Address (if known): _____

Phone # _____

Owner's Mailing Address: 110 Frank Lane

City: Bloomington State: GA Zip Code: 31302

Property Location: Godley Road

Name of Development/Subdivision: Stagecoach Industrial Site

Present Zoning of Property I-1 Tax Map-Parcel # 399-3R Total Acres 6 acres

VARIANCE REQUESTED (provide relevant section of code): 5.12 (I-1, buffer reduction)

Describe why variance is needed: Applicant under contract to purchase property surrounding the 6 acre tract, as such, buffer only protects applicant. Because of size of the property strict enforcement of zoning ordinance renders the property undevelopable for the intended use.

How does request meet criteria of Section 7.1.8 (see Attachment C): _____

There are unique physical conditions (small tract, surrounded by burrow pit, wetlands) for the property. No opportunity to develop the property for its intended use in conformity with the zoning ordinance; as such, a variance is requested to enable reasonable use of the property.

Applicant Signature:  Date 3/14/2022

ATTACHMENT B - OWNERSHIP CERTIFICATION

I, (we) the undersigned, do hereby certify that I (we) own the property affected by the proposed Amendment to the Effingham County Zoning Ordinance by virtue of a deed date 12/15/2017, on file in the office of the Clerk of the Superior Court of Effingham County, in Deed Book 2494 page 114.

I hereby certify that I am the owner of the property being proposed for Variance approval, and I have answered all of the questions contained herein and know the same to be true and correct. I hereby acknowledge that I have reviewed the application checklist, and further acknowledge that any omission of the items above will cause a delay in the review of my request.

Owner's signature EJ Oetgen
Print Name Earnest J. Oetgen

Owner's signature _____
Print Name _____

Owner's signature _____
Print Name _____

Sworn and subscribed before me this 19th day of March, 20 22.

[Signature]
Notary Public, State of Georgia



AUTHORIZATION OF PROPERTY OWNER

I, Earnest J. Oetgen, being duly sworn upon his/her oath, being of sound mind and legal age deposes and states; That he/she is the owner of the property which is subject matter of the attached application, as is shown in the records of Effingham County, Georgia

I authorize the person named below to act as applicant in the pursuit of a Variance application. I acknowledge and accept that I will be bound by the decision of the Board of Commissioners, including any conditions, if the application is approved.

Name of Applicant/Agent: Catalyst Investment Partners, LLC

Applicant/Agent Address: Dan Haroun

City: New York State: NY Zip Code: 10017

Phone: 203-644-8266 Email: dan@catalystios.com

Owner's signature *EJ Oetgen*

Print Name Earnest J. Oetgen

Personally appeared before me *Earnest J. Oetgen* (Owner print)

Who swears before that the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Sworn and subscribed before me this 14th day of March, 20 22.

[Signature]
Notary Public, State of Georgia



DOC# 009249
FILED IN OFFICE
10/23/2018 08:34 AM
BK:2494 PG:114-117
ELIZABETH Z. HURSEY
CLERK OF SUPERIOR COUR
T
EFFINGHAM COUNTY

PT-61 051-2018-002700

STATE OF GEORGIA)
)
COUNTY OF EFFINGHAM)

Return to: (JPG)
Oliver Maner LLP
P. O. Box 10186
Savannah, GA 31412
912-236-3311

TRUSTEES' DEED

THIS INDENTURE, made and entered into this 15 day of December, 2017, by and between JAMES N. OETGEN and FRANK E. OETGEN, JR., as Co-Trustees of the "Julian Oetgen Trust," as Parties of the First Part, and ERNEST J. OETGEN, of Effingham County, Georgia, as Party of the Second Part;

WITNESSETH:

WHEREAS, Frank E. Oetgen, Sr., of Effingham County, Georgia, died testate on July 3, 1993, seized and possessed of the fee simple title to the following described property; and,

WHEREAS, the Last Will and Testament of Frank E. Oetgen, Sr., was probated in solemn form in the Probate Court of Effingham County, Georgia, and Letters Testamentary were granted to the decedent's wife, to wit, Muriel N. Oetgen; and,

WHEREAS, the Last Will and Testament of Frank E. Oetgen, Sr., devised the following described property to Muriel N. Oetgen and James N. Oetgen, as Trustees of the Julian Oetgen Trust for the lifetime benefit of the decedent's wife, Muriel N. Oetgen, and for the ultimate benefit of the decedent's son, Ernest J. Oetgen, said devise being assented to in that certain Assent to

Devise executed on May 1, 1994, by and between Muriel N. Oetgen, as Executrix under the Last Will and Testament of Frank E. Oetgen, Sr., Deceased, as Party of the First Part, and Muriel N. Oetgen and James N. Oetgen, as Co-Trustees of the "Julian Oetgen Trust," as Parties of the Second Part, filed for record and recorded on May 13, 1994, in the Office of the Clerk of the Superior Court of Effingham County, Georgia, in Deed Book 358, Page 668; and,

WHEREAS, Section 3.8 of the Last Will and Testament of Frank E. Oetgen, Sr., provides that upon death of the wife of Frank E. Oetgen, Sr., all of the following described property left remaining in the Julian Oetgen Trust be distributed to Ernest J. Oetgen; and,

WHEREAS, Muriel N. Oetgen passed away on October 5, 2015, in Effingham County, Georgia, whereupon, Frank E. Oetgen, Jr., succeeded to her position as Co-Trustee of the Julian Oetgen Trust, serving in that position with James N. Oetgen as Co-Trustee; and,

WHEREAS, there is no reason to delay the conveyance of the following described property from the Co-Trustees of the Julian Oetgen Trust to Ernest J. Oetgen as the ultimate fee simple beneficiary of the trust corpus pursuant to Section 3.8 of the Last Will and Testament of Frank E. Oetgen, Sr.;

NOW, THEREFORE, in accordance with Sections 3.2 and 3.8 of the Last Will and Testament of Frank E. Oetgen, Sr., Deceased, the Parties of the First Part, as current Co-Trustees of the Julian Oetgen Trust, do hereby convey, and by these presents do grant and convey unto the Party of the Second Part, his heirs, executors, administrators, successors and assigns, all of their interest in the following described tract or parcel of land, to wit:

All that certain lot, tract or parcel of land situate, lying, and being in Effingham and Chatham Counties, State of Georgia, being that portion of the property known as "Oetgen's Ranch, or Whooping Island" which lies south of Oetgen Road.

The Oetgen Ranch, or Whooping Island Tract, which was owned by Frank E. Oetgen, Sr., at the time of his death, is composed of 716.4 acres, more or less, and

is shown as the property of E.J. Oetgen, Sr., and the property of Frank E. Oetgen, Sr., on a "Map showing a Division of a Part of the Whooping Island Tract" by Robert D. Gignilliat, Jr., dated November 1961, and recorded in the Office of the Clerk of the Superior Court of Chatham County, Georgia, in Plat Record Book N, Page 6.

One of the boundary lines of the property above-described is "Oetgen Road" which ends in the middle of the Whooping Island Tract. For purposes of this description, "Oetgen Road" shall be defined as the southern right-of-way line of the road, for the portion of the road which is open, and, from the eastern terminus of the road to the eastern property line of Oetgen Ranch, a line formed by extending the northern right-of-way line of the road in an easterly direction in a straight line.

AS SHOWN ON A
PLAT OF TRACTS "A3" THROUGH "E3" 270.56 ACRES SURVEYED FOR
THE FRANK OETGEN TRUST BY JEFFREY W. HORN DATED 12-13-17

TO HAVE AND TO HOLD all and singular the above-granted premises, together with the appurtenances, and every part thereof, to the only proper use, benefit and behoof of the said Party of the Second Part, his heirs, executors, administrators, successors and assigns, forever IN FEE SIMPLE.

And, the Parties of the First Part do covenant that they are lawfully the Co-Trustees under the Julian Oetgen Trust under Last Will and Testament of Frank E. Oetgen, Sr., Deceased, and have the power to convey as aforesaid, and have in all respects acted, in making this conveyance, in pursuance of the authority granted in and by said Last Will and Testament creating such Trust, and that they have not made, done, or suffered any acts, matters, or things whatsoever, since they were Co-Trustees as aforesaid, whereby the above-granted premises, or any part thereof, now are, or at any time hereafter shall, or may be, impeached, charged, or encumbered in any way whatsoever.

(SIGNATURES ON NEXT PAGE)

IN WITNESS WHEREOF, the Parties of the First Part hereunto set their respective hands and seals the day and year first above written.

THE JULIAN OETGEN TRUST established under Section 3.2 of the Last Will and Testament of Frank E. Oetgen, Sr.

By: Frank E. Oetgen Jr.
FRANK E. OETGEN, JR., Co-Trustee

By: James N. Oetgen
JAMES N. OETGEN, Co-Trustee

Signed, sealed and delivered on this 15 day of December, 2017, in the presence of:

Candace Kelly
Witness
Maria Allera
Notary Public





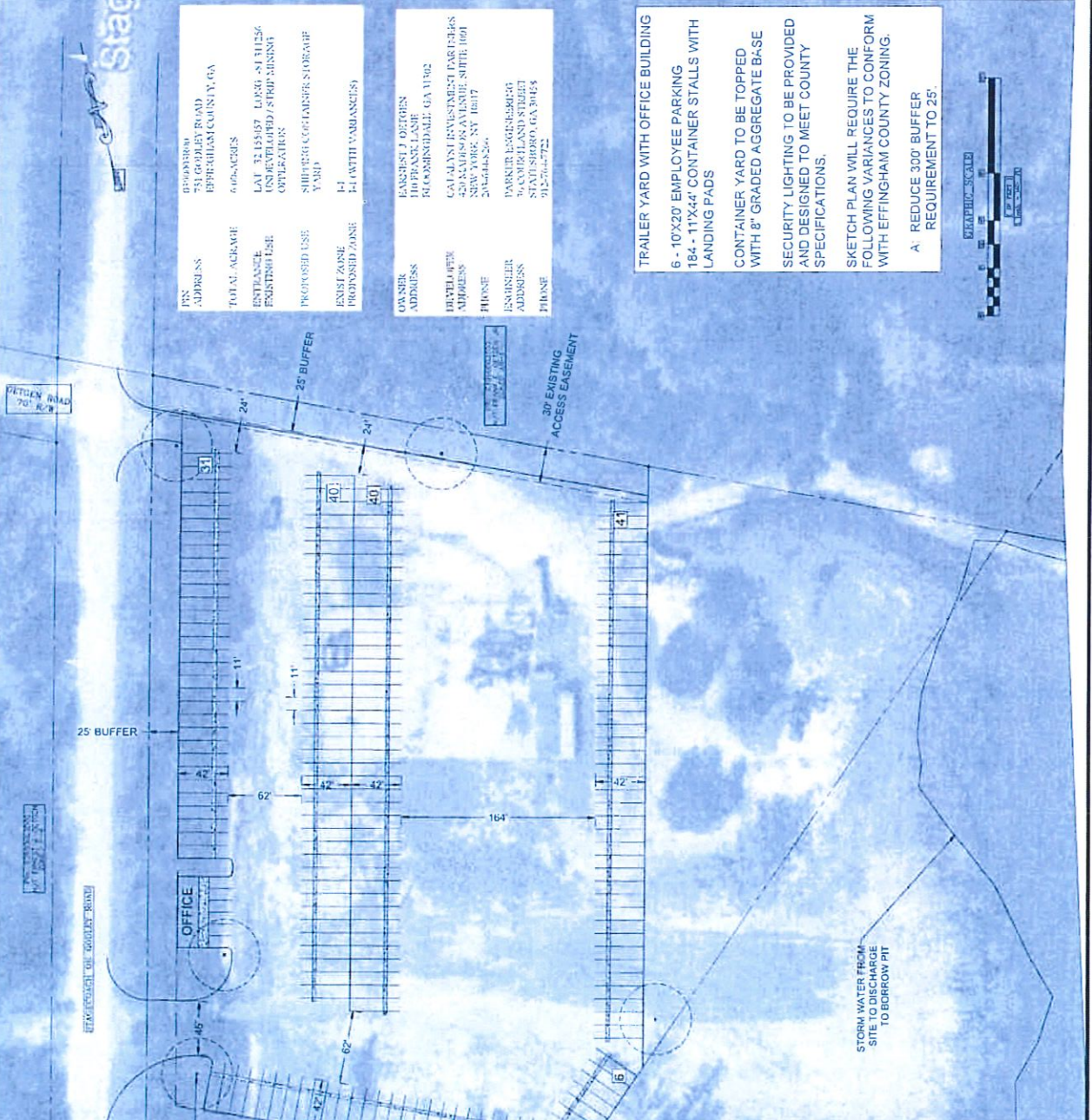
36 Conland Street, Suite B
 Statesboro, Georgia 30458
 Phone: 912-764-7722



CATALYST INVESTMENT PARTNERS
 prepared for:
EFFINGHAM COUNTY, GEORGIA
CONTAINER YARD
CATALYST

NO.	DATE	DESCRIPTION
1	02/27/2020	ISSUED FOR PERMIT

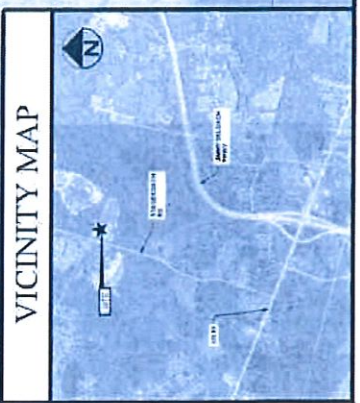
OVERALL PLAN	
TOTAL AREA	1.00 ACRES
TOTAL LOT AREA	1.00 ACRES
TOTAL IMPROVEMENTS	1.00 ACRES
TOTAL OPEN SPACE	0.00 ACRES
TOTAL PAVED AREA	0.00 ACRES
TOTAL UNPAVED AREA	0.00 ACRES
TOTAL UTILITIES	0.00 ACRES
TOTAL OTHER	0.00 ACRES



PERMITS:
 ADDRESS: 36 CONLAND STREET, SUITE B, STATESBORO, GA 30458
 TOTAL ACREAGE: 1.00 ACRES
 ESTABLISHMENT: 25' BUFFER
 PROPOSED USE: CONTAINER STORAGE YARD
 EXIST ZONE: L-1
 PROPOSED ZONE: L-1 WITH VARIANCES

OWNER: KENNETH J. O'NEAL
 ADDRESS: 110 FRANK LANE, ROCKMOUNT, GA 30087
 DEVELOPER: CATALYST INVESTMENT PARTNERS
 ADDRESS: 2850 W. 10TH STREET, SUITE 1001, NEW YORK, NY 10017
 PHONE: 212-444-8226
 ENGINEER: PARKER ENGINEERING
 ADDRESS: 36 CONLAND STREET, SUITE B, STATESBORO, GA 30458
 PHONE: 912-764-7722

TRAILER YARD WITH OFFICE BUILDING
 6 - 10X20' EMPLOYEE PARKING
 184 - 11X44' CONTAINER STALLS WITH LANDING PADS
 CONTAINER YARD TO BE TOPPED WITH 8" GRADED AGGREGATE BASE
 SECURITY LIGHTING TO BE PROVIDED AND DESIGNED TO MEET COUNTY SPECIFICATIONS.
 SKETCH PLAN WILL REQUIRE THE FOLLOWING VARIANCES TO CONFORM WITH EFFINGHAM COUNTY ZONING:
 A) REDUCE 300' BUFFER REQUIREMENT TO 25'

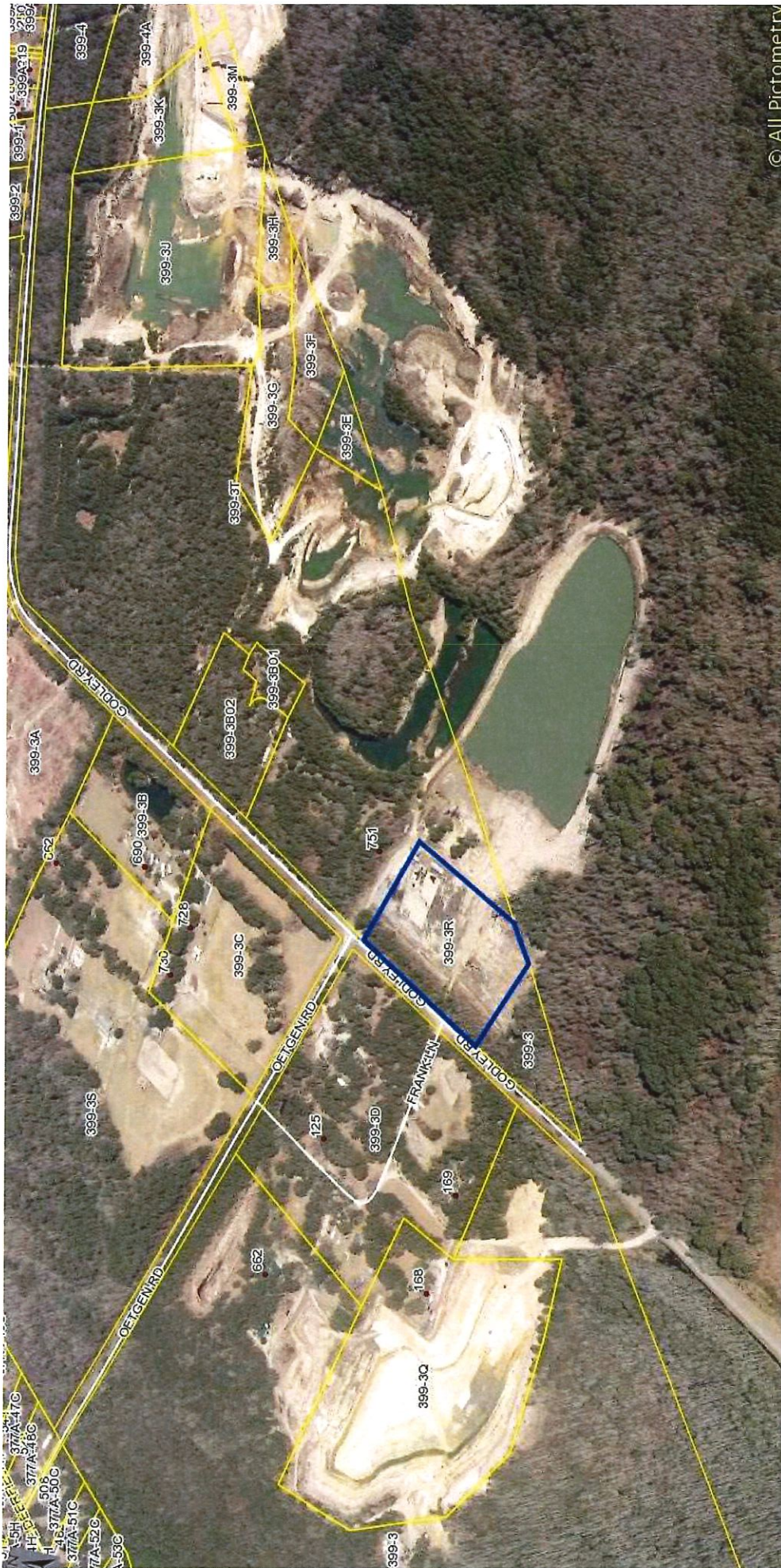


VICINITY MAP



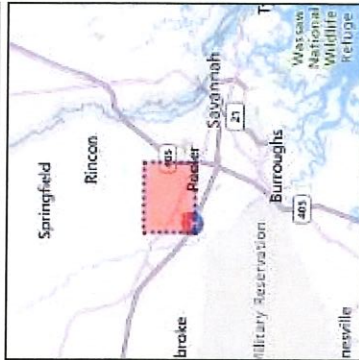
GRAPHIC SCALE
 0 10 20 30 40 50 60 70 80 90 100 FEET

399-3R GODLEY ROAD





GODLEY ROAD 399-3R



Legend

- Address Points
- Tax Parcels With Labels
- Zoning
 - AR-1
 - AR-2
 - R-1
 - R-2
 - R-3
 - R-4
 - R-5
 - R-6
 - B-1
 - B-2
 - B-3
 - I-1
 - FH
 - CP
 - PD
 - Other
- Road Names
- Road Centerlines

This map is a user generated static output from rightspot.spateng.com website and is for reference use only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.
THIS MAP IS NOT TO BE USED FOR NAVIGATION

Dennis G. Baxter
Mayor

J. Raymond Dickey
City Attorney

Charles D. Akridge
City Administrator

Jennifer D. Scholl
City Clerk



Ernest Grizzard, Sr.

Terry W. Jones

Jimmy Kerby

Glenda Key

David Otakie

Rodney C. West

City Council

City of Bloomingdale

Post Office Box 216
Bloomingdale, Georgia 31302

April 13, 2022

Teresa Concannon, AICP
Planning and Zoning Manager
Effingham County Board of Commissioners
804 S. Laurel Street
Springfield, GA 31329

Dear Teresa:

Please accept this correspondence as official notice that the City of Bloomingdale is in opposition to the Variance and Sketch Plan proposal on the Oetgen property. An industrial land use in that area and its impact on a City of Bloomingdale road is not feasible. Further, the proposed lack of buffers is not a sound planning or land use principle and should not be allowed.

In addition, the City Council is in the process of considering a City ordinance prohibiting Tractor Trailers from traveling on the City owned portion of Stage Coach Road.

Please consider the City Council's opposition to this zoning and deny the proposal in its current form.

Sincerely,

A handwritten signature in blue ink that reads 'Charles D. Akridge'.

Charles D. Akridge, City Administrator

cc: Mayor Baxter and City Council