

City of Hattiesburg, MS

*200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401*



Meeting Agenda - Final

Monday, June 18, 2018

4:00 PM

Council Chambers

City Council - Appeal Public Hearing

1. [2018-530](#) Hold public hearing for appeal filed by Utpal Patel, Owner, to appeal the Planning Commission's recommendation for the petition filed by Utpal Patel, Owner, to change the zoning classification for a certain property located at 208 North 38th Avenue (Parcel 2-028L-07-144.01, PPIN 41562, Ward 1) from Section 4.5.9, B-2 (Neighborhood Business) District to Section 4.5.10, B-3 (Community Business) District. Hattiesburg Planning Commission recommended to Deny on April 4, 2018

Attachments: [208 N 38th Ave - Appeal hearing delay request 5-17-18](#)
 [Appeal - 208 N 38th Ave](#)



City of Hattiesburg, MS

200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401

Master

File Number: 2018-530

File ID: 2018-530

Type: Regular Agenda Item

Status: Agenda Ready

Version: 1

Reference:

In Control: City Council

Requester: Ginger Lowrey

File Created: 06/08/2018

Brief Title: Hold Appeal Hearing - 208 North 38th Avenue -
Rezzone to B-3, Ward 1

Final Action:

Minute Book Number: MB 2018-151

Title: Hold public hearing for appeal filed by Utpal Patel, Owner, to appeal the Planning Commission's recommendation for the petition filed by by Utpal Patel, Owner, to change the zoning classification for a certain property located at 208 North 38th Avenue (Parcel 2-028L-07-144.01, PPIN 41562, Ward 1) from Section 4.5.9, B-2 (Neighborhood Business) District to Section 4.5.10, B-3 (Community Business) District. Hattiesburg Planning Commission recommended to Deny on April 4, 2018

Notes:

Agenda Date: 06/18/2018

Indexes:

Agenda Number: 1.

Sponsors:

Enactment Date:

Attachments: 208 N 38th Ave - Appeal hearing delay request
5-17-18, Appeal - 208 N 38th Ave

Enactment Number:

Contact:

Meeting Date: 06/18/2018

Drafter:

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Appeal Public Hearing	06/18/2018	Action Text: Attorney Joel Johnson (representative of the owner, Utpal Patel) appeared before the Council to present the appellant's case. On behalf of the City's Planning Department, Ms. Maddox presented a powerpoint overview. Council President Carroll called on Attorney Johnson for rebuttal. Council President Carroll closed the public hearing at 4:20 p.m., and proceeded with the Agenda Review.				

Text of Legislative File 2018-530

Title

Hold public hearing for appeal filed by Utpal Patel, Owner, to appeal the Planning Commission's recommendation for the petition filed by by Utpal Patel, Owner, to change the zoning classification for a certain property located at 208 North 38th Avenue (Parcel 2-028L-07-144.01, PPIN 41562, Ward 1) from Section 4.5.9, B-2 (Neighborhood Business) District to Section 4.5.10, B-3 (Community Business) District. Hattiesburg Planning Commission recommended to Deny on April 4, 2018

Summary

Hold Appeal Hearing - 208 North 38th Avenue - Rezone to B-3, Ward 1

Budget Information

Expenditure Type

Purchasing Item

Publication Information

JOHNSON, RATLIFF & WAIDE, PLLC

Attorneys at Law
Second Floor
Great Southern National Bank Building
1300 Hardy Street
Hattiesburg, MS 39401

Telephone: (601) 582-4553
Telefax: (601) 582-4556
E-Mail: jj@jhrlaw.net

S. Joel Johnson
Michael V. Ratliff
Daniel M. Waide

P. O. Box 17738
Hattiesburg, MS 39404-7738

May 17, 2018

VIA EMAIL - glowrey@hattiesburgms.com
AND TELEFAX - 601-545-1962

Ms. Ginger Maddox Lowrey, AICP, CFM
Planning Division Manager
City of Hattiesburg
200 Forrest Street
Hattiesburg, MS 39401

Re: 208 N. 38th Avenue, Lot 30, Hattiesburg, MS 39401

Dear Ms. Lowrey:

This letter will confirm my call to your office yesterday concerning this matter. I am requesting a two-week postponement or re-setting of the public hearing on May 21, 2018, and council action the following day. At this time I already have other pressing matters scheduled and will not be able to attend either event. I would appreciate an extension in order to attend. Thanks.

With best regards, I remain

Sincerely yours,

JOHNSON, RATLIFF & WAIDE, PLLC



S. Joel Johnson

SJJ/lcf



Send to:
Andrew Ellard, Director of Urban Development
Dept. of Urban Development
P.O. Box 1898
Hattiesburg, MS 39403
601.545.4599 or fax 601.545.1962

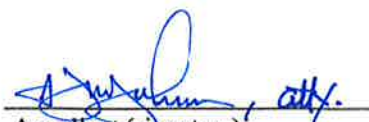
**REQUEST TO APPEAL PLANNING COMMISSION OR BOARD OF ADJUSTMENTS
RECOMMENDATION**

Today's Date:	4/13/18
Planning Commission or Board of Adjustment Date:	4/4/18
(Appeals must be made within ten consecutive days of the recommendation)	
Name of Property Owner/Petitioner:	Utpal Patel
Name of Person Requesting Appeal Hearing:	S. Joel Johnson, Attorney for Utpal Patel
Mailing Address of Person Requesting Appeal Hearing:	PO Box 17738 Hattiesburg, MS 39404
Address of Petitioned Property:	208 North 38th Avenue Hattiesburg, MS 39401
Petitioner's Request of the Planning Commission or Board of Adjustments: to change zoning classification for a certain property located at 208 North 38th Avenue (Parcel 2-0286-07-144.01, PPIN 41562, Ward 1 from section 4.5.9, B-2 to 4.5.10, B-3 (Neighborhood business))	
Planning Commission or Board of Adjustment's Recommendation: Approve ☐ or Deny ☒	

District to Section 4.5.10, B-3 (Community Business) District

I/We hereby APPEAL the Planning Commission or Board of Adjustment's Recommendation for the above reference petition and request to hold a Public Hearing before the Hattiesburg City Council.

Utpal Patel
Appellant (print)


Appellant (signature)

City of Hattiesburg, MS

*200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401*



Meeting Agenda - Final

Monday, June 18, 2018

4:00 PM

for the June 19, 2018 agenda

Council Chambers

City Council - Amendments to the Agenda

Add Routine Agenda Item VII. - 20 at the request of the Administration as follows:

- VII.-20** [2018-555](#) Approve publication setting a Public Hearing for July 9, 2018 at 5:30 p.m. at C. E. Roy Community Center and establishing a Public Comment Period beginning on June 22, 2018 and concluding on July 9, 2018 for the 2018-2022 Consolidated Plan and 2018 Annual Action Plan.

Attachments: [NOTICE OF PUBLIC COMMENT PERIOD and Public Hearing for Con Plan &](#)



City of Hattiesburg, MS

200 Forrest St.
P.O. Box 1898
Hattiesburg, MS 39401

Master

File Number: 2018-555

File ID: 2018-555

Type: Regular Agenda Item

Status: Agenda Ready

Version: 1

Reference:

In Control: City Council

Requester: Andrew Ellard

File Created: 06/14/2018

Brief Title: Publication Setting Public Hearing and Public
Comment period.

Final Action:

Minute Book Number: MB 2018-161

Title:

Approve publication setting a Public Hearing for July 9, 2018 at 5:30 p.m. at C. E. Roy Community Center and establishing a Public Comment Period beginning on June 22, 2018 and concluding on July 9, 2018 for the 2018-2022 Consolidated Plan and 2018 Annual Action Plan.

Notes:

Agenda Date: 06/19/2108

Indexes:

Agenda Number: VII.-20

Sponsors:

Enactment Date:

Attachments: NOTICE OF PUBLIC COMMENT PERIOD and Public
Hearing for Con Plan & 2018 Annual Action Plan.pdf

Enactment Number:

Contact:

Meeting Date: 06/19/2018

Drafter: Clarence Williams

Effective Date:

History of Legislative File

Ver- sion:	Acting Body:	Date:	Action:	Sent To:	Due Date:	Return Date:	Result:
1	City Council - Amendments to the Agenda	06/18/2018					
1	City Council - Appeal Public Hearing	06/18/2018					
1	City Council	06/19/2018					

Text of Legislative File 2018-555

Title

Approve publication setting a Public Hearing for July 9, 2018 at 5:30 p.m. at C. E. Roy Community Center and establishing a Public Comment Period beginning on June 22, 2018 and concluding on July 9, 2018 for the 2018-2022 Consolidated Plan and 2018 Annual Action Plan.

Summary

Public Hearing and Public Comment for 2018-2022 Consolidated Plan and 2018 Annual Action Plan.

Budget Information

Expenditure Type

Purchasing Item

Publication Information

NOTICE OF PUBLIC COMMENT PERIOD AND PUBLIC HEARING MEETING
FOR THE 2018-2022 CONSOLIDATED PLAN AND
THE 2018 ACTION PLAN
FOR COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME PROGRAMS

The City of Hattiesburg, Mississippi has received its Community Development Block Grant (CDBG) and HOME Investment Partnerships (HOME) Programs funds from the U.S. Department of Housing and Urban Development for Program Year 2018. The total funding is \$877,861.00. The funds will be used to meet the primary objectives of the Housing and Urban Development Act of 1974, as amended, by providing access to affordable, decent, safe and sanitary housing and a suitable living environment and expanding economic opportunities for persons, of low and moderate-income.

A Public Hearing will held on July 9, 2018 at 5:30 p.m. C. E. Roy Community Center, 300 E. 5th Street for the purpose of receiving comments on the 2018-2022 Consolidated Plan and 2018 Action Plan. Public Comments on the topic will be taken between June 22, 2018 and July 9, 2018.

The City expects to receive a CDBG entitlement grant of \$560,001.00. The City proposes to budget these funds for the following activities: CDBG Administration (\$101,561.00); and Housing Programs (\$448,000.00).

The City expects to receive a HOME entitlement grant of \$317,860.00. The City proposes to budget these funds for the following activities: HOME Administration (\$31,786.00); Community Housing Development Organization Set-aside (\$47,679.00); Downpayment Assistance (\$50,000) and Housing Programs (\$188,395.00).

The City will consider any comments or views of citizens, agencies or units of local government received in writing by July 9, 2018.

Comments related to this NOTICE may be sent to or delivered to City Hall, First Floor, Community Development Division/Department of Urban Development, 200 Forrest Street, Hattiesburg, MS 39401. Written comments will be accepted in the Department of Urban Development between June 22, 2018 and July 9, 2018. A summary of any comments or reviews accepted will be attached to the final action plan.

If you have any questions regarding this information, please contact the Department at (601) 554-1006.

CITY OF HATTIESBURG, MISSISSIPPI

BY: _____
CITY CLERK

(SEAL)

Toby Barker, Mayor

PUBLISH Once in the Non-Legal Section of the Hattiesburg Post: Thursday, June 21, 2018.

City of Hattiesburg, MS

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Meeting Agenda

Monday, June 18, 2018

4:00 PM

Council Chambers

City Council - Agenda Review

1. Agenda Review.
2. Citizens' Forum.