

CITY OF IVANHOE

CODE ENFORCEMENT HEARING MINUTES

March 18th, 2021

5:00 PM

Mayor Bennett called the meeting to order at 5:00 PM, with the hearing being livestreamed via YouTube & Facebook video. Quorum established with all Council present except Councilman Herrington. City Attorney was present

Agenda item #1 – Code Enforcement Case #2021-0008 Carolyn Forse

Mayor Bennett turned the floor to Code Enforcement official Malissie Taylor to present the city code violation filed against property owner Carolyn Forse: Property in District 2 is being sold, the property has a manufactured home on it (non-conforming structure); upon sale the property must be brought into compliance with District 2 requirements (manufactured home must be removed). Notice of the code enforcement hearing was mailed to property owner February 26th, 2021.

Mayor Bennett then turned the floor to Ms. Deanna Torres (property owners daughter and representative) to present her case for leaving the manufactured home on the property upon sale of the property. Note: it was presented that the law firm the city attorney works with had represented Ms. Forse & Ms. Torres in drawing up the sale of the property with the manufactured home included in the sale. Mr. Elrod recused himself from the proceedings of the hearing.

Ms. Torres informed Council that the manufactured home had been placed on the property prior to the city instituting the codified ordinance, and asked that the manufactured home be treated as a pre-existing structure exempt from the codified ordinance.

Mayor Bennett clarified that the “grandfather clause” of the pre-existing condition does not carry forward to a new property owner as would happen when the property changes hands. She noted that Ms. Torres could seek a conditional use permit (CUP) for the property and explained the steps of the CUP hearing process and cost.

Ms. Torres then requested a hardship exemption saying she did not want to go thru the conditional use permit process which would require another hearing.

Councilman Blackstone noted the city has criteria for properties and a change from the criteria would require a conditional use permit.

Ms. Torres voiced that she would seek legal counsel on the matter thereby ending Council discussion for the code enforcement hearing.

Agenda item #2 - Adjourn

Councilman Warren made the motion to adjourn, followed by a second from Councilman Blackstone and the meeting was concluded at 5:28 PM

Respectfully submitted,

C. D. Woodrome, City Secretary

Approved by City Council April 15th, 2021.

Cathy Bennett, Mayor