

**Prairie Village Homes Association**  
**August 12, 2007**

**Members Present:** Susan Britton, Bill Chinnery, Sharon Chinnery, Susan Forrest, Dick Haun, Brent Muecke, Michelle Nash, Jori Nelson, Susan Spencer Ashley Weaver

The meeting was called to order by Susan Forrest, President.

**Removal of Discriminatory and Unlawful Language and Covenants:**

The Board of Directors unanimously approved the Resolution of the Board of Directors of the Prairie Village Homes Association Amending Declaration of Restrictions Under House Bill No. 2582, 2006 Regular Session of the Kansas Legislature. The secretary will sign the document and certify that the resolution was passed; then each Director will need to sign the document before a notary public. Susan will schedule and coordinate the signing process.

Excerpt from the resolution:

*. . . House Bill No. 2582 permits and directs governing bodies of homes associations by a vote of any such governing body to amend declarations of restrictions, without a vote or consent of property owners and members of a homes association notwithstanding contrary provisions in such a declaration of restrictions as may be required for amendments thereof, to eliminate, delete, remove, release, and make naught provisions and restrictive covenants of such declarations as may be in violation of K.S. A. Secs. 44-1016 and 44-1-17 as to race, religion, color, sex, disability, familial status, national origin, or ancestry.*

**Dispute with property owner at 4101 Prairie Lane:**

Background: The new owner of the property at 4101 Prairie Lane wishes to proceed with construction of a home that is out of compliance with width restrictions and with the definition of 1 ½ story as intended J.C. Nichols when the deeds restrictions were developed and set forth. On behalf of PVHA, president Susan Forrest has engaged the services of an attorney, Lindsay Wood, to attempt to settle the noncompliance issue. Mr. Wood was recommended by HACCD. The meaning of 1½ story as intended in the Deeds Restrictions was researched and a definition formulated to reflect neighborhood character and express historic context. The definition is:

*A 1.5 story residential home typically has a front facade with two levels of living area, characterized by a steep roof slope and dormers (which project from the roof and have windows on their fronts). The upper story is a half story when sloping ceilings are produced by finishing the underside of the roof rafters on pitched roofs having the eave line two feet or less above the floor of that story. The front roof slope shall be no greater than one to one. Because of the roof design, the area of the second floor is usually 40% to 70% of the ground floor area. A lower story is a basement and not counted as a story for height purposes when the floor thereof is below said average elevation a distance of more than five feet.*

Respectfully submitted,

Sharon Chinnery, Secretary