

Prairie Village Homes Association
August 21, 2007

Members Present: Susan Britton, Bill Chinnery, Sharon Chinnery, Susan Forrest, Michelle Nash, Susan Spencer Ashley Weaver

Absent: Dick Haun, Brent Muecke, Jori Nelson

The meeting was called to order at 9:00 pm by Susan Forrest, President.

The Board met to discuss pros and cons of moving forward with the legal proceedings involving 4101 Prairie Lane and to be apprised of any further developments in the case. The next court date is to be August 29 from 3pm – 4 pm.

To date, there is no evidence that Mr. Eddy has definitely purchased additional footage necessary to meet the width restrictions. The neighborhood petition signed on Mr. Eddy's behalf represents 55% of residents on Prairie Lane, 35% of residents on Oxford and 17% on Fontana.

Michelle Nash and others on the board expressed concern over the vagueness of the definition of a 1 ½ story home. The judge has issued strong instructions that the two sides attempt to work out a settlement. It is clear that the deeds restrictions limit homes in the PVHA to 1 ½ story, and Mr. Eddy's house plans are clearly labeled two-story Colonial. However, Mr. Eddy's definition of a 1 ½ story home agrees with the City's definition. There has been concern that granting a variance will set a precedence that will require continual granting of variances. However, according to Mr. Wood, attorney for PVHA, the granting of a variance does not necessitate a repeat of the practice. Conversely, Mr. Wood has also encouraged PVHA to settle the matter out of court if possible, stating that he is concerned that this will be a difficult case to win.

Ashley Weaver has located an architectural historian, Susan Ford, to serve as an expert witness and address the definition of 1 ½ story. The Board approved the hiring of Ms. Ford to research a nationally recognized definition and appear as an expert witness if needed. The decision as to whether to proceed will be postponed pending the outcome of Ms. Ford's research. Susan Forrest called for the Board to reconvene on Sunday, August 26 to hear the results of Ms. Ford's research and to vote on whether to proceed with the legal action.

Respectfully submitted,

Sharon Chinnery, Secretary