

CORINTH HILLS

Spring 2006

Corinth Hills Homes Association

Established in 1958



2006 Spring Home of the Season, Tem and Nancy King, 8228 Linden Drive.

IMPORTANT!!! Mark Your Calendar Village Fest

The City of Prairie Village will celebrate Independence Day with its 10th annual Village Fest starting at 7:30 am on July 4th at the municipal campus. This has been a very enjoyable and sane way to celebrate the 4th with your family. More details will be forthcoming as we get closer to the date.

Corinth Hills Summer Picnic & Swim Night Friday July 14th

Mark your calendars for the 2006 Homes Association Annual Picnic and Swim night. This year's event will be on Friday July 14th from 6-10pm.

Come join your friends and neighbors for some great food and a night of Swimming.

The Homes Association will provide the meat, buns, condiments, baked beans and drinks. All you need to bring will be a side salad and/or a desert as well as an appetite! The pool will be open until 10pm that night so bring your suit and swim the night away. Your RSVP will be requested as time gets closer.

A Word from the President Jay Knox, President

Welcome to the first newsletter of 2006.

We were able to visit with many of you at the meeting on November 1 at Meadowbrook Country Club. Our speaker for the evening was Doug Luther, Assistant Administrative Director for Prairie Village. He has spent many hours on the Prairie Village Vision Plan and reviewed its progress. It was exciting to hear the plans for revitalizing our city and reinventing some areas.

The recognition of the island volunteers was noteworthy as these people give up many hours to beautify our common areas and entry ways. I have heard many positive comments from people outside of Corinth Hills who remark about the beauty and overall appearance of our area. Thanks! We really appreciate all their efforts.

We will also be planning another pool party/picnic for the summer at Harmon Park. Every effort will be made to gain cooperation with the weather so that we don't get rained out with the pool party portion.

Additional work remains on our program to repair and maintain our island markers and statues. We hope to complete the program this year without any major expenditure. I hope that you have noticed the number of homes associations who have upgraded or repaired their monuments/entry ways since we completed ours. I know that I have received several inquiries from other groups for advice or our sources. Joan O'Hare has been getting many questions concerning our island plantings and design.

This past year marked the first year that we are recognizing a home of the "Season" for an award rather than having only one Home of the Year Award as in the past. This acknowledges those who have made special efforts for seasonal plantings or display. The photo above is of our Spring award. The Kings at 8228 Linden Drive received a \$25 gift certificate at Suburban Lawn in recognition of their special efforts and our thanks for making Corinth Hills special. Our Winter Holiday awards went to Jan & Mark Morgan at 5202 West 79th Terr. and to Ken and Elaine Kalen at 8001 El Monte. Each winner also received a \$25 gift certificate. Their homes really looked attractive and festive during the holidays.

On a more serious note at the November 1 meeting and in a later letter from a resident, concern was expressed about the "outbuilding" issue. The deed restrictions specifically forbid "outbuildings" which are defined as any structure not attached to the residence and which are "roofed". These would include gazebos, yard sheds,

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A New Member Joins The Board

Chris Holmes lives at 8116 Fontana with his wife, Courtney, and their two sons Cooper (5) and Carson (3). They have a growing menagerie of pets the children bring home, including: dog, Drexel; cat, Jack; fish, Frick & Frack; and turtle, Speedy.

Chris is a sales executive with Prudential Kansas City Realty. He has been a residential realtor for 10 years, working for the same management team as they have evolved from J.C. Nichols to Reece & Nichols to the current Prudential Realty. His office is on the North West corner of 75th and State Line.

Originally from a suburb of Toronto, Ontario, Chris graduated from Queen's University in Kingston, Ontario with a degree in Political Science in 1991. He then traveled throughout Central America, sailed up the Pacific Coast, lived in Santa Fe, New Mexico then in Victoria, British Columbia before settling in Kansas City in 1993.

Chris came to Kansas City area to visit his cousin, Sean Holmes, who was the soccer coach at Baker University. Sean did his post-graduate studies at KU where he was roomed with Ed Nelson (the future owner of the 75th Street Brewery). In the summer of 1993, timing was everything. Chris' visit to Kansas City coincided with the opening of the 75th Street Brewery. Sean Holmes introduced Chris to Ed Nelson who then asked him to stay in KC and help him prepare for the opening of the brewery. As luck would have it, Courtney took a job as a waitress at the Brewery during her last semester at KU. Chris and Courtney met the first day on the job - a meeting that eventually led to the celebration of their 10th wedding anniversary this summer.

Chris' hobbies include ice hockey, golf, running (5 marathons under his belt), playing acoustic guitar, writing, and painting. Chris enjoys traveling with his family, particularly to the Caribbean for Scuba diving. Each year they go back to Canada to visit his mother in Southampton, Ontario for a summer vacation at the family cottage on Lake Huron.

Courtney is a stay-at-home mom and does free-lance event planning on the side. Cooper and Carson attend Highlawn Montessori Preschool and are very active boys who enjoy swimming, karate, and Power Rangers.

A Word for the President: *Continued from page 1*

certain playhouses, and lawn pavilions among others. We have been working with the City of Prairie Village, with HACCD (Homes Association of the Country Club District) and others to get better clarification and resolution of these issues. The restrictions were authored in the 1950's and are virtually impossible to update because of the stringent requirements for change.

We do not want to see a proliferation of the "Tuff Shed" or similar structure popping up in the yards of Corinth Hills. These would be a blight on the area.

Please be advised that The Corinth Hills Homes Association board will be actively looking for a workable, common-sense solution to this issue. Until we can attain that middle ground, we will be working with the city and the involved resident to enforce the current restrictions on new structures. I was recently elected to the overall HACCD board and have requested that this be a priority issue for them to work on a solution. They have already been active in this area.

Please feel free to call me with comments and/or problems concerning Corinth Hills. I may not have an immediate answer but hopefully can get the response that you need or direct you to someone who can help. My number is (913) 642-9468.



Island Garden Update

It may be May on the calendar, but all of the Island Gardeners are already planning new interesting plant combinations they will be exhibiting this spring on their islands.

This year each Island Gardener received a \$25.00 gift to Suburban Lawn and Garden and each person responsible for watering received a colorful garden bucket to collect the clippings from the island or their yard.

If you've always wanted to be a part of the Island Gardeners and help beautify the community, please contact Joan O'Hare at (913) 642-8804 for more information.

Many thanks to all of the dedicated Gardeners for all their past hard work as we look forward to the new season.

Trash Pickup

City ordinances and our own policies stipulate that trash can be put at curb side after 7:00pm the night before pickup and containers need to be pulled in by 7:00pm after the pickup has been made. At this time of year we're dealing with a lot of yard waste as residents clean up their yards and mow grass multiple times per week. Piles of yard waste bags or sacks set out several days in advance of pickup at the curb are unsightly. Let's try to hold these at the house line until scheduled pickup.

Dogs

In general residents have complied with the leash law and with the pet waste pickup requirements. However there seem to be several of our islands where this is being ignored. The appearance of those islands is an enhancement to our area and the result of countless hours by our island volunteers. Let's respect their efforts and keep our islands clean.

Be Part of Our New Directory!

It has been several years since we published a directory of all the residents in Corinth Hills. In an endeavor to make this a reality this spring, we need your help! Included in this newsletter is a postcard requesting your information for the new directory. IF YOU DESIRE TO BE INCLUDED IN THE NEW DIRECTORY, YOU MUST COMPLETE AND RETURN THE POSTCARD.

We will not be going door to door to update your information. We hope that every resident will submit their information by June 30th. The information you provide will only be used for our directory and no other purpose. A great way to build relationships within Corinth Hills is to have an up-to-date directory. Be part of our new directory and return your postcard today!

OPEN LETTER to CORINTH HILLS RESIDENTS

Corinth Hills Homes Association Issues

The annual meeting of the Corinth Hills Homes Association was held November 1 at Meadowbrook Country Club. Once again the issue of deed restrictions surfaced. Of concern was adherence to them, and enforcement of violations.

When Corinth Hills was platted in the early to mid 50's, J.C. Nichols and his management staff established very tight deed restrictions. These were very similar to those they imposed on their other home developments and were designed to protect the neighborhood as they had envisioned it. With slight variation these restrictions are identical across Corinth Hills. They deal with use of land, front footage, permitted height of residences, square footage, setback, projections such as porches or entry vestibules, free space, overhead wires, oil tanks, livestock and poultry, billboards, and outbuilding. The last item, outbuilding, is the most contentious one from the list.

The word "outbuilding" as defined shall mean an enclosed, covered structure not directly attached to the resident to which it is appurtenant. This is the definition provided in the legal document filed with the deed restrictions.

By definition, an outbuilding could be a garden shed, a playhouse, a gazebo, an arbor, a pergola, a pool house or even an outdoor play pavilion if it includes a canvas, wood or other material roof structure.

How prevalent are the violations of this restriction? In my tenure as President of Corinth Hills Homes Association, I can only recall four instances of reported violations. In almost all cases, it was a misinterpretation of the deed restrictions by the individual reporting it as a violation. I have fielded inquiries and discussed the restrictions. I do not have police powers or have been granted liberty to trespass to determine if everyone is in compliance. I can only rely on our residents to report possible violations to me and allow me to investigate.

When a homeowner decides to erect such a structure, a building permit from Prairie Village is generally required. The city has usually advised the applicant to review their deed restrictions and check with their homes association for assurance that they are in compliance. This is only an advisory and no written permission from the homes association is required. The city codes do not forbid "outbuilding". The codes only specify certain requirements such as placement, structural integrity, easement restrictions, etc.

If we as the homes association are ignored and a structure is erected which violates the deed restrictions, our only alternative is to notify the home owner of the violation, seek modification, or ask for its removal. If remedial action is not forthcoming, then we would have to initiate legal action to have construction in process halted and the structure removed.

One of our long time residents sent me a letter following the November meeting. He stated that "the legal costs of enforcement would be far less than the costs of diminished property values if deed restrictions are not enforced."

"For some there may be a perceived need for more storage, but I have no sympathy for those who lacked the foresight to plan for the accommodation of lawn equipment and whatever 'stuff' that is now considered to require a storage shed. Nor do I consider it my obligation to waive the restrictions to satisfy such wants or needs."

He then further discusses the decline in property values with a proliferation of outbuilding. He agrees that changing the restrictions would be a formidable task.

"It is the responsibility of the board to promptly enforce existing deed restrictions. To do otherwise could be considered a dereliction of duty and subject to potential financial damages. If not, where should residents go to recover damages suffered because of inaction or improper action?"

I appreciate him expressing his thoughts and concerns about a difficult problem. I can say that the entire board is always concerned about Corinth Hills and we have been exploring this issue with the City of Prairie Village and the office of the Homes Association of the Country Club District. The board has had many internal discussions about our course of action. Now it is your turn to give us your insight.

Please review the following options and advise us of your thoughts. You may call me at (913) 642-9468 or send me a note at 5300 West 80th St.

Options

- 1.) Move to have all structures in violation removed by agreement or by legal action as required.

There will be those who will comply willingly but some will no longer have good feelings about the area or with their neighbors who have forced compliance. Those who will not comply willingly will have to be forced to adhere through legal action. This can prove costly for not only them but also the homes association.

- 2.) "Grandfather" in all those structures which have been erected prior to a specific date.

A copy of the applicable deed restrictions and a notice of our intent to rigidly enforce them will have to be sent to all residents via registered mail. An inventory will have to be made of outbuilding currently erected.

While this would be acceptable to those who already have their gazebos or playhouses erected, those who will be prevented from such could argue that their property value has been hurt in the process.

- 3.) A variation of this option would be to "grandfather" these structures but with language to be inserted in HACCD records so that when a title search is made on sale of the residence it would be indicated that there is a deed restriction violation which must be resolved as part of the sale. When listed for sale the sellers disclosure statement to prospective buyers would have to indicate this condition.

- 4.) Move to modernize the deed restrictions to allow those amenities which the residents have indicated are desirable and acceptable to them. Standards or approved designs would be developed

The revised deed restrictions would have to be approved by 75% of the residents.

This can prove to be a lengthy process to get this level of concurrence in today's environment. Much work would be involved and require a broad neighborhood involvement. Development of the approved designs/standards would require an extensive effort.

Please review and provide the board with your comments and guidance. This is an issue that we believe needs the consideration of the residents and their recommended course of action. Reply by June 30 so that we can proceed.

City of Prairie Village Code Review Home-Based Business

Prairie Village residents who operate a business from their home should contact the City of Prairie Village for licensing requirements.

Q. Why does the City require a Home Occupation license?

A. Residential neighborhoods are designed and intended for residential uses. However, the City recognizes that certain business activities can be conducted within residential areas which will not infringe on the residential rights of neighbors. The City's Home Occupation Licensing Program is designed to balance the needs of the home-based entrepreneur with those of the surrounding neighborhood.

Q. What is a Home Occupation Business?

A. Any business maintained, conducted, or administered within a residence in an area of the City zoned for residential Use, with the exception of Home Day Care providers.

Q. What is the license fee?

A. The fee for a Home Occupation license is \$45. For new businesses beginning operation after March 1st a pro-rated fee of \$22.50 applies.

Q. Can I solicit or advertise my home-based business?

A. Use of advertising signs on the premises is not allowed. Dissemination of information is permitted and advertising in other venues (business directory, phone book) is permitted. Should solicitation of residents be desired, a Door-to-Door Solicitation Permit is required.

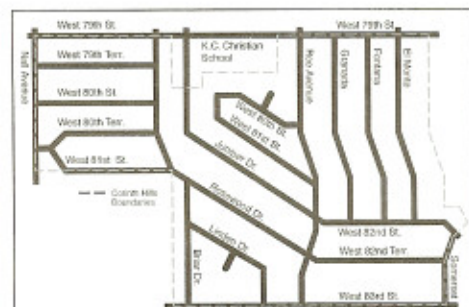
Q. How much of my home can be occupied by the home based business?

A. Home occupations must be located entirely within the interior of a residence and shall not be located in garages or accessory structures. No more than 20% of the total floor area, not including the garage, shall be used for the home based business.

Q. Can I have employees at my home based business?

A. The home occupation shall have no other employees, independent contractors, or any other entity working on or dispatched from the premises, except for family members residing on the premises.

More questions? Contact the City Clerk's Office at 913-381-6464



Corinth Hills Homes Association Board of Directors

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