

ARCHITECTURAL REVIEW BOARD AGENDA

June 8, 2021

3:00 p.m.

Pre-meeting to begin at 2:00 p.m.

Please join the meeting from your computer, tablet or smartphone at <https://global.gotomeeting.com/join/666585981>

You can also dial in using your phone at Toll Free: 1 (866) 899-4679 or United States: 1 (571) 317-3116

using Access Code: 666-585-981

#1 Consent Agenda

A. City of Mission Hills – 6300 State Line Rd Landscaping corner of Wenonga Rd and Wenonga Terr

#2 David & Diane Zimmer* Changes to previously approved project
5924 High Drive *Cont'd from May 11th & 25th ARB mtgs*

#3 Dieter & Yassin Trost Resurface existing patio / Basement stair access / Fence ext.
3800 West 65th Street *Cont'd from May 11th ARB mtg*

#4 Tyler & Leigh Nottberg †* Replace patio / Add pergola /
3002 West 67th Terrace Expand outdoor kitchen / Outdoor fireplace

#5 David & Elizabeth Eichler Replace siding / New entry porch / Transom addition
6430 Belinder Road

#6 James McCann & Gaby Wise Changes to previously approved project
3015 West 67th Street

#7 Mike Grier Replace and enlarge existing driveway
2702 West 66th Terrace

#8 Tanya Trost New circle driveway
2520 West 63rd Street

#9 Nick & Clare Blasi † Trampoline
6640 Indian Lane

#10 Clay & Carrie Patterson † Outdoor fireplace / Balcony extension
2109 West 69th Street

#11 Ryan Patton Resurface existing patio
1910 West 63rd Street

#12 Pete & Whitney Stadler †* Outdoor kitchen / Fire pit / Pool / Spa
6727 Cherokee Lane

*Variance required. † Substantial Construction

The Mission Hills Board of Zoning Appeals (BZA) provides that the BZA shall determine whether or not an ARB decision was reasonable based upon the evidence presented to the ARB and the record of the ARB proceedings. Testimony at the BZA hearing will be limited to a discussion of the evidence presented to the ARB. No new evidence will be considered.

#1 Consent Agenda

A. City of Mission Hills

6300 State Line Road

The City is proposing landscaping on the island at the corner of Wenonga Road and Wenonga Terrace. As part of the project, several new stone walls will be added. The City's Park Board has approved the project.

Summary of Project:

The main wall runs approximately in the east-west direction. It stands 24 inches tall and is terminated at each end by a 30-inch tall column that will hold a bronze planter.

Several additional terrace walls are proposed along the back side of the island.

Extensive landscaping is proposed around the main wall, with open lawn around the remainder.

Ordinance Compliance:

There are no conflicts between the proposed project and the City of Mission Hills Code of Ordinances.

Design Guideline Review:

There are no conflicts between the proposed project and the City of Mission Hills Design Guidelines.

The Zimmers are returning to the ARB with changes to their previously approved fence project.

The project was continued from the May 11, 2021 ARB meeting so that the owners could present an alternative plan for the fence location and design.

UPDATE: As requested by the ARB at the May 11th meeting, the City contacted Johnson County and asked what they do when two adjacent private property owners have property surveys that conflict, and do they have someone at the County that can determine which is correct. We also asked if there is another entity that can review surveys to determine if they were done correctly. The County’s Chief Surveyor responded:

“We wouldn’t make that determination and there isn’t a state office that would either. The best solution is an agreement between the landowners and then have a survey done to show the agreed upon boundary. If the land owners cannot come to an agreement then the next step is usually legal action and a judge will determine the boundary line. Let me know if you have any further questions.”

Summary of Property:

- Character Area: Neighborhood Estates
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

Portions of the fence interfere with an existing tree. The fence construction in this area does not match the pre-approved fence style.

Portions of the fence exceed the 6-foot maximum height allowed in the rear yard. The ARB can approve up to a 7-foot fence in the rear yard. Portions of the fence exceed the 6-foot maximum height allowed in the side yard. A shallow swale follows the property line which makes the fence taller on the neighbor’s side. **NOTE: The height of the fence was approved by the ARB at its May 11th meeting but was rescinded at the May 25th meeting.**

Ordinance Compliance:

The project is in violation of City Code Section 5-135 B 2 which limits the height of fences in the side yard to 6 feet. The tallest location found was 7 foot 2 inches. **A variance of 14 inches is required.**

Guideline Review:

There are no conflicts between the proposed project and the City of Mission Hills Design Guidelines.

* A variance is required.
June 8, 2021

#3 Dieter & Yassin Trost

3800 West 65th Street

The Trosts are proposing a fence extension, resurfacing an existing patio, and adding a basement access stair.

The project was continued at the May 11, 2021 ARB meeting due to lack of representation.

Summary of Property:

- Character Area: Suburban
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

The proposed basement access stair is located at the rear of the house and consists of concrete stairs leading to a pair of doors. The cheek walls are proposed as block in some elevations and noted as brick on others. The plan view indicates what appears to be a planter down one side, but none of the perspective views show a planter. **Clarification is required.**

The proposed fence is for the fence return on the right side of the house. The proposed fence is a 6-foot stockade style that will replace an existing picket fence, and tie into the neighbor's board-on-board fence.

The proposed patio is an existing non-conforming patio located in the northwest corner of the property, by the existing pool. The Trosts are proposing to resurface the patio with porcelain tile. Samples of the proposed tile can be seen in the attached photographs.

Ordinance Compliance:

City Code Section 5-128 allows for alterations of existing non-conforming structures provided that the alterations do not increase the height or footprint of the structure. No variances are required.

Guideline Review:

There are no conflicts between the proposed project and the City of Mission Hills Design Guidelines.

#4 Tyler & Leigh Nottberg*

3002 West 67th Terrace

The Nottbergs are proposing to replace and expand their existing patio and add a pergola, expand their existing outdoor kitchen, and add a new outdoor fireplace.

At the May 25th ARB meeting, the Board approved the scope of the patio but required that the overall plan to be revised to increase the greenspace by at least 59% of the lot area which would require the Nottbergs to remove approximately 330 sf of hardscape from the property.

Summary of Property:

- Character Area: Suburban
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

The majority of the existing brick patio will remain. The new patio will be a unilock concrete paver.

A new counter will be added to the existing grill station. It will be stone construction to match the existing. A new arbor is proposed at the center of the patio. It is a simple post-and-beam structure that will stand 10.5 feet tall.

The proposed outdoor fireplace is located on a new patio to the east of the existing. The fireplace will stand at the east end of the new patio. The fireplace is all stone and stands 8 feet tall.

Ordinance Compliance:

The project is in violation of Code Section 5-121.D which requires a minimum 20 foot setback from the side and rear property lines for patios on LS-2 lots. A setback of 10 feet has been provided at the rear. **A variance of 10 feet is required. Note: this variance was denied at the May 26th BZA meeting.**

Greenspace Review:

Lot area:	19,014.66 sf	
House Footprint:	3,986.95 sf	
Driveway and walkways:	3,181.88 sf	
<u>Rear Yard hardscape:</u>	<u>956.71 sf</u>	
Remaining Greenspace:	10,889.12 sf	57.3%

Design Guideline Review:

Section 2.7.3.A on page 106 recommends that LS-1 and 2 properties have a greenspace no less than 60% of the lot area. **This recommendation has not been met.**

Drainage Study Required if any answer below is "Yes"	Yes/No
Is the project adding 1,000 sq. ft. or more of impervious surface?	No
Will the project cause the greenspace to be less than recommended by the Design Guidelines?	Yes
Will the project cause the greenspace to be within 3% of what is recommended by the Design Guidelines?	Yes

* A variance is required.
June 8, 2021

Lot Information	
Zoning:	R-1(16)/LS-2
Lot Area:	19,014 sf

Ordinance/Design Guideline	Allowable/Required	Provided
Patio Minimum Side Yard:	20'	21'
Patio Minimum Rear Yard:	20'	10'
Minimum Greenspace:	60% (11,408.80 sf)	57.3% (10,889.12 sf)

Drainage Study Required if any answer below is "Yes"	Yes/No
Is the project adding 1,000 sq. ft. or more of impervious surface?	No
Will the project cause the greenspace to be less than recommended by the Design Guidelines?	Yes*
Will the project cause the greenspace to be within 3% of what is recommended by the Design Guidelines?	N/A

*The existing greenspace is currently under the recommended amount for this property.

#5 David & Elizabeth Eichler

6430 Belinder Road

The Eichlers are proposing to replace the siding on their front façade, add a new front entry porch, replace their front door, and add a transom window over the front door.

Summary of Property:

- Character Area: Neighborhood Estates
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

The new front porch will extend out from the front of the house 5 feet and cover an existing stoop. The porch is supported by square columns with half columns at the face of the house. The roof is flat and features a low balustrade and large frieze.

The home has stucco on the second floor and the plans indicate that this will be changed to Hardie Shingles with a new water table at the floor line. The permit application indicates that the front façade side is being changed from stucco to Hardie Shingles, but the plans include both side elevations. A rear elevation was not provided. The extent of the siding changes is unclear.

Clarification is required. Additionally, the Board has regularly denied the use of Hardie Shingles due to the thin appearance and small shadow line.

The new front door is a six-panel door with sidelights and a transom.

Ordinance Compliance:

There are no conflicts between the proposed project and the City of Mission Hills Code of Ordinances.

Guideline Review:

Section 2.7.1 A on page 92 of the Design Guidelines recommend if synthetic materials are proposed the ARB should consider approval only if the synthetic material faithfully resembles the natural material.

The McCann/Wises are returning to the ARB with changes to their previously approved project.

Summary of Property:

- Character Area: Suburban
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

At the front of the house, an existing overhang is being changed to a low slope standing seam metal roof. The extent of the overhang and the pitch of the roof is not indicated. **Clarification is required.**

At the rear of the house, a previously approved door-window combination is being changed to a pair of windows.

Ordinance Compliance:

There are no conflicts between the proposed project and the City of Mission Hills Code of Ordinances.

Design Guideline Review:

There are no conflicts between the proposed project and the City of Mission Hills Design Guidelines.

Lot Information	
Zoning:	R-1(16)LS-1
Lot Width:	130.0'
Lot Area:	14,861 SF

Ordinance	Allowable/Required by Ord	Proposed
Minimum Side Yard (Left):	10'	9.25' (Existing)
Minimum Side Yard (Right):	10'	No Change
Minimum Combined Side Yards:	25% = 32.5'	No Change
Minimum Greenspace Required:	60% (8,916 SF)	8,970 SF (60.4%)

Mr. Grier is proposing to replace and enlarge his existing driveway.

Summary of Property:

- Character Area: Suburban
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

The existing driveway access is at a rear garage off a side street. It is 16 feet wide and turns near the house. The proposed driveway maintains the existing 16 feet drive approach and adds an additional 500 sq. ft. of paving to the rear of the property.

Ordinance Compliance:

There are no conflicts between the proposed project and the City of Mission Hills Code of Ordinances.

Greenspace Review:

Lot area:	18,719 sf	
House Footprint:	2,770 sf	
<u>Driveway and walkways:</u>	<u>2,783 sf</u>	
Remaining Greenspace:	13,166 sf	70.3%

Design Guideline Review:

Section 2.7.2.B on page 102 recommends that drive widths not exceed 12 ft. within 30 ft. of the curb. **This recommendation has not been met.**

Section 2.7.3.A on page 106 recommends that LS-1 and 2 properties have a greenspace no less than 60% of the lot area. This recommendation has been met.

The Trosts are proposing a new circle driveway.

Summary of Property:

- Character Area: Neighborhood Estates
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

The new driveway connects the existing 20.5-foot wide driveway to a new drive approach. The interior green is 62 feet wide and 36 feet deep.

Ordinance Compliance:

There are no conflicts between the proposed project and the City of Mission Hills Code of Ordinances.

Greenspace Review:

Lot area:	22,150 sf
House Footprint (with Patios):	5,095 sf
<u>Driveway:</u>	<u>2,400 sf</u>
Remaining Greenspace:	14,655 sf 66.2%

Design Guideline Review:

Section 2.3 on pages 64 through 67 of the Design Guidelines provides specific recommendations for the Neighborhood Estates character area.

Subsection G suggests that circle driveways should have an interior green no less than 80 feet wide and 40 feet deep. **This recommendation has not been met.**

Section 2.7.3.A on page 106 recommends that LS-3, 4 and 5 properties have a greenspace no less than 65% of the lot area. This recommendation been met.

The Blasis are returning to the ARB with changes to their previously approved project. The changes include a new in-ground trampoline.

An in-ground trampoline is a substantial construction matter as defined by City Code Sections 5-103.75 and 5-103.122 and was noticed as such.

Summary of Property:

- Character Area: Neighborhood Estates
- Location of Common Green Space: Front & Side
- Any Special Frontages: Intersection Green

Summary of Project:

An in-ground trampoline has been added at the rear of the house, behind the garages.

Ordinance Compliance:

There are no conflicts between the proposed project and the City of Mission Hills Code of Ordinances.

Design Guideline Review:

There are no conflicts between the proposed project and the City of Mission Hills Design Guidelines.

#10 Clay & Carrie Patterson

2109 West 69th Street

The Pattersons are proposing a new outdoor kitchen on their existing patio.

Outdoor kitchens are substantial construction matters as defined by Code Section 5-103.78 and 5-103.122 and was noticed as such.

Summary of Property:

- Character Area: Suburban
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

The proposed outdoor kitchen consists of a built-in grill which is located at the edge of the patio near the house. The counter is CMU construction with a thin limestone veneer and a cut limestone countertop. It will house a built-in grill with storage cabinets.

Ordinance Compliance:

There are no conflicts between the proposed project and the City of Mission Hills Code of Ordinances.

Design Guideline Review:

Thin stone veneers are generally discouraged by the Design Guidelines.

#11 Ryan Patton

1910 West 63rd Street

The Pattons are proposing to resurface their existing non-conforming patio.

Summary of Property:

- Character Area: Neighborhood Estates
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

The proposed patio is located at the rear of the property approximately 13.5 feet off of the property line. The Pattons are proposing to resurface the patio with a concrete paver system.

Ordinance Compliance:

The project is in violation of City Code Section 5-120.D that requires patios and decks be set a minimum of 20 feet from the rear or side property line. However, section 5-128 C allows for the replacement of an existing nonconforming structure, provided that the overall scope of the structure does not change. A new variance is not required.

Design Guideline Review:

There are no conflicts between the proposed project and the City of Mission Hills Design Guidelines.

#12 Pete & Whitney Stadler

6727 Cherokee Lane

The Stadlers are proposing a patio renovation that includes a new outdoor kitchen, fire pit, pool, and spa.

The project is a substantial construction matter as defined by City Code Sections 5-103.75 and 5-103.122 and was noticed as such.

Summary of Property:

- Character Area: Suburban
- Location of Common Green Space: Front
- Any Special Frontages: None

Summary of Project:

The new pool and spa are located in the lawn area behind the main house and next to the existing detached garage. There is no proposal for a patio or deck around the pool or spa. The pool equipment is located in a new equipment yard behind the detached garage.

The outdoor kitchen consists of a built-in grill on an existing patio. The grill will have a stone base and cut stone countertop. The fire pit is located at the rear of the patio and includes a new seat wall at the edge of the patio. The brick patio surface is being replaced with bluestone.

The proposed pergola is located at the side of the detached garage and consists of a semi-open roof structure supported by columns. A checkerboard style patio is proposed under the new pergola.

Ordinance Compliance:

The project is in violation of 5-121 D which requires a minimum 20-foot setback from the side or rear property line, for patios on LS-2 lots. A setback of 15.75 feet has been provided from the side.

A variance of 4.25 feet is required.

Greenspace Review:

Lot area:	23,478 sf
House Footprint:	2,681 sf
Detached Garage:	704 sf
Driveway:	4,308 sf
<u>Patios and walkways:</u>	<u>1,729 sf</u>
Remaining Greenspace:	14,056 sf

Design Guideline Review:

Section 2.7.3.A on page 106 recommends that LS-3 properties have a greenspace no less than 65% of the lot area. **This recommendation has not been met.** Please note, the existing greenspace is 12,629 sf (54%) and a large area of the existing driveway is being removed to help mitigate the new increased areas in the rear yard.

Lot Information	
Zoning:	R-1(20)/LS-3
Lot Area:	23,478 sf

Ordinance/Design Guideline	Allowable/Required	Provided
Patio Minimum Side Yard:	20'	15'-9"
Patio Minimum Rear Yard:	20'	45' (to pool)
Minimum Greenspace:	65% (15,260 sf)	59.8% (14,056 sf)

Drainage Study Required if any answer below is "Yes"	Yes/No
Is the project adding 1,000 sq. ft. or more of impervious surface?	No
Will the project cause the greenspace to be less than recommended by the Design Guidelines?	Yes*
Will the project cause the greenspace to be within 3% of what is recommended by the Design Guidelines?	N/A

*The existing greenspace is less than recommended.