



Architectural Review Board  
July 8, 2014 at 4:00 p.m. Westwood City Hall

Members Present: David Immenschuh, Chairman  
Mimi Ahsmuhs  
Mary Hunkeler  
Ryan Bowden  
Pete Newcomer

Also Present: Lynn and Alicia Mitchelson, Permit Applicants  
John Mackaman of Elswood Smith Carlson, Architect for Mr. and Mrs.  
Mitchelson  
Heather S. Esau Zerger, City Attorney  
Fred Sherman, Interim City Building and City Code Official  
Robert Tietze  
Terry Cooper  
Darrell Franklin

Chairman Immenschuh called the meeting to order at 3:59 p.m. The only action item on the agenda was the proposed renovations at 5341 Mission Woods Road by Lynn and Alicia Mitchelson. This is a follow-up meeting to the one held in April 2014.

Mr. Mitchelson opened with some remarks about their proposal. He noted that he and Mrs. Mitchelson moved to Mission Woods 25 years ago. They cherish the unique architecture of each home. They want to complete their home to the standard of others in the community. They purchased their home with the expectation they could add features that those around them enjoy. He assured the Board they have no interest in over-building and are not planning a "Mansion." Mr. Mitchelson shared with the Board a photo of their home when it was originally purchased. He believes at the time they purchased the home, approval had been given to the prior owner for a 2<sup>nd</sup> garage. He noted that the photo reflects an incomplete home. Mr. Mitchelson also noted for the Board that the home occupies only 16.4% of lot. Almost 80 years have passed since Edward Tanner designed the home in 1937 and it was first occupied in 1938. Lifestyle expectations have expanded over the years. They are seeking an addition of 405 sq. ft. for 1909

sq. ft. total. After the addition, only 17.8% of lot will be covered. He noted that the average lot coverage of homes on the golf course side of the street is 21.5% and many are over 25%. He also noted for the Board that he and Mrs. Mitchelson have promptly accepted all recommendations presented at the April ARB meeting, including re-design of the garage windows, redesign of the door and trim leading to the lawn tool storage space. He also noted that they have agreed to construct a 6 ft. pier to protect storm sewer. He and Mrs. Mitchelson appreciate the role played by the ARB in protecting the architectural standing of the Mission Woods community. They believe the desirability of Johnson County comes from work put in by members of the ARB and other boards. Mission Woods residents have been beneficiaries of rising home values. This is a reflection of solid leadership and homeowner maintenance, as well as respect for the charm of the community. Mr. and Mrs. Mitchelson thanked the ARB for consideration of their request.

Chairman Immenschuh inquired to be sure all ARB members received email package from Fred Sherman, which included changes in architecture for the garage windows, the front garage door and the storage-area door. All ARB members indicated they received this information. Mr. Immenschuh also noted a question raised previously about location of mechanical equipment, which was addressed by Mr. Mitchelson.

Chairman Immenschuh also noted the City Council asked for an opinion on the structure of the storm sewer. The report from the engineering firm engaged by the City was that expansion of the house will be outside the dedicated easement. The engineering firm recommended installing a pier below the foundation to protect the house and the storm sewer in the event there may be a need to excavate.

Chairman Immenschuh also noted that some physical, three-dimensional models were put in place on the Mitchelson's home to reflect the outline of the expansion for the benefit of the ARB members and the neighbors. This allowed them to see and understand the impact of the expansion.

Chairman Immenschuh then opened the floor to questions. Ms. Hunkeler inquired as to who will be paying for the pier repairs. The Mitchelson's have agreed to add the pier to protect the easement condition and the house. Ms. Ahsmuhs noted concern about neighbors losing view and that when view is lost, so is property value. Ms. Hunkeler echoed this concern. Ms. Ahsmuhs related a circumstance about loss of view that occurred with respect to her condominium in New York. Mr. Mitchelson noted that in the past, a very large oak tree obstructed the view of the golf course and now, there is substantially more view from across the street. The tree was there from 1938 until the early 2000s.

The distance between the Mitchelson's home and the Franklin's home, with the addition, is still one of the widest distances – 37.7 feet from house corner to house corner at the front. Mr. Franklin indicated that the addition does not impact his view.

Chairman Immenschuh opened the floor to comments from the neighbors. Mr. Cooper asked about the size of the tree. Mr. Tietze and Mr. Cooper indicated the tree had not substantially obstructed their view of the golf course. Mr. Tietze noted that they had relayed their concerns about the loss of “view shed” at the prior ARB meeting and that their concerns had not changed.

Chairman Immenschuh asked Mr. Franklin about the changes made to the drawings since the prior ARB meeting. Mr. Franklin reported that he and Mrs. Franklin are pleased with the changes and are fine with the proposal. Mrs. Hunkeler asked if the structure is as narrow as possible but would still allow a car to be parked in the space. 10 feet will be added, which is about the minimum amount that could be added for a second-car garage. A very small change was made to the location of the dormer – about 6 inches.

Chairman Immenschuh asked for other comments and there were none. Chairman Immenschuh reminded the ARB of the basis for their findings and the factors that may be considered, reciting for the Board Sections 5-114 A. and B. of the City Ordinances.

Pete Newcomer moved to approve the plans as presented, recognizing that there can be no way to appease all affected in this circumstance. He noted his belief that the Mitchelson’s should be entitled to enjoy the amenities, such as a 2-car garage, that their neighbors enjoy. Ryan Bowden seconded the motion. Chairman Immenschuh reminded the ARB that he is recusing himself from this vote due to some consulting work he has done in the past on this project. He asked for any further discussion and there was none. A vote was taken and Mr. Newcomer and Mr. Bowden voted in favor of the motion and Ms. Ahsmuhs and Ms. Hunkeler voted against the motion, for the concerns raised previously regarding the impact on the viewshed of the neighboring property owners. The motion did not carry.

Mr. and Mrs. Mitchelson requested a copy of the minutes in order to appeal the decision to the City Council. They also requested a copy of the ARB ordinances, which the City Attorney agreed to provide. The City Attorney reviewed briefly the process for appealing the decision to the City Council.

The ARB then turned to an informational issue on 1900 SMP. There have been changes to the parking structure proposed. In addition to the changes to the parking structure, there is also proposed the addition of a new 2-story building on the north side of the property. The proposed building is 14,000 sq. feet total. They would like to change the parking to have it extend to the end of their property, and to include an office building on top of it. The ARB will take this up first and the Building Codes official and City Attorney will determine whether BZA approval is required.

Meeting adjourned at 4:55 p.m.

