Teardowns and Mansionization

John J. Delaney,
Dwight H. Merriam and
Julie A. Tappendorf

…with thanks to Stuart Meck, FAICP of Rutgers for the use of some of his slides…

Introduction

Some background by Dwight

Near Frank’s house

unincorporated Miami-Dade County east of I-95

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Taub Residence

Negative # 70516 1097
Date 05.16.07

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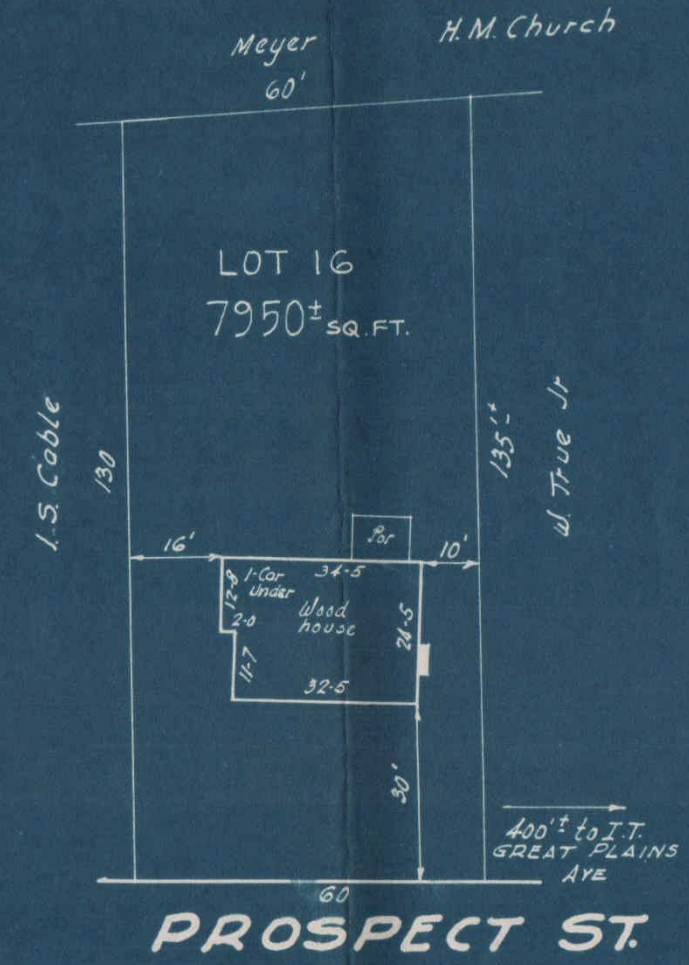
One story close to home..



Lot designations refer to
Norfolk Registry of Deeds
Book 1748 Page 481
Plan by
Dated

PLAN OF LAND
IN
NEEDHAM · MASS.

SCALE: 1 IN. = 30 FT APR 2 1941

EVERETT M. BROOKS – CIVIL ENG.
NEWTONVILLE – MASS.

I hereby certify that the buildings on this property are located as shown above and complied with the building and zoning laws of the Town of Needham when constructed.

Everett M. Brooks
Surveyor

PLAN OF PROPERTY

APPLICANT

AUSTIN L. & LILLIAN B. MERRIAM

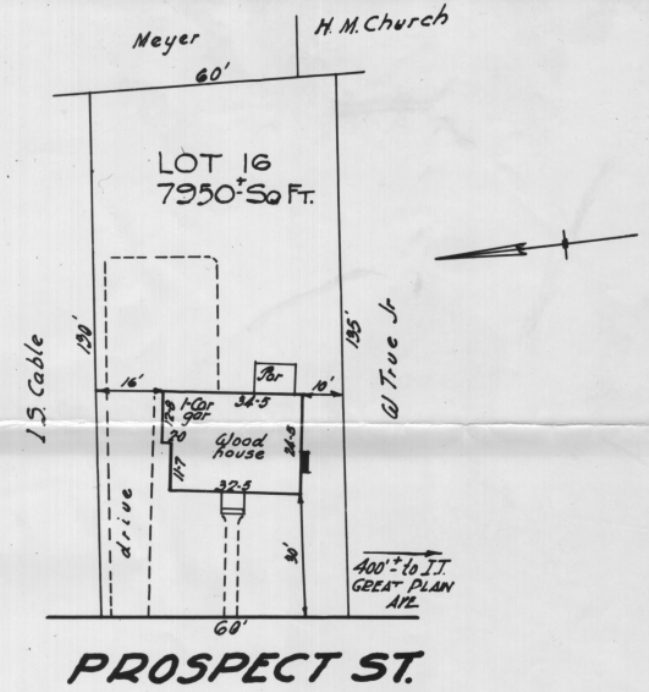
LOT 16 PROSPECT ST.

NEEDHAM • MASS.

EVERETT M. BROOKS

CIVIL ENGINEER NEWTONVILLE, MASS.

SCALE 1 IN. = 30 FT. JUNE 17. 1941



I HEREBY CERTIFY THAT THE BUILDINGS ON THIS PROPERTY ARE LOCATED AS SHOWN ON ABOVE PLAN.

Everett M Brooks

SURVEYOR.

NEWTON CO-OPERATIVE BANK

305 WALNUT STREET, NEWTONVILLE, MASSACHUSETTS

STATEMENT OF MORTGAGE LOAN

April 10, 1941

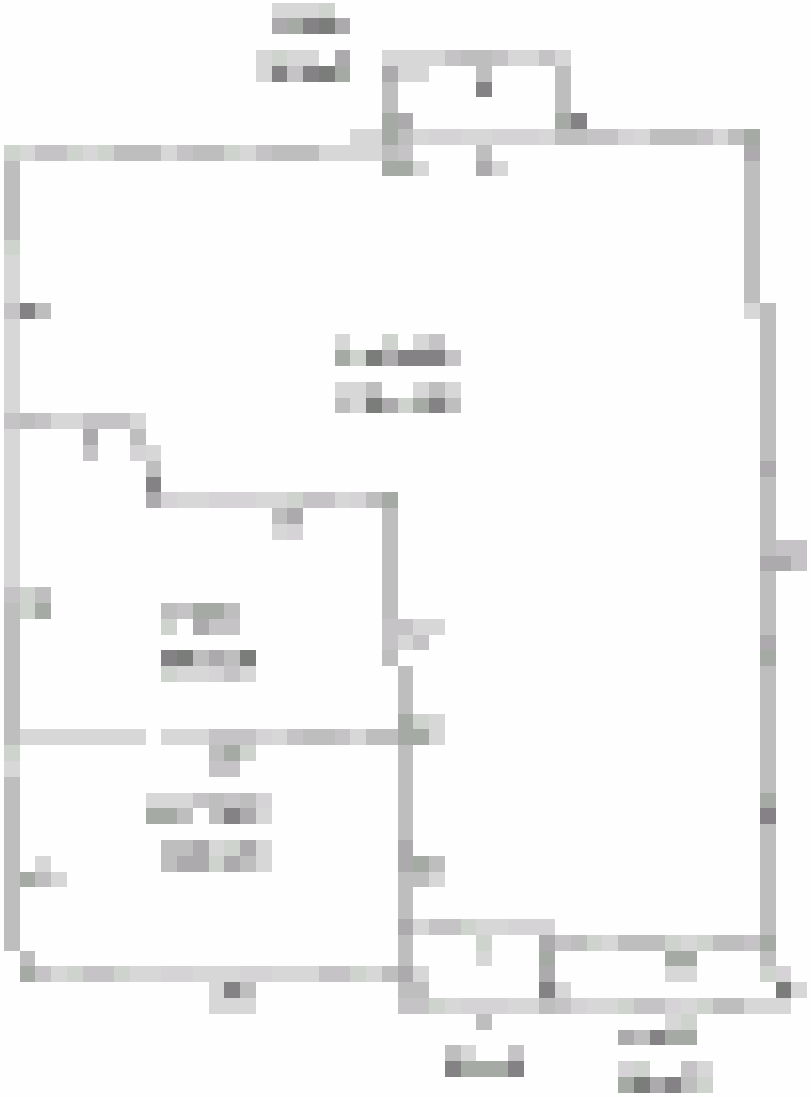
Austin L. and Lillian O. Merriam, Prospect St. Needham D. R. 1538

Amount of New Loan.		$ 4700
Dues Paid in.	$	
Dividends Credited to Shares.		
Other Credits		
Total to Credit of Borrower		$ 4700

Charges to Borrower:

Dues. . . . . March April #16286	$ 2.00	
Interest. . . . . . . April 4 to May 1 . .	17.62	
Existing Mortgage		
Appraisal Fee	15.00	
Attorney's Fee.	36.00	
Recording charges	4.00	
Plot Plan	10.50	
Municipal Lien Statement.		
Taxes Paid.		
Interest on Taxes		
Current Taxes Accrued		
Principal Installment		
Other Charges		
	85.12	
Total Charges		$ 85.12
Proceeds of Loan — Construction		4614.88
Total		$ 4700.00

Newton Co-operative Bank
Newtonville, Massachusetts.



RESIDENCE # 1 INFORMATION

Tot Rooms:	8	Main Flr Area:	1170	Attic:	6
Bedrooms:	4	Up Flr Area:	1552	Bsmt Area:	1170
Full Baths:	2	Add Fin Area:		Fin Bsmt Area:	728
Half Baths:	1	Unfin Area:		Bsmt Grade:	
Ext Bath Fix:	4	Tot Fin Area:	2722		
Bath Qual:	M			RCNLD:	478796
Kitch Qual:	M	Eff Yr Built:	2001	NH Adj:	
Eat Kitch:		Year Built:	2001	Sound Value:	
		Grade:	C	Cost Bldg:	430710

VALUATION INFORMATION

Current Total:	876300	Bldg:	476700	Land:	399600	MktLnd:	399600
Prior Tot:	876300	Bldg:	476700	Land:	399600	MktLnd:	399600

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PHOTO

40 PROSPECT ST

What is a “teardown”?

- Definition: Destroying an existing structure to build another

- Occurs in an existing neighborhood, where the too-big house is out of scale with its neighbors

Issues

- Change of scale/ character
- Loss of trees
- Erosion/Drainage
- Most apparent on smaller lots in older neighborhoods …

Where is it occurring?

- Inner-ring suburbs and central cities
- Where housing stock is sound, but possibly dated
- Where the neighborhood character has been considered desirable for some time

What's causing teardowns?

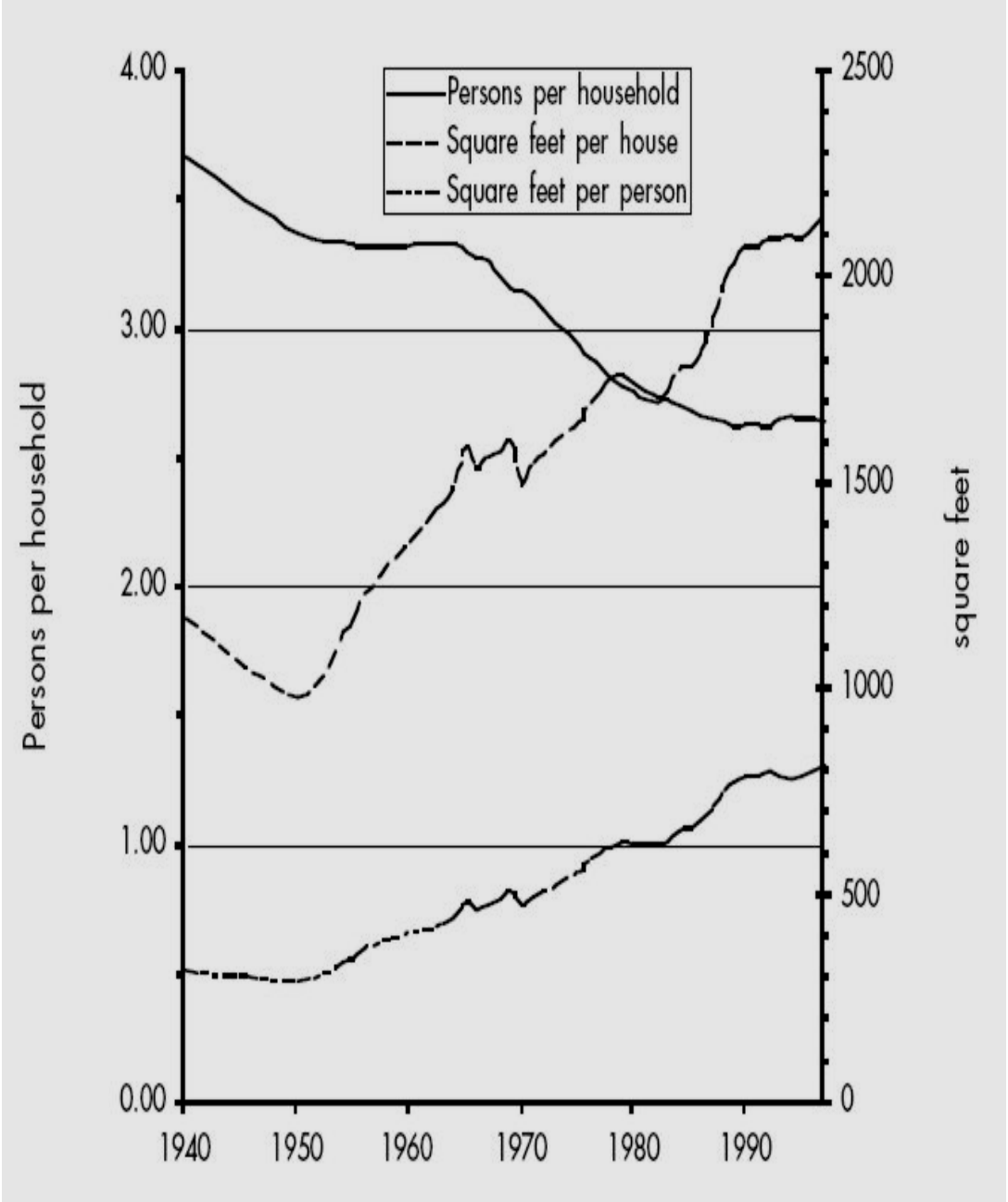
- Vacant land is not available where people want it due to factors of:
  - Community amenities
  - Commuting cost & time

What's causing teardowns?

- Value of lot exceeds value of improvement
  - Likely to be 50 percent or more of value of entire property

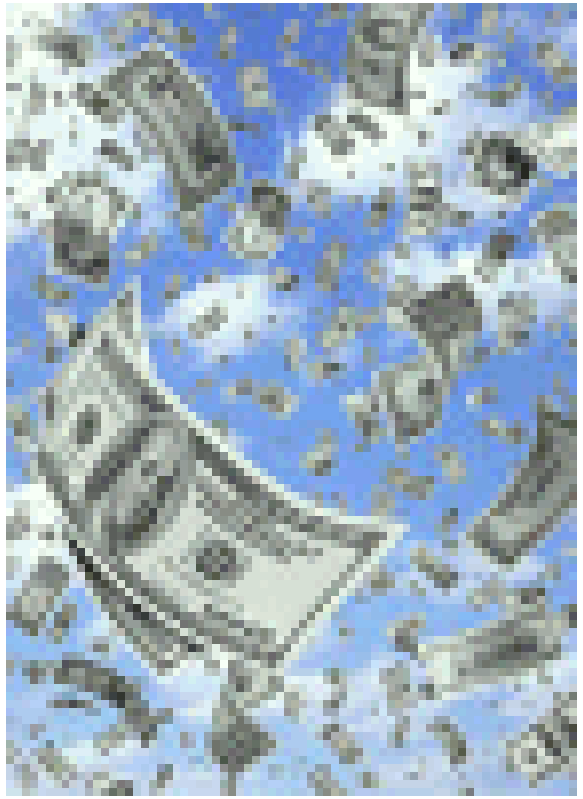
What's causing teardowns?

- People want more in their homes
  - Walk-in pantry / commercial fixtures
  - full bathrooms / walk-in closets
  - 3+ car garage
  - 10' ceiling heights
  - home offices / media rooms
- Average house size
  - 1987: 1,900 sq. feet
  - 2001: 2,300 sq. feet
  - 2005: 2,434 sq. feet


Persons per household
Square feet per house
Square feet per person
4.00
3.00
2.00
1.00
0.00
2500
2000
1500
1000
500
0
1940
1950
1960
1970
1980
1990
Persons per household
square feet

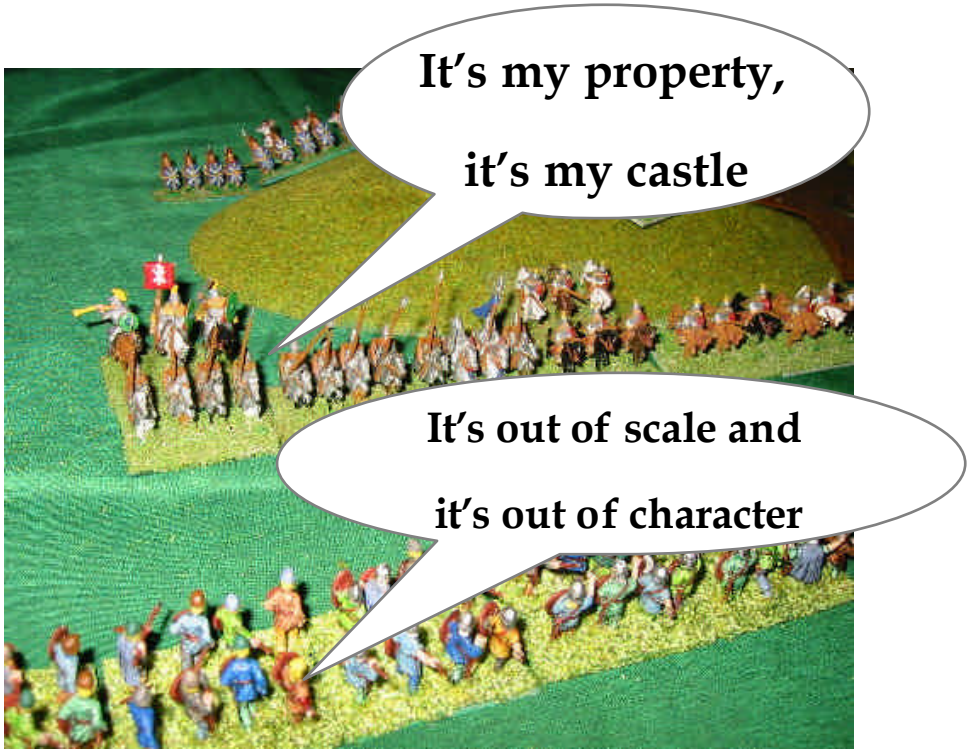
What's causing teardowns?

- The financial systems are in place to encourage larger homes
  - Accumulated wealth
  - Low interest rates
  - Mortgage interest deduction
  - New mortgage instruments



What happens next?

- Eventually, it becomes a political issue
  - Is it progress?
  - Is it an opportunity?
  - Is it detracting?
  - Is it a threat?



Who’s happy?

- People buying in
- People selling out
- Short-term investors
- Builders
- Realtors
- Tax assessors

Who’s unhappy?

- Long-term residents
- People not buying or selling
- Residents who rue loss of character / scale
- Neighbors to “bulk-ups”
- Aestheticians/historic preservationists

The big question

- “What constitutes an appropriate house in terms of building and lot size, context within the neighborhood, or other objective measurements?”
  - Terry Szold, “Mansionization and its Discontents,” Journal of the American Planning Association (2005)

Addressing the problem

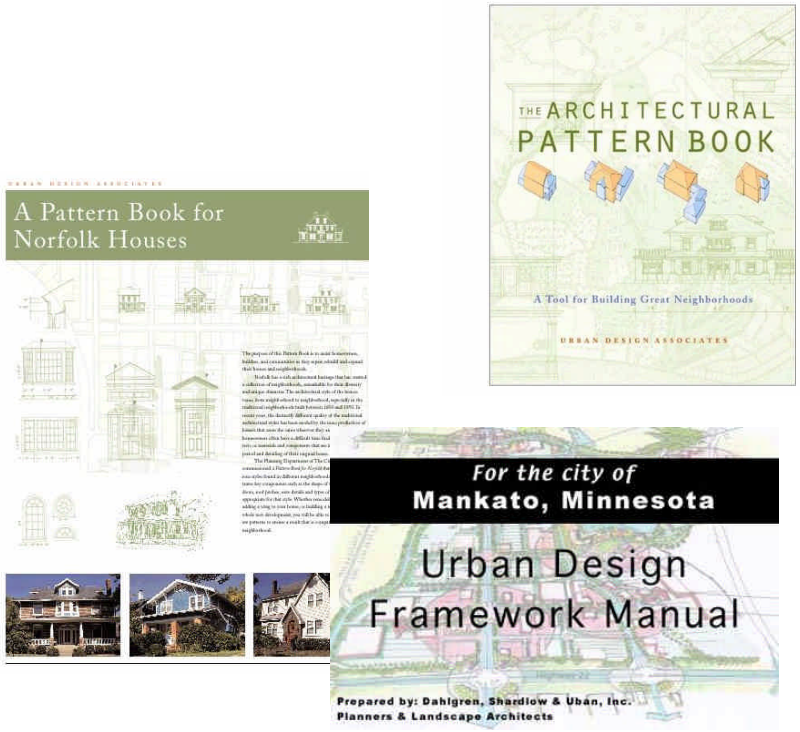
Julie outlines the many techniques available today

Approaches

- Design manuals
- Historic preservation
- Amendment of development standards
- New zoning code; form-based code
- Other

Design manuals

- Design manuals
- Pattern books



- Advantages
  - Non-confrontational
  - Non-intrusive
  - Can be unifying in vision
- Disadvantages
  - Relies on good will
  - May have little impact

Historic preservation designation in zoning ordinance

- Must be authorized
- Must provide “design criteria and guidelines” in zoning ordinance
- Must be based on historic preservation plan element
- Requires individual approvals
- Identification of criteria up front
- Can be confrontational

Amendment of development standards

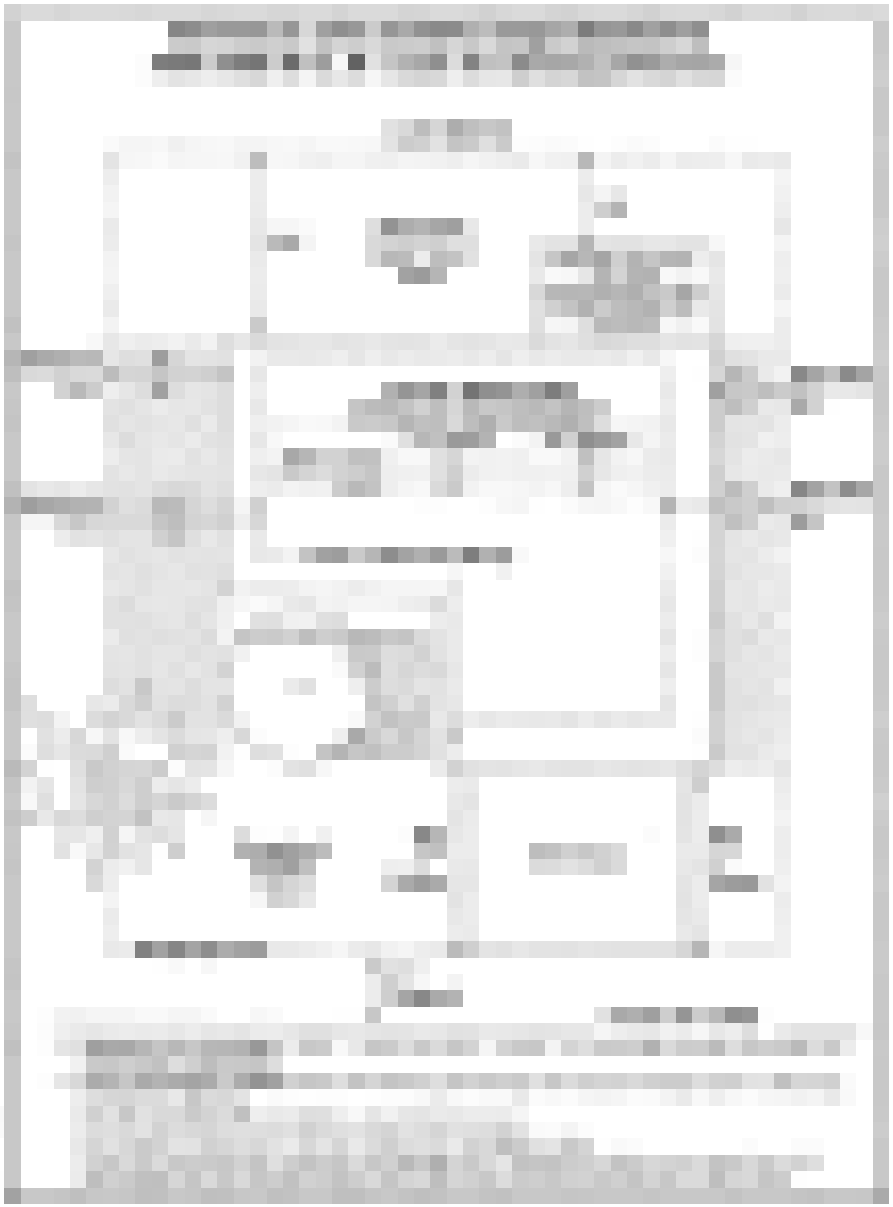
- Setback
- Building or lot coverage
- Building height
- Floor area ratio
- Building volume ratio

- Advantages
  - Can be precise
  - Impartial
  - Can be non-confrontational
- Disadvantages
  - Standard may not be appropriate in every instance
  - May have little impact if the standard is not right
  - Tend to adopt and forget

Lot setbacks

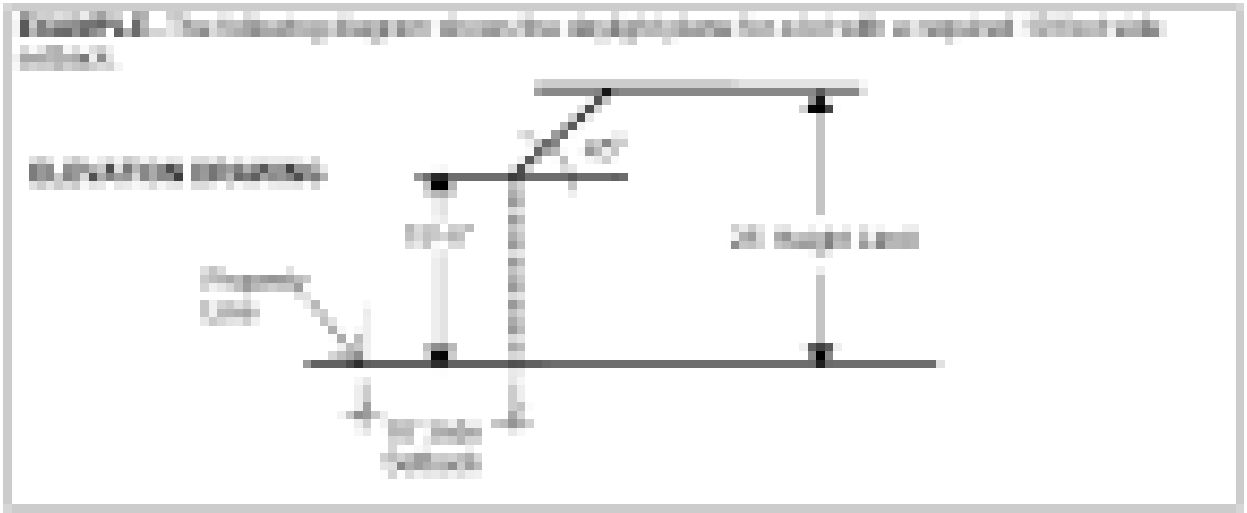
- Lot setbacks: original zoning control for bulk

- Advantages
  - Establishes “character” from street frontage
  - Controls how close two buildings can be
- Disadvantages
  - Crude 2D measure that ignores height
  - How to deal with overhangs

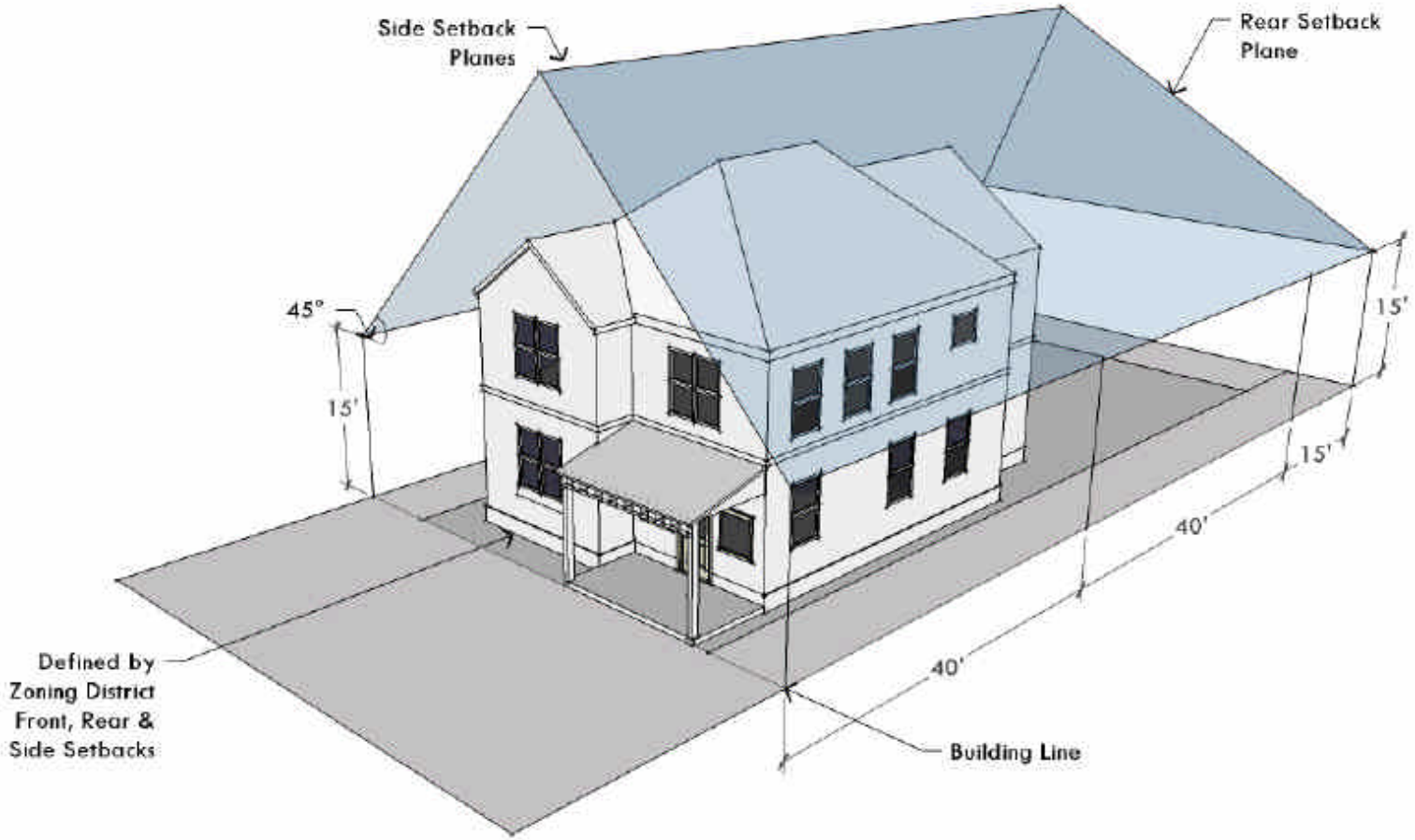


Setbacks—Daylight plane

- A three-dimensional plane that describes the building envelope that the residence must fit within
- Reduces building mass and projections
- May vary by zoning district



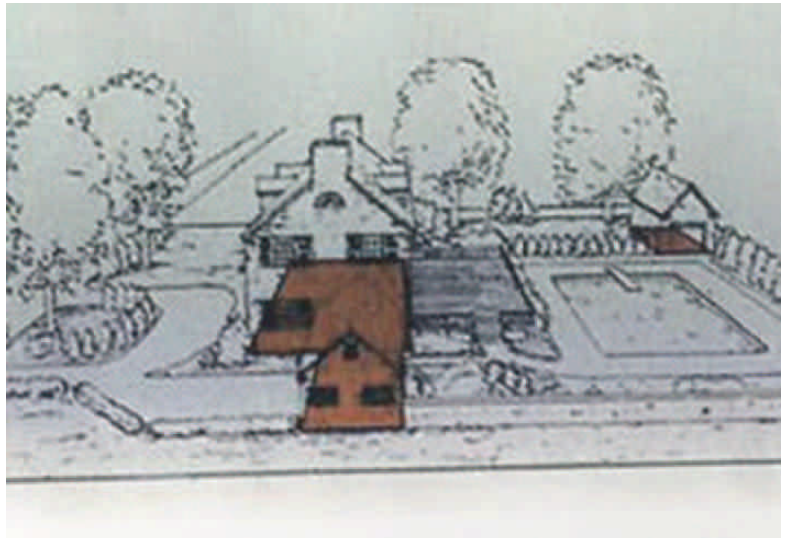
Example of Setback Planes



Source: City of Austin, TX

Building or lot coverage ratio

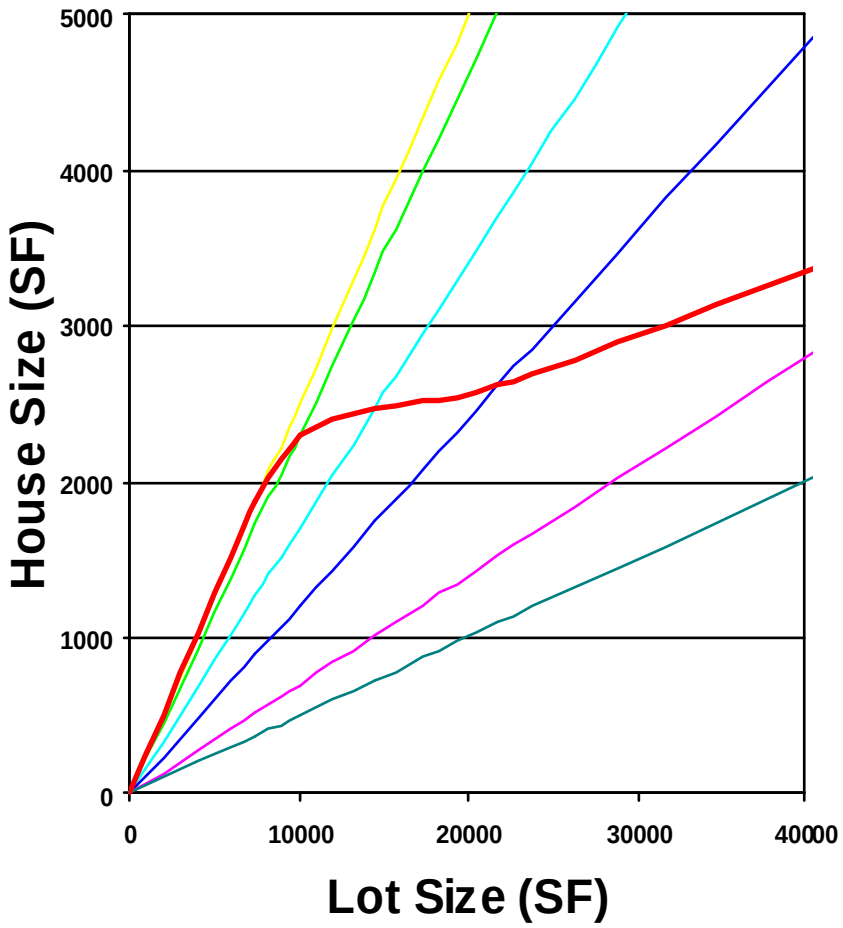
- Percentage or ratio of the building coverage to lot area



- Advantage
  - Can address, in some form, maximum impervious surface
- Disadvantage
  - Fails to deal with the vertical dimension

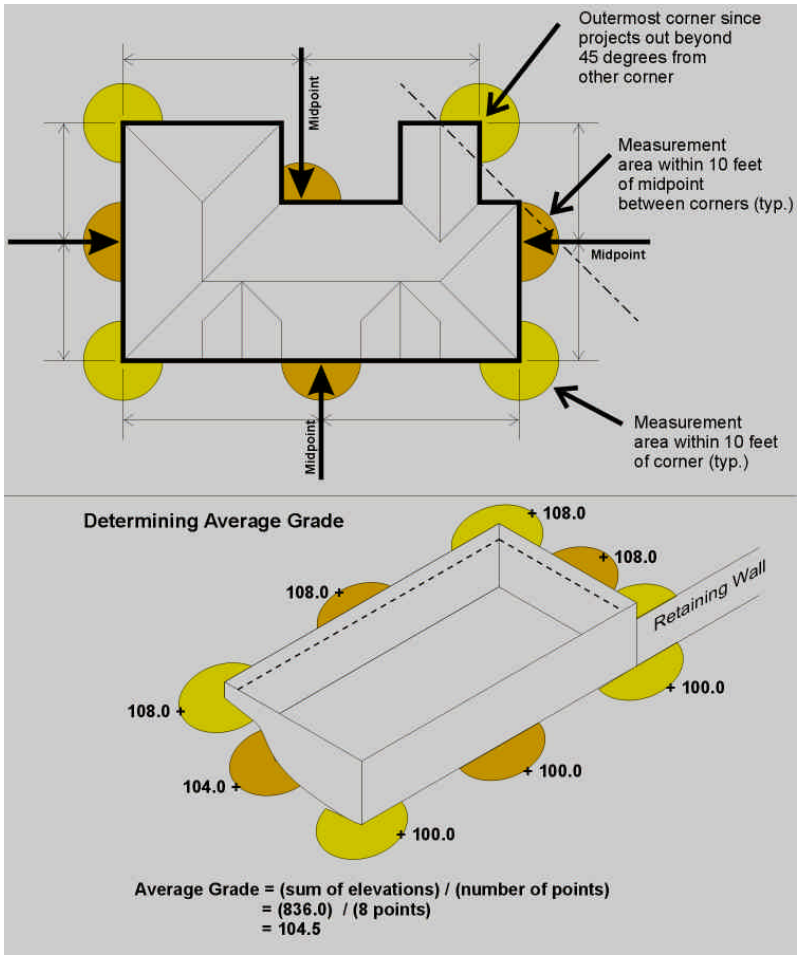
Lot Coverage

- Typical = varies by zone
- Optional = vary by lot size



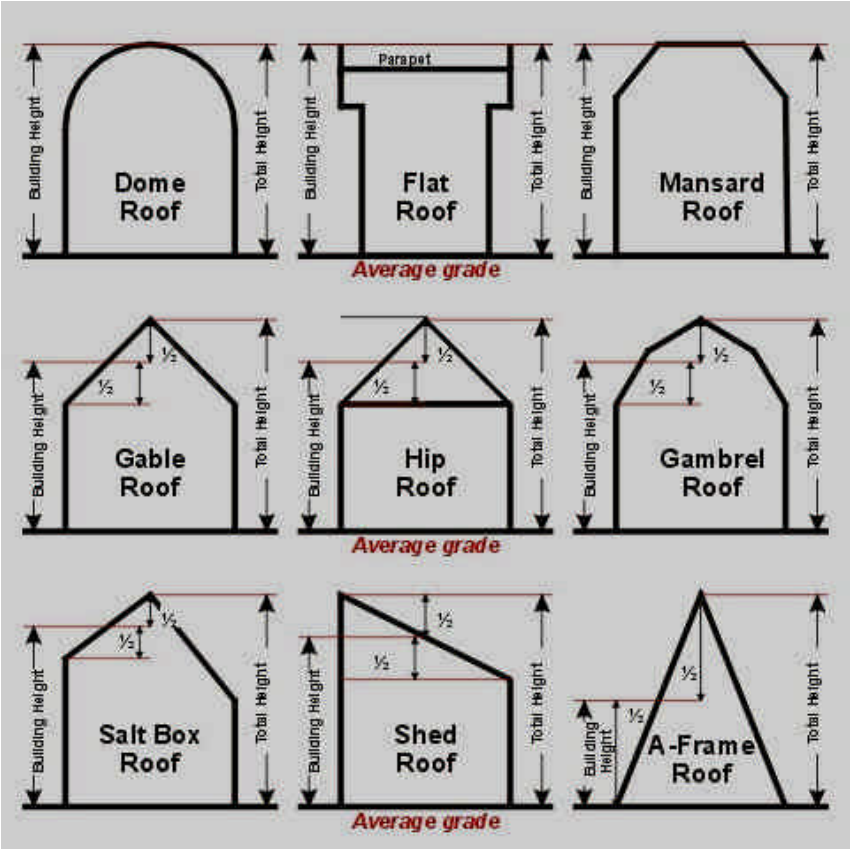
Building height

- From
  - Lowest grade
  - Average grade
- From
  - Existing grade
  - Finished grade



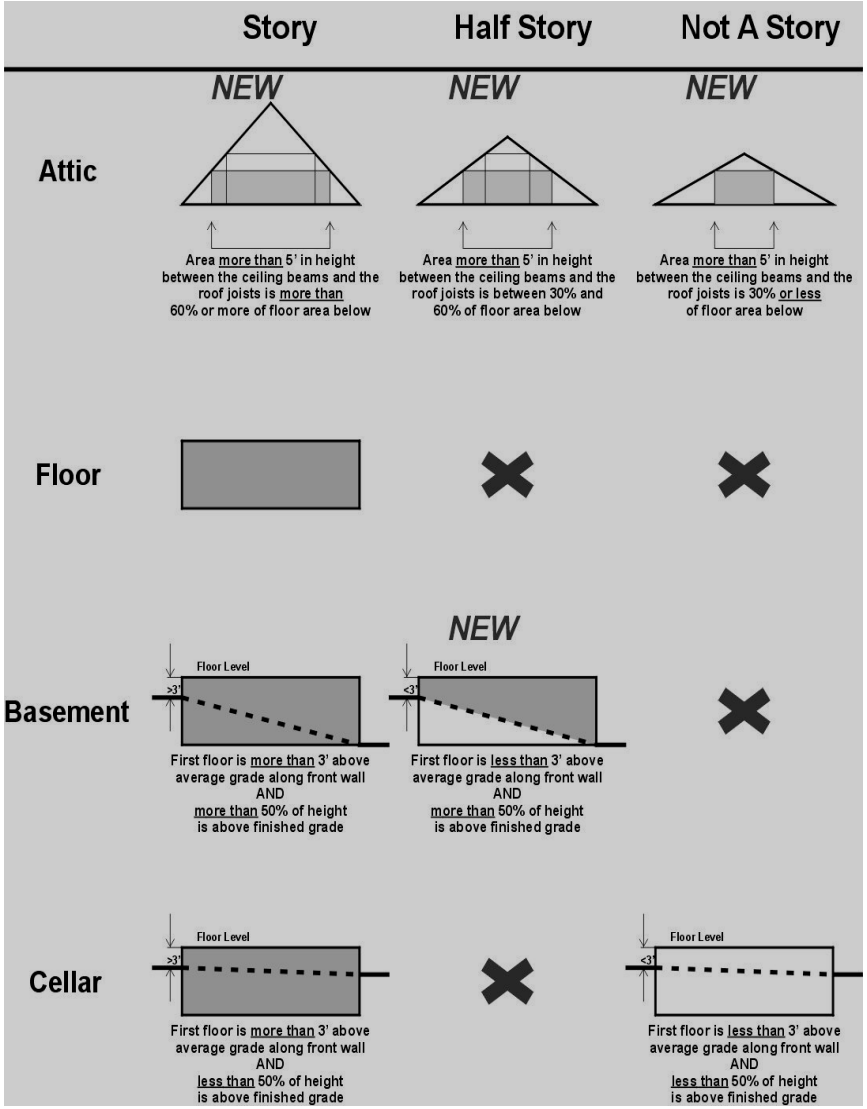
Building height

- To
  - top of ridge
  - midpoint of roof



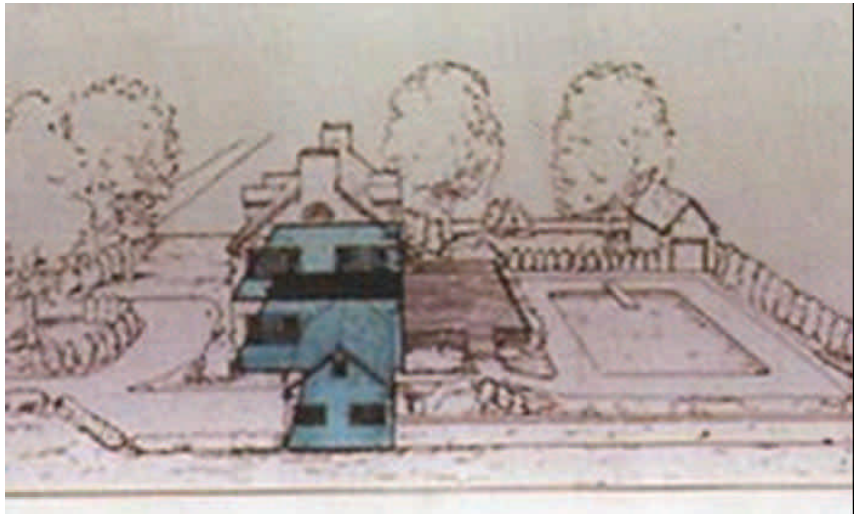
Building height

- Keep your stories straight
  - basements / cellars
  - attics
    - **hip / gable**
    - **gambrel**
    - **salt box**



Floor area ratio

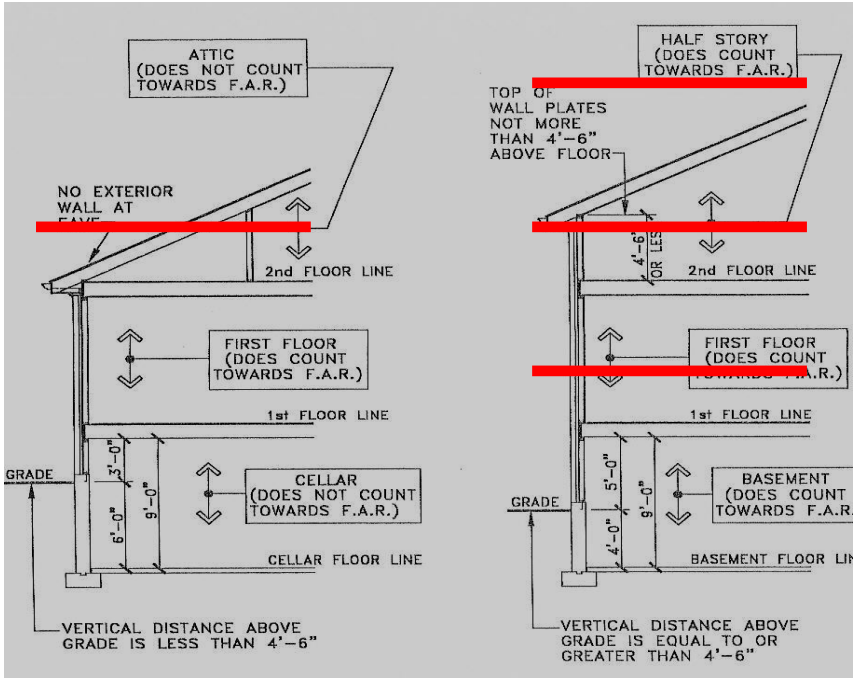
- Ratio of total building floor area to area of the site



- Advantage
  - Takes multiple floors into account
  - Uses floors as a surrogate for height
- Disadvantage
  - Can never be completely accurate because of variations in height of floors

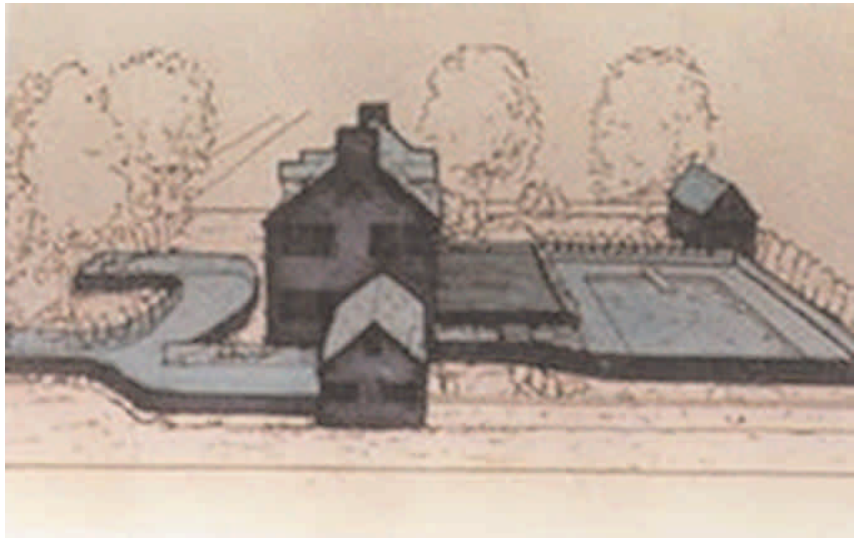
Floor area ratio

- Definition
  - exclusions (attic?)
  - bonuses (garage?)



Building volume ratio

- BVR: volume indicator that requires measuring the entire volume of the building above finished grade, or the visible portion of the building



Building volume ratio

- BVR = BV/10/LA

Where BV is building volume, LA is lot area, and “10” is average height of floor

Building volume ratio

- Advantages
  - Accounts for basements, attics, cathedral ceilings, and higher floor-to-ceiling heights
  - Flexible
- Disadvantage
  - May require computer-aided design software to calculate

Form-based codes

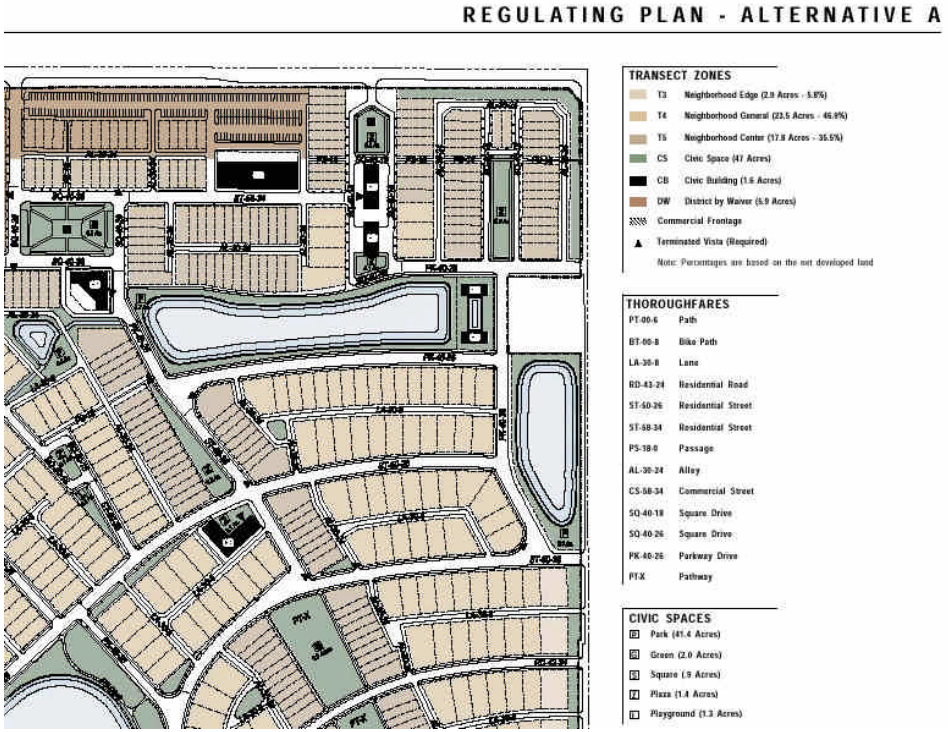
- Address the relationship between
  - Building faces and the public realm
  - Form and mass of buildings in relationship to one another
  - The scale and types of streets and blocks

Form-based Codes

- Keyed to a regulating plan that designates the appropriate form and scale
- Lesser focus on land use
- Comprehensive
- Favored by New Urbanists
- Lots of measurements involved

Form-based Codes

- Requires
  - Existing conditions analysis
  - Charrette
  - Regulating plan
  - Urban standards
  - Architectural standards (as necessary)



Other approaches

- Demolition delay—requires public notice, delay prior to demolition
- Moratorium—imposed on all residential additions of a certain size or percentage relationship to existing building until new regulatory approach can be devised

Dwight on legal issues and summary

Legal issues

- Constitutional
  - Taking
  - Procedural due process
  - Substantive due process
  - Equal protection
- Statutory limitations

Legal issues

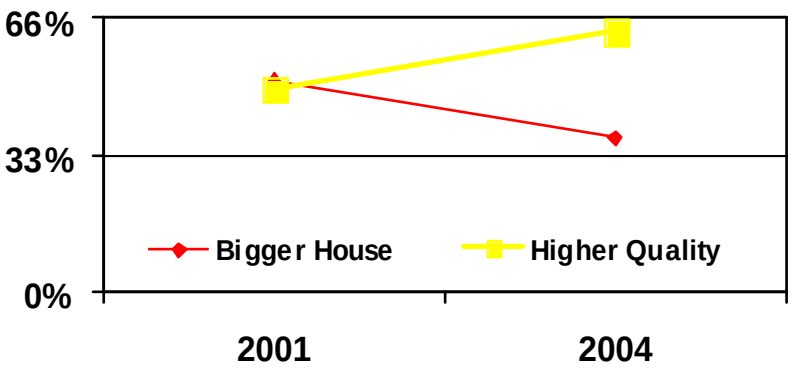
- Administrative
  - Creation of nonconformities
  - Adjudicatory relief
  - Variances

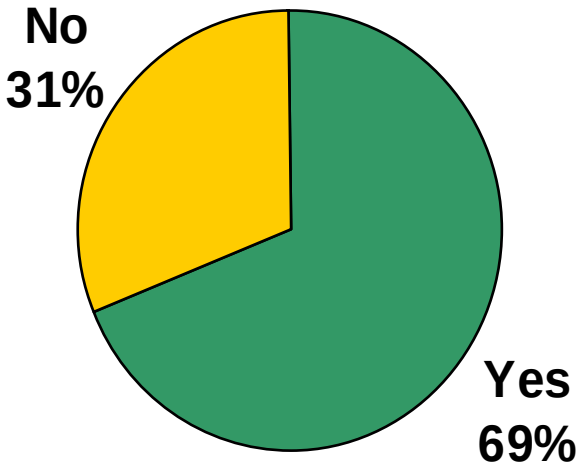
Summary: The Big Objectives

- Balance concerns about neighborhood impact and privacy with property rights
- Create regulations that, when applied, do not preclude modest renovations, additions by homeowners
- Ensure that when new guidelines are implemented, older homes do not become nonconforming

Changes?

- NAHB surveys already indicating that more people want a smaller house with more high quality products and amenities
- Do you think American homes have gotten too big?





CNN / Money Poll (8/05)

27,330 responses

- If a fad, big houses will go the way of the “pet rock” …

Another New Mansion Rises In Chevy Chase Village

By: John J. Delaney