

Scrape-Offs and McMansions: *Are Monster Houses Sustainable?*

Rocky Mountain Land-Use Institute
17th Annual Land Use Conference
March 7th, 2008



Dwight H. Merriam, FAICP, CRE

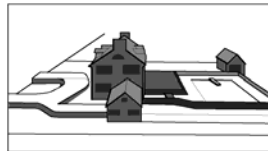
Robinson & Cole, LLP, Hartford, CT dmerriam@rc.com

Craig Richardson

Clarion Associates, Chapel Hill, NC crichardson@clarionassociates.com

AGENDA

- Background
 - What is a "teardown"?
 - Where is it happening?
 - What's causing teardowns?
 - Who cares?
- What happens
- Framing the Issue
- Addressing the Issue
- Legal Issues
- Market Concerns
- Major Objectives



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
- Other issues



3

March 7th, 2008

RMLUI 17th Annual Conference

Where is it happening?

- Inner-ring suburbs and central cities
 - Dallas, TX (Preston Hollow),
 - Clayton, MO
- Where housing stock is sound, but dated
 - Austin, TX
 - Boulder, CO



4

March 7th, 2008

RMLUI 17th Annual Conference

Where is it happening?

- Neighborhoods with desirable character
 - Denver, CO (Washington Park and Cherry Creek)
 - Falls Church, VA
- Pre-platted subdivisions in desirable locations
 - Sanibel, FL
 - Ft Lauderdale, FL



5

March 7th, 2008

RMLUI 17th Annual Conference

What's causing teardowns?

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



6

March 7th, 2008

RMLUI 17th Annual Conference

What's causing teardowns?

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



7

March 7th, 2008

RMLUI 17th Annual Conference

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



8

March 7th, 2008

RMLUI 17th Annual Conference

What's causing teardowns?



- Average house size

- 1987: 1,900 sq. feet
- 2001: 2,300 sq. feet
- 2005: 2,434 sq. feet

In N.E., average house size was 2,556 in 2005

9

March 7th, 2008

RMLUI 17th Annual Conference

What's causing teardowns?

- The financial systems are in place to encourage larger homes

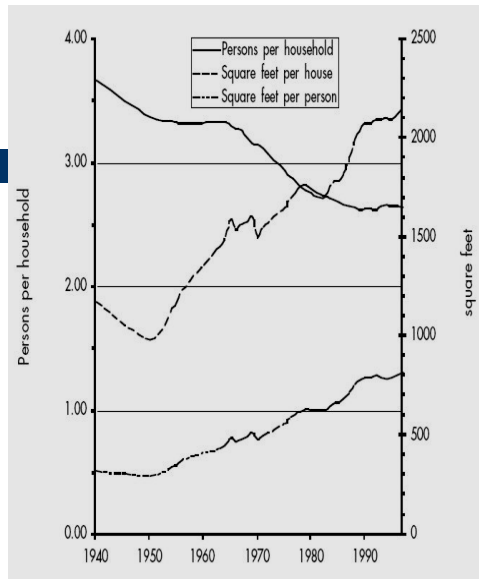
- Accumulated wealth
- Low interest rates
- Mortgage interest deduction



10

March 7th, 2008

RMLUI 17th Annual Conference



Who's cares?

- Those who are happy
 - People buying in
 - People selling out
 - Short-term investors
 - Builders
 - Realtors
 - Tax assessors



Who cares?



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



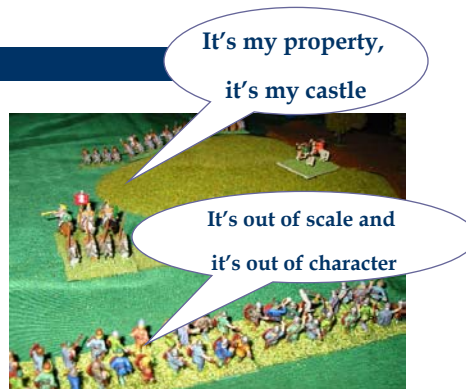
13

March 7th, 2008

RMLUI 17th Annual Conference

What happens?

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



14

March 7th, 2008

RMLUI 17th Annual Conference

Framing the issue

- “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)

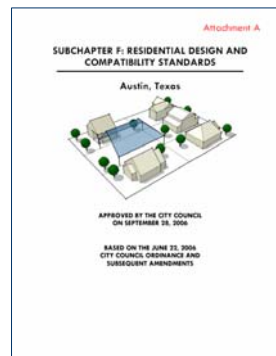
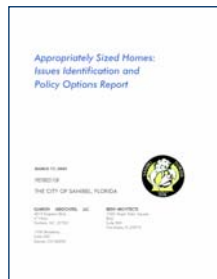
15

March 7th, 2008

RMLUI 17th Annual Conference

Framing the issue

- The Master Plan
- The Reexamination Report



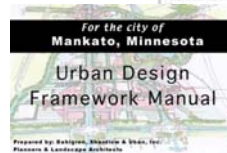
16

March 7th, 2008

RMLUI 17th Annual Conference

Addressing the Issue

- Development/Infill standards
- Conservation districts
- Design manuals
- Historic preservation
- New zoning code; form-based code



17

March 7th, 2008

RMLUI 17th Annual Conference

Development/Infill standards

- Building orientation
- Contextual setbacks
- Building height
- Building or lot coverage ratio
- Floor area ratio
- Roof form
- Garage location
- Façade articulation
- Driveways
- Landscaping
- Floor area ratio
- Building volume ratio
- **Advantages**
 - Precise
 - Impartial
 - Administrative
 - Can be non-confrontational
- **Disadvantages**
 - One size doesn't fit all
 - Requires expertise
 - Staff capacity
 - Little impact if standard inappropriate
 - Tend to adopt and forget

18

March 7th, 2008

RMLUI 17th Annual Conference

Building orientation

- Maintain consistent façade and building orientation along block face



- Advantages
 - Maintains building orientation along street and “character” of street
 - Usually ensures buildings front street
- Disadvantages
 - Alone does not address height, mass, and setback

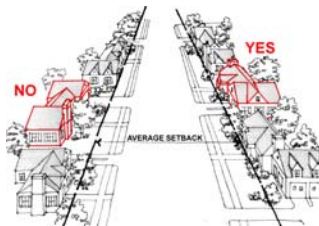
19

March 7th, 2008

RMLUI 17th Annual Conference

Contextual setbacks

- Maintain setbacks that are consistent with other buildings on block face



- Advantages
 - Maintains building setback along street and “character” of street
 - Ensures consistent setback between buildings
- Disadvantages
 - Alone does not address height, mass, or orientation
 - How to deal with overhangs

20

March 7th, 2008

RMLUI 17th Annual Conference

Building height

- Maintain established building height (contextual height)
- Advantages
 - Maintains building height in neighborhood
- Disadvantages
 - Does not address mass, setback, or orientation



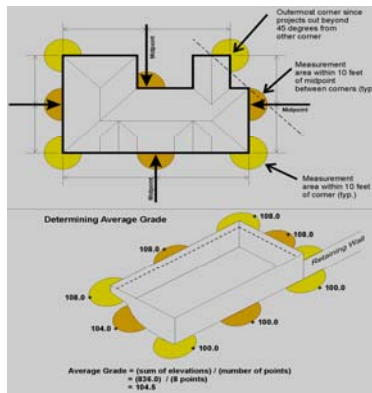
21

March 7th, 2008

RMLUI 17th Annual Conference

Building height

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



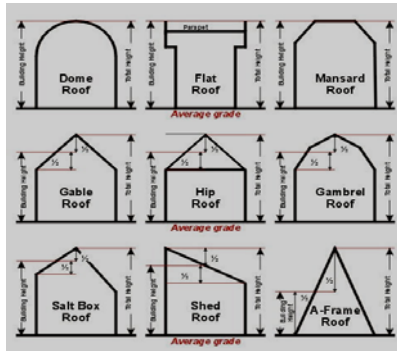
22

March 7th, 2008

RMLUI 17th Annual Conference

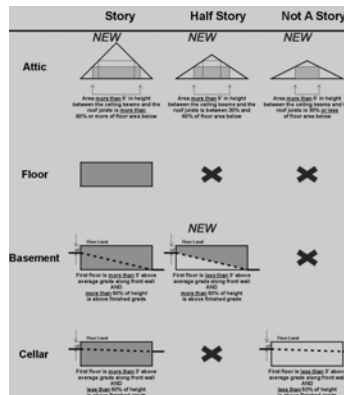
Building height

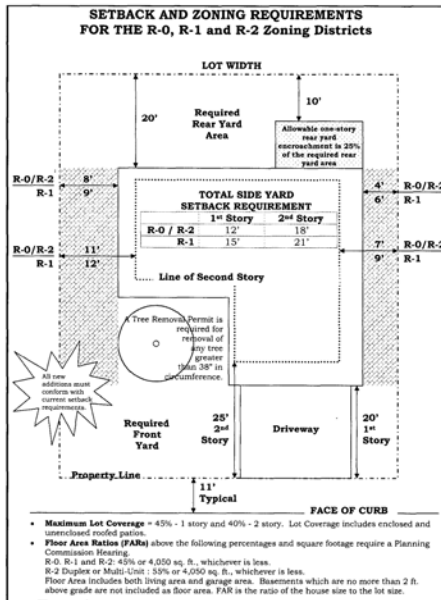
- To –
 - top of ridge
 - midpoint of roof



Building height

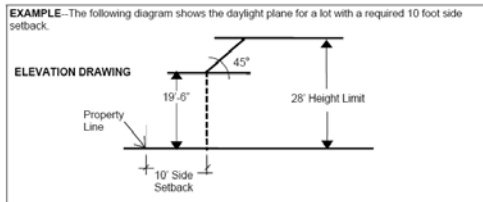
- Keep your stories straight
 - basements / cellars
 - attics
 - hip / gable
 - gambrel
 - salt box



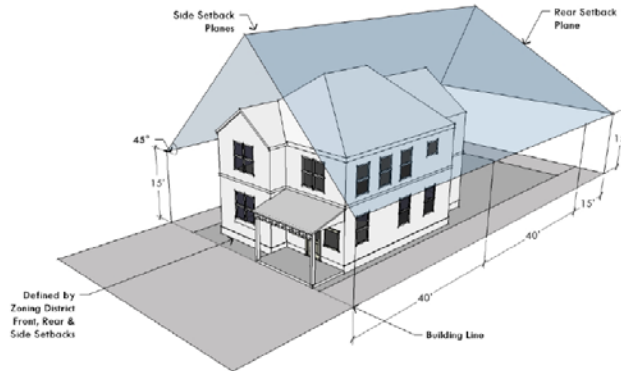


Setbacks—Daylight plane restrictions

- 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

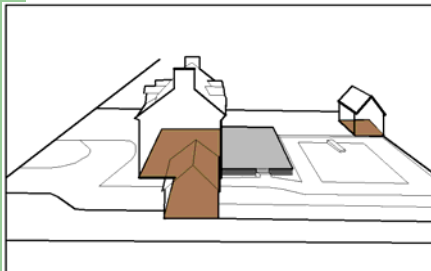
27

March 7th, 2008

RMLUI 17th Annual Conference

Building or lot coverage ratio

- Percentage or ratio of the building coverage
- Advantage
 - Can address, in some form, maximum impervious surface
- Disadvantage
 - Fails to deal with the vertical dimension



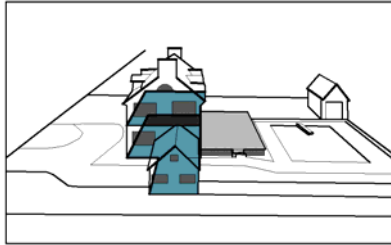
28

March 7th, 2008

RMLUI 17th Annual Conference

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

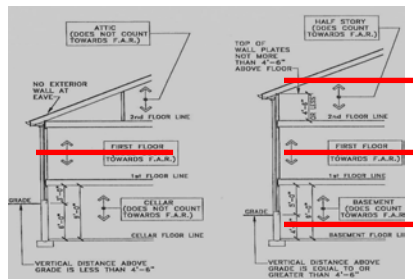
29

March 7th, 2008

RMLUI 17th Annual Conference

Floor area ratio

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



30

March 7th, 2008

RMLUI 17th Annual Conference

Roof Form

- Roof pitch: maintain a minimum roof pitch (e.g., between 3:12 and 12:12)
- Contextual roof form
- Advantages
 - Maintains consistency of physical design
 - Assists in controlling mass of building
- Disadvantages
 - Does not address height, setback, or orientation



31

March 7th, 2008

RMLUI 17th Annual Conference

Garage location

- Require setback not deviate by more than 25 percent of setbacks on block face
- Establish minimum setback standards
- Advantages
 - Maintains consistency of physical design
 - Prevents garage dominance



32

March 7th, 2008

RMLUI 17th Annual Conference

Façade articulation

- Require dwelling facades visible from street to include articulation every 16 feet
- No single wall extends more than 16 feet without a projection or recess
- Advantages
 - Breaks up mass
 - Softens physical appearance of larger homes



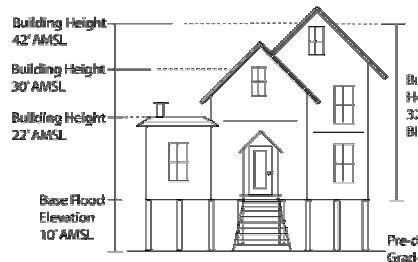
33

March 7th, 2008

RMLUI 17th Annual Conference

Step-backs

- Require use of height step-backs when building reaches certain height
- Encourage use of height step-backs by allowing to encroach a minimal amount into side or front yards
- Advantages
 - Softens physical appearance of larger homes



34

March 7th, 2008

RMLUI 17th Annual Conference

Driveways

- Driveways maintain maximum width of 12 feet or less between driveway apron and front face of home
- Advantages
 - Softens physical appearance of larger homes
- Disadvantages
 - Does not address height, mass, or setbacks



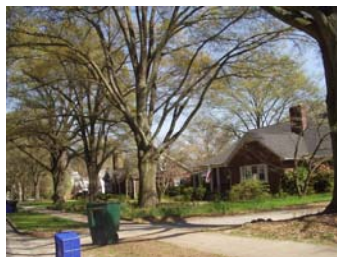
35

March 7th, 2008

RMLUI 17th Annual Conference

Landscaping

- Require additional site landscaping around home
- Advantages
 - Softens physical appearance of larger homes



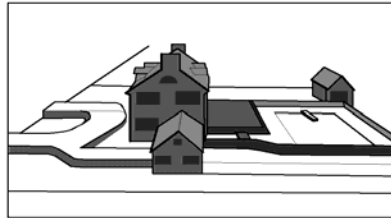
36

March 7th, 2008

RMLUI 17th Annual Conference

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



37

March 7th, 2008

RMLUI 17th Annual Conference

Building volume ratio

- $BVR = BV/10/LA$

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

38

March 7th, 2008

RMLUI 17th Annual Conference

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**

39

March 7th, 2008

RMLUI 17th Annual Conference

Conservation districts

- **Advantages**
 - **Flexible**
 - **Can account for physical elements relevant to character issues**
 - **Development review administrative**
- **Disadvantages**
 - **Can be time-consuming to establish**
 - **Usually requires additional staff capacity to administer**



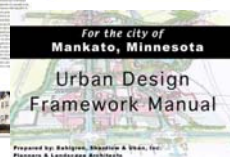
40

March 7th, 2008

RMLUI 17th Annual Conference

Design manuals

- Design manuals
- Pattern



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

41

March 7th, 2008

RMLUI 17th Annual Conference

Historic preservation designation of area in zoning ordinance

- Authority depends on Municipal Land Use Law
- Identification of criteria up front
- Requires individual approvals
- Generally requires a historic preservation element
- Can be confrontational

42

March 7th, 2008

RMLUI 17th Annual Conference

Form-based Codes

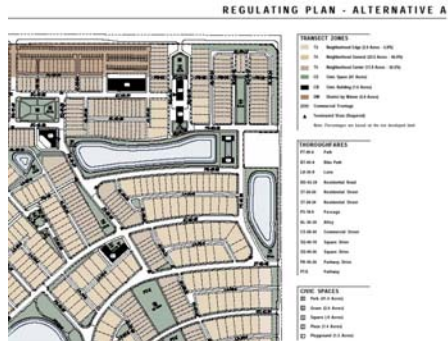
- Address the relationship between
 - Building faces and the public realm
 - Form and mass of buildings in relationship to one another
 - The scale and types of streets and blocks

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
- Significant commitment of resources to prepare

Form-based Codes

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



45

March 7th, 2008

RMLUI 17th Annual Conference

Legal issues

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



46

March 7th, 2008

RMLUI 17th Annual Conference

Legal issues

- Administrative
 - Creation of nonconformities
 - Adjudicatory relief
 - Variances



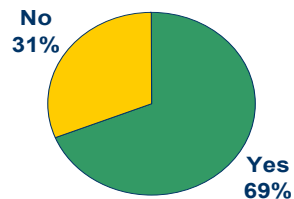
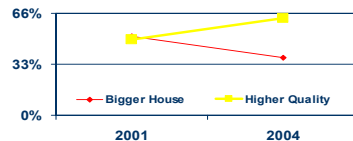
47

March 7th, 2008

RMLUI 17th Annual Conference

Market Concerns: 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

48

March 7th, 2008

RMLUI 17th Annual Conference

Market Concerns: A Fad?

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



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

Sources

- Glen Chalder, AICP, "Size Matters," PowerPoint Presentation, New England APA Conference (November 10, 2005) (materials used by permission).
- Lane Kendig, *Too Big, Boring, or Ugly: Planning and Design Tools to Combat Monotony, the Too-big House, and Teardowns*, Planning Advisory Service Report 523 (American Planning Association 2004).
- Terry S. Szold, "Mansionization and Its Discontents: Planners and the Challenge of Regulation Monster Homes," *Journal of the American Planning Association* 71(2) (Spring 2005): 182-202.
- Jack L. Nasar, Jennifer S. Evans-Cowley, and Vicente Mantero, "McMansions: The extent and regulation of super-sized houses," *Journal of Urban Design* 12(3) (2007): 339-358.

51

March 7th, 2008

RMLUI 17th Annual Conference

The End



Center for Government Services, Edward J. Bloustein School of Planning and Public Policy, Rutgers, The State University of New Jersey, 33 Livingston Avenue, Suite 200, New Brunswick, NJ 08901-1979, Tel. 732-932-3640
website: www.policy.rutgers.edu/cgs

52

March 7th, 2008

RMLUI 17th Annual Conference