McMansions and Teardowns: What’s Causing It and What to Do About It

Mayor Shing-Fu Hsueh, West Windsor, NJ

Stuart R. Koenig, League Senior Assistant General Counsel
Stickel, Koenig, and Sullivan, Cedar Grove, NJ, skslaw@aol.com

Stuart Meck, FAICP, PP
Director of the Center for Government Services
Edward J. Bloustein School of Planning and Public Policy, Rutgers
smeck@rci.rutgers.edu

Dwight H. Merriam, FAICP, CRE
Robinson & Cole, LLP, Hartford, CT, dmerriam@rc.com

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New Homes in Clifton, NJ
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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
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

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

It’s my property, it’s my castle

It’s out of scale and it’s out of character
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?”

Framing the issue

- The Master Plan
- The Reexamination Report
Approaches

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

• Design manuals
• Pattern books

• Advantages
  – Non-confrontational
  – Non-intrusive
  – Can be unifying in vision

• Disadvantages
  – Voluntary, relies on good will
  – May have little impact
Historic preservation designation of area in zoning ordinance

- Authority depends on Municipal Land Use Law
- Generally requires a historic preservation element
- Identification of criteria up front
- Requires individual approvals
- 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
SETBACK AND ZONING REQUIREMENTS
FOR THE R-0, R-1 and R-2 Zoning Districts

LOT WIDTH

20' Required Rear Yard Area

10'

Allowable one-story rear yard
encroachment is 25% of the required rear
yard area.

8'

12' R-0 / R-2
11' R-0 / R-2

10'

9'

15' R-1

18' R-0 / R-2

12' R-0 / R-2

11' Typical

FACED OF CURB

- Maximum Lot Coverage: 45% - 1 story and 40% - 2 story. Lot Coverage includes enclosed and unenclosed roofed patios.
- Floor Area Ratios (FARs) above the following percentages and square footage require a Planning Commission Hearing:
  - R-0: R-1 and R-2: 45% or 4,050 sq. ft., whichever is less.
  - R-2 Duplex or Multi-Unit: 55% or 4,050 sq. ft., whichever is less.
Floor Area includes both living area and garage area. Basements which are no more than 2 ft. above grade are not included as floor area. FAR is the ratio of the house size to the lot size.

TOTAL SIDE YARD SETBACK REQUIREMENT
1st Story 2nd Story

R-0 / R-2 12' 18'
R-1 15' 21'

Line of Second Story

A Tree Removal Permit is required for removal of any tree greater than 38' in circumference.

Required Front Yard 25'
2nd Story Driveway 20'
1st Story

Property Line
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
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
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
• New to New Jersey
Form-based Codes

- Requires
  - Existing conditions analysis
  - Charrette
  - Regulating plan
  - Urban standards
  - Architectural standards (as necessary)
Stuart R. Koenig: The Problem in New Jersey

- Define what the problem is
- Examine what the current ordinance actually allows
- Problems with different types of development standards
- Remember what enabling legislation allows
Legal issues

• Constitutional
  – Taking
  – Procedural due process
  – Substantive due process
  – Equal protection
Legal issues

• Administrative
  – Creation of nonconformities
  – Adjudicatory relief
  – Variances

• Problems with moratoria on applications for development—See N.J.S.A. 40:55D-90
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
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

• 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).
The End