

Mansionization and Its Discontents

Planners and the Challenge of Regulating Monster Homes

Terry S. Szold

This article reviews and analyzes the types of regulations that are being established throughout the United States in response to "mansionization" construction activity. In order to illuminate choices available to planners to address impacts of this trend, the article focuses on the regulatory interventions that have recently been employed in three communities (one in suburban Chicago and two in Silicon Valley) facing pressure from the replacement of the existing housing stock with significantly larger structures, and presents the scope and inventiveness of the regulations. While it is too soon to judge their effectiveness, I define the range of intervention necessary for a regulatory effort to be considered comprehensive—the establishment of rules for multiple elements of building mass, siting, and design to address and minimize the perceived impacts associated with the growth of "monster" homes in existing neighborhoods.

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Americans with the means to do so continue to increase the size of their homes. With significant economic expansion and growth in personal wealth, the United States has seen an unprecedented boom in large homes—both as the result of new construction and additions to existing structures—particularly in already developed suburbs. Data compiled by the National Association of Home Builders (NAHB) from the U.S. census show that home sizes have been getting bigger in the United States since the 1980s, rising from an average size of 1,900 square feet in 1987 to more than 2,300 square feet in 2001 (NAHB, 2002). Additionally, in the last decade, the percentage of new homes being built that are 3,000 square feet or more has been growing. The northeast and western regions of the country experienced the greatest growth in this size category, which in 2001 accounted for 23% and 20% of new homes respectively (up from 16% and 11% in 1994); in the midwest 17% and in the south 20% of the housing stock (up from 12% and 15% in 1994) had reached this level (U.S. Census Bureau, 2003).

Single-family residential construction activity in the United States in recent years is striking not only because of increased house size, but because it often results in the replacement of an existing, older home that is much smaller.¹ Communities experiencing pressures from the demolition and replacement of existing housing stock—a process often called *teardown*, *scrape-off*, or *pop-off*—have attempted to intervene with regulations to temper or thwart these perceived intruders, which have been variously labeled *monster homes*, *mega-homes*, and *McMansions*.

In part it is the powerful connections that Americans have to owning a home² (Handlin, 1979; Hayden, 2002; Marcus, 1995) and to the primacy of individual rights that make the task of regulating the increasing size of the suburban house a vexing undertaking for professional planners. While new large home construction is vilified by some, especially those living near these new houses who beyond sheer size may also see in such construction a disregard for the norms and existing pattern of built form, any public discussion of new regulations to curtail home size or shape (including recommended design guidelines to specify "acceptable" architectural treatment) elicits strong opposition from others who see intrusion into a near sacred domain.³ For this reason, a common problem that communities face is how to balance private property rights with the value of the established built environment held by many longer-term residents.

When faced with concerns about mansionization in their communities, planners are often asked to propose interventions to address a spectrum of perceived negative impacts raised by discontented neighbors or other residents. To serve their communities best, planners need to be familiar not only with a range of potential choices for regulations, but also to have fluency with the desired outcomes that such regulations are intended to achieve.

This article examines some of the comprehensive⁴ mansionization controls that have been attempted in two areas of the country that have faced this issue for the previous 15 to 20 years: suburban Chicago and Silicon Valley. The controls used range from design guidelines to influence building massing, detail, or architectural style; to predetermined “triggers” that activate formal reviews of proposed residential demolition and construction; to new, more restrictive zoning regulations that address multiple aspects of home size and siting.

Since there are no time-tested evaluation procedures in place for monitoring the effectiveness of these regulatory controls, planners cannot reference ideal solutions. Even after understanding their intent, planners are left to customize regulations to the physical and political context within which they work. Additionally, based on the exploration undertaken for this article, given the multiple considerations that must be taken into account to address building volume, scale, and siting issues, no *single* physical development intervention or set of limitations, such as floor area ratio adjustments or encroachment plane regulations, can address the spectrum of perceived impacts associated with today’s large homes.

Nonetheless, the research conducted for this article suggests that there are regulations addressing the consequences of building volume and scale consequences for adjoining properties that warrant serious consideration. Communities such as those examined here, which have utilized a comprehensive approach to fashioning regulations, appear to be the best places to inaugurate future evaluation of this effort.

Method and Approach

My interest in the subject of mansionization began as a result of questions posed by clients in communities that I served in Massachusetts. I found that they sought solutions that would, at a minimum, tame the most egregious examples of mansionization in their communities. As I attempted to aid these clients, I looked for examples that could be used as models.

What I first discovered was that other communities in my own state had not attempted to create regulations that

addressed the multiple dimensions of the mansionization challenge. Rather, communities relied on adjustments to the basic dimensional requirements applicable to residential development—setbacks, building size, or maximum building footprint—and steered away from interventions related to scale, massing, encroachment planes, or design review (City of Newton, 1997; Town of Lexington, 1997; Town of Wellesley, 1997).

Expanding my search to find communities that had attempted broader regulatory interventions to address mansionization, I looked to other regions in the United States. I reviewed newspaper stories, municipal reports and studies, and master plans that documented concerns about mansionization and searched for proposed and/or adopted new regulations. Once I discovered such regulations, I conducted interviews with the planners who had major responsibilities for their development. My eventual recommendations to clients for possible interventions drew on all these sources.

I maintained a significant professional interest in this topic.⁵ For this article, I chose to examine suburban Chicago and Silicon Valley, regions where there have been ongoing planning challenges related to mansionization, and where communities have considered and adopted a variety of comprehensive controls. Within these regions, I focused on three communities where the evolution of the regulations they adopted offer contrasting approaches and results: the village of Winnetka, Illinois, and the cities of Sunnyvale and Menlo Park, California. The information in this article has been gathered in each case from local/regional publications, interviews with planners, and the new and evolving regulations themselves.

Addressing Perceived “Discontents”

In many long-established neighborhoods, even though architectural styles may vary, a sense of cohesion exists—the homes are of comparable size, have roof lines and overall building heights that are similar or within a range of compatible elevations, and are surrounded by mature landscaping. Many of the homes were built during the same period, with only occasional infill. The controversy over new, large home construction and major additions in such neighborhoods is triggered because modest-sized residences are replaced with homes of greater building volume, the transformation typically occurring without an accompanying increase in lot area.

Based on a review of articulated concerns of citizens and public officials addressing the teardown trend where it is documented throughout the United States, there are

common objections to the arrival of monster homes. These objections are raised in response to the perceived negative impacts of both the lengthy process of teardown/new construction and the end result of the process: a new large house that is out of scale with the homes it adjoins. Concern about the design of such a structure being out of character with an existing neighborhood's built form is also a common objection and associated with the generic use of the pejorative term *McMansion*.

Table 1 presents the common objections and perceived impacts revealed by the documents reviewed and helps to illustrate variations in the definition of the "problem" of mansionization. These physical impacts, identified mostly if not exclusively by the immediate neighbors of the new large residences, are often the primary drivers for communities to consider regulatory intervention(s).

As a specific example, the Village of Winnetka, Illinois, a community whose regulations are explored in this article, documented adverse impacts of mansionization in its most recent Plan Update (Village of Winnetka, 1999):

- Bulkier houses with looming street presence, blocking light and air;
- Basements rising too high from grade with variable stoop heights, thus contributing to a disruption in the rhythm of block face;
- Front-loaded garage space detracting from front street and pedestrian orientation; and
- House designs that fail to blend in with existing houses in 70- to 100-year old neighborhoods.

This example indicates the types of objections raised. Such objections present planners with a corresponding challenge: how to make new large houses "fit" on lots that were developed when prevailing home sizes were much smaller. Setback and dimensional standards that formed the original building envelope, particularly in older suburbs, are inadequate to the task of preserving boundaries—both physical and aesthetic—between existing homes and those dramatically larger new homes that are being built next door.

The Search for Effective Interventions

Many communities have considered zoning interventions specific to mansionization to manage the teardown trend. A short search produces ongoing coverage spanning months and years on the issue in local and regional publications in Westchester County, New York; suburban Boston and Chicago; all parts of California and Florida; and various locales in between.

In communities where the housing stock has been maintained in good condition or is deemed unique or historic, safeguarding the treasured built form of the past from the construction of new monster homes is a prime objective. For that reason, design review has become popular in communities attempting to ensure some level of compatibility when teardowns and build-outs are proposed. Preservation ordinances are sometimes adopted, as are "appearance codes" or other preservation initiatives such as those in Lake Forest and Park Ridge, Illinois (City of Lake Forest, 1998; City of Park Ridge, 1995).

However, while many design review procedures involve detailed considerations about design and massing, my analysis indicates that most do not establish mandatory prescriptions about architectural style. In some cases, a design review process is mandated when home construction reaches a certain threshold, such as exceeding a baseline floor area ratio (FAR; City of Sunnyvale, 2003b) or percentage of floor area on a second story (City of Menlo Park, 2002a; City of Sunnyvale, 2003b). In these instances, the review process may result only in suggestions about preferred design approaches; it may not significantly affect the ultimate size or siting of a home.

Because the mansionization trend and the responses to it are still relatively new, when selecting interventions planners have little evidence that any single intervention will address all the objections that opponents raise. For example, an attempt to discourage two-story development by requiring a special permit for such development in a one-story neighborhood without addressing building massing or additional setback requirements may have limited success. Similarly, a generic gross floor area maximum may help insure that new development is less overwhelming to adjoining properties, but as some planners interviewed for this article stated, it will not necessarily guarantee attractiveness or context-sensitive design.

Planners searching for appropriate interventions also need to determine how comfortable local political leaders will be with regulations that may force homeowners to engage professionals, particularly since the owners may lack the expertise themselves to understand how the regulations will apply in a given circumstance. Daylight plane regulations, for example, require sophisticated calculations about building encroachment based on specific angles from setbacks (City of Menlo Park, 2002b, 2003d; City of Pasadena, 2000).

The 19th century railroad suburbs west and north of Chicago and the automobile-based 20th century suburbs of Silicon Valley provide interesting and revealing arenas to observe the multilayered challenge of mansionization. Though separated in their major periods of growth by approximately

Objection	Perceived Impacts
Large construction project of long duration	<ul style="list-style-type: none"> • Multiple-month presence of construction vehicles, equipment, and crews resulting in noise, dust, and debris, and decreased road access in neighborhood
Removal of mature trees/vegetation from lot	<ul style="list-style-type: none"> • Further magnifies scale of new structure • Loss of long-established/cherished vistas within neighborhood • Increased sunlight/heat on adjoining properties • Topographic change that can lead to erosion and damage from new patterns of storm water run-off
Smaller, older home demolished/torn down	<ul style="list-style-type: none"> • Loss of historical residential structures • Reduction of "starter home" size properties available to first-time home buyers
Large house maximizing small lot; build out to front and side setbacks	<ul style="list-style-type: none"> • Height and proximity of larger home overshadows smaller neighbors, blocking sunlight and restricting fresh air movement • Intimidating height with windows and porches towering over neighbors creates unwelcome intrusion and lack of privacy • Size of house requires large air conditioning compressor units, situated frequently close to neighbors' with resulting increased noise • Detrimental effect on neighboring house and plant life from reflection of light and radiation of heat from large house (necessitates additional cooling/watering)
Building and/or property design out of character with neighborhood	<ul style="list-style-type: none"> • Disruption in visual rhythm of neighborhood of "out-sized" house in comparison with older structures • Driveway placement and/or multiple garage space that dominates streetscape or frontage
Significant and ongoing need for property and residence maintenance (due to increased size)	<ul style="list-style-type: none"> • Increased traffic and noise impacts from frequent home maintenance/landscape crews

Sources: Anning (1999), Casciato (2000), City of Geneva (2002), City of Lake Forest (2000), City of Naperville (2000), City of Sunnyvale (2002), Eichler Network (2001, 2002), Einwalter (2002), El Nasser (2002), Fayle (2000), Fine & Lindberg (2002), Foderaro (2001), Ganga (2002), Knight (1997), Lang, et al., (2002), Langdon (1991), Manning (2000), Mannion & Goldsborough (2000), Marchant (2002), Paik (2003), Perlman (1998), Petterson (1999), Randall (1990), Sissenwein (2000), Smith (2002a), Srebnik (1999), Town of Lexington (1997), Town of Lincoln (1998), Town of Mamaroneck (2003), Village of Scarsdale (2002), Village of Winnetka (1999), Weinberg (2001), Willemsen (2000).

Table 1. Common objections to the process and results of teardowns/build outs.

100 years, these two regions currently face similar pressures from the replacement of the existing housing stock with larger new homes.

After reviewing the many communities within these regions that had selected regulatory interventions to address their mansionization challenge, I chose Winnetka, Illinois, and Sunnyvale and Menlo Park, California, for more extensive study and comparison, for the following reasons:

- Prior to the recent mansionization period, little change in the housing stock occurred in these communities for at least 30 years, and until mansionization, little change was made to the zoning regulations of their residential districts. This fact is important because communities may have thought that their existing zoning regulations (such as setbacks) protected them from residential structures of excessive size.
- Each community found that the teardown trend tested old zoning dimensional requirements (e.g., conven-

tional setback and lot area requirements) applicable to single-family districts. These standards, primarily developed after World War II or at the midpoint of the last century and once considered adequate for the community's prevailing lot sizes and homes, were subsequently found to be ineffective when applied to the larger homes associated with the mansionization trend.

- Each community employed a comprehensive approach to address the issue, utilizing multiple regulatory interventions and strategies to influence the size, scale, and massing of proposed new structures; however, each community elected to use a different regulatory scheme to accomplish its goals.

The stories of these communities may be instructive for planners in other parts of the country. Under great pressure from an often angry citizenry and in the wake of a robust building boom, interventions were developed after significant study and public participation, within a pageant of multiple players and vested interests.

Suburban Chicago: Teardowns, Tribulations, and New Standards

The initial growth of suburban communities around Chicago occurred mostly during the 1850s and 1860s as rail and horse car lines made the prospect of commuting to and from the center of the city a viable option. Some suburbs sprang up from land being subdivided speculatively in anticipation of the railroad extension (Handlin, 1979). A little more than a century after many Chicago suburbs were settled, prospective homebuyers began to demand larger houses. By the late 1980s, the first teardowns of older housing stock began, and by the end of the 1990s, fierce debates were well underway in places such as Naperville and Hinsdale (El Nasser, 2002; Langdon, 1991; Mannion & Goldsborough, 2000; Randall, 1990). Homes that many residents believed defined the character of their community were rapidly being removed to make way for larger, contemporary structures (see Figure 1).

Winnetka

The Village of Winnetka, located 16 miles north of Chicago, is one of the most affluent communities in the United States. Originally settled in the 1850s, it has about 12,500 residents and an abundance of 100 x 180 ft. lots (Village of Winnetka, 2003a).

Winnetka's Plan Update (1999) described the problem posed by the targeting of housing stock more than 70 years

old; it anticipated that in the contemporary housing market, these older houses would likely be replaced by homes of larger floor area. An analysis by the Community Development Department indicated that many of the homes in the Village's R-5 zoning district (the residential district with the smallest minimum lot area) averaging less than 1,700 square feet were being replaced with new homes of almost 3,900 square feet.⁶ The analysis found that a 50 x 175 ft. lot purchased with the intent of tearing down the existing home could ultimately sell for \$1.75 million—or more than double the price such a lot would yield if the existing house was left standing.

As a result of detailed study, Winnetka's Village Council adopted changes to its zoning ordinance. Mandatory design review was rejected in favor of more objective standards. Winnetka focused its regulatory effort on addressing new building bulk on small lots and sought to control the elevated building height and increased building volume associated with new construction. Winnetka reduced the maximum basement projection of new structures from 3.5 feet to 3 feet, while allowing such projections in additions

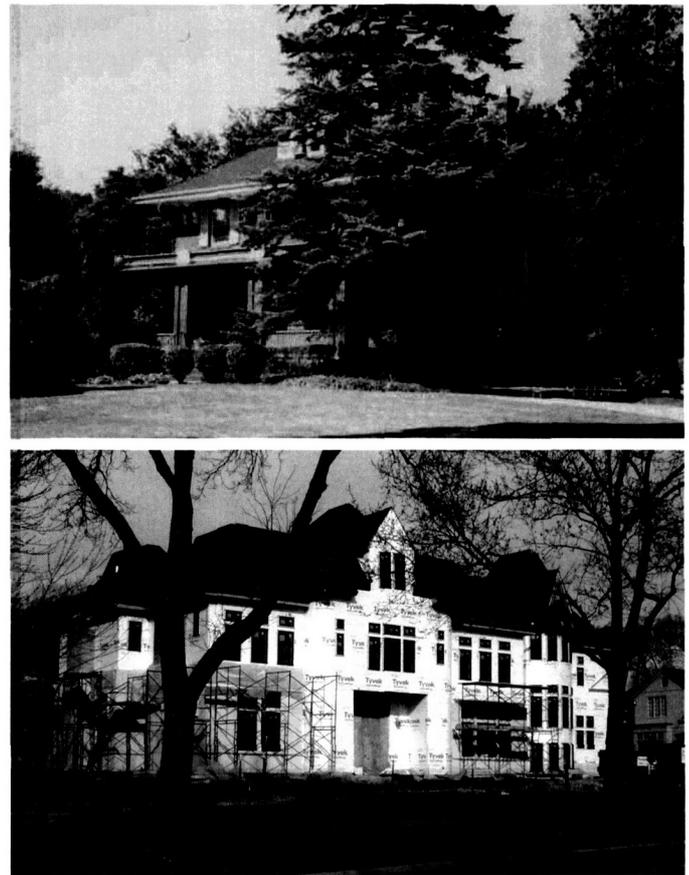


Figure 1. Suburban Chicago home (above) torn down and replaced with new, larger home. (Photos courtesy of Jean Follett)

to existing houses to increase to 4 feet (presumably to encourage homes to be renovated instead of torn down). These changes were made applicable to all single-family residential zoning districts and lot sizes.

For lots of less than 16,000 square feet, the maximum permitted gross floor area (GFA)⁷ in new construction (again differentiating between new construction and alterations to existing housing) was reduced. The base GFA applicable to most lots ranges from .31–.38, making it difficult to construct a 5,000 square foot house (considered to be too big).

In 2002 Winnetka adopted additional amendments (Village of Winnetka, 2002, 2003b) affecting all lots in residential districts, including the following:

- A uniform attic floor height for calculation of GFA, with variations in height permitted based on the zoning district;
- A reduction of basement height by lowering the maximum permitted height of the first floor from 4 feet to 2.5 feet above existing natural grade;
- A reduction in the maximum permitted vertical building height by implementing a graduated building height based on the zoning district and lot size, and by changing the point of measurement from natural grade to finished first floor elevation, extending to the highest point of a roof (ridge);
- A reduction in height limits for detached garages (along with a new point of measurement similar to the principal building) with allowances for increased height to match the pitch of an existing house; and
- Lot coverage incentives for front porches.

The Village did not elect to make reductions in the maximum allowable GFA in 2002.⁸ Nonetheless, after further study by the community development staff, the Village Council considered yet another group of amendments, including:

- Reducing the maximum allowable GFA by zoning district;
- Limiting the impact of very large homes on oversized lots by establishing maximum caps on GFA within particular zoning districts;
- Rezoning undersized lots in certain zoning districts to require a larger amount of land area;
- Increasing side yard setbacks;
- Reviewing building height maximums for substantially oversized lots; and
- Reviewing side yard articulation requirements for building walls.

In 2003, the Village's community development director was reluctant to make premature conclusions about success, but considered the overall effort significant and the process demanding. By the definition advanced for this article, Winnetka's effort is comprehensive. The community attempted to regulate the multiple expressions of large home construction: building height, wall effects, building massing and articulation, privacy consequences to setbacks, and the need to tailor the total permissible building volume to available lot area.

Silicon Valley: What Happens When One-Story Neighborhoods Grow Up?

Located between San Francisco and Oakland to the north and San Jose to the south, Silicon Valley has evolved from a place of agriculture and fruit orchards (Matthews, 2002) to a modern day "land of opportunity," becoming in the second half of the 20th century a magnet for high technology companies and the thousands of employees who work for them.

According to data collected by the Association of Bay Area Governments (ABAG), Silicon Valley housing prices are among the highest in the country. An average single-family home in 2000 cost \$617,000, rising from \$329,000 only 5 years before. Although its population grew by 8.5% between 1995 and 2000, the number of housing units grew only by 5% (ABAG, 2000). Thus, a severe jobs/housing imbalance in the region contributed to the escalation of prices, as the growth in number of workers outstripped the number of houses built.

The pressure on the existing single-family housing supply in Silicon Valley is characterized by the widespread replacement of modest, one-story homes—the largest share of the area's housing stock—with new, larger homes or by the addition of second stories. Houses of 1,200 square feet are often replaced with new structures over 2,800 square feet (T. Cramer, personal communication, January 31, 2003). This has created momentum in many valley communities for a variety of interventions.

Both communities in this region that I examined—Sunnyvale and Menlo Park—have addressed mansionization with regulations affecting scale, building massing, specialized setback requirements, and design guidelines. In Menlo Park, however, an ambitious set of regulations was scaled back, illustrating the complex process of selecting regulatory interventions to address this issue.

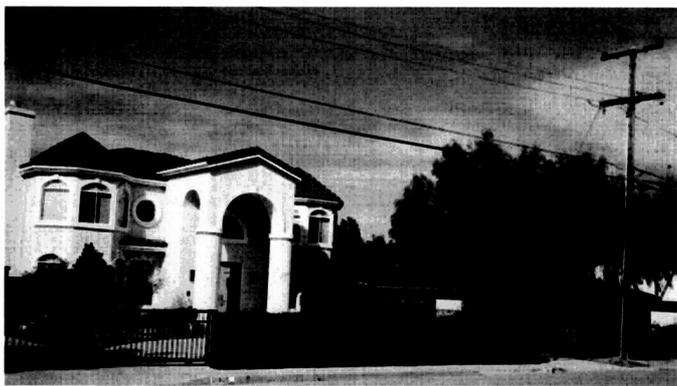


Figure 2. Monster home dwarfs adjoining one-story home in Silicon Valley. (Photo courtesy of Bonnie Campbell)

Sunnyvale

The City of Sunnyvale has a population of almost 132,000. Approximately 75% of its housing stock was built between 1940 and 1989, with the greatest growth during the 1970s and 1980s. Home prices today range between \$900,000 and \$1 million in desirable neighborhoods, especially those with lot sizes of 6,000 to 8,000 square feet (Bay Area Census, 2003c; City of Sunnyvale, 2000b).

The City launched its effort to address the mansionization trend in the summer of 2000 as many of its one-story homes, built mid 20th century, were being demolished and replaced or expanded with second stories.⁹ At that time, the primary issues to be addressed by regulations were cited: impacts to adjacent properties, including intrusions on privacy, and overall size. Key features of the City's first major attempt at interventions (City of Sunnyvale, 2000a, c) included the following:

- A notification and comment period for adjacent property owners when two-story home construction was proposed;
- Increased front and rear yard setbacks for two-story development;
- Establishment of Planning Commission review when FAR thresholds of .60 were exceeded;
- Creation of a new "combining district" that enabled a moratorium on two-story development for a 7-year period in any such district in which two thirds of property owners sign and agree; and
- Creation of a "single-family home design booklet" to guide preferred development.

After experience working with the new regulations, and recognition that many additions and replacement

homes on residential lots were escaping review, the City planning staff recommended refinements (City of Sunnyvale, 2002) adopted by the City Council in March, 2002 (City of Sunnyvale, 2003a), to do the following:

- Lower the FAR threshold for Planning Commission review from .60 to .45 in the city's major single-family districts;
- Establish a basic GFA review threshold of 4,050 square feet for each of the major residential districts;
- Establish a design review trigger for any second-story addition or any addition resulting in an increase of 20% or more of the existing home; and
- Expand the notification procedure to neighborhood associations and owners across streets when two-story design reviews are conducted.

Setbacks and design review by the Planning Commission seem to be the primary intervention used to minimize the intrusiveness of second-story development. The city's setback and other basic zoning requirements for its principal residential districts are illustrated in Figure 3.

A key aspect of Sunnyvale's regulatory approach is that limits on building volume or size were rejected in favor of design guidelines. Bulk triggers or floor area limits (FALS) are used to activate the scrutiny of the Planning Commission, but are not used as absolute maximums. While the rejection of absolute FALS was arguably a political decision, it was also based upon an analysis by the Planning Department, which concluded that size in and of itself was not the problem with mansionization, but rather how "bigness" was articulated. Sunnyvale's approach to regulating mansionization, based on the definition I have advanced, is comprehensive, but precariously anchored in an inherent faith in design review and discussion among its citizenry to mitigate adverse impacts.

Menlo Park

Much smaller in population than Sunnyvale, the City of Menlo Park is a community of almost 31,000 stretched across 19 square miles. Median family income exceeds \$105,550, and the median price of a home was \$778,000 as reported in a 2000 census (as compared to the county median of \$469,000; Bay Area Census, 2003b). Many of its neighborhoods are more than 50 years old, with lot sizes typically ranging from 7,000 to 9,000 square feet (City of Menlo Park, 2003b). Home prices in these neighborhoods reach \$1 million and beyond.

As in Sunnyvale, objections to mansionization in Menlo Park centered on what many residents perceived as

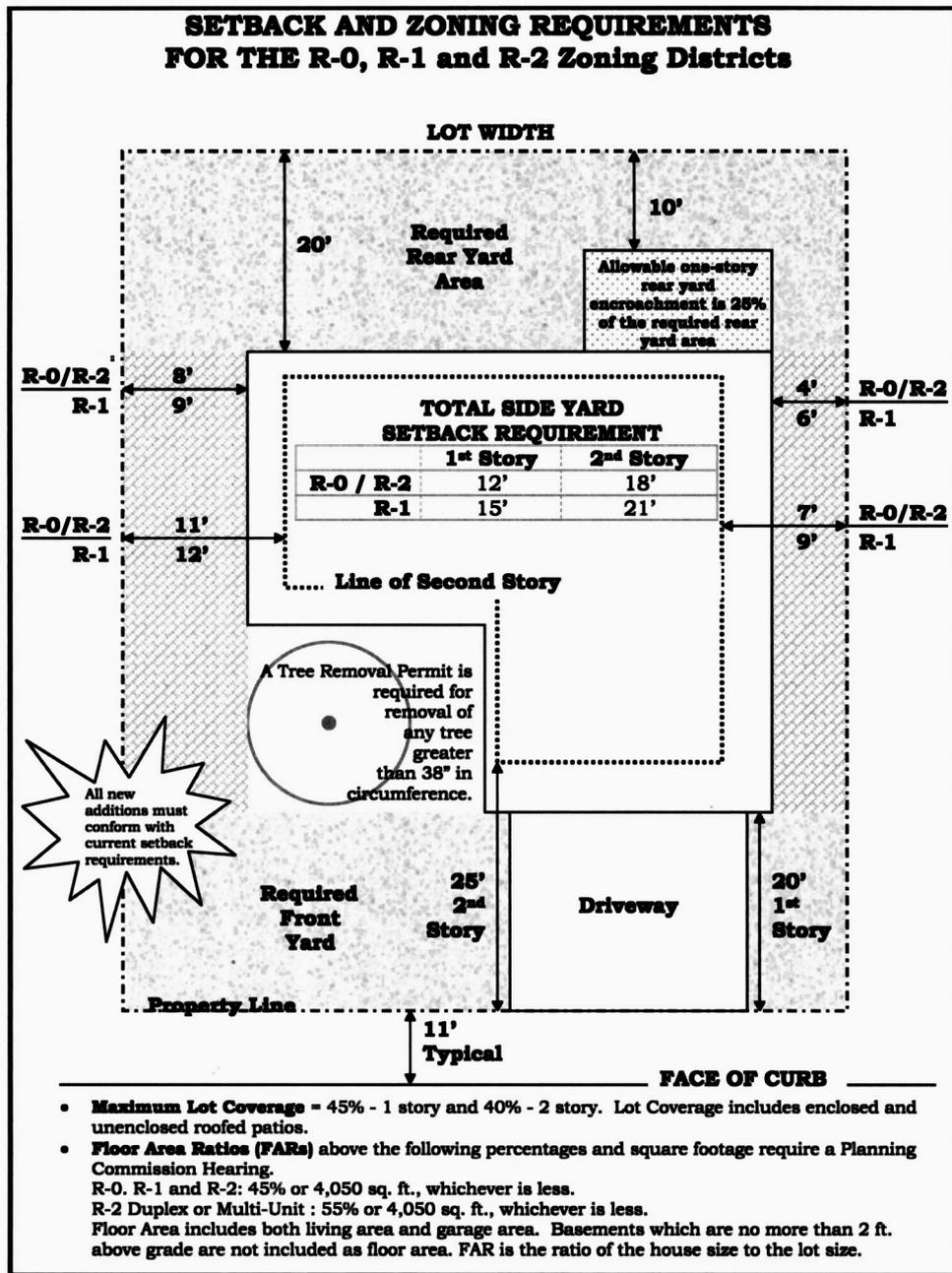


Figure 3. Residential setback and other requirements, Sunnyvale, CA.
Source: City of Sunnyvale (n. d.)

inappropriate build outs of one-story, mid-20th-century California homes. A 3-year effort was undertaken that included significant study, work by a 21-member citizen task force, and public involvement.¹⁰ The task force was split in opinion between members who wanted more restrictive FARs than those prescribed in the existing ordinance, and those who believed that other methods to restrict bulk and massing involving daylight plane (a three-dimensional plane that defines the building envelope that a residence

must fit within) were more important to mitigating scale consequences to adjoining properties (as shown in Figure 4).

During the 3 years prior to the adoption of Menlo Park's regulations, a series of articles and editorials in the city's local newspaper (Borak & Stephens, 1999; Sissenwein, 2000, 2001; Smith, 2002b) reflected the strong emotions associated with the proposed regulations, including objections from a property rights advocacy group called the Menlo Community Association (MCA). The association

mailed postcards to homeowners in Menlo Park, warning of “an assault on homeowner rights and our environment” (Smith, 2002a), and stated that the proposed regulations would encourage construction of sprawling one-story homes, reduce privacy in backyards, discourage growing families from staying in the city, threaten property values, and scare away potential buyers wary of restrictions. The MCA also complained that the regulations would allow a stringent and subjective design review process—to be administered by the Community Development Director or designee, with an appeal process that included the Planning Commission and City Council—thus empowering local government and neighborhoods to intrude into the use of homes at the expense of the individual homeowner and the creativity of his or her architect.

Despite the differences in opinion, the effort culminated in the November 2002 adoption of new regulations (City of Menlo Park, 2002a, b, c, d):

- All new two-story homes and additions to existing one-story dwellings resulting in a second story, and additions and alterations to existing two-story dwellings, became subject to a new review process and regulations;
- One-story homes and additions/alterations that exceeded a 35% building coverage also became subject to the new review process and design guidelines;
- Daylight plane requirements were reduced from 19.5 feet of vertical plane height and a 45° angle inward to 17 feet and 34°, respectively;

- Definitional changes were made to the calculation of FAL, excluding certain floor-to-ceiling heights and attic space;
- A minimum 25% permeable surface requirement was established; and
- New, comprehensive single-family residential design guidelines were created, with the intent to minimize a house’s mass and bulk to make it consistent with the existing neighborhood, respect the privacy of adjacent properties, define patterns of neighborhoods and street-scapes to be preserved, protect solar and daylight access for adjacent properties, and assure that design and site improvements were considered comprehensively.

While the campaign by the MCA did not stop the City Council from adopting the proposed zoning amendments, the ongoing backlash from property rights advocates and those who wanted greater development flexibility subsequently led to a vastly scaled back regulatory program. Although approved at the end of 2002, these regulations were later rescinded at the start of the new year (2003) by the City Council, following the election of two new council members.

After subsequent repeal of the regulations, the new council established a subcommittee to seek compromise between a more comprehensive, design-based approach with discretionary reviews, and a less stringent and more simplified program. In January of 2004, and without the support of the Planning Commission, the following ap-



Figure 4. Alternative daylight plane regulations, Menlo Park, CA.

proach, based on two tiers of review, was adopted by the council:

- *Tier I:* If construction meets the requirements for lot area, FAL (up to 40%), lot coverage, setback, daylight plane (17.5 feet of vertical plane height and an angle of 45° inward), permeable surface, and other basic elements, an applicant would simply file for a building permit.
- *Tier II:* If owners of immediately adjacent properties approve, more permissive two-story development (up to 50% of total floor area could be on second floor), greater daylight plane flexibility (19.5 feet and an angle of 45°), and more side yard setback encroachment would be allowed; absent this approval, permits for such construction must be approved by the Planning Commission.

The revised program (City of Menlo Park, 2003a, c) includes a provision on a maximum length of horizontal wall to break up building massing on a second floor, limiting such second floor wall length to 30 feet for Tier I projects but allowing in excess of 30 feet for Tier II projects (originally the wall had to be articulated by a three-foot step back in the depth of wall alignment). Other proposed changes involve establishing a below-ground setback requirement to address large basement size, greater lot coverage allowance for small lots, a permeable surface requirement, definitional revisions for the method of calculating FAL that involve attic space, and the inclusion in FAL of basements that exceed the footprint of a house. Clarification of the method of calculating daylight plane and building height is also proposed, and, in a bow to process and dialogue between neighbors, the proposal includes the following:

- A new courtesy notice to contiguous property owners for demolition and building permit applications;
- New application forms for development permits to include a statement that a house is part of a neighborhood and require applicants to comment on (a) window placement in relation to neighbors, (b) unarticulated vertical walls over 20 feet in length, and (c) impact on existing solar panels; and
- An overlay district provision to allow neighborhoods to establish different dimensional regulations when a significant number of properties have similar characteristics and interests, and 10% of owners in the surrounding area support the overlay.

While the revised program appears to be comprehensive, it allows greater build out by excluding more floor area from the maximum FAL, greater amount of permis-

sible floor area and horizontal wall length on a second story, and greater vertical plane height and daylight plane encroachment. Also, an administrative rather than discretionary process is utilized in processing most permits. But the most significant change in the City's approach, and a major reversal of the mansionization regulatory package that was rescinded by the new City Council in 2003, is the absence of design guidelines and design review. This deliberate omission by the new City Council remains a source of contention and acrimony in Menlo Park. Following the adoption of the tiered approach as a new ordinance, 2,500 residents (ostensibly aggrieved by its inadequacy when compared to the Council-rescinded ordinance in 2003) have endorsed a petition for a referendum to enable voters to reject the ordinance in a special election.

While the future of the program remains uncertain, both the planners who worked to draft the 2002 regulations that were rescinded by the new Council and those who supported them must accept, at least for the time being, a system that may arguably function more efficiently and with less rancor, but without the design review process and guidelines that were anticipated to improve the built form of emerging homes and changing neighborhoods.

Conclusion

The objections raised about Menlo Park's 2002 regulations are emblematic of those that have been raised nationally, and that often have traction in a community when planners attempt to mitigate the perceived impacts of mansionization. Fears about a decline in property and resale values, a wariness about design subjectivity and taste preferences, and a concern for the cost and cumbersome nature of the regulations all contributed to the vulnerability of Menlo Park's initially approved, but subsequently rescinded, regulatory program.

If Menlo Park had decided to modify its daylight plane regulations and change its method for calculating FALS—without at the same time granting significant discretion to City staff—would other elements of the regulations have survived? A lack of evidence makes it difficult to answer this question, but it may well be worthy of future research.

Readers will note that even though each of the three communities reviewed in this article embraced a comprehensive approach to regulating mansionization, initial interventions were soon followed by a variety of refinements and amendments. This is the primary similarity among the cases: that these types of regulations are works in progress.

While there are multiple examples of regulations throughout the United States to modify the effects of

mansionization, to date few communities are in the position to say that their efforts are successful. Planners cannot yet draw conclusions, because even the most comprehensive regulations are less than 10 years old. It may take decades before the profession can conduct an honest evaluation of their levels of success and influence.

In the meantime, planners have options. Table 2 summarizes and contrasts the regulations adopted by the three case communities. If political leaders are uncomfortable with a design review and design guidelines-based intervention, then Winnetka's approach—which utilizes FAR, height, and setbacks as the primary controls—may be worthy of study. For those communities that believe size itself is not the major problem but rather how building volume and massing are expressed, Sunnyvale's approach, which utilizes design guidelines and design review combined with a sliding scale of setback requirements as its primary controls, should be examined. In contrast, Menlo Park's original amendments, which blended a variety of approaches—controls on building size, the massing consequences of two-story development or additions, and overall vertical height or daylight plane encroachment, together with design review and guidelines—may be useful to explore. Although Menlo Park's original approach, the most comprehensive of the group examined, had the shortest lifespan, it does not necessarily follow that other comprehensive approaches will not survive.¹¹

What constitutes an appropriate house in terms of building and lot size, context within the neighborhood and/or district, or other objective measurements? Clearly, before planners can fashion regulatory interventions to address mansionization, they need to assist their communities in answering that question. Additionally, planners must translate a diversity of opinions about the perceived negative effects associated with mansionization, opinions that may differ by neighborhood or even by block, into a plan of action.

Further, I believe planners must do the following:

- Balance concerns about neighborhood impact and privacy with property rights;
- Create regulations that when applied do not preclude "modest" and "acceptable" renovations/additions by homeowners; and
- Ensure that when new guidelines are implemented, older homes do not become nonconforming, thus exacerbating fears of current owners or making tear-downs a more attractive option than renovation.

In his book *House Form and Culture* (1969), cultural geographer Amos Rapoport provides a detailed exploration

of the complex determinants of primitive and vernacular building form. Rapoport speculated about emerging, modern trends in the form of houses in the United States, and about our evolving culture. He made the following observation:

Tradition as a regulator has disappeared—notably in our own culture—for a number of reasons. The first reason is the greater number of building types, many of which are too complex to build in traditional fashion. . . . The second reason is loss of the common shared value system and image of the world, with a consequent loss of an accepted and shared hierarchy—and generally a loss of goals shared by designers and the public. This results in the disappearance of that spirit of cooperation which makes people respect the rights of adjoining people and their buildings, and ultimately the rights of the settlement as a whole. Lack of cooperation leads to the introduction of such controls (going beyond pattern books) as codes, regulations and zoning rules concerning alignments and setbacks, which also existed in some pre-industrial towns. (p. 6)

Perhaps the regulations that our communities seek in the mansionization challenge are part of a search for a "shared hierarchy." As the built form of single-family neighborhoods continues to change and evolve, and planners are asked to address the spectrum of perceived impacts that are associated with the transformation of the established housing stock, there seems to be no magic bullet or panacea, no single appropriate intervention. To compensate for the loss of an accepted or shared hierarchy, there are at least alternative, customizable approaches deserving of consideration. But any future systematic evaluation of the interventions applied may depend upon how each community chooses to define *proportionality* in its evolving neighborhoods.

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Notes

1. Mansionization comes in two primary forms in the suburban United States: new large construction on previously undeveloped lots and large replacement homes or additions on lots previously occupied by homes of more modest size. This article focuses on the latter. As used in this article, the term *mansionization* represents new construction or build

Regulation	Objective	Winnetka	Sunnyvale	Menlo Park	
				Rescinded	Revised
Floor area ratio (FAR) or floor area limit (FAL)	Limits total bulk and size of building	Yes	No	Yes	Yes
FAR as review trigger	Activates special review when FAR exceeds defined limit	No	Yes	Yes	No
FAR exclusions/bonus features	Establishes incentives/added floor area for renovating existing structure, subordinating garage space, or specially placing accessory elements	Yes	N/A	No	Yes
Impervious surface coverage	Limits impervious surface or paved surfaces to a specified % of lot	Yes ^a	No	Yes	Yes
Lot coverage	Limits building footprint coverage	Yes	Yes ^b	Yes ^c	Yes ^d
Second-story ratio	Limits floor area on second story to a specific size or % of first floor area to minimize appearance of bulk/build out in single-story neighborhoods	No	Yes ^e	Yes	Yes
Daylight plane	Reduces building mass and projections; ensures light for adjoining property	No	No	Yes	Yes
Second-story setback	Reduces appearance of bulk; provides articulation; avoids "blank wall" effect	No	Yes	No	No ^f
Other special setback requirements	Limits building projections in front, side, or rear yard to address privacy or scale issues related to build out	Yes ^g	Yes	No	Yes
Special height limits	Reduces excessive floor-to-ceiling height or height resulting from basement projections	Yes ^h	No	Yes	Yes
Design guidelines	Encourages compatibility of new construction in existing neighborhoods	No ⁱ	Yes	Yes	No
Design review requirement	Ensures greater compatibility or consistency with guidelines when designated thresholds are exceeded	No	Yes	Yes	No

Sources: City of Menlo Park (2001a, b, 2002a, b, c, d, 2003a, c, d), City of Sunnyvale (2000a, c, 2002, 2003b), Village of Winnetka (2002, 2003b). Additional information and clarification gathered from interviews with planners and/or public officials from those communities.

- a. Excludes certain porch area from lot and impervious surface coverage requirement in smaller lot districts.
- b. Greater lot coverage allowance is authorized for 1-story homes.
- c. Greater lot coverage flexibility permitted to accommodate additions to 1-story homes.
- d. Under new Menlo Park proposal, increased flexibility to exceed lot coverage.
- e. New design guidelines state that 2nd story should not be more than 35% of total first floor area.
- f. New regulation proposes a limit to the length of walls on second floors before a variation is required.
- g. Allows front yard setback "averaging" in most districts, resulting in no less than the average setbacks of adjoining lots.
- h. To discourage teardowns, existing homes have greater height allowance.
- i. Winnetka does not have design guidelines but does have a standard in its zoning regulations for front-facing garages and building sidewall articulation for buildings more than 40 feet long.

Table 2. Mansionization interventions and their objectives in study communities.

out that results in at least a doubling of the floor area of the former structure.

2. In her book *House as a Mirror of Self: Exploring the Deeper Meaning of Home* (1995), Clare Cooper Marcus focused principally on moveable, interior objects within the home as expressions of self, a province unseen to most planners at work in a regulatory capacity. She nonetheless began her inquiry with an acute awareness of the home as a "vessel of memories" and "refuge from the outside world" (p. 2). The federal government continues to nurture home ownership today, as it did in the post-World War II era, through mortgage and tax policies. While some critics have written persuasively about the adverse gender and spatial consequences of the suburban "home as haven" strategy in the United States (Hayden, 2002, p. 87), consumers in America continue to reinvent the interior space of their suburban homes, despite consequences to neighbors and neighborhood.

3. For many citizens, the regulation of new home construction or alterations to an existing home may be the first and/or the closest intersection they will have with land use regulation of any kind.

4. For purposes of this article, I define mansionization regulations as comprehensive if they address building volume, scale, massing, and siting. Absent overall building volume control (such as floor area ratio), design guidelines and a design review process must be applicable for home sizes that reach an absolute size threshold for regulations to be considered comprehensive.

5. I published "Look Before You Leap," an article on the large home by-law created by the Town of Lincoln, MA, in *Planning* (1999) and was a participant in the APA Audio Conference *Teardowns, Monster Homes, and Appropriate Infill* (December, 2001).

6. An interview with Winnetka's community development director, Mike D'Onofrio (February, 2003), provided the background on the evolution of the village's zoning amendments.

7. GFA allowance is similar to FAR, but allows a multiplier to be applied to initial permissible floor area based on the range into which the lot size falls.

8. Community Development Director D'Onofrio observed that a presentation made to Village Council members revealed that many homes of significant floor area were evaluated positively, and were deemed better fits with their respective neighborhoods than homes of smaller GFA.

9. Information on Sunnyvale's response to mansionization comes in large part from an interview with planning officer Trudy Ryan (February and November–December, 2003).

10. A series of interviews with senior planner Tracy Cramer (February–May, and November–December, 2003) provided information on Menlo Park's efforts in this area.

11. Cupertino, another Silicon Valley community, utilizes a highly detailed, comprehensive approach similar to Menlo Park's original approach, and may also be of interest.

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