

MARINA RUBINA, ARCHITECT

West Windsor Zoning Board of Adjustment
West Windsor Division of Land Use

May 11th, 2023

Re: 29 Berrien Avenue, Princeton NJ 08550
Block 74 Lots 40 and 41
File # 22-05

Dear Members of the Zoning Board of Adjustment,

I am writing this letter having reviewed the documents submitted for a zoning variance regarding the expansion of the single-family home at 29 Berrien Ave. It is my professional opinion that Stacey Fox and Paul Meers, the homeowners, came up with a creative solution to overcome a set of hardships that they are dealing with given the specific circumstances of their property. Their proposal for ground floor garage/workshop with space above is a sustainable and responsible way to add desperately needed space to their home without causing detrimental effects to the surrounding neighborhood. Please see my detailed thoughts below. I will also be available to attend the zoning board meeting and hope to answer any questions that you may have.

Hardships:

Stacy and Paul's property is an undersized lot of approximately .3 acres in an area that is zoned for 1 and 2/3 acre lots. The zoning requirements are based on a much larger lot, and it is thus very difficult for a property that is only 18% of the required lot size to comply with all zoning regulations. Mr. Novak's report from January 16th, 2023, successfully documents that a very large number of properties in the surrounding area are non-conforming to size and floor area ratio. It is also worth noticing from Mr. Novak's areal views that almost no existing homes in this area, including the subject property, can conform with the 20' side yard requirements due to the narrowness of lots in this neighborhood.

Based on 2022 data National Association of Home Builders determined that the median single-family home area is 2,310 square feet and an average (mean) for new single-family homes is 2,512 square feet. Although clearly not all homes need to be that large, these numbers put the modest expansion that the homeowners are proposing in context. Achieving anything even close to these numbers is impossible on this property since the existing 1,788 sq.ft. home is already in violation of the floor area ratio. Going forward, NAHB is projecting home sizes to continue to increase modestly, given a shift in consumer preferences for more space due to an increased in use and roles of homes (for work among other purposes) in the post-Covid-19 environment.

Furthermore, the impact of the national housing crisis (shortage of housing in combination with very high prices and rising interest rates) places a great pressure on families to accommodate multi-generational living with parents and adult/grown children living in the same home with additional

space needed. The current homeowners, ages 56 and 68, are thinking about aging in place in their current home and while also making room for grown children and possibly aging parents in need of care.

An additional unique hardship of the existing property is the extensive damage that was caused by falling trees during a storm in April 2016. After the storm, the homeowners had a misfortune of hiring a contractor who did not complete the work, leaving them to complete the work on their own with many expenses not covered by the insurance. Having to modify or redo this work would be a hardship to the owner who has been through a great emotional and financial stress of this natural disaster.



Homeowner's creative proposal:

The homeowners are proposing to use a “kit of parts system” to build workshop with storage on the ground floor with extra office space or guest room above it. This new structure is proposed on the same footprint as the existing carport in disrepair. It is my professional opinion that this is a sustainable and responsible way to add desperately needed space to their home for 4 reasons. This strategy:

1. Minimizes new impervious coverage and does not disturb existing mature trees or drainage systems.
2. Will have a very low impact on surrounding neighborhood as it is setback from the street and neighbors.
3. Minimizes the number and severity of variances that would be required to expand the existing home and thus is a preferred solution given the current zoning.
4. Will improve upon the look of current carport in disrepair with unsightly open storage.

Below please find the detail analysis of the 4 points along with diagrams. While reviewing the homeowner's proposal I was struck that without realizing it, the homeowners are following an important pattern of development described in the Christopher Alexander, Sara Ishikawa, et al book *A Pattern Language: Towns, Buildings, Construction (Center for Environmental Structure Series.)* This important text published by Oxford University Press in 1977 was intended as a reference for citizens, neighbors, and municipal officials to help them work organically to improve their towns and neighborhoods using good planning and architectural practices. Pattern #104 Site Repair states that “Buildings must always be built on those parts of the land which are in the worst condition, not the best”.

Stacey and Paul love their home and property. They enjoy their patio and views of their beautiful mature trees. One element that is not well utilized and needs help is their carport. Their idea of repairing their carport and adding extra space on top follows the pattern book's advice: "On no account place buildings in the places which are most beautiful. In fact, do the opposite. Consider the site and its buildings as a single living eco-system. Leave those areas that are the most precious, beautiful, comfortable, and healthy as they are, and build new structures in those parts of the site which are least pleasant now."

See full text of this pattern at the end of the letter.

1. Minimizing impervious coverages:

Constructing the addition on top of existing footprint is a great way to minimize the impact on the land and reducing the overall amount of stormwater generated on the property. It also saves existing trees. There are a few places to consider an upper floor:

- If the homeowners were to build on top of their existing home, there is no place for them to do so without violating the side yard or front yard setback.
- The great room has a high ceiling with exposed trusses. The extra height gives this small home its special character an airy feeling, making a smaller home feel larger. This area would not be a good candidate for a second-floor addition. It is also the largest structural span.
- Building a second-floor addition over the newly remodeled kitchen is very risky as the recently post-tree-damage renovated kitchen can be damaged when the new construction is going on and it can be open to the elements.
- Building a second-floor addition over the existing home will inevitably require upgrades/structural changes to the portion of the home that will be below the new second floor and thus increase the scope of the work tremendously.

2. The addition as proposed has very low impact on surrounding neighborhood as it is setback from the street and neighbors.

Although building a second floor over the northern bedroom/kitchen part of the house could be possible from the interior layout perspective, it will have a disproportional impact on the neighbors to the North at #27 Berrien. This side of the existing home has the smallest side yard setback of about 5' and is in close proximity to the neighboring home who would thus be negatively impacted by this side yard violation.

Rebuilding the existing carport as a workshop and creating a second floor above is an excellent solution both structurally and from the neighborhood perspective since it is at least 11' away from the property line and is separated from the neighboring property by a substantial vegetative buffer (tall bamboo).

The new structure will be located approximately 78' from the front property line and thus will have almost negligible impact on the character of the neighborhood that mostly consists of smaller one-story homes.

The fact that the additional living/office space above the garage is not attached to the home does not appear to be in violation of the zoning regulations based on the definition of a dwelling unit as it will be part of *“a group of interrelated rooms or structures, intended or designed for nontransient residential use of one family, separated from other dwelling units by lockable doors, having access to the outside without crossing another dwelling and having living and sleeping facilities, cooking facilities, fixed or portable, and complete sanitary facilities for the exclusive use of the occupants thereof.”*

3. This type of addition minimizes the number and severity of variances that would be required to expand the existing home and thus is a preferred solution given the current zoning.

- A second floor located over the existing carport footprint will have an 11' side yard instead of about 5' if the addition was built over the existing bedrooms.
- No front yard setback variance is required while it would likely be needed if space was added over the existing house.

4. Enclosed storage will improve the look of the current carport in disrepair.

- The current open carport is in disrepair and is used for open storage giving an unsightly appearance.
- A new structure that is a fully enclosed workshop with storage will allow to accommodate some of the same use while presenting a better look. Since the carport is in violation of the side yard, enclosing it will also trigger a variance even though it will improve the look for the neighborhood.

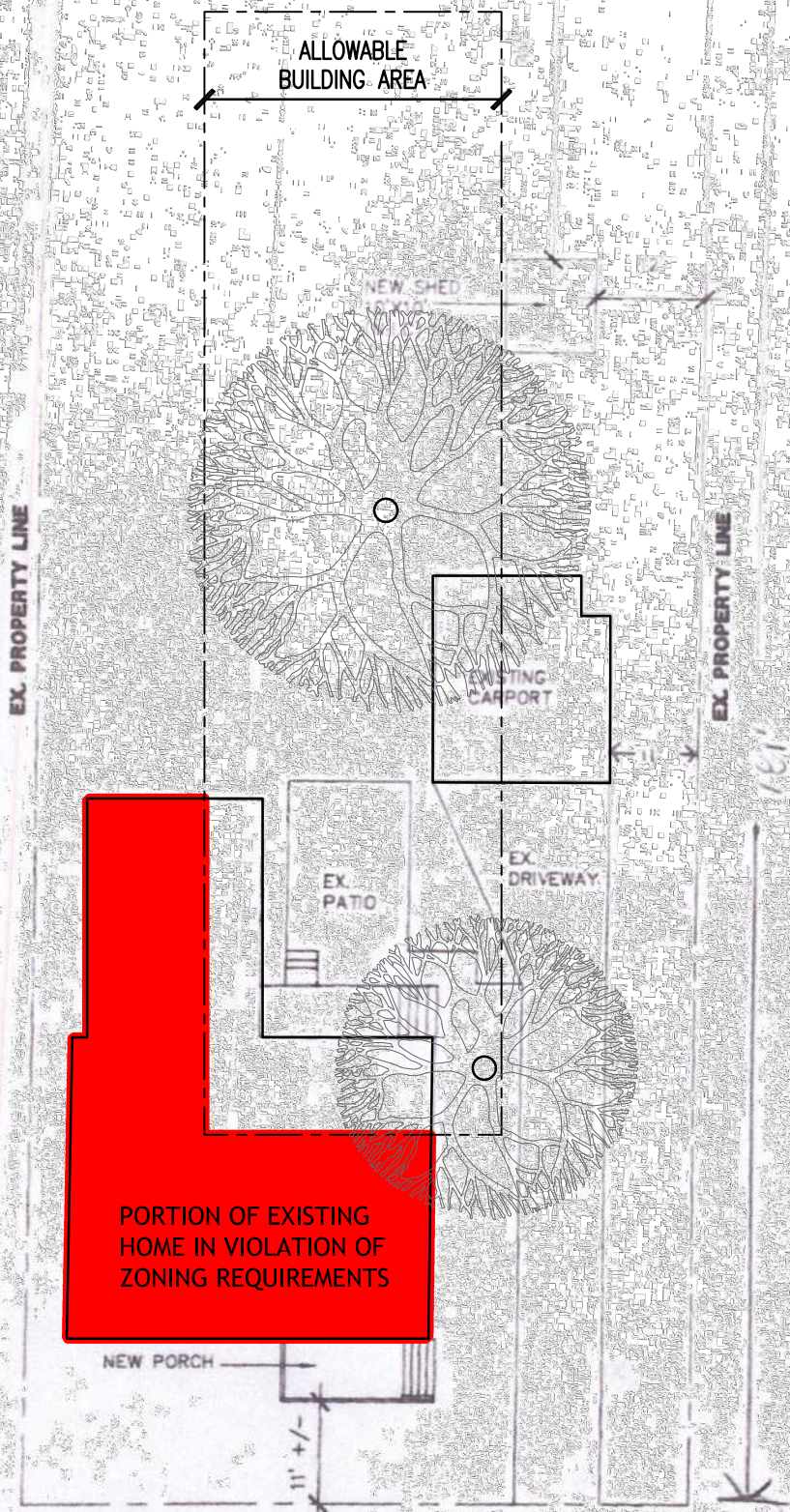
In conclusion, I would like to reiterate that it is my professional opinion that the homeowners of 29 Berrien have a property with a lot of hardships. However, they approached this problem with creativity and sensitivity to the neighborhood and environmental considerations. They are proposing a solution that although requires variances, is modest in scale and will have a low impact on the surroundings. I hope that the board will take this analysis into consideration and will look favorably on this proposal.

Sincerely,



Marina Rubina, Architect

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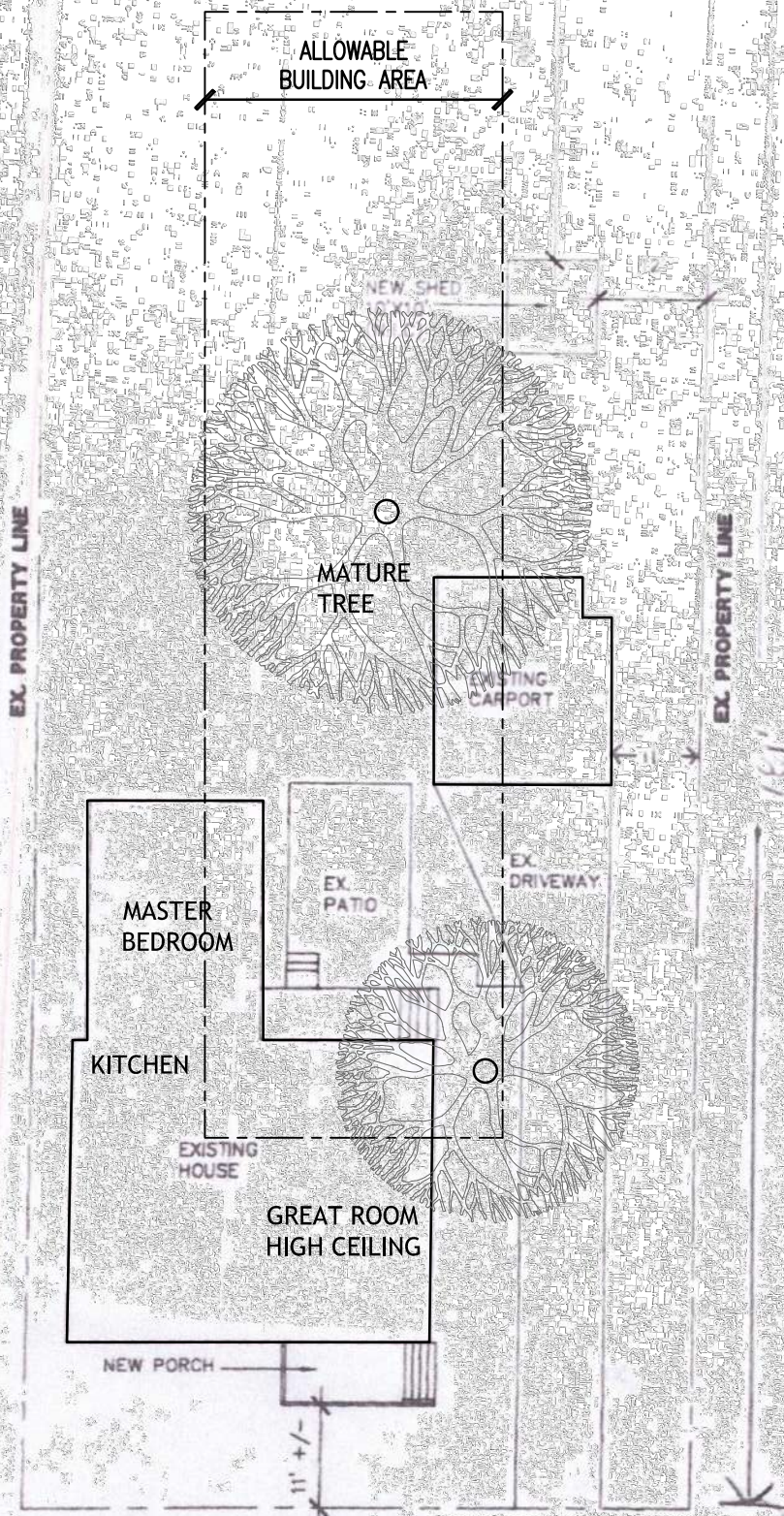
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 1/16" = 1'-0"
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104 Site Repair**



. . . the most general aspects of a building complex are established in **Building Complex (95)**, **Number of Stories (96)**, and **Circulation Realms (98)**. The patterns which follow, and all remaining patterns in the language, concern the design of one single building and its surroundings. This pattern explains the very first action you must take - the process of repairing the site. Since it tends to identify very particular small areas of any site as promising areas of development, it is greatly supported by **Building Complex (95)** which breaks buildings into smaller parts, and therefore makes it possible to tuck them into different corners of the site in the best places.



Buildings must always be built on those parts of the land which are in the worst condition, not the best.

This idea is indeed very simple. But it is the exact opposite of what usually happens; and it takes enormous will power to follow it through.

What usually happens when someone thinks of building on a piece of land? He looks for the best site - where the grass is most beautiful, the trees most healthy, the slope of the land most even, the view most lovely, the soil most fertile - and that is just where he decides to put his house. The same thing happens whether the piece of land is large or small. On a small lot in a town the building goes in the sunniest corner, wherever it is most pleasant. On a hundred acres in the country, the buildings go on the most pleasant hillside.

It is only human nature; and, for a person who lacks a total view of the ecology of the land, it seems the most obvious and sensible thing to do. If you are going to build a building, ". . . build it in the best possible place."

But think now of the three-quarters of the available land which are not quite so nice. Since people always build on the one quarter which is healthiest, the other three-quarters, already less healthy ecologically, become neglected. Gradually, they become less and less healthy. Who is ever going to do anything on that corner of the lot which is dark and dank, where the garbage accumulates, or that part of the land which is a stagnant swamp, or the dry, stony hillside, where no plants are growing?

Not only that. When we build on the best parts of the land, those beauties which are there already - the crocuses that break through the lawn each spring, the sunny pile of stones where lizards sun themselves, the favorite gravel path, which we love walking on - it is always these things which get lost in the shuffle. When the construction starts on the parts of the land which are already healthy, innumerable beauties are wiped out with every act of building.

People always say to themselves, well, of course, we can always start another garden, build another trellis, put in another gravel path, put new crocuses in the new lawn, and the lizards will find some other pile of stones. *But it just is not so.* These simple things take years to grow - it isn't all that easy to create them, just by wanting to. And every time we disturb one of these precious details, it may take twenty years, a lifetime even, before some comparable details grow again from our small daily acts.

If we always build on that part of the land which is most healthy, we can be virtually certain that a great deal of the land will always be less than healthy. If we want the land to be healthy all over - all of it - then we must do the opposite. We must treat every new act of building as an opportunity to mend some rent in the existing cloth; each act of building gives us the chance to make one of the ugliest and least healthy parts of the environment more healthy - as for those parts which are already healthy and beautiful - they of course need no attention. And in fact, we must discipline ourselves most strictly to *leave them alone*, so that our energy actually goes to the places which need it. This is the principle of site repair.

The fact is, that current development hardly ever does well by this pattern: everyone has a story about how some new building or road destroyed a place dear to them. The following news article from the San Francisco Chronicle (February 6, 1973) headlined "Angry Boys Bulldoze House" struck us as the perfect case:

Two 13-year old boys - enraged over a swath of suburban homes being built in the midst of their rabbit-hunting turf - were arrested after they admitted flattening one of the homes with a purloined bulldozer.

According to the Washoe County sheriffs office, the youths started up a bulldozer used at the construction site about four miles north of Reno, then plowed the sturdy vehicle through one of the homes four times late last Friday night.

The ranch-style house - which was nearly completed - was a shambles when workmen arrived yesterday morning. Damage was estimated at \$7800 by the contractor. One of the boys told authorities the home along with several others nearby was

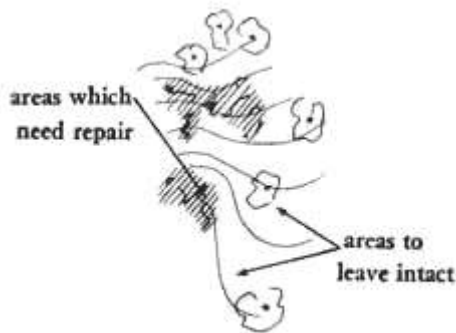
ruining a "favorite rabbit-hunting preserve."

The two boys were booked on charges of felonious destruction.

The idea of site repair is just a beginning. It deals with the problem of how to minimize damage. But the most talented of traditional builders have always been able to use built form, not only to avoid damage, but also to improve the natural landscape. This attitude is so profoundly different from our current view of building, that concepts which will help us decide how to place buildings to improve the landscape don't even exist yet.

Therefore:

On no account place buildings in the places which are most beautiful. In fact, do the opposite. Consider the site and its buildings as a single living eco-system. Leave those areas that are the most precious, beautiful, comfortable, and healthy as they are, and build new structures in those parts of the site which are least pleasant now.



Above all, leave trees intact and build around them with great care - [Tree Places \(171\)](#); keep open spaces open to the south of buildings, for the sun - [South Facing Outdoors \(105\)](#); try, generally, to shape space in such a way that each place becomes positive, in its own right - [Positive Outdoor Space \(106\)](#). Repair slopes if they need it with [Terraced Slope \(169\)](#), and leave the outdoors in its natural state as much as possible - [Garden Growing Wild \(172\)](#). If necessary, push and shove the building into odd corners to preserve the beauty of an old vine, a bush you love, a patch of lovely grass - [Wings of Light \(107\)](#), [Long Thin House \(109\)](#). . . .

Add Pattern to Bookmarks

[A Pattern Language](#) is published by Oxford University Press, Copyright Christopher Alexander, 1977.