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Zoned Out

Surveyors are inquisitive and observant, and we notice activities in our surroundings even when we are far from home. So it is not unusual that on a recent trip to Texas I was intrigued to learn that one of the state's major cities lacks what I always thought of one of the fundamental forces in land development: zoning. This fact came up during a conversation about business and in particular construction, and became first-hand information when, on my way home and having to connect through its airport, I stopped in that particular city to visit a friend.

During my short layover in Houston, I noticed a lot of signs in yards protesting an impending luxury 21-story high-rise apartment (the image in the photograph clearly conveying attitude). I walked through one of the two affected neighborhoods, noting it to be primarily residential and most of that being elegant older homes with large yards and quiet two-lane streets. The many signs seemed an anomaly in this sedate setting. Clearly there were many emotions in play.

Researching the situation further, I read opinions about maybe it being time for zoning, and about others liking mixed uses in their neighborhoods, and about the arguments against this proposal as being a "tower of traffic". Therein lay the primary argument of the opposition to the proposed building: regulation in the form of zoning was not needed, but the impact of all the added traffic on narrow neighborhood streets would be negative to the quality of life, the health, safety, and welfare of pedestrians and particularly to small children walking to the neighborhood school. Thus it appears to be a planning



matter, a completely different animal from zoning issues.

How Houston will eventually resolve this long-delayed proposal (the first mention I found online was 2007) intrigues me, as one who has faced the problems of what happens when zoning is too stringent rather than helpful. We have a lot of lovely older buildings in my township. Some that have served as houses of worship for the past hundred or so years are suffering reduced congregations, forcing decisions to sell due to lack of financial resources. Options for would-be purchasers are: (a) tear the buildings down and use the land; or (b) adapt the existing structures to new use. Zoning applies to both options. And therein lies the problem.

Proposals for a Gothic-revival beauty in Ardmore tried to save the existing building and convert it into several condominium units. The problem is that zoning here is for single-family homes, not multi-unit residential use. Despite neighborhood support, the zoning board sent the developer home without approval, without a variance,



Signs are popping up all over two quiet Houston neighborhoods protesting the increased traffic the proposed highrise is likely to bring to local streets.

and without useful suggestions as to what he could do. Discouraged, the developer applied for a demolition permit while reiterating what a shame it would be to tear down the existing structure just to comply with the ordinances. Suddenly public pressure has changed the tenor of the township's tune. The Board of Commissioners has opened conversation about zoning for conversion of buildings in general and this site in particular (which is not alone in its predicament: six similar applications had been presented in less than a year). Finally there are proposed revisions to the code addressing number of units, setback distances, buffer areas, determination of lot area and impervious area for such conversions.

Tweaks are on-going. The latest public discussion for adaptive reuse acknowledges historic significance of these buildings and maintenance of the physical character of communities. If part of the building is maintained as a sanctuary, can other parts, such as educational wings of the same structure, be converted to other uses

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(a partial conversion)? If the church structure itself is historical but other buildings on site are not, should or could they also be part of a conversion plan? Can new freestanding buildings, such as garages, be added to an already non-conforming site, particularly to try to avoid variances from parking requirements? If there are no existing parking areas on site and no room for garages, would street parking be acceptable as an alternative? What kind of modifications can be made to a historic structure (such as adding exterior stairs for evacuation or replacement of windows for energy conservation) while maintaining the integrity and special status of the original structure? And what if there are multiple eligible conversion sites near each other, each requiring variances: should there be a minimum distance between non-conforming conversions of historic structures? That approach seems to set up a race to the Zoning Board to be first in line. What is the most equitable balance between reuse in established communities and the usual regulatory standards for safety and quality of life? Finally, there is the question of what to do with cemeteries that have been allowed on church properties over the centuries; should the area they occupy be counted in with the primary building lot to reach area requirements?

In another part of my township, the Odd Fellows Hall has not been used for its original purposes for years, and



Desanctified, and still awaiting approval for reuse in Ardmore, PA. Hallways lined with stained glass windows are just one of its beautiful features. Onerous zoning restrictions pushed the developer to apply for demolition, before neighborhood support for his plans changed the Township's mind.


an interesting conversion proposal has met with deafening disapproval by the immediate neighborhood. This Class 1 Historic Building is likely to be torn down, as the neighbors prefer to see it destroyed and several new homes erected in its place rather than accept adaptive reuse that may require some expansion or modification. For them, the zoning ordinances must be upheld at all cost.

A common but seldom addressed problem arising from loss of such community fixtures is evident just outside my township's jurisdiction, where a relatively new church (1920) in the heart of Narberth Borough serves as a meeting place for numerous community groups. The loss of the community food bank collection site, meeting place

for a senior citizens' services group, and the community theater group means a tear in the social fabric of this small, walkable municipality. All are scrambling for alternate homes, not all within the borough's boundaries.

The local realtor handling the sales listing of this church and its slightly older parsonage (1883) carefully includes dimensions for each of the two adjoining church properties (to be sold as one entity), school district, number of bathrooms, bedrooms, and fireplaces for each of the two buildings, along with the existing zoning. He is another supporter of adaptive reuse of the buildings.

Churches are not the only old, historic, and/or large buildings presenting careful balancing acts in the process of their conversion and preservation. For a community first settled by Europeans in the late 1600s and settled even earlier by Native Americans whose artifacts also abound, there are numerous cultural dilemmas facing modern inhabitants.

The point of this discussion is not to convince anyone that zoning is good and not having zoning is bad, or vice versa. Instead it is about the need for meaningful public participation in decision-making processes that will affect those qualities of an area that first drew residents and businesses in the first place. Charrettes and other group-planning and designing efforts should not be treated as something to be checked off a "to do" list on the way to implementing a proposal. Instead, the public's comments, both pro and con, must be accommodated rather than treated as inconvenient to presumed increased tax base or bowing to developers in fear of being sued for standing up for better plans. 



The sign in the yard advertises the Senior Center that meets in the church, just one of the community functions the building serves. The small Narberth-based congregation has joined another one nearby so that this building and its rectory can be sold.