



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u>			
-MAYOR BILLICK - welcomed Mr. Wood back			1
-CITY MANAGER JONES - None			1
-COUNCILMAN ANDERSON - quoted excerpts from newspaper article re the City's cooperation in water conservation			1
<u>APPROVAL OF MINUTES - Regular Meeting, 04/03/85</u>			
			1
<u>RESOLUTIONS</u>			
-Ratify contract w/F.O.P. to 03/31/86		85-4708	1
-Approve appointment of Otto W. Quale to Planning Advisory Board		85-4709	2
-Approve Var. Pet. 85-V3 - fence, 107 Broad Av So		85-4710	2
-Approve Spec. Ex. Pet. 85-S5 -Hotel 285 feet north of Park Shore Dr		85-4711	3
-Approve Spec. Ex. Pet. 85-S4 - permit <u>off-site parking</u> - 1100 6th Av So - Dockside Boardwalk		85-4712	3
-Approve Spec. Ex. Pet. 85-S6 - approve existing <u>off-site parking</u> to be used for commercial developments within 600 feet		85-4713	3
-Approve Spec. Ex. Pet. 85-S3 - permit <u>dancing & staged entertainment</u> at Elephant Walk, 2840 Tamiami Trail No		85-4714	4
-Approve CCL 85-3 - <u>privacy wall</u> , 33 33rd St So, Dr. Lassiter		85-4715	54
-Approve CCL 85-2 - <u>privacy wall</u> - 20 Fifth Av So, Otto Toendury		85-4716	5
-Auth. purchase of property in East Naples for <u>water storage tank</u>		85-4718	6
<u>ORDINANCES - Second Reading</u>			
-Adopt amendment to Code of Ordinances re <u>Parks & Recreation Advisory Board</u> re number of members, term of office & duties	85-4717		5

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



CITY COUNCIL MINUTES
Regular Meeting

Time 9:05 a.m.

Date April 17, 1985

Mayor Billick called the meeting to order and presided as Chairman.

ROLL CALL: Present: Stanley R. Billick ITEM 2
Mayor

R. B. Anderson
William E. Barnett
William F. Bledsoe
Lyle S. Richardson
Wade H. Schroeder
Kenneth A. Wood
Councilmen

Also present:

Franklin C. Jones, City Manager Steve Cramer, Chief Planner
David W. Rynders, City Attorney Ellen P. Weigand, Deputy Clerk
Roger Barry, Community Development Director Chris Holley, Park & Recreation Director
Mark Wiltsie, Assistant to the City Manager Janet Cason, City Clerk
John McCord, City Engineer

See Supplemental Attendance list - Attachment #1

INVOCATION: Councilman Ken Wood ITEM 1

*** *** ***

ANNOUNCEMENTS ITEM 3

Mayor Billick - welcomed Mr. Wood back after his illness. ITEM 3-a

City Manager Jones - None ITEM 3-b

Councilman Anderson - quoted excerpts from an article regarding water conservation that had appeared in the April 16, 1985 edition of the Naples Daily News (Attachment #2). ITEM 3-c

-----CONSENT AGENDA-----

APPROVAL OF MINUTES - Regular Meeting, 04/03/85 ITEM 4

*** *** ***

RESOLUTION 85-4708 ITEM 5

A RESOLUTION RATIFYING AND CONFIRMING THE CONTRACT BETWEEN THE CITY OF NAPLES AND THE FRATERNAL ORDER OF POLICE, COLLIER COUNTY LODGE NO. 38; AND PROVIDING AN EFFECTIVE DATE.

Title not read.

MOTION: To APPROVE the minutes and to ADOPT the resolution as presented.

-----END CONSENT AGENDA-----

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
Anderson					
Barnett					
Bledsoe					
Richardson					
Schroeder					
Wood					
Billick					
			X		
				X	
					CONSENSUS

COUNCIL MEMBERS	MOTION	SECTION	VOTE		ABSENT
			YES	NO	
<p><u>PLANNING ADVISORY BOARD APPOINTMENT</u> <u>ITEM 6</u> (Requested by Mayor Billick)</p> <p><u>Interviews with candidates for appointment to the Planning Advisory Board to fill the expired term of Dennis Lynch.</u> <u>ITEM 6-a</u></p> <p>Mayor Billick reported that Arthur Neumann had withdrawn his request for consideration. Council interviewed Gail Boorman, John Passidomo, Nathaniel Rutter, Otto Quale, William Tracy and William Johnson.</p> <p>*** *** ***</p> <p>—<u>RESOLUTION 85-4709</u> <u>ITEM 6-b</u></p> <p>A RESOLUTION APPOINTING ONE MEMBER TO THE PLANNING ADVISORY BOARD TO FILL THE VACANCY CREATED BY THE EXPIRATION OF THE TERM OF DENNIS LYNCH; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title not read.</p> <p>After a discussion of the candidates, the councilmen entered various nominations; this was followed by a unanimous consensus in favor of the appointment of Otto W. Quale..</p> <p>.. <u>MOTION:</u> To <u>ADOPT</u> the resolution inserting the name of Otto W. Quale as the appointee.</p> <p>*** *** ***</p> <p><u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES PLANNING ADVISORY BOARD:</u> <u>ITEM 7</u></p> <p>—<u>RESOLUTION 85-4710</u> <u>ITEM 7-a</u></p> <p>A RESOLUTION REQUESTING A VARIANCE FROM SECTION 6.8(A) OF THE ZONING ORDINANCE, IN ORDER TO ALLOW A PROPOSED FIVE FOOT HIGH FENCE LOCATED IN A FRONT-YARD SETBACK AREA AT AN EXISTING SINGLE-FAMILY RESIDENCE AT 107 BROAD AVENUE SOUTH; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>Petitioner Stephen Briggs addressed Council and acknowledge that he concurred with the stipulation. Mayor Billick noted that the recommendation from the staff (Attachment #3) mentioned a fence "no more than six feet in height as measured from the natural grade of the property." Community Development Director Barry noted there was little difference between that and a "five foot fence measured from the deck". City Attorney Rynders suggested that the resolution be changed to reflect the language in the staff recommendation. Mr. Schroeder questioned references in the Code of Ordinances to a house having more than one "front yard" and expressed his opinion that this was not realistic. He suggested that the ordinance be cleaned up. Martha Kinkaid, representing the Old Naples Association, expressed the Association's acceptance of the special exception as presented.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as amended to reflect the City staff recommendation.</p> <p>*** *** ***</p>					
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick	X	X	CONSENSUS		
Anderson Barnett Bledsoe Richardson Schroeder Wood Billick (6-1)	X	X	X	X	X

COUNCIL MEMBERS	M O T I O N	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<p><u>COMMUNITY DEVELOPMENT DEPARTMENT/NAPLES</u> <u>ITEM 7</u> <u>PLANNING ADVISORY BOARD (Cont)</u> <u>(Cont)</u></p> <p><u>---RESOLUTION 85-4714</u> <u>ITEM 7-e</u></p> <p>A RESOLUTION GRANTING A SPECIAL EXCEPTION TO PERMIT DANCING AND/OR STAGED ENTERTAINMENT AT THE ELEPHANT WALK RESTUARANT AND LOUNGE LOCATED AT 2840 TAMIAMI TRAIL NORTH; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p>In response to a question from Mayor Billick about limiting this permission to the existing business, Community Development Director Barry noted that such a recommendation had not been included. He further stated there were other remedies in the Code of Ordinances if permission for these activities created a problem such as the provision regarding a nuisance. Mr. Anderson noted his belief that Council could revoke the Special Exception, if necessary.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as presented.</p> <p>*** *** ***</p> <p><u>BREAK:</u> Recessed - 10:07 a.m. Reconvened - 10:30 a.m.</p> <p>*** *** ***</p> <p style="text-align:center">-----ADVERTISED PUBLIC HEARINGS-----</p> <p><u>---RESOLUTION 85-4715</u> <u>ITEM 8</u></p> <p>A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO PERMIT CONSTRUCTION OF A PRIVACY WALL AT 33 33RD AVENUE SOUTH, SUBJECT TO THE STIPULATIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p><u>Public Hearing:</u> Opened - 10:31 a.m. Closed 10:40 a.m.</p> <p>Eugene Schmieder, Bruce Green & Associates, represented the petitioner and noted their exception to conditions b) and d) in the proposed resolution (Attachment #4). He stated that the design submitted for the wall was, in its own nature, a "break-away" wall. City Engineer McCord stated he would accept Mr. Schmieder's structural calculations to that effect if they were signed and sealed (Attachment #5), thereby eliminating the need for condition b). Regarding condition d), the City Engineer affirmed his belief that the addition of the sand fill would soften the vertical seawall and should be required.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as amended by deleting condition b).</p> <p>*** *** ***</p>					
Anderson				X	
Barnett				X	
Bledsoe			X	X	
Richardson	X			X	
Schroeder				X	
Wood				X	
Billick				X	
(7-0)					
Anderson				X	
Barnett			X	X	
Bledsoe				X	
Richardson				X	
Schroeder				X	
Wood	X			X	
Billick				X	
(7-0)					

COUNCIL MEMBERS	MOTION	S E C O N D	VOTE		A B S E N T
			Y E S	N O	
<u>ADVERTISED PUBLIC HEARINGS (Cont)</u>					
<p>---<u>RESOLUTION 85-4716</u> <u>ITEM 9</u></p> <p>A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO PERMIT CONSTRUCTION OF A WOOD AND MASONRY PRIVACY WALL AT 20 FIFTH AVENUE SOUTH, SUBJECT TO THE STIPULATIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.</p> <p>Title read by City Attorney Rynders.</p> <p><u>Public Hearing:</u> Opened - 10:42 a.m. Closed - 10:52 a.m.</p> <p><u>Mr. Anderson</u> moved adoption of the resolution as presented, seconded by <u>Mr. Barnett</u>. <u>Mr. O. Grady Minor</u>, representing the petitioner, noted their acceptance of condition a) in the proposed resolution (Attachment #6), but asked that condition b) be amended to allow remnants of the existing timber bulkhead wall to remain for a long enough period to insure that plantings in that area were stable. He asked <u>Jerry Walkup</u> of Smallwood Landscaping to distribute a sketch of the landscaping plan illustrating their intentions. He further mentioned adding some fill for the plantings; however, <u>City Engineer McCord</u> noted that a request to add fill had not been included in the material for this public hearing. <u>Mayor Billick</u> stated that this request should go through normal channels and that the petitioner will have to come back with that request. After further discussion, <u>Mr. Anderson</u> withdrew his motion and <u>Mr. Barnett</u> withdrew his second. <u>City Attorney Rynders</u> suggested amending condition b) to read, "The remnants of the timber bulkhead wall front the Gulf side of the petitioner's property is to be removed in its entirety by October 1, 1986." <u>Mr. Anderson</u>, however, stated his opinion that the timbers should be removed now.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the resolution as amended above.</p> <p>*** *** ***</p>					
Anderson					X
Barnett			X		
Bledsoe			X		
Richardson		X	X		
Schroeder	X		X		
Wood			X		
Billick (6-1)			X		
<p>---<u>ORDINANCE 85-4717</u> <u>ITEM 10</u></p> <p>AN ORDINANCE AMENDING CHAPTER 16 OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES PERTAINING TO THE COMPOSITION, TERM AND REMOVAL OF MEMBERS OF THE PARKS AND RECREATION ADVISORY BOARD; PROVIDING DUTIES OF THE PARKS AND RECREATION ADVISORY BOARD; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO REDUCE THE NUMBER OF MEMBERS FROM SEVEN (7) TO FIVE (5); TO LIMIT THE TERMS OF OFFICE OF MEMBERS OF THE PARKS AND RECREATION ADVISORY BOARD TO TWO (2) CONSECUTIVE THREE (3)-YEAR TERMS; TO PROVIDE A DIFFERENT PROCEDURE FOR REMOVAL FROM OFFICE; AND TO REDEFINE THE DUTIES OF THE BOARD.</p> <p>Title read by City Attorney Rynders.</p> <p><u>Public Hearing:</u> Opened - 10:55 a.m. Closed 10:57 No one present to speak for or against.</p> <p><u>MOTION:</u> To <u>ADOPT</u> the ordinance as presented on Second Reading.</p> <p>-----END ADVERTISED PUBLIC HEARINGS-----</p>					
Anderson					X
Barnett					X
Bledsoe					X
Richardson					X
Schroeder	X				X
Wood			X		X
Billick (7-0)			X		X

COUNCIL MEMBERS

M O T I O N	S E C O N D	VOTE		A B S E N T
		Y E S	N O	

RESOLUTION 85-4718

ITEM 11

A RESOLUTION AUTHORIZING THE CITY MANAGER TO PURCHASE APPROXIMATELY 1.149 ACRES FOR THE PURPOSE OF BUILDING A WATER STORAGE TANK; AND PROVIDING AN EFFECTIVE DATE.

Title read by City Attorney Rynders.

City Attorney Rynders reviewed the information in his memo dated April 11, 1985 (Attachment #7). Garry Hamilton, representing the First Assembly of God church, spoke in opposition to the City constructing another water storage tank adjacent to the church property. The City Attorney noted that present zoning would permit up to a seven (7) unit apartment building. City Manager Jones explained the need for another storage tank and the fact that constructing one on this property would be less expensive because the tank would be adjacent to property with two existing storage tanks and would not require the construction of additional pumping and piping facilities. The City Attorney indicated that he did not expect difficulty in getting the change in zoning for this property which is located in the county. The City Manager pointed out that the property could be easily sold, if there was a problem in rezoning. He further stated that landscaping could be incorporated to screen the new tank and the existing tanks from adjacent properties. Mr. Schroeder and Mr. Anderson were in concurrence with adding this landscape screen.

Anderson
Barnett
Bledsoe
Richardson
Schroeder
Wood
Billick
(7-0)

		X
X		X
X		X
		X
		X
		X
		X

MOTION: To ADOPT the resolution as presented.

*** *** ***

CORRESPONDENCE & COMMUNICATIONS - None

*** *** ***

ADJOURN: 11:11 a.m.

Janet Cason
Janet Cason
City Clerk

Stanley R. Billick
Stanley R. Billick, Mayor

Ellen P. Weigand
Ellen P. Weigand
Deputy Clerk

These minutes of the Naples City Council approved 05/01/85

Supplemental Attendance list - Regular Meeting, April 17, 1985

Tish Gray
Garry Hamilton
Otto Quale
Dean Maddock
Jack Amaral
Charles Andrews
Robert Galloway
Gail Boorman

Dr. William Johnson
John Passidomo
Lodge McKee
Robert Russell
Nathaniel Rutter
Martha Kinkaid
William Tracy
Gina Hahn

Stephen Briggs
Philip J. McCabe
Odessa Murphy
Roger Watson
Ronald Berkovitz
Eugene Schmieder
O. Grady Minor
Jerry Walkup

News Media
Ed Solberg, TV-9
Scott Beyerl, WBBH TV-2

Tom Morgan, Naples Sun
Bob Goldberger, WBBH TV-20
Chuck Curry, Naples Daily News
Mary Armbruster, WEVU TV-26

Other interested citizens and visitors.

Serving Naples, Marco, Everglades, Immokalee, Golden Gate, Bonita Springs

NAPLES, FLA., TUESDAY AFTERNOON, APRIL 16, 1985

Naples Praised for Conserving Water

By CHUCK CURRY
Staff Writer

Naples has been a "success story" in conservation during the current drought but there's still much concern about water for Marco Island, a South Florida Water Management District official said today.

Southwest Florida's rainy season is supposed to begin by the third week in May and there's little hope of lifting water restrictions now in force before then, Dr. Pat Gleason said today. His comments came in spite of Monday's heavy rains, which dumped more than 3 inches on Marco.

GLEASON, DIRECTOR of water use for the district, spoke this morning on the drought and water issues when he addressed the

monthly meeting of The Conservancy's board of directors.

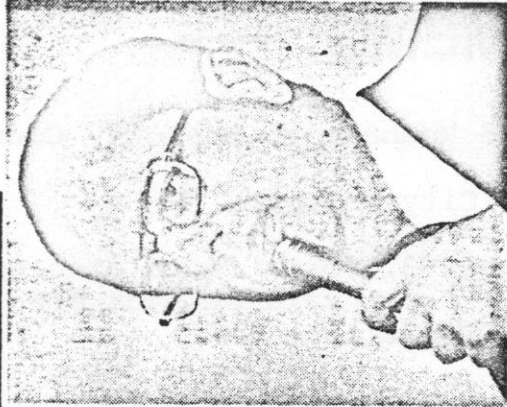
"The success story is the tremendous cooperation from the city of Naples and primarily the people of Naples," Gleason said.

"Although we seem to be improving, we're not going back to normal conditions yet," he cautioned.

Naples police have issued 110 citations for violation of water restrictions since April 2 and 57 have come in the last week.

LT. ED MILLER said it's his opinion that people are forgetting about the restrictions. Police officials have been urging more media reminders to the public.

In conservation areas, a cut in water usage of about 25 percent — from the time before a drought was



DR. PAT GLEASON
...water use director.

declared on March 14 until now — has been the key, Gleason explained.

Gleason called the reduction "very significant" and said the effort "shows a real community (Please see WATER, Page 2A)

Water

spirit."

Also, the city of Naples has cut down on its demand from coastal area wells, drawing no water from them in the past three days, pumping instead from wells in eastern Golden Gate.

THE REDUCED demand from the wells, drawing from the Coastal Ridge Aquifer, is helping to prevent saltwater intrusion.

Gate fields.

"I think we're looking at a real success story here. We have seen a problem in the Coastal Ridge Aquifer (turned into) a reversal of this trend," Gleason said.

As for Marco, Gleason said the island gets its water from a rockpit near the coast. The level of the rockpit's water is now well below sea level, meaning saltwater intrus-

tion is a danger.

Marco residents have done their share to cut consumption, too, but the island doesn't have a reserve or eastern well field to take up the slack in case of a loss of usable water.

Gleason said it is his suggestion that Marco Island be hooked on line with Collier County, thereby giving the necessary backup.

Water

2A NAPLES DAILY NEWS

Tues., Apr. 16, 1985

From Page 1A



City of Naples

--- MEMO ---

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Variance Petition 85-V3, for a fence exceeding three feet in height in a front yard setback area.
Stephen F. Briggs, Petitioner

DATE: April 8, 1985

Background:

The petitioner wishes to enclose a patio area with a fence that exceeds three feet in height in a front yard setback area.

PAB Recommendation:

The PAB held a public hearing on this petition at their meeting on April 4, 1985, concluded that the criteria for a variance had been met and recommended approval, subject to the following conditions:

1. The fence shall be no more than six feet in height as measured from the natural grade of the property.
2. The fence shall extend no closer to the west property line than the already existing western-most portion of the house. The placement at this location will provide approximately two feet between the property line and the fence, which can be planted with the hedge proposed by the petitioner.

Respectfully submitted,

Franklin C. Jones

Franklin C. Jones
City Manager

Prepared by:

Roger J. Barry
Roger J. Barry
Community Development Director

RESOLUTION NO. _____

A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO PERMIT CONSTRUCTION OF A PRIVACY WALL AT 33 33RD AVENUE SOUTH, SUBJECT TO THE STIPULATIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following a public hearing and taking into consideration the recommendation of the City staff and comments of interested parties, the City Council has determined that a variance from the City's most restrictive coastal construction setback line should be granted, subject to the stipulations contained herein, to permit construction of a privacy wall at 33 33rd Avenue South.

NOW, THEREFORE, BE IT RESOLVED BY THE CCUNCIL OF THE CITY OF NAPLES, FLORIDA:

SECTION 1. That a variance is hereby granted from the City's most restrictive coastal construction setback line to permit construction of a privacy wall at 33 33rd Avenue South, subject to the following conditions:

- a) No encroachment into the public street right-of-way is to occur.
- b) The portion of the masonry wall gulfward of the most restrictive City Setback Line is to be redesigned without reliance upon columns or pilasters such that it will be of "break away" nature or timber stockade/lattice type fence used in lieu thereof.
- c) If the wall remains masonry as proposed, the street side is to be stuccoed as is specified for private property side.
- d) Existing exposed portions of concrete, vertical face, bulkhead wall are to receive clean, beach quality sand fill along the western boundary of property. After sand fill has been trucked into the site, it should be placed at a slope of 1 to 10 out from the bulkhead wall and vegetated fully with salt tolerant plantings.

SECTION 2. That local approval is hereby granted for the issuance of a permit by the state for construction gulfward of the state's coastal construction control line.

SECTION 3. This resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS _____ DAY OF APRIL, 1985.

Stanley R. Billick Mayor

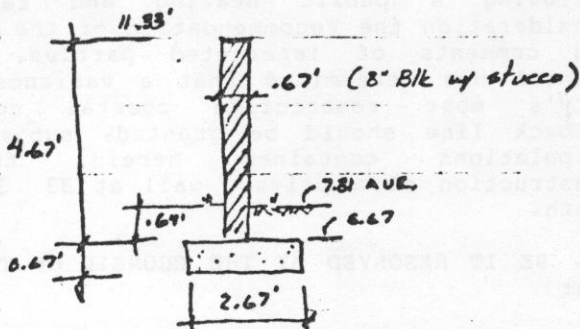
ATTEST:

Janet Cason
City Clerk

APPROVED AS TO FORM AND LEGALITY BY _____

David W. Rynders,
City Attorney

Wall analysis for stability Assuming Rigid Assembly.

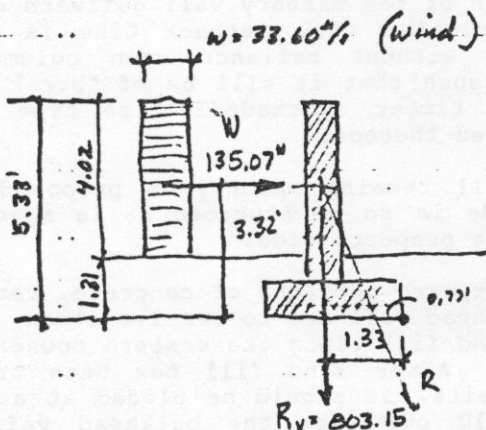


wt/LF
 stem incl. stucco $4.67' \times 33 \text{ pcf} = 327.61 \text{ lb}$
 sty. $2.67' \times 0.67' \times 150 \text{ pcf} = 268.34$
 earth above sty $2 \times 11.0' \times 64 \times 115 \text{ pcf} = 147.20$
 Tot. 803.15 lb

Typ. Wall Section - Seaward of Setback line (12" strip)
 WT = 803.15 #/LF.

Check stability under wind load

S.S.B.C. 110 mph \checkmark shape factor
 $= 24 \text{ psf} \times 1.4 = 33.60 \text{ #/ft}^2$



MOT (overturning)

MR (Resistance)

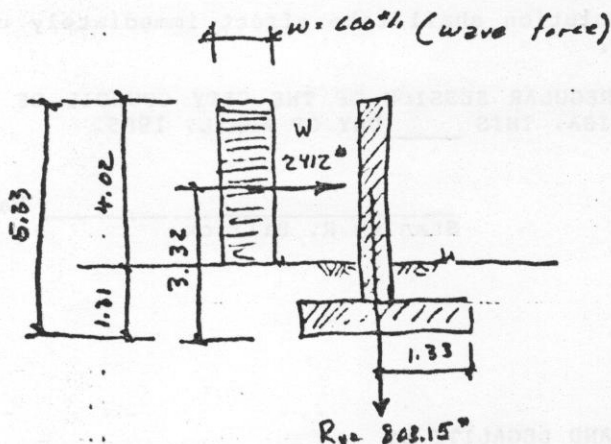
$135.07 \times 3.32 = 448.43 \text{ lb-ft} < 803.15 \times 1.33 = 1068.19 \text{ lb-ft}$

F.S. against overturning = $\frac{1068.19}{448.43} = 2.38$

\therefore wall is stable under normal wind design
 earth pressure at toe = 695 psf o.k.

Check stability under storm wave action

Lee County C.C.
 Ord = 600 psf



MOT

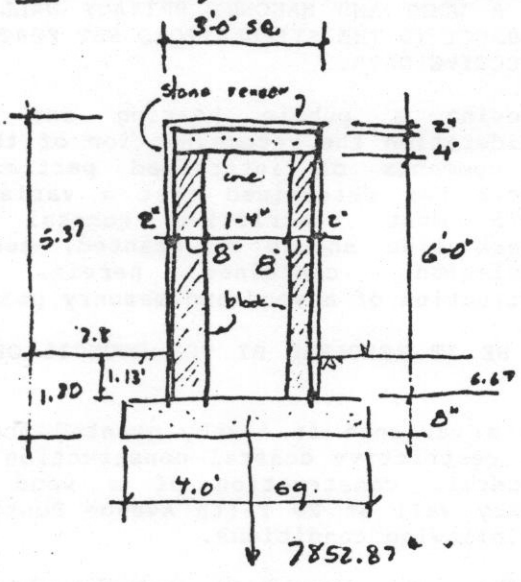
MR

$2412 \times 3.32 = 8007.84 \text{ lb-ft} > 1068.19 \text{ lb-ft}$
 $45 \text{ #/ft}^2 \times 1.31 = 561.54$

\therefore Wall is not stable under wave forces and will overturn

Eugene W. Schneider
 3.26.85

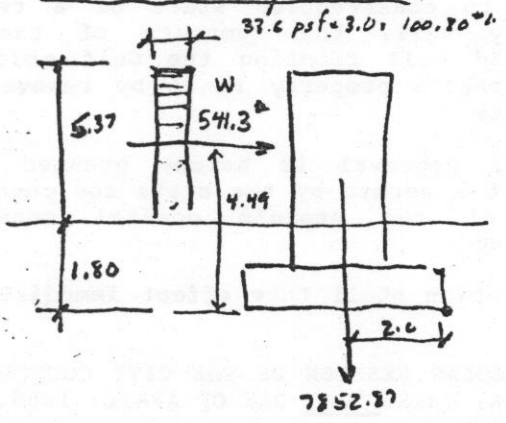
Pier analysis for stability



total pier wt.

conc. cap. 2.67 x 2.67 x .33 x 150 =	352.88 [#]
block walls 2.67	
2.67	
1.33	
1.33	
8.00 x 6 x .67 pft	3216.00 [#]
stone veneer	
2.67 x 4 x 6 =	64.08 [#]
shoe cap 3 x 3	9.00
73.08 [#] @ 27 pft =	1766.34 [#]
Footing	
4.0 x 4.0 x .67 x 150 =	1608.0
	<hr/>
	6943.22 [#]
Earth above ftg proj.	
4 x 3.5 x .5 x 1.8 x 115 =	909.65
	<hr/>
Tot. wt.	7852.87 [#]

check stability - Wind



MOT (Overturning)

MR (Resisting)

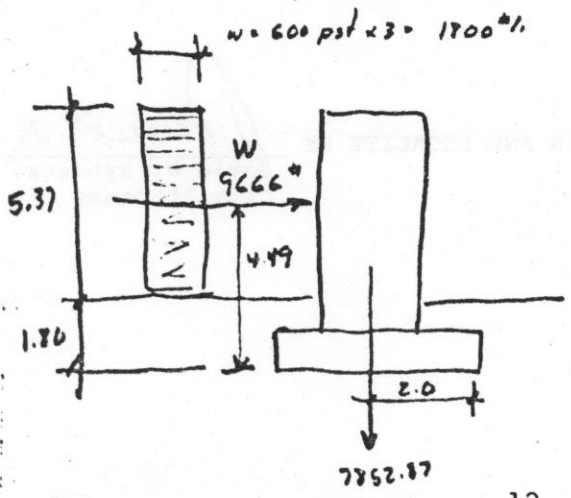
$541.3 \times 4.49 = 2430.44 \text{ } \leq \text{ } 7852.87 \times 2.0 = 15,705.74$

$F_s = \frac{15705.74}{2430.44}, 6.46 \text{ against O.T.}$

∴ Pier is stable under normal wind

Eugene W. Schmiedel
3/26/85

check stability - Storm Wave Action



MOT

MR

$9666 \times 4.49 = 43,400.34 \text{ } > \text{ } 15,705.74$

∴ Pier will overturn due to Wave Force

RESOLUTION NO. _____

A RESOLUTION GRANTING A VARIANCE FROM THE CITY'S MOST RESTRICTIVE COASTAL CONSTRUCTION SETBACK LINE TO PERMIT CONSTRUCTION OF A WOOD AND MASONRY PRIVACY WALL AT 20 FIFTH AVENUE SOUTH, SUBJECT TO THE STIPULATIONS SET FORTH HEREIN; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, following a public hearing and taking into consideration the recommendation of the City staff and comments of interested parties, the City Council has determined that a variance from the City's most restrictive coastal construction setback line should be granted, subject to the stipulations contained herein, to permit construction of a wood and masonry privacy wall.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF NAPLES, FLORIDA:

SECTION 1. That a variance is hereby granted from the City's most restrictive coastal construction setback line to permit construction of a wood and masonry privacy wall at 20 Fifth Avenue South, subject to the following conditions.

- a) The wall should be redesigned such that no structural columns or pilasters are present Gulfward of the City's Setback Line. This area of the wall should be of break away design above existing ground elevations.
- b) Prior to construction start of a redesigned privacy wall, the remnants of the timber bulkhead wall fronting the Gulf side of the petitioner's property is to be removed in its entirety.

SECTION 2. That local approval is hereby granted for the issuance of a permit by the state for construction gulfward of the state's coastal construction control line.

SECTION 3. This resolution shall take effect immediately upon adoption.

PASSED IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA, THIS _____ DAY OF APRIL, 1985.

Stanley R. Billick Mayor

ATTEST:

Janet Cason
City Clerk

APPROVED AS TO FORM AND LEGALITY BY


David W. Rynders,
City Attorney



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL
FROM: CITY ATTORNEY
SUBJECT: PURCHASE OF PROPERTY IN EAST NAPLES FOR THE PURPOSE
 OF BUILDING A WATER STORAGE TANK ADJACENT TO EXIST-
 ING WATER STORAGE TANK.
PURPOSE: TO AUTHORIZE THE CITY OF NAPLES TO PURCHASE
 APPROXIMATELY 1.149 ACRES IN EAST NAPLES
 FOR THE PURPOSE OF BUILDING A WATER STORAGE
 TANK.
LOCATION: SOUTH 253.75 FEET OF THE NORTH 1,053.25
 FEET OF LOT 36, NAPLES GROVE AND TRUCK
 COMPANY'S LITTLE FARMS NUMBER 2, COLLIER
 COUNTY, FLORIDA (CORNER OF SHADOWLAWN
 DRIVE AND LOIS STREET).
OWNER: WILLIAM R. JONES
DATE: April 11, 1985

The Water Department has indicated a need for the purchase of approximately 1.149 acres in East Naples next to the existing Water Pumping Station on Lois Street.

After lengthy negotiations with the owner of the property, the owner has agreed to sell the property to the City for \$57,500. The City's appraisal for this property was \$50,000 and the property owner's appraisal was \$65,000. The cost of condemnation proceedings would probably run between \$5,000 and \$10,000, if the case went to trial. Consequently, a settlement of \$57,500 is within a reasonable range for the purchase of this property.

The City would take title in fee simple, free and clear of all liens and encumbrances.

It is recommended that the City Council adopt the attached resolution authorizing the purchase of the property for \$57,500 together with the purchase of title insurance for a cost of \$250, on the terms and conditions set forth herein.

DWR/plr
Attachment