



City of Naples

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-	Ord. No.	Res. No.	Page
<u>ANNOUNCEMENTS</u> -MAYOR PUTZELL - expressed the City's sincere regret that Deputy Clerk Ellen P. Weigand and her husband, Carl Weigand, were leaving City employment.			1
<u>RESOLUTIONS</u> -Adopt resolution appointing Rogers, Wood, Hill, Starman & Gustason to conduct the City's audit for fiscal year end September 30, 1986. -Adopt reappointment of R.L. Schmeckpepper to a four-year term on the City of Naples Board of Appeals. -Adopt reappointment of George C. Mohlke, Jr. to a three-year term on the Carver Finance Committee.		86-5026 86-5027 86-5027 28	1 1 2
<u>ORDINANCES - First Reading</u> -Approve amendment to zoning re; Appendix A.	86-		3
<u>ORDINANCES - Second Reading</u> -Adopt amendment restricting the height of building construction in zoning districts "C2", "C2A", "C3", "C4", "I", and "HC".	86-5029		2
<u>ANNOUNCEMENTS (cont.)</u> -MAYOR PUTZELL - announced that President Reagan wants all churches, schools and other organizations to ring bells and citizens to turn on porch lights when the torch is relit on July 3, 1986, at 10:53 p.m.			2



Mayor Putzell called the meeting to order and presided as chairman:

ROLL CALL: Present: Edwin J. Putzell, Jr.
Mayor
William E. Barnett
William F. Bledsoe
Alden R. Crawford, Jr.
John T. Graver
Lyle S. Richardson
Councilmen

Absent: Kim Anderson-McDonald
Councilman

Also Present:

Franklin C. Jones, City Manager David W. Rynders, City Attorney
Norris C. Ijams, Fire Chief Steven R. Ball, Chief Community Planner
Roger J. Barry, Community Development Director
Mark W. Wiltsie, Assistant City Manager Gerald L. Gronvold, City Engineer
Janet Cason, City Clerk Ellen P. Weigand, Deputy Clerk

See Supplemental Attendance list - Attachment #1

ANNOUNCEMENTS

Mayor Putzell -

- Expressed the City's sincere regret that Deputy Clerk Pat Weigand and her husband, Carl Weigand, Zoning Enforcement Officer, were leaving city employment.

*** *** ***

---RESOLUTION 86-5026

ITEM 1

A RESOLUTION DESIGNATING ROGERS, WOOD, HILL, STARMAN & GUSTASON AS THE CERTIFIED PUBLIC ACCOUNTANT TO CONDUCT AN AUDIT OF THE CITY'S FINANCIAL TRANSACTIONS FOR THE FISCAL YEAR ENDING SEPTEMBER 30, 1986; AND PROVIDING AN EFFECTIVE DATE.

Title read by Mayor Putzell.

City Manager Jones apprised the Council of the Charter requirements regarding this type of designation and recommended using this firm again, Attachment #2. In response to Mayor Putzell, the City Manager reported that the fee had increased \$500. Ron Wood from the CPA firm was in attendance to answer questions. Mr. Crawford asked if the City had any other offers or bids for this service. City Attorney Rynders explained that there was a State Statute setting forth a negotiation procedure for selecting firms for work of this nature.

COUNCIL MEMBERS	M	S	VOTE		A
			Y	N	
Anderson-McDonald					X
Barnett				X	
Bledsoe				X	
Crawford				X	
Graver			X	X	
Richardson	X			X	
Putzell (6-0)				X	

MOTION: To ADOPT the resolution as presented.

*** *** ***

---RESOLUTION 86-5027

ITEM 2

A RESOLUTION REAPPOINTING R. L. SCHMECKPEPPER TO A FOUR-YEAR TERM ON THE CITY OF NAPLES BOARD OF APPEALS; AND PROVIDING AN EFFECTIVE DATE.

Title read by Mayor Putzell.

MOTION: To ADOPT the resolution as presented.

*** *** -1- ***

Anderson-McDonald					X
Barnett	X			X	
Bledsoe				X	
Crawford				X	
Graver				X	
Richardson	X			X	
Putzell (6-0)				X	

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COUNCIL MEMBERS	MOTION	SECTION			ABSENT
		Y	N	O	

---RESOLUTION 86-5027 28

ITEM 3

A RESOLUTION REAPPOINTING GEORGE C. MOHLKE, JR., TO A THREE-YEAR TERM ON THE CARVER FINANCE COMMITTEE; AND PROVIDING AN EFFECTIVE DATE.

MOTION: To ADOPT resolution as presented.

*** *** ***

Mayor Putzell announced that President Reagan has asked, on behalf of the Statute of Liberty's 100th birthday, that at 10:53 p.m., on July 3, 1986, when the torch is relit, all churches, schools and other organizations ring bells and citizens turn on porch lights. He asked that the citizens of Naples join in this celebration.

*** *** ***

---ORDINANCE 86-5029

ITEM 4

AN ORDINANCE AMENDING SECTIONS 5.12H, 5.13H, 5.14H, 5.15H, 5.16G, 5.9H, AND 14-5 OF APPENDIX A - ZONING OF THE CODE OF ORDINANCES OF THE CITY OF NAPLES LIMITING THE BUILDING CONSTRUCTION HEIGHTS IN ZONING DISTRICTS "C2", "C2A", "C3", "C4", "I", and "HC"; AND PROVIDING AN EFFECTIVE DATE. PURPOSE: TO RESTRICT THE HEIGHT OF BUILDING CONSTRUCTION IN ZONING DISTRICTS "C2", "C2A", "C3", "C4", "I", and "HC".

Title read by City Attorney Rynders.

Public Hearing: Opened 7:11 p.m. Closed 8:00 p.m.

Mayor Putzell asked that the record reflect that this was at least the sixth time the public had an opportunity to provide input. He further asked that speakers only address new material or indicate their approval or disapproval of prior comments. Community Development Director Barry explained the sliding scale to be used for structures exceeding 35 feet as referred to in the proposed ordinance (Attachment #3). He suggested that Council consider the amendment included in City Manager Jones' memo dated June 24, 1986 (Attachment #4) which made allowances for a slight increase in the 35 foot height limitation. Mr. Richardson made a motion to amend the ordinance as per the second paragraph in the City Manager's memo, dated June 24, 1986 and seconded by Mr. Barnett. Mr. Barry also noted a letter from Philip C. Morse, Jr., owner of Boat Haven Naples, Inc., objecting to the building heights ordinance, which letter is made a part of these minutes as Attachment #5, and his memo outlining response to Mr. Morse as Attachment #6. Citizen Al French spoke in favor of the height ordinance. He wanted Council to take under consideration a clause addressing districts other than the highway districts. City Manager Jones said that the ordinance could be amended at the time it is needed. Citizen Robert Foraythe, architect, was in support of the ordinance. Attorney Richard Grant, represented Philip Morse, opposed the ordinance; he asked Council to consider the differentiation and heights as they applied to boat storage. Mr. Morse then presented drawings, Attachment #7, which showed the height requirements for the boat storage. Citizen James Finn opposed the ordinance, Attachment #8, but asked to exclude certain waterfront buildings. Citizen Charlie Andrews spoke in favor of the proposal. Mr. Graver suggested amending the motion as follows:

Anderson-McDonald
Barnett
Bledsoe
Crawford
Graver
Richardson
Putzell
(6-0)

X
X
X
X
X
X
X

X

SUPPLEMENTAL ATTENDANCE LIST

ATTACHMENT #1

Phil Morse
 Richard Grant
 Mr. & Mrs. Ralph Frangel
 Larry Biela
 Charles Reinbolt
 Tirk Gray
 Robert Forsythe
 Charles Andrews
 Helen Radke
 Chuck Mohlke
 Gary Turner
 Alfred French
 Sherry Rynders
 Jim Weigel
 Glen Wiel
 Mr. & Mrs. Gaynor

Mr. & Mrs. James Finn
 Scott Foster
 David Nemore
 Chris Monauil
 Ron Wood
 Bernie Richardson
 Ed McMahon
 Theresa Richards
 Bob Schroer
 Nick Turner
 Mrs. Ned Putzell
 David Weigel
 George Vega
 Herbie Howard
 Jim McGrath

NEWS MEDIA

Chuck Curry, Naples Daily News
 Ed Salberg, TV 9
 Rachel Kearns, Naples Star
 Bill Upham, Naples Times

Chris Wallace, TV9
 Kathy Hopper, News Press
 Lori Rozpa, Miami Herald
 Jerry Barlow, WEVU

Other interested citizens and visitors.

253



City of Naples

--- MEMO ---

TO: HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: CITY MANAGER FRANKLIN C. JONES

SUBJECT: DESIGNATION OF AUDITOR
FOR FISCAL YEAR 1985-86

DATE: JUNE 24, 1986

Each year the Council designates a certified public accountant to conduct an independent audit of the accounts and financial transactions of the city government. The Charter, in Section 15-10, requires that the Council name an auditor 60 days prior to the end of the fiscal year.

We have received an engagement letter from Rogers, Wood, Hill, Starman & Gustason, the firm that has conducted the City's audit for a number of years. We have always been extremely satisfied with the quality of the audit.

The firm has proposed a fee of \$20,900 which is an increase of \$100 over last year.

I recommend that the Council appoint Rogers, Wood, Hill, Starman & Gustason for the 1985-86 audit based on the terms contained in the engagement letter.

Respectfully submitted,

Franklin C. Jones
City Manager

FCJ/tan
enc.

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ROGERS, WOOD, HILL, STARMAN & GUSTASON

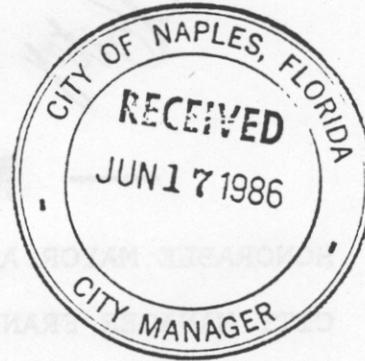
PROFESSIONAL ASSOCIATION
CERTIFIED PUBLIC ACCOUNTANTS

WALTER R. ROGERS, C.P.A.
RONALD A. WOOD, C.P.A.
JOHN R. HILL, C.P.A.
SHELDON W. STARMAN, C.P.A.
RONALD W. GUSTASON, C.P.A.

OFFICES:
NAPLES 262-1040
MARCO ISLAND 394-7502
FT. MYERS 482-4800

June 16, 1986

Mr. Frank Jones
City Manager
City of Naples
Naples, Florida



Dear Frank:

We are pleased to confirm our understanding of the services we are to provide for the City of Naples, Florida, for the year ended September 30, 1986.

We will audit the balance sheet of the City of Naples, as of September 30, 1986, and the related statements of revenues, expenditures, changes in fund balances, and changes in financial position for the year then ended.

Our audit will be made in accordance with generally accepted auditing standards and will include tests of your accounting records and other procedures we consider necessary to enable us to express an unqualified opinion that your financial statements are fairly presented in conformity with generally accepted accounting principles consistently applied. If our opinion is other than unqualified, we will fully discuss the reasons with you in advance.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected customers, creditors, and banks. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our examination, we will also request certain written representation from you about the financial statements and related matters.

An audit is based primarily on the selective testing of accounting records and related data; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. Because we will not perform a detailed examination of all transactions, there is a risk that material errors, irregularities, or illegal acts, including fraud or defalcations, may exist and not be detected by us. We will advise you, however, of any matters of that nature that come to our attention.

We understand that you will provide us with the basic information required for our audit and that you are responsible for the accuracy and completeness of that information. We will advise you about appropriate accounting principles and their application and will assist in the preparation of your financial statements, but the responsibility for the financial statements remains with you. This responsibility includes the maintenance of adequate records and related controls, the selection and application of accounting principles, and the safeguarding of assets.

We understand that your employees will prepare all cash, accounts receivable, accounts payable, and other confirmations we request and will locate any invoices we select for testing.

Mr. Frank Jones
City Manager
Page Two
June 16, 1986

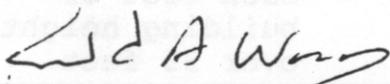
Our examination is not specifically designed and cannot be relied on to disclose material weaknesses in accounting control. However, during the audit, if we become aware of such material weaknesses in internal accounting control or ways that we believe management practices can be improved, we will communicate them to you in a separate letter.

We expect to begin our audit on approximately August 15, 1986 and issue our report no later than December 1, 1986. We will observe the counting of inventories on September 30, 1986.

Our fees for these services will be based on the actual time spent at our standard hourly rates, plus travel and other out-of-pocket costs such as report production, typing, postage, etc. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. Based on our preliminary estimates, the fee should not exceed \$20,900. for the audit. This estimate is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

We appreciate the opportunity to be of service to you and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,
ROGERS, WOOD, HILL, STARMAN & GUSTASON



Ronald A. Wood, Partner

RESPONSE:

This letter correctly sets forth the understanding of the City of Naples, Florida.

Officer signature: _____

Title: _____

Date: _____

DDD784

SECTION 5.9H. Maximum Height: Maximum building height shall be as limited in accordance with the following schedule:

Building Height	Min. Lot Area	Min. Lot Width	Min. Building Setback
36 feet to 40 feet	40,000 sq.ft.	150 ft.	<p><u>Front</u> - 20 feet, plus 1 foot for each foot of building height over 35 feet.</p> <p><u>Side</u> - 10 feet, plus 1 foot for each foot of building height over 35 feet.</p> <p><u>Rear</u> - 25 feet, plus 1 foot for each foot of building height over 35 feet.</p>

 41 feet to 45 feet 50,000 sq.ft. 150 ft. same as above

46 feet to 50 feet 60,000 sq.ft. 150 ft. same as above

SECTION 2. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS _____ DAY OF _____, 1986.



City of Naples

MEMO

TO: Honorable Mayor and Members of the City Council
 FROM: Franklin C. Jones, City Manager
 SUBJECT: Zoning Ordinance Amendment relative to Building Heights
 DATE: June 24, 1986

The action taken by the City Council at the conclusion of the public hearing on building heights on June 18, 1986 resulted in an acceptance of the PAB's recommendation, with the exception that building heights be reduced from 50 feet to 35 feet in all of the "C2-A" zoned area; and that staff recommend a modification to the ordinance definitions of "story" and "building height" to provide more design flexibility within a three-story, 35 foot maximum height limitation, as discussed during the public hearing.

We suggest using the following definition of maximum permitted building heights in the "C2" - "C2-A" - "C3" - "C4" - and "I" districts:

"a maximum height of three (3) stories, up to a maximum height of 35 feet, measured vertically from the established 100 year flood elevation to the ceiling of the highest story, plus six (6) feet from said ceiling to the highest point of a flat roof, parapet wall, or 'mansard' detail; or six (6) feet from said ceiling, the mean distance between the eaves and the ridge of a gable, hip or gambrel roof."

The attached sketch depicts the basic difference between this definition of building height and the present one.

The existing definitions of "story" and "building height" may remain unchanged and would be applicable to all other zone districts. We suggest simply adding a note to the present "building height" definition indicating that the above-proposed definition is applicable in the subject "C2" - "C2-A" - "C3" - "C4" - and "I" districts.

The attached ordinance incorporates these changes.

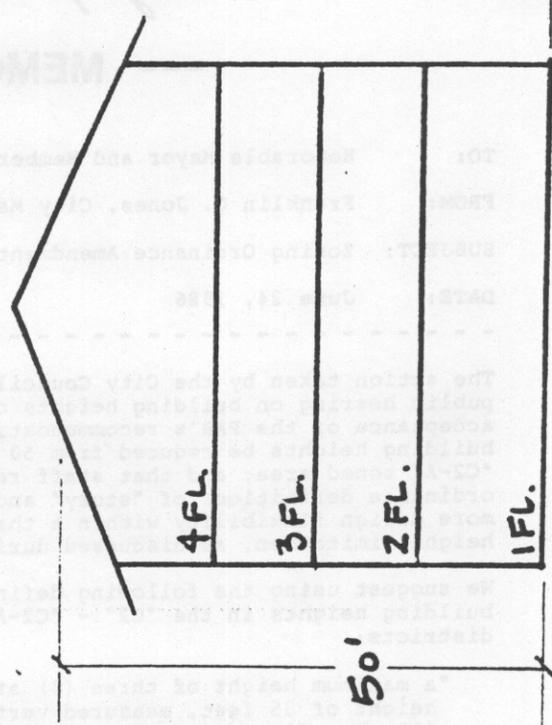
Respectfully submitted,

Franklin C. Jones
 Franklin C. Jones
 City Manager

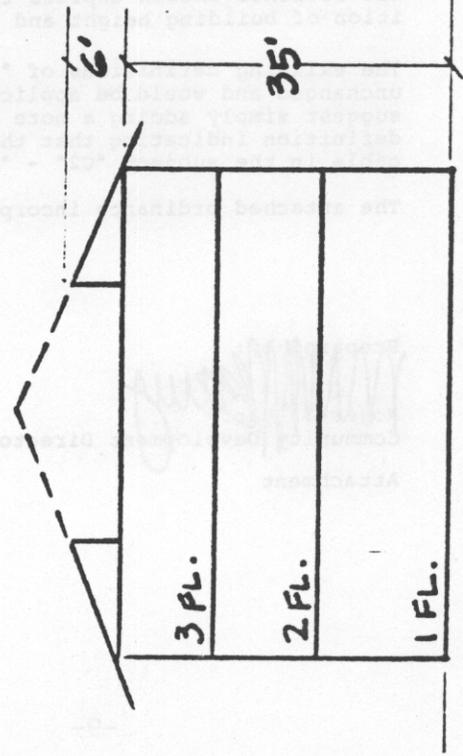
Prepared by:
Roger Berry
 Roger Berry
 Community Development Director

Attachment

DDD784



EXISTING
 BLDG. HT. DEFINITION
 (NO MAX. NUMBER
 OF STORIES)



PROPOSED
 BLDG. HT. DEFINITION
 (MAX. OF 3 STORIES)

CITY OF CHARLES
 COMM. DEV. DEPT.

BOAT HAVEN NAPLES, inc.

City Council Members:

Attached are three crude drawings to illustrate the normal storage building of U. S. marinas.

Currently, I believe that a unit enabling boats to be stacked four high would be liveable in Naples. In other areas, the boats may be stacked six or seven high due to land cost, etc. By this method of stacking: more boats can be stored in an area normally just occupied by one boat.

Naples was settled and developed for one reason only - water. There is no difference between Immokalee and Naples except water.

One can build just as many golf courses, tennis courts, etc. in Immokalee as in Naples.

Yet, this ordinance under consideration is aimed at crushing the logical outlet for marine enjoyment by a substantial number of citizens.

Should there be a disaster; (fire, hurricane) it is probable the properties may not be returned to their best use again. In addition, this ordinance will prevent up-grading building facilities.

Financially, marinas have never been a profitable business. By imposing this new ordinance, the Naples City Council will prevent marinas from orderly growth; while insurance, taxes and the continued attacks of all levels of governments will continue.

It was very noticeable at the last evening hearing before City Council that only two property owners spoke. The remainder of the speakers were professionals in the Naples building community. The owners either did not know of this challenge or they were afraid. The professionals could not voice their true opinions because (1) they have to work with the Council and (2) because they were simply employees rather than owners.

At the next hearing the financial and legal aspects will be explored.

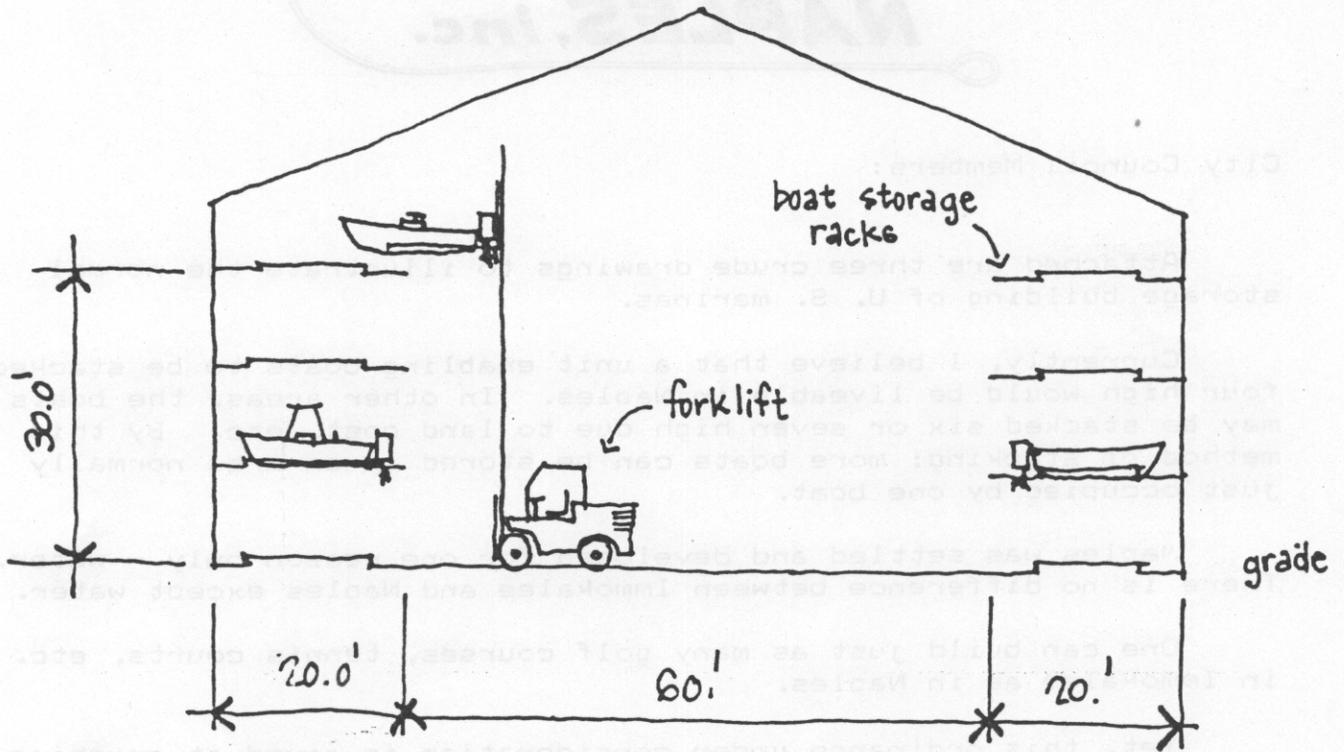
Thank you,

Philip C. Morse, Jr.
Owner
Boat Haven Naples, Inc.

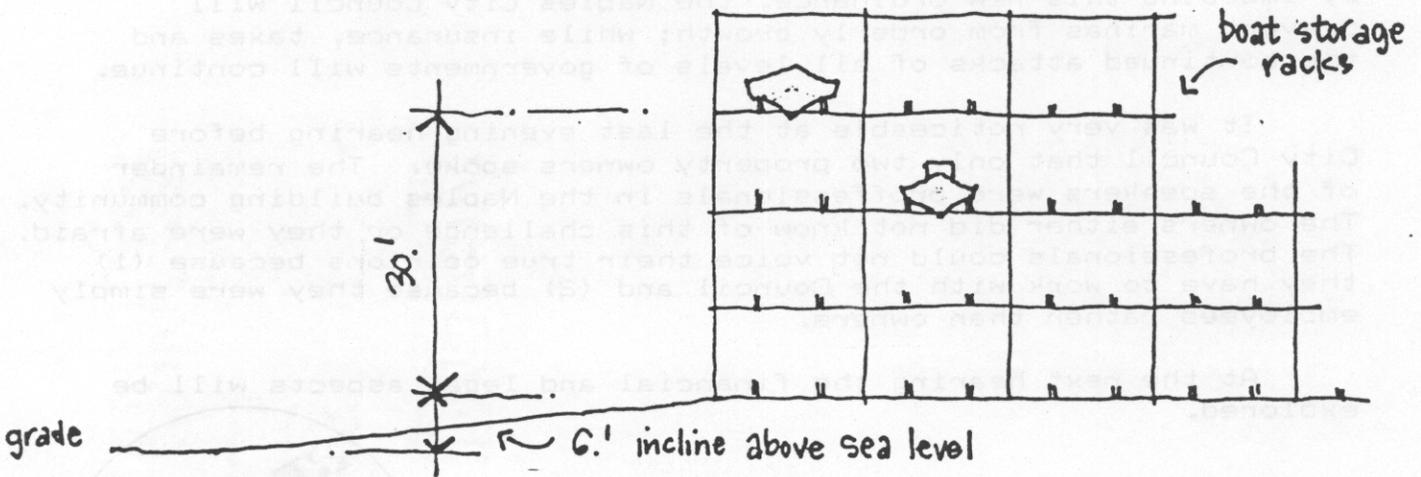
PCMJ/l:b



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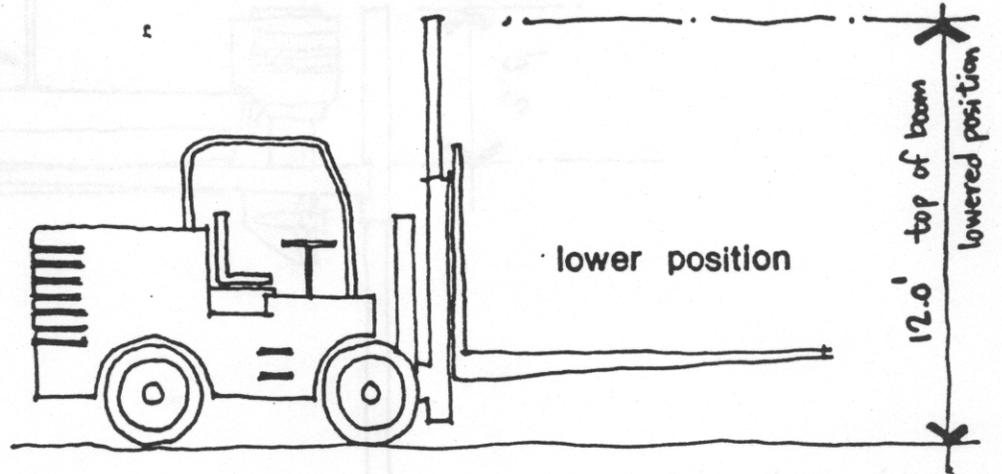
warehouse section



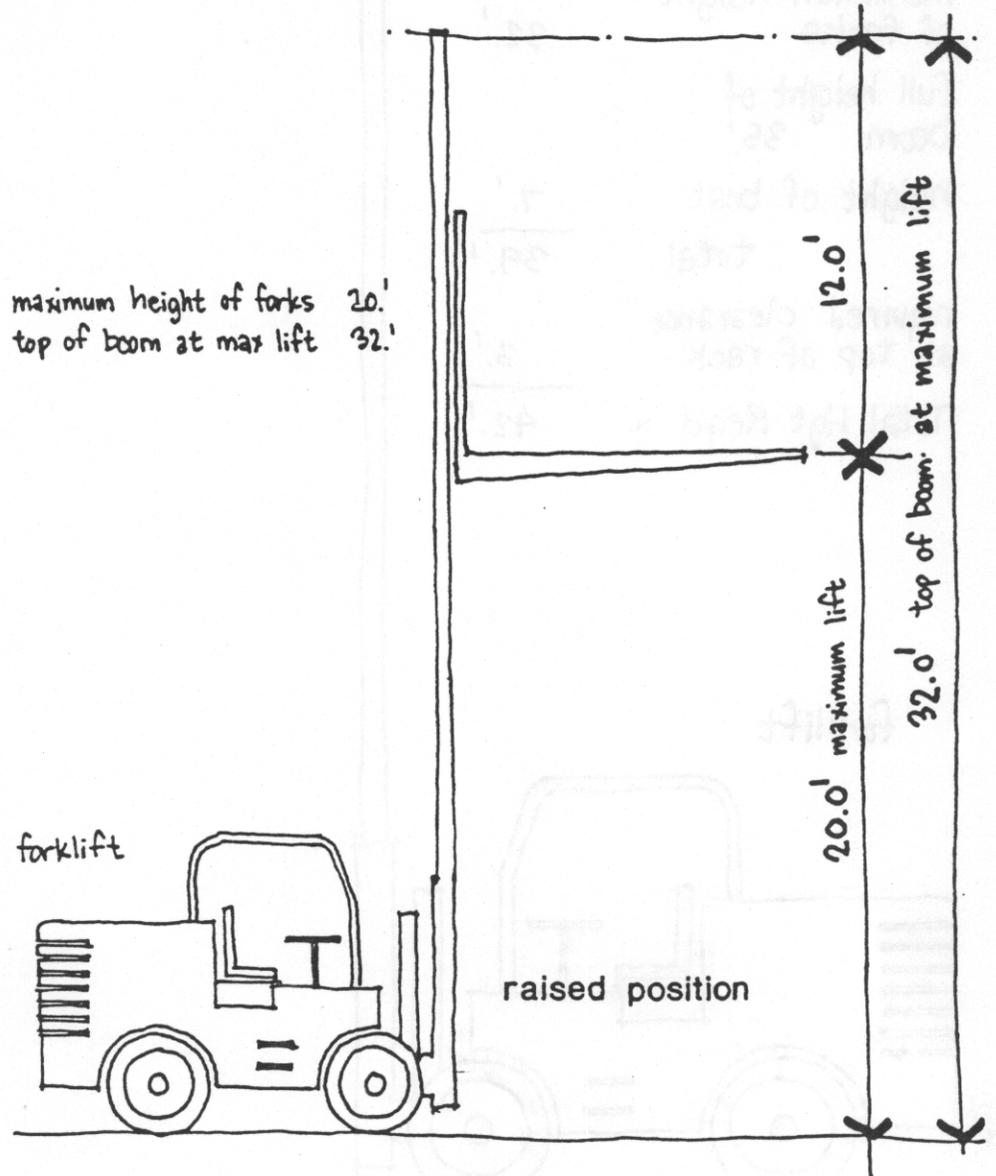
boat storage elevation

NOTE: Incline of grade should be at the natural ground level for practical purposes.

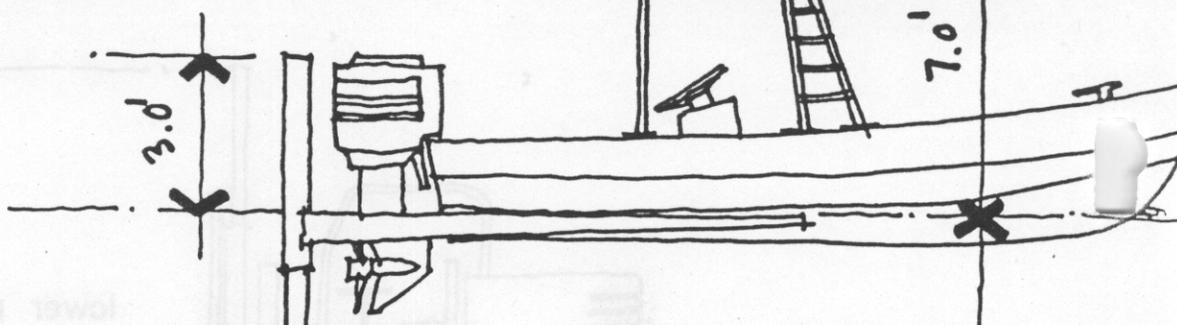
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maximum height of forks 20.1'
 top of boom at max lift 32.1'



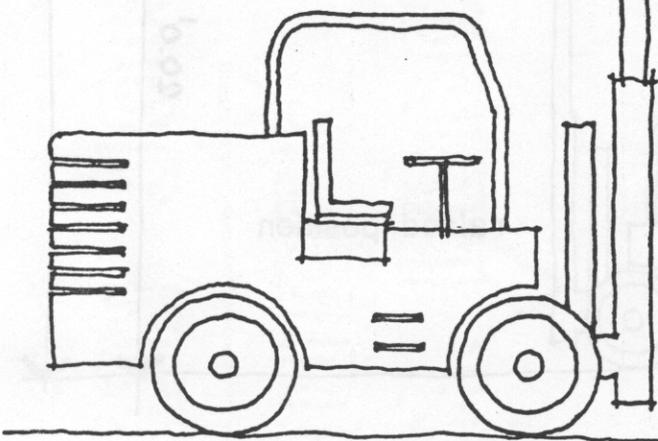
YELLOW FORKLIFT



maximum height of forks	32.1
full height of boom	35.1
height of boat	7.1
total	<u>39.1</u>
required clearance at top of rack	3.1
Total Hgt Req'd	<u>42.1</u>

32.1 maximum height of forks

forklift



BLUE FORKLIFT

Boaters Feeling Marina Squeeze

NAPLES Daily News/23/86

For several years the planning and zoning people have been wrangling with developers who sought purchase the Outboard Marine Corp property at the intersection of 17th Street South and 10th Avenue. And, there it was in last Friday's paper in the Matter of record: "Outboard Marine Corp. to

Naples Bay Club Joint Venture, lots 17-24, Block 11, Tier 10, Naples \$2,475,000."

This takes one more marine service facility out of the picture on Naples Bay. The developer has submitted preliminary plans which include a T-plier with several finger piers, but no fueling or servicing

the boats which will be appearing on the scene.

Where are you going to put them?

More than a year ago commercial marina operators Phil Morse at Boat Haven and Duke Turner at Turner's Marine indicated that the property along the bay is so valuable that a marina operator can not afford to buy property to develop and operate a commercial marina.

Tor Kohnat, vice chairman of the Naples Waterway Council, has suggested to Roger Barry, Director of Community Development for the City of Naples, that "incentive zoning" might be appropriate to keep some semblance of marine services available in and around the Bay. Barry says they will be taking that into consideration when they revise the Comprehensive Plan, but that won't be anytime very soon.

The State of Florida is also interested in the same goal, and has stated that public marina facilities should have a high priority in future land use plans.

Boat manufacturers and their dealers also have some concern. A year ago, boat dealers reported that many prospects for boats were hesitant to buy until they could find adequate mooring for the craft

cravability. The plan indicates there will be a "club" with elegant waterfront dining on two levels, and health club-type rooms.

The lack of servicing marinas available to the area's boat owners concerns the Naples Waterway Council. The projections on numbers of boats in Collier County is

they were considering. Recent evidence of this concern showed up in the June issue of Yachting magazine. The National Marine Manufacturers Association (NMMA) has taken a full page to print a questionnaire asking readers to respond to their marina facility needs.

The questionnaire was aimed at aiding the President's Commission on Americans Outdoors which is studying the nation's needs for additional recreational facilities, including boating facilities. NMMA asks all the pertinent facts about your present boat, and then goes into your future plans, including questions like:

• Would you keep your boat in the water if there were more slips in your area?

• Is the shortage of facilities in your boating area keeping you from purchasing a boat at this time?

• If you keep your boat in the water, are there enough slips for all who need them? If "no" what is your estimate of the number of additional slips needed.

NMMA hopes that the results of this nationwide survey will assure that the President's Commission gives boating facilities full consideration.

on an upward slant, while the wet and dry storage facilities is on a downward slide. The Florida State University survey of the demand and supply of marina services prepared for the Florida Department of Natural Resources indicated there were 10,236 registered boats in Collier

County in 1985, and would be to more than 15,000 by the year 2000. Many of these boats parked in the numerous canals of the Naples waterway system the report estimated that more than 2,700 public boat slips still be needed to accommodate (Please see MARINAS, Page

Collier County has 675.2 miles of shoreline, with 106 marinas, public and private, with only 1,366 wet and dry storage spots for public use. The need will be more like 2,700 in the next 14 years.

Naples Sailing and Yacht Club built an enclosed harbor with 67 new slips, which is almost full of boats. The City Dock, with its 76 slips, has a waiting list, and where else can you go? It is especially difficult for the larger boats over 25 feet to find a slip. And, boat dealers say that bigger boats are selling well in the Naples area.

Recreational boating is big in the Naples area. Fishing in the flats around the 10,000 Islands is popular with some, and many venture as far as 60 miles out in the Gulf for grouper and other game fish.

Others love to sail, and cruise up and down the coast, down into the Keys, over to the Bahamas. Naples is their home port, however, and they want to keep their boat here, and be able to get it serviced here, rather than up in Fort Myers.

City, state, and federal agencies are concerned. Their efforts, and the input of the boating public, will hopefully help resolve the situation.



City of Naples

--- MEMO ---

TO: Honorable Mayor and Members of the City Council

FROM: Franklin C. Jones, City Manager

SUBJECT: Proposed Building Height Ordinance Amendment/
Response to letter from Phil Morse

DATE: June 27, 1986

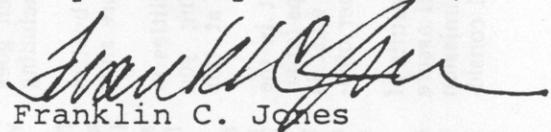
Councilman Lyle Richardson asked staff to suggest how the ordinance, now before City Council, could be amended to address the concern expressed by Phil Morse relative to the height of boat storage buildings.

We suggest increasing the permitted building height from the proposed 35 feet to 40 feet from the minimum flood elevation to the eave of a boat storage building in the "C2-A" - Waterfront Commercial zone district.

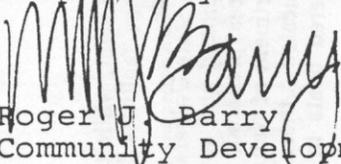
Such a change would provide the necessary building height requested in Mr. Morse's letter, which was received on June 25, 1986.

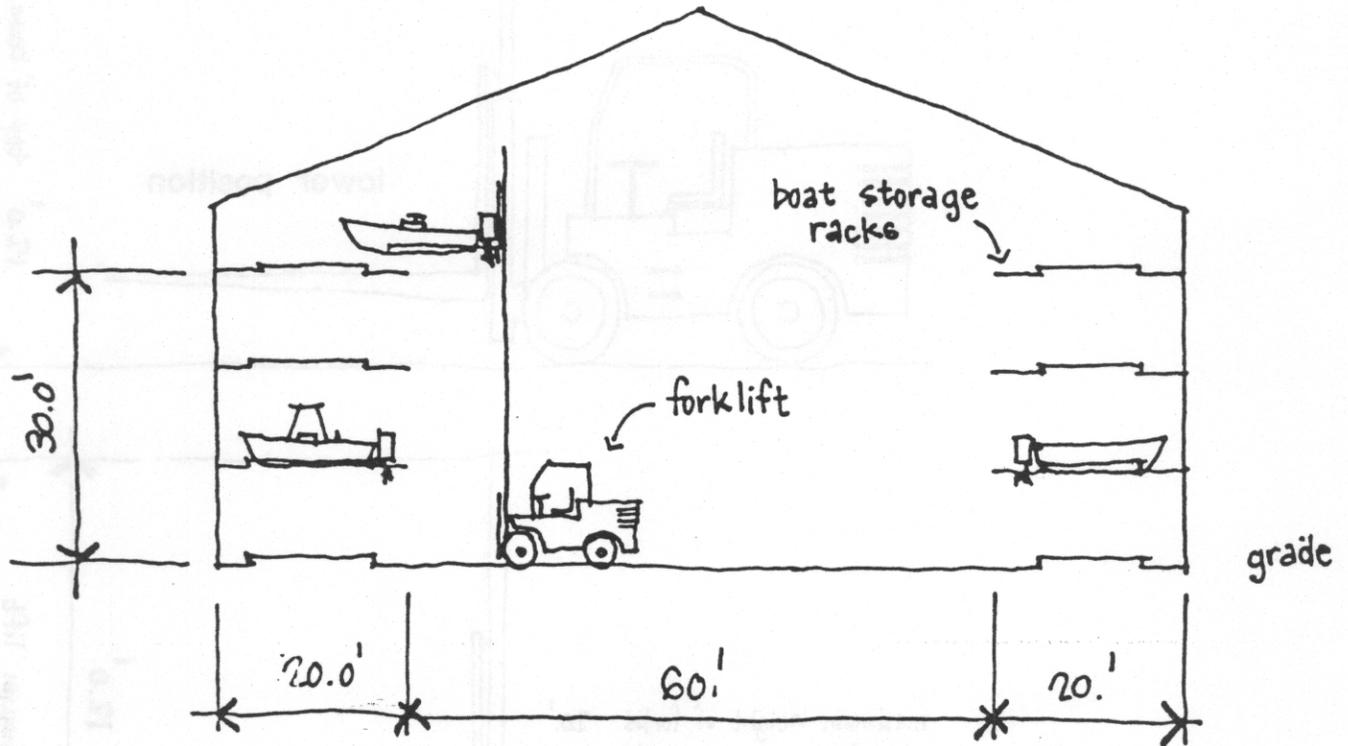
Please contact us if you wish any additional information or clarification.

Respectfully submitted,

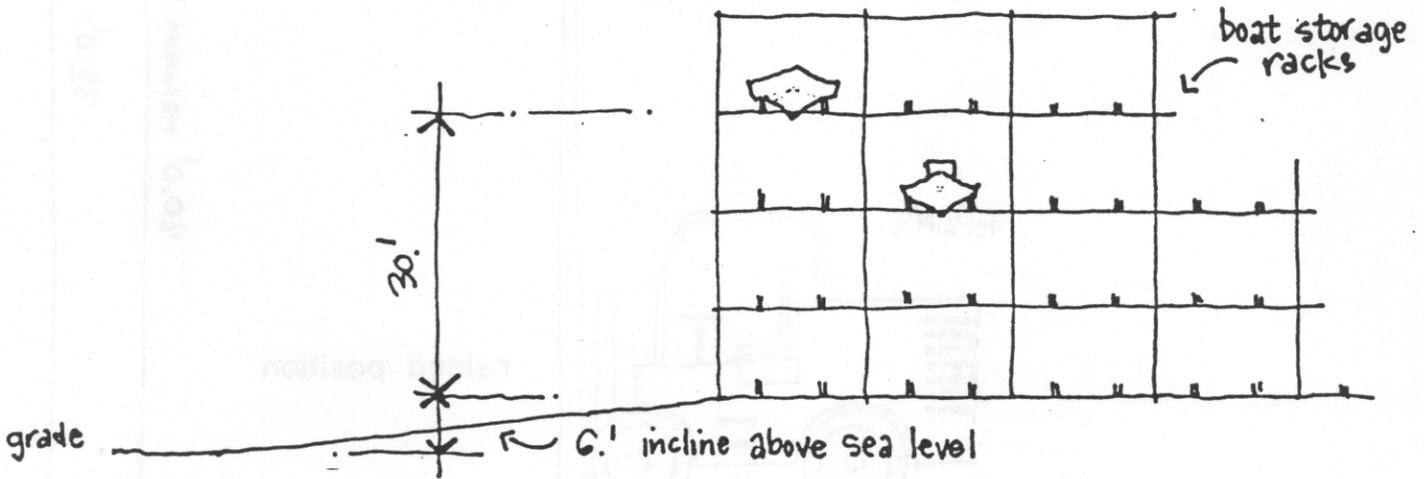

Franklin C. Jones
City Manager

Prepared by:


Roger J. Barry
Community Development Director



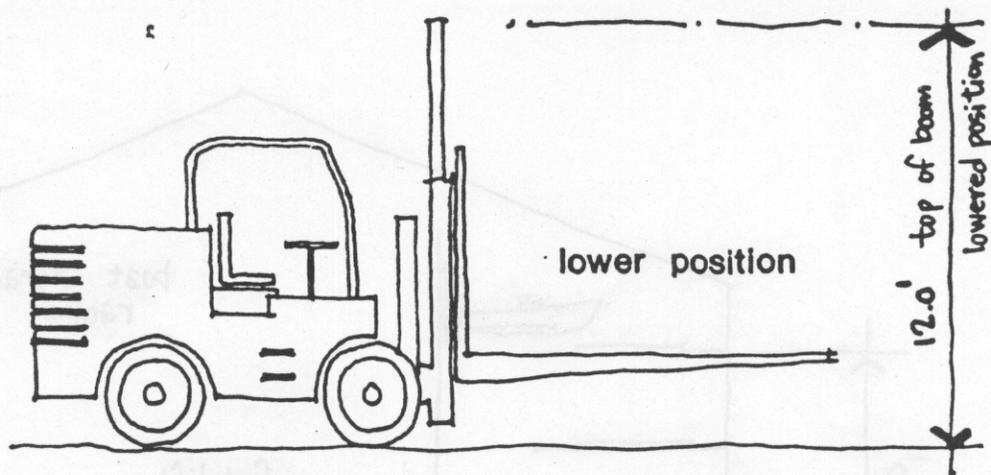
warehouse section



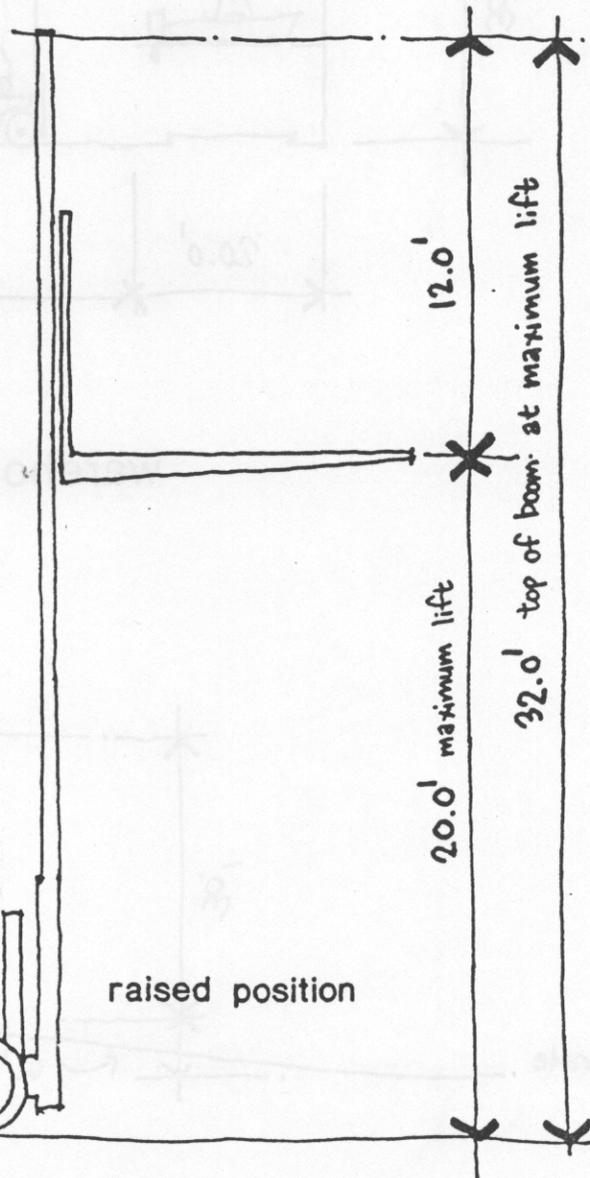
boat storage elevation

NOTE: Incline of grade should be at the natural ground level for practical purposes.

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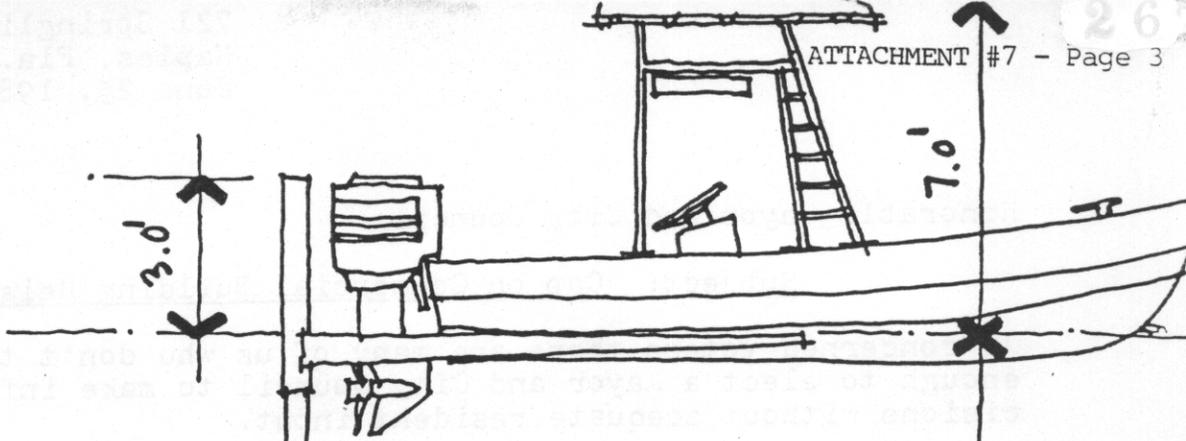


maximum height of forks 20'
 top of boom at max lift 32'



YELLOW FORKLIFT

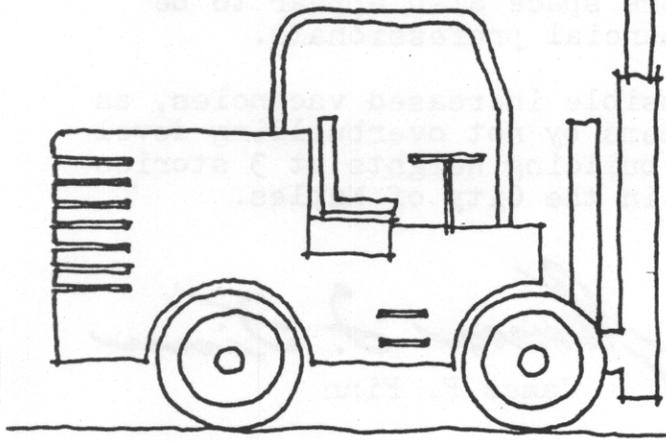
DDD784



maximum height of forks	32.1
full height of boom	35.1
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total	<u>39.1</u>
required clearance at top of rack	3.1
Total Hgt Req'd	<u>42.1</u>

32.1 maximum height of forks

forklift



Honorable Mayor and City Council:

Subject: Cap on Commercial Building Heights

As concerned voters there are many of us who don't think it is enough to elect a Mayor and City Council to make informed decisions without adequate resident input.

95% of registered voters that my wife and I contacted recently in our neighborhood area (62 out of 65 neighbors) endorsed a cap on commercial building heights of 3 stories with a maximum of 35 feet in height for all commercial areas in the City of Naples.

We are convinced there is a ground swell of public opinion for a uniform cap on commercial building heights of 3 stories throughout all commercial areas in Naples.

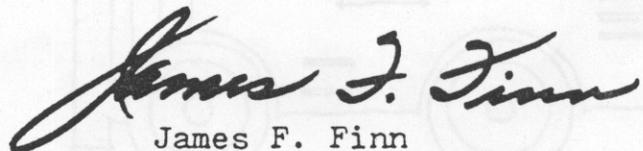
We urge the Mayor and City Council to complement the proposal of the Planning Advisory Board by including all of 9th St. (U.S. 41) to the City Limits in the proposed building height cap of 3 stories not to exceed 35 feet in height. This is a fair and an equitable concern for all of the residents of Naples.

The encroachment of high rise 5 story 50 foot high commercial buildings that may be built near 35 foot or lower height residential condominiums on 9th St. certainly can be overpowering. This is an intrusion of their residential air space and to the residential environment. Residential property values may also be adversely affected downward in the area.

What is not so apparent in our commercial shopping areas that is also of important concern is the growing list of vacancies and absentee ownership. In the long term vacancies and deterioration can result in blight.

Commercial real estate ads are currently offering 3 to 6 months free rent as an inducement to lease some office condominiums and stores. Considerable office and store space also appear to be available for doctors, legal and financial professionals.

We can cope with the present and possible increased vacancies, as well as possible future blight problems by not overbuilding developments now and reducing commercial building heights at 3 stories and not to exceed 35 feet in height in the City of Naples.


James F. Finn

JFF:dwf

Few matters in life make everyone happy--obviously this question of height limitation is one that falls in such a category. Nevertheless, I am glad the matter is being considered now as a greater restriction on building heights is obviously something the great majority of our citizens desire.

However, why only a portion of our small town? The residents in the northern half of the town feel the same as the residents in the southern half. Further, why should some property owners be singled out for--what may be considered by some--greater restrictions on their development capabilities? I see neither logic nor fairness to treat "heavier" commercial properties in different parts of the town in different fashion. In fact, could this not be a basis for selective discrimination in any possible court deliberations?

As for stiffling initiative and creativity, I feel confident our professionals can design and build attractive buildings within the framework of the height description we have arrived at. Also, for more grandious projects such as the Fleischman property, the Planned Development process could be followed with careful consideration being given to any specific larger property and project and its value to the city.

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With regard to economic worth, a more restrictive approach to development could well be more profitable in the long run--might it not be economically sounder to have fewer offices, or whatever, occupied for a longer period of time than have empty offices sooner as blight creeps in with growth continuing to move east into the county? Certainly, more restrictive heights will bolster the value of homes adjacent to these commercial properties and this in turn helps property values throughout the town!

Therefore, to my mind there is absolutely no valid reason as to why taller, heavy commercial structures should be allowed in one section of our town as versus another!

Much discussion has been made relative to the pros and cons of the matter of a Voter Initiative on this subject. Our form of Government is a Democracy with the ultimate power of our great Country residing in the hands of our individual voter. Some say that the voter is emotional or unschooled in "heavy matters", However, when it comes to watching the actions in our Congress, I believe many of us give the benefit of the doubt to our citizens. In any event, a Voter Initiative is pure democracy and any time --or any matter-- that the citizens are sufficiently united in their viewpoint to get an item on the ballot, then they certainly have that right and--to my mind--no official elected by them should say otherwise.

There was no attempt to force the issue here, timing required us to start the Voter Initiative in parallel with the City Councils deliberations on this matter. If this question of height restrictions had arisen one year or so ago, than a more normal sequence of events would probably have unfolded. But to preclude the special and extra expense of a separate Initiative ballot, we felt it best to get it done in the most economic manner possible--if indeed it is necessary to do so.

In that same vein, few individuals in their life don't answer to someone sometime--so appointees should have no fear of being second guessed on occasion. It's happened to all of us in the past and will happen to us again in the future!

There is no absolute right nor wrong in a matter of this type-- therefore, I feel it is completely correct for the peoples voice to be heard--it could conceivably even be helpful in the event of any possible future law suit.

In summary, some of us in the last local election spoke of limiting heights for a variety of reasons. All of us spoke of greater citizens input and involvement! Well, you have ^{your} ~~to~~ input! Over 2,000 persons have signed a Voter Initiative to limit heights to three stories throughout our town. Greater than 90% or those asked, agreed with

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this uniform three story limitation! How can any of us not listen!

Therefore, I make a motion that the wording of the resolution drafted for us be modified to include Section 5.9 H -- H C -- to be identical to those of 5.12 H, 5.13 H, 5.14 H 5.15 H, and 5.16 **6**.