



City of Naples

CITY COUNCIL MINUTES

Special Meeting 2-06-91

City Council Chambers
735 Eighth Street South
Naples, Florida 33940

-SUBJECT-

PAGE

CONSIDERATION OF TEXT CHANGES TO EXISTING REGULATIONS CONTAINED WITHIN THE COMPREHENSIVE DEVELOPMENT CODE WHICH PERTAIN TO SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS AND CONTROL THE HEIGHT, NUMBER OF STORIES, SETBACKS AND LOT COVERAGE OF SINGLE FAMILY HOMES AND RELATED STRUCTURES.

(MORE COMMONLY REFERRED TO AS THE CITY OF NAPLES'S SPATIAL PERCEPTION STUDY.

City Council Chambers
735 Eighth Street South
Naples, Florida 33940



CITY COUNCIL MINUTES

Special Meeting

Time 7:00 p.m.

Date 2-06-91

Mayor Crawford called the meeting to order and presided.

ROLL CALL:

ITEM 1

Present: Alden R. Crawford, Jr., Mayor

Kim Anderson
William E. Barnett
R. Joseph Herms
Paul W. Muenzer
John M. Passidomo,
Councilmen

Absent: Fred L. Sullivan,
Councilman

Also Present:

Rand-Scott Coggan, Acting City Manager
Janet Cason, City Clerk
Ann (Missy) McKim, Community Dev. Director
Steve Uman, Building Official
Ann Walker, Planner II
Michael Fernandez, Planner III
George Henderson, Sergeant-At-Arms
Marilyn McCord, Recording Secretary

See Supplemental Attendance List-Attachment #1

ITEM 2

CONSIDERATION OF TEXT CHANGES TO
EXISTING REGULATIONS CONTAINED WITHIN
THE COMPREHENSIVE DEVELOPMENT CODE
WHICH PERTAIN TO SINGLE FAMILY
RESIDENTIAL ZONING DISTRICTS AND
CONTROL THE HEIGHT, NUMBER OF
STORIES, SETBACKS AND LOT COVERAGE OF
SINGLE FAMILY HOMES AND RELATED
STRUCTURES. THIS PACKAGE OF PROPOSED
CHANGES HAS COME TO BE MORE COMMONLY
REFERRED TO AS THE CITY OF NAPLES'
SPATIAL PERCEPTION STUDY. THESE
PROPOSED REGULATIONS WOULD BE
APPLICABLE TO ALL SINGLE FAMILY
RESIDENTIAL ZONING DISTRICTS.

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Community Development Director McKim began the workshop by explaining that the reason for the Spatial Perception Study was to develop mechanisms which would maintain the existing character of single family homes in Naples. She said that the proposed ordinance changes would not allow for larger homes, those referred to as "mega houses." Mrs. McKim explained that the present ordinance limits the number of stories and sometimes this presents a hardship on certain properties: specifically, when owners of older structures would like to build a second story, and in areas that are in Federal Emergency Management Agency (FEMA) or Department of Natural Resources (DNR) regulated areas.

Mrs. McKim told Council that staff had modified the options presented at the last workshop, which was held on January 16. These options, she said, could be individually adopted, adopted as a package, or tabled at this time. Mrs. McKim asked for policy direction from Council. She said that this type of study has a real policy implication.

Mrs. McKim pointed out that since the last workshop, heights had been changed with regard to where the height is measured from. Previously, height was measured from the crown of the road or the natural grade. The option being presented at this time measures height from whichever is the greater: the DNR first habitable floor height requirement, the FEMA first habitable floor height requirement, the average crown of the adjacent road(s), or the natural grade.

Another major change, said Mrs. McKim, was instituting a 15 foot rear yard setback for pool enclosures. Staff is also suggesting inclusion of screened enclosures without pools. Mrs. McKim told Council that an additional alternative to these types of regulations was consideration of a neighborhood planning option.

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Planner II Michael Fernandez gave a slide presentation which demonstrated examples of each of the options. Mr. Fernandez defined those areas where builders, architects, and staff have problems on a continuing basis. He said that ineffective building standards exist and that the City needs understandable, measurable, and flexible standards in this regard.

With regard to setbacks and stories, Mr. Fernandez said that the trend in Naples is to build two story homes. Staff has written an option which forces an additional setback for the second story only, which is a corrective measure.

Mr. Fernandez said that with regard to home size and lot coverage, it is necessary to recognize that there is a trend toward homes that are multi-level and those which maximize every inch of a lot to the extreme. He said that homes are currently being built up to 45 feet in height, with a potential to add another 15 feet. Mr. Fernandez also said that the new measurable standards would hopefully allow for more open space. He said that there is a three month grace period for homes already in the process of being designed, six months if DNR regulations are involved.

He then demonstrated, through the use of slides, how home size can change and described how different types of design can be utilized, depending on the flood plain. With regard to lot coverage, Mr. Fernandez said that staff had created a table that determines size very easily and that lot coverage can be moved anywhere on the parcel using the proposed ordinance changes. Lot coverage as presented includes the pool enclosure, based on a percentage of the lot.

Mr. Fernandez said that and additions to homes built prior to this ordinance would have to meet current requirements.

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Other miscellaneous amendments include exemption of minor cupolas from measurement. Rooftop heating and air conditioning equipment would be deleted. Also, to allow some flexibility in design, dormers would be exempted from the maximum height standard.

Mr. Fernandez discussed the neighborhood planning option, which was presented at the January 16th workshop. He said this would allow for tailoring regulations more specifically to a particular neighborhood or subdivision. A disadvantage, he said, is that this is a very timely process and a consensus would be required in each neighborhood. From a staffing standpoint, this could create an additional burden.

Mr. Ed McMahan, 613 13th Avenue South, called the overall concept excellent but pointed out that, with regard to lot coverage, under the proposed measurements any future owner of his particular home would not be able to build a pool. If the lot coverage were changed so that screen enclosures are not included, then this would allow room for a pool. Mr. McMahan suggested that Council and staff carry on with these plans and not get into planned neighborhoods at this time.

Ms. Carol Lynn Kendall, 495 Galleon Drive, told Council that some very major changes had been made since the last workshop, and that she noticed that the statistics provided could be called "scare tactics" when referred to as "possible height." She said she failed to see that as a reasonable description of some of the larger homes and asked about the newer homes which would also be automatically classified as nonconforming, limiting future changes and additions. Mrs. McKim said that the staff had not intended to use statistics as a scare tactic, and that their obligation was to illustrate the extremes under the new regulations.

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Architect Al French, 649 Fifth Avenue South, told Council that this study resulted from a very legitimate concern of many citizens regarding the increasing bulk of houses. He said that this issue is important and the debate healthy, and as a builder and an architect supported and appreciated the effort put forth. Mr. French said his concern however was that the proposed standards would not be as effective as hoped. He pointed out that while he considered the changes proposed to be very workable, such as those pertaining to height, lot coverage, in his opinion, is not workable but would be acceptable if screened enclosures, gazebos, etc. were exempted.

With regard to neighborhood planning, Mr. French said it would be time consuming but it is a direction in which the City should go. He advised Council that a tremendous amount of effort had been expended in dealing with single family residences, however commercial and multi-family structures are exempted. Mr. French recommended adoption of the proposed ordinance changes.

Architect Janice McBride Ward, 1207 Third Street South, said that any ordinance which affects the homes of every resident in the City must be looked at very carefully. Ms. McBride said she had serious reservations regarding lot coverage, and urged Council to exempt screened enclosures. She agreed with Mr. French that the "real culprits" are multi-story structures and commercial buildings intruding into residential areas. Ms. McBride said that there has been a perception of the use of scare tactics but that the ordinance as written does retain enough flexibility to be innovative in its design.

Ms. Gail Boorman, President of A. Gail Boorman & Associates, 2300 Anchor Rode Drive, told Council that her firm had been testing the ordinance on some present projects and had found that the changes do not allow enough

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is at a workable point, as an educational aid, all City property owners receive a "pro and con" flier. Mr. Kelly also said that the circumstances surrounding lot coverage do adversely affect small lots and that neighborhood planning is important, although it would take more of staff's time.

Mayor Crawford told Mr. Kelly that he would be very interested in the results of the Aqualane Shores Homeowners Association workshop.

Councilman Anderson asked if all City property associations have been informed of the proposed ordinance changes. Mrs. McKim replied that all had been notified, but only Aqualane Shores and Park Shore had responded.

Architect Larry Warner, 1100 Sixth Avenue South, told Council that he had been working on this ordinance with staff and that he felt the ordinance had been "massaged" enough. He agreed that, as a designer, he would like to see the lot coverage altered so that outdoor enclosures are not included. Mr. Warner commented that the diversity in our neighborhoods makes Naples a nice place to live and the City needs to encourage diversity. He encouraged Council to adopt an ordinance such as this with some modifications.

Architect Audrea Clark Brown, 966 Sixth Avenue South, concurred with her fellow architects, that Council should adopt the ordinance with the exception of enclosures being included in lot coverage. Ms. Brown thanked staff for all the effort put into this study.

Landscape Architect Fred Swetland, 2164 Frederick Street, said he was the "rogue" in the architectural community that evening. Due to FEMA, a large number of Naples homes will be nonconforming, and, in that, the proposed ordinance is not forward thinking, Mr. Swetland stated, and noted that the code negates the charm of Naples. He cautioned

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<p>Council to think about those types of intangibles.</p> <p>Mr. Robert Morris, Chairman of the Port Royal Architectural Review Committee, said that his group was in favor of the proposed ordinance because it recognizes the profile of the building. In addition, it discourages tearing down homes because more space is needed by allowing, for example, space over the garage. He said his committee is not in favor of establishing individual neighborhood standards, although separate guidelines may be needed. Mr. Morris congratulated Mr. French and his architectural contemporaries because of their farsightedness and said the a poll of Port Royal residents resulted in an 80% favorable response to this kind of an ordinance.</p> <p>Mr. Richard Baker, President of the Royal Harbor Homeowners Association, 2330 Kingfish Road, pointed out that the average person was confused about some of the terms in the ordinance. He, however, complimented Mr. Fernandez for having an open mind. Mr. Baker told Council that his Association opposed stilt houses, saying that they are totally out of character for Royal Harbor. He said that the Royal Harbor Homeowners Association would go on record however as approving the ordinance.</p> <p>Mr. James McNitt, 7 Sabre Cay Road, also thanked staff for an excellent job and said that the idea of using the flood plain level is very important where every house in the area, as on Sabre Cay Road, is already above the road. Mr. McNitt also thanked the architects who suggested that pool enclosures not be included, as many homes are built with the pool planned as part of the inside of the house, surrounded by walls, bedrooms, or other structures of the house.</p> <p>Mr. Lodge McKee, 53 Broad Avenue South, expressed appreciation to the professional architectural community for its efforts in this</p>					

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have the latitude to build a gable roof, and from a design standpoint, the proposed changes severely restrict the ability for property owners, architects, and the community to pursue a design feature that is different.							
Councilman Anderson suggested that first reading of this ordinance be held on March 6th. She also observed that although the initial draft of the ordinance was very stringent it was now acceptable with some reservations. With regard to lot coverage, Mrs. Anderson suggested that perhaps side yard setbacks could be moved back, possibly stipulating a minimum number of feet between buildings.							
Councilman Barnett concurred that first reading of the ordinance be held on March 6th, followed by second reading on March 20th.							
Councilman Muenzer agreed with Mr. Passidomo's statements, adding that Council and staff are to the point that this ordinance can be fine tuned and addressed.							
Mayor Crawford said that the proposed ordinance is not rigid, and that by offering a large building envelope, complete liberty is allowed within. He said he had no objection to the screen enclosures being removed, but that perhaps with that change, lot coverage should be reduced slightly. Mr. Crawford said that much of the real estate value in Naples is due to the community's ambiance, and it is very possible that if changes are not made, real estate values will not not be maintained.							
Mrs. McKim suggested having one more workshop before preparing for second reading, since there may be one or more decisions that would need direction from Council.							
The first reading of the subject ordinance will be held at the March 6th Council meeting, and the second reading will be held at the March 20th meeting. Additionally, a workshop will be							

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20th meeting. Additionally, a workshop will be held at 7:00 p.m. on March 7th.

ADJOURN: 9:40 p.m.

Alden R. Crawford

ALDEN R. CRAWFORD, JR., Mayor

Janet Cason
JANET CASON
City Clerk

Marilyn McCord
MARILYN McCORD
Recording Secretary

These minutes of the Naples City Council were approved on March 20, 1991.

SUPPLEMENTAL ATTENDANCE LIST

Carol Lynn Kendall
Fern Atchinson
Gail Boorman
John A. Smith
Reed K. Jarvi
Al French
Janice McBride Ward
Ray Hill
Roy Ertill
Chuck Kelly
Larry Warner
Andrea Clark Brown
Fred Swetland
Robert Morris
Richard Baker
James McNitt
Lodge McKee
Charles Rowe
John VanArsdale
Ed McMahan

Other interested people and citizens.