HISTORIC PRESERVATION

3 OF 3

DRAFT 2/11/04 2/27/04

Agenda Item _____
Meeting of / /04

ORDINANCE NO. 04-

AN ORDINANCE REPEALING ARTICLE VI, "CULTURAL AND ARCHEOLOGICAL RESOURCES" OF CHAPTER 114, "RESOURCE PROTECTION STANDARDS" AND ADDING A NEW ARTICLE VI, "HISTORIC RESOURCES" TO CHAPTER 114 OF THE CODE OF ORDINANCES IN ORDER TO IMPLEMENT THE COMPREHENSIVE PLAN BY IDENTIFYING AND ENCOURAGING THE PROTECTION OF RESOURCES WHICH REFLECT ELEMENTS OF THE CITY'S HISTORY; PROVIDING A SEVERABILITY CLAUSE, A REPEALER PROVISION AND AN EFFECTIVE DATE.

WHEREAS, VISION 2005, the Future Land Use Element, and the Housing Element of the City's Comprehensive Plan articulate goals, objectives and policies for development of a historic preservation program; and

WHEREAS, following numerous public workshops and hearings on the matter, the Planning Advisory Board has considered the recommendation of the staff and the public input and has recommended by a vote of ___ to ___ that the provisions of the Code of Ordinances be amended; and

WHEREAS, after considering the recommendation of the Planning Advisory Board and City staff, following a public hearing on the subject, and providing the staff and the public an opportunity to present testimony and evidence, the City Council has determined that it is in the best interest of the City of Naples to approve/deny Text Amendment Petition No. 04- ;

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

Section 1. Article VI, "Cultural and Archeological Resources" of Chapter 114 of the Code of Ordinances of the City of Naples, Florida, is hereby repealed.

Section 2. Article VI, "Historic Resources" is hereby added to Chapter 114 of the Code of Ordinances of the City

of Naples, Florida, as follows (with underline indicating additions):

Section 114-161. Purpose

The purpose of this article is to implement the goals, objectives and policies of the comprehensive plan by identifying and encouraging the protection of resources which reflect elements of the city's cultural, architectural and historical heritage. Why is archeological left out?

114-162. Intent:

The designation and encouragement of preservation and protection of historic resources within the city is necessary and proper to promote the general welfare of the public through the following efforts:

a. Encourage the continuance, conservation and improvement of land uses in a manner appropriate to the preservation of the cultural, architectural and historical heritage of the city.
b. Foster civic pride in the beauty and notable accomplishments of the past.
c. Preserve and enhance environmental quality and the residential character and desirable aesthetic features of the city.
d. Encourage property owners against destruction of, or addition of, features likely to have adverse effects on the historic, architectural or cultural character of a designated structure.
e. Encourage the preservation of the historic integrity and appearance of significant structures.
f. Encourage the protection of historic districts against destruction, or encroachment of structures, uses or features likely to have adverse effects on their historic, architectural or cultural character.
g. Discourage developments in the visual environs of such districts or structures which would detract from their character.

114-163. Definitions:

Building means any structure having a roof and used or built for the shelter or enclosure of persons, animals or property of any kind.

Certificate of appropriateness means a written document, issued by the city pursuant to this article, permitting specified alteration, relocation, demolition, or other work.

Conservation easement means a right or interest in real property in order to retain the structural integrity or physical appearance of historically significant structures.

Contributing describes a structure within the boundaries of a nationally or locally designated historic district which may not qualify to be designated as a significant structure, but is considered significant because it adds to the sense of time and place and historical development of a historic district.

Historic district means an area designated on the National Register or local historic register, which may contain within definable geographic boundaries two or more significant structures and which may have within its boundaries other structures that, while not of such historic or architectural significance to be designated as significant structures, nevertheless contribute to the overall visual characteristics of the historic district.

Local historic register means the list of cultural resources designated by resolution as significant and worthy of preservation according to this article, and administered by the City of Naples Community Development Department. The register includes districts, sites, buildings, structures, and objects. + archaeological sites or Indian Mounds?

National Register of Historic Places means the list of cultural resources designated significant and worthy of preservation, authorized by the National Historic Preservation Act of 1966 and administered by the U.S. Department of the Interior's National Park Service. The register includes districts, sites, buildings, structures, and objects. archaeological?

Owner means any person or persons having title, in fee.

Rehabilitation means the act or process of returning a property to a state of utility through repair or alteration which makes possible an efficient contemporary use while preserving those portions or features of the property which are significant to its historical, architectural, and cultural values.

Restoration means the act or process of accurately recovering the form and details of a property and its setting as it appeared at a particular period of time by means of the removal of later work or by the replacement of missing earlier work.

Significant describes a structure designated on the National Register or on the local historic register, pursuant to procedures described in this article, that is worthy of rehabilitation, restoration, and preservation because of its historic or architectural significance. archaeological?

Structure means anything constructed or erected, the use of which

requires a permanent location on the ground or attachment to something having a permanent location on the ground. For the purposes of this article, *structure* includes buildings, fences, bridges, gazebos, monuments, street markers, signs and light poles.

Substantial improvement (for structures located east of the coastal building zone line) means any combination of repairs, reconstructions, rehabilitations, additions, alterations, or other improvement of a structure taking place over a 12-month period, beginning on the date a certificate of occupancy is issued, the cost of which equals or exceeds 49.9 percent of the market value either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored to the before damage condition. For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either:

(1) Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which have been identified by the building official and which are the minimum necessary to ensure safe living conditions; or

(2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Substantial improvement (for structures located west of the coastal building zone line) means any combination of repairs, reconstructions, rehabilitations, additions, alterations, or other improvement of a structure taking place over a 5 year period, beginning on the date a certificate of occupancy is issued, the cost of which equals or exceeds 49.9 percent of the market value either (a) before the improvement or repair is started, or (b) if the structure has been damaged and is being restored to the before damage condition. The amount of improvements allowed will be recaptured at a rate of 20 percent per year, and will be based on the market value of the structure after the previous improvement. Except when the structure has been substantially improved as a single improvement or repair, the cumulative total cost does not include nonstructural interior finishings listed in Florida Statutes 161.54(12). For the purposes of this definition, substantial improvement is considered to occur when the first alteration of any wall, ceiling, floor or other structural part of

the building commences, whether or not that alteration affects the external dimensions of the building. The term does not, however, include either:

(1) Any project for improvement of a structure to comply with existing state or local health, sanitary or safety code specifications which have been identified by the building official and which are the minimum necessary to ensure safe living conditions; or

(2) Any alteration of a "historic structure", provided that the alteration will not preclude the structure's continued designation as a "historic structure".

Unreasonable or undue economic hardship means an onerous and excessive financial burden that destroys reasonable and beneficial use of property and that would amount to the taking of property without just compensation, or failure to achieve a reasonable economic return in the case of income-producing properties.

114-164. Resource identification and annual update:
On a yearly basis, the Planning Advisory Board shall arrange a review and update of the city's historic resources inventory in a public meeting, with input from the Design Review Board, the Collier County Historical Society and other interested parties. The Planning Advisory Board's inventory shall be recorded in the City Clerk's Office.

114-165. Applicability:
The provisions of this article apply to districts, sites, buildings, structures, and objects which are voluntarily nominated and approved for designation on the local historic register. Where specified, certain programs exclusively apply to properties on the National Register of Historic Places.

approved by whom?

114-166. Local Historic Register nomination:
A specific site, building, structure, or object can only be nominated to the local historic register by the owner. The nomination of a district to the local historic register requires participation of 51% of owners approved in the proposed district boundary. **The Collier County Historical Society or the Planning Advisory Board may sponsor a nomination with the consent of a property owner for individual nominations, or with the consent of 51% of owners within a proposed district.** The owner or owners shall meet with the Community Development Director or his designee to discuss the meaning of designation, the advantages, both historically and financially, of historic preservation of the property. An

application for historic designation shall be accompanied by information necessary to demonstrate that the proposed designation is consistent with the criteria of Section 114-166. If a property owner withdraws the application **prior to** historic designation, then the historic designation process shall terminate for that owner only.

114-167. Local Historic Register designation:

The Planning Division shall review the application for designation and shall prepare a written staff analysis including the location, photograph, historical significance, and specific criteria qualifying the designation. Property owners within 500 feet of the subject site shall be notified of the date, time, location of the Planning Advisory Board and City Council public hearing regarding the application. Upon consideration of the criteria and guidelines set forth in Section 114-168, the City Council shall hold a public hearing to adopt a resolution to approve, approve with conditions, or deny, a petition for local historic register designation.

114-168. Criteria for Local Historic Register designation:

a. Considering the recommendation of the Planning Advisory Board, the city council shall make a determination as to whether a nominated district, site, building, structure, or object meets one or more of the following historic criteria:

1. It is associated with Naples civic life or a person, ethnic culture, activities, or event, which influenced in an important way, the development of the United States, Florida or Naples.
2. It represents a style of living that is disappearing and worthy of note. It has a sentimental value to the community by virtue of its age, name or appearance, or because of stories and legends that have been associated with it.
3. It is considered a "landmark" or traditional point of historic interest in Naples because of its age, appearance or prominent location.
4. By providing a physical link to the past, it has potential for revealing information of a historic nature to help all of us to better understand our cultural, economic, and social heritage.
5. It is over 50 years old, and has become a part of the historic community.

b. Considering the recommendation of the Planning Advisory Board, the city council shall make a determination as to whether a nominated district, site, building, structure, or object meets one or more of the following architectural and construction criteria:

1. It is unique or one of a few examples in the city of a particular architectural style or period. It displays particular styles, materials, or methods of construction which are unique or cannot, or are not likely to, be duplicated today.
2. It is the work of a well-known or locally important architect or master builder, or the quality of craftsmanship is particularly well-executed, and the integrity of the original design has been retained.
3. It has interesting, eye-catching or unique detailing, or is an architectural curiosity or picturesque work of particular artistic merit for the area that is particularly pleasing or inspires imagination, creativity and enjoyment. (People like to draw it, photograph it or paint it.)
4. It is, or could be, an important element or visual feature in the character of the neighborhood, either alone or in conjunction with similar buildings in the neighborhood. It tends to identify, lend character, contribute to the architectural continuity, or give flavor to the street, neighborhood or city.

114-169. Effect of designation:
National Register designation is a federal recognition program for historically significant structures. Local historic register designation is administered by the city and runs with the property. The following incentives may be applicable to specific sites, buildings, structures, and properties designated on the National Register or on the local historic register.

a. Recognition: The city shall issue a plaque for display by the property owner to identify a structure or property on the National Register or the local historic register.

b. Financial assistance: Historically designated districts, sites, buildings, structures, and objects shall be eligible for any financial assistance set aside for historic preservation projects by the State of Florida or the federal government, provided they meet the requirements of those financial assistance programs.

c. Tax credits:
   1. Income producing properties on the National Register are eligible for investment tax credits for certified rehabilitations pursuant to the Tax Reform Act of 1986 and any other programs offered through the National Register.

2. National Register and local historic register properties are eligible for any ad valorem tax exemptions instituted by the City of Naples or Collier County as authorized by Florida Statutes Section 196.1997.

d. FEMA exemption: Structures on the National Register are exempted from the substantial improvement requirements. If the improvements to a National Register historic structure is determined to meet the following criteria by the Building Official or his designee, the building will retain its pre-Flood Insurance Rate map flood insurance rating:
   1. The structure is listed individually on the National Register or is a contributing structure in a National Register historic district.
   2. The improvement of the structure must not render the structure ineligible for continued designation as a historic structure.

   The exemption to the substantial improvement rule means the structure does not have to be elevated to or above the Base Flood Elevation, or be renovated with flood-resistant materials that are not historically sensitive. To reduce the flood damage potential, mechanical and electrical equipment may be located above the Base Flood Elevation or otherwise flood-proofed, or the lowest floor of an addition may be built with flood-resistant materials and provided with hydrostatic openings.

e. Building code exemption: Repairs and alterations necessary for the preservation, restoration, rehabilitation or continued use of a local historic register building or structure may be made without conformance to the technical requirements of the Standard Building Code when the proposed work has been approved by the Building Official or his designee, pursuant to the authority granted by other divisions or statutes and further provided that:
   1. The restored building will be no more hazardous based on consideration of life, fire and sanitation safety than it was in its original condition.
   2. Plans and specifications are sealed by a Florida registered architect or engineer.
   3. The Building Official or his designee has required the minimum necessary correction to be made before use and occupancy which will be in the public interest of health, safety and welfare.

language re: nonconforming accessory structures

f. Zoning code exemption: The Community Development Director or his designee may, by written administrative decision, approve any waiver request for any local historic register site, building, structure, or object for matters involving a deviation of 20% or less from setbacks, lot width, depth, area requirements, land development regulations, height limitations, open space requirements, parking requirements, and other similar zoning waivers, **including adjustments to nonconformities**, not related to a change in use of the property in question. Deviations that exceed 20% of the required standards listed above shall be considered by city council.

1. Before granting a waiver the Community Development Director, his designee, or city council must find:
   - i. That the waiver will be in harmony with the general appearance and character of the community.
   - ii. That the waiver will not be injurious to the area involved or otherwise detrimental to the public health, safety or welfare.
   - iii. That the proposed work is designed and arranged on the site in a manner that minimizes visual impact on the adjacent properties.
2. In granting any waiver, the Community Development Director, his designee, or city council may prescribe any appropriate conditions necessary to protect and further the interest of the area and abutting properties, including but not limited to:
   - i. Landscape materials, walls and fences as required buffering.
   - ii. Modifications to the orientation of points of ingress and egress.
   - iii. Modifications of site design features.

g. Conservation Easement: Conservation easements are perpetual, undivided interests in property that run with the land and are binding on all subsequent owners, however may be created, conveyed, recorded, assigned, released, modified, terminated, or otherwise altered or affected in the same manner as other easements and must be recorded in the same manner as other easements. Conservation easements may be conveyed to a charitable corporation or trust whose purposes include preserving sites or properties of historical, architectural, archaeological, or cultural significance. For ad valorem tax purposes, real property that is burdened by a conservation easement may be assessed and taxed on a basis that reflects the existence of the easement. For National Register

properties, the dedication of a conservation easement is considered a charitable contribution for federal income tax purposes.

h. Transfer of Development Rights(TDRs): TDRs are intended to permit an owner of a local register designated historic structure to transfer the undeveloped zoning potential for the property to increase the zoning potential on another site. The development rights shift from one historic sending lot to another eligible receiving lot in order to preserve light, air and architectural amenities among historic properties. A property owner of a local register designated property is entitled to transfer rights to develop one dwelling unit to add to the development potential of a property in an eligible receiving zone. Receiving zones include multifamily zoning districts and mixed use zoning districts.

114-170. Certificates of appropriateness:
A certificate of appropriateness shall be required for any new construction, exterior alteration, relocation, or demolition for property designated on the local historic register. No permits shall be issued by the Community Development Department for any work requiring a certificate of appropriateness unless such work is in conformance with such certificate. Any certificate of appropriateness issued pursuant to the provisions of this section shall expire 12 months from the date of issuance, unless the authorized work is commenced within this time period.

a. Review procedure
Applications for certificate of appropriateness shall be filed through the Community Development Department. The **Community Development Department** shall review applications and determine to approve, approve with conditions, approve with an effective date deferred up to 3 months in the case of demolition or relocation, or deny the application. No decision shall result in an unreasonable or undue economic hardship for the owner.

b. Criteria
1. ***Alterations or new construction.*** Certificates of appropriateness for alterations or new construction shall be determined based upon findings that:

i. **The proposed work does not adversely affect the historic character of the property or the relationship and congruity between the subject property and its neighboring structures.**

ii. **The removal of historic materials, alteration of the features and spaces that characterize the property, or changes**

Added standards

that create a false sense of historical development are avoided.

iii. Alterations and new construction differentiates from the old structure, yet is compatible with the massing, size, scale, and architectural features of the property or its environment.

2. ***Demolition.*** A certificate of appropriateness may be issued with a delayed effective date of up to 3 months in order to explore alternatives to demolishing the structure. The determination for certificates of appropriateness for demolitions shall be based upon the following criteria:

i. The degree to which the structure contributes to the historic or architectural significance of the area;

ii. Whether loss of the structure would adversely affect the historic or architectural integrity of the area;

iii. Whether architectural plans have been presented to the Board for the reuse of the property, and the appropriateness of said plans to the character of the historic district, if applicable;

iv. Whether the structure poses an imminent threat to public health or safety;

v. Whether the applicant has demonstrated that retention of the structure would create an unreasonable or undue economic hardship;

vi. Whether there is a compelling public interest requiring the demolition.

3. ***Relocation.*** Relocation of historic structures from their original location shall be discouraged; however, a certificate of appropriateness may be granted based on a finding that no reasonable alternative is available for preserving the structure on its original site. The certificate may be issued with a delayed effective date of up to 3 months in order to explore alternatives to relocating the structure.

c. Unreasonable or undue economic hardship.

Where strict enforcement of the provisions of this section would result in an unreasonable or undue economic hardship to the applicant, the board shall have the power to vary or modify the provisions of this section. The fact that compliance would result in some increase in costs shall not be considered unreasonable or undue economic hardship if the use of the property is still economically viable.

114-171. Future land use map and zoning map:
Following designation, the Community Development Director shall initiate action at the earliest possible date to amend the city's future land use map and zoning map to identify National Register and local historic register districts, sites, buildings, structures and objects.

114-172. Appeal:
Any party aggrieved by a decision or interpretation of this division made by the Community Development Director or Building Official shall have the right to appeal said interpretation, decision or denial to the city council by filing a written notice of appeal with the Community Development Director within 30 working days from the date of such decision, interpretation or denial. The Community Development Director shall provide the city council with a copy of said notice of appeal. The notice of appeal shall be provided to the applicant by certified mail, return receipt requested, and shall state the decision which is being appealed, the grounds for the appeal, and a brief summary of the relief which is sought. Within 30 working days of the date of filing the appeal, or the first regular city council meeting which is scheduled, whichever is later in time, the city council shall hear the appeal and issue a final decision. Nothing contained herein shall preclude the city council from seeking additional information prior to rendering a final decision.

Section 3. That is the intention of the City Council and it is hereby ordained that the provisions of this ordinance shall become and be made a part of the Code of Ordinances of the City of Naples, Florida, and that the sections of this ordinance may be renumbered to accomplish such intention.

Section 4. If any word, phrase, clause, subsection or section of this ordinance is for any reason held unconstitutional or invalid, the invalidity thereof shall not affect the validity of any remaining portions of this ordinance.

Section 5. That all sections or part of sections of the Code of Ordinances, all ordinances or parts of ordinances, and all resolutions or parts of resolutions in conflict therewith, be and the same are hereby repealed to the extent of such conflict.

Section 6. This ordinance shall take effect immediately upon adoption at second reading.

APPROVED AT FIRST READING THIS _____ DAY OF _____, 2004.

PASSED AND ADOPTED AT SECOND READING AND PUBLIC HEARING IN OPEN AND REGULAR SESSION OF THE CITY COUNCIL OF THE CITY OF NAPLES, FLORIDA THIS _____ DAY OF _____, 2004.

_____
Bill Barnett, Mayor

Attest:

Approved as to form and legality:

_____
Tara A. Norman, City Clerk

_____
Robert D. Pritt, City Attorney

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Council delays historic preservation ordinance

By AISLING SWIFT
aaswift@naplesnews.com

3/2/06

A vote on an ordinance intended to help protect Naples' historic homes was postponed Wednesday after a homeowner complained to City Council that many residents in the historic district were probably unaware they'd face more restrictions.

The push to adopt a stronger preservation ordinance follows Naples' loss of the Haldeman House next to the Naples Pier. The home was built in 1886 by a Confederate general and later sold to Walter Haldeman, a Kentucky newspaper publisher. Family members last year said they were forced to sell the home to a developer because of rising property taxes.

On Wednesday, City Council voted to hold off approving the change in the ordinance involving demolition permits in the Naples Historic District until 63 homeowners were sent letters alerting them that a 45-day waiting period after the filing of a

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Local

Historic

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demolition permit was being extended to 180 days. They'll vote again April 5.

Sue Smith, who has lived in her Gulf-front home on 12th Avenue South for 45 years, called the 180-day wait an "undue requirement" and pointed out that the only notice residents had was a small legal ad in the Jan. 16 newspaper.

"I live in one of the old houses that is going to be imposed upon by this rule," Smith said. "The area has challenges that are unique."

Smith cited high insurance costs, hefty property taxes, fear of hurricane damage, and maintenance problems. It wasn't likely that her home would be demolished, she said, but she objected to restrictions being placed on homeowners' freedom. Smith was the only resident who spoke out against the ordinance at a Feb. 1 Planning Advisory Board meeting, when the change was approved after a city Planning Department recommendation.

Councilman Gary Price, a former PAB chairman, noted that in four years of discussions on historic districts, few residents spoke out.

"We owe it to these people to mail them a letter to tell them what we're considering and asking them for their input," Price said. "We're going to change the law without getting the input of these people."

The Old Naples Historic District is bounded by Ninth Avenue South, Third Street South and 13th Avenue South. Although it's on the National Register of Historic Places, the designation doesn't protect the homes.

In the past, city officials proposed incentives and tax breaks to persuade homeowners to renovate historic homes rather than tear them down. Throughout Naples, modern megahouses are increasing, transforming a once quaint city into a patchwork of older, small homes next to huge, new mansions.

In 2003, council passed an ordinance preventing property owners from immediately demolishing historic homes after applying for a demolition permit. That ordinance was prompted by the demolition of the Carriage House on 13th Avenue South, a tourist attraction that was razed the day after the permit was granted, surprising many nearby homeowners and the Historical Society, which was unaware until it was too late.

Last year, as preservationists worked to save the Haldeman House, city officials contended the 45-day waiting period wasn't sufficient. Hopes grew dim in October after council approved plans for five single-family homes on the 2-acre property.

Two months later, the home was saved, but it won't remain in Naples. Chris Busk, a landscape architect whose hobby is restoring historic homes, is moving it to the Oak Creek site on Pennsylvania Avenue in Bonita Springs in an effort to preserve the area's past. His plans were delayed while the state Department of Environmental Conservation investigates possible damage to mangroves that may have occurred while the site was cleared.

Sharon Kenny, Naples Historical Society board member, called the vote's delay discouraging.

"I wish that council would have been a little bit more brave," said Kenny, who didn't attend the meeting, but was at others involving the 45-day wait. "This has been discussed ad infinitum. ... It's disappointing that one homeowner can stop the council in its tracks."

Don Wingard, president of the Naples Historical Society, wasn't worried about the delay, and said it was good more residents would be aware of the discussions, which have been going on for years.

"You're not hurting the existing owners," said Wingard, who owns three homes in the historic district, including a renovated home and guesthouse. "You're potentially allowing time for people to explore the benefits of keeping a historic home. ... Some people have the misguided idea that it's easier to sell an empty lot. It's not only counterproductive, it hurts the character of the neighborhood. ... A longer waiting period will discourage people from tearing them down."

He cited the Carriage House, which a homeowner razed to sell an empty lot on the Gulf. After three years, it's still on the market.

HISTORIC PRESERVATION ORDINANCE

3/7/6

Building trust with voters crucial to saving buildings

The key to a successful historic preservation ordinance — if one is possible at all — in Old Naples is communicating and building trust with the people it would affect.

The city of Naples overlooked that in the latest attempt at such a rule by failing to blanket the area with public notice in advance of a City Council meeting to consider lengthening the demolition window from 45 to 180 days after the initial announcement of new plans for an old structure.

Naples Historical Society President Don Wingard, himself an owner of old homes there, has the right idea. He says more advance public notice will help more people see the advantages of the plan, which seeks to give him and other preservationists a little extra time to rally forces and money to save the next Haldeman House or Carriage House.

The city will try again next month after affected property owners get a notice in the mail.

Local

Naples increases wait period to raze historic homes

By AISLING SWIFT
aaswift@naplesnews.com

A change in an ordinance to help protect Naples' historic homes was approved unanimously Wednesday by the City Council after nearly a dozen historic preservation advocates and homeowners overwhelmingly showed their support.

The council went a step further and decided to meet with the Collier County Commission and the Collier County School Board to see whether tax reductions could be offered as incentives to preserve Old Naples Historic District homes.

Last month, a vote on a 180-day waiting period before historic district homes could be razed was postponed after Sue Smith, a district homeowner, opposed it and questioned whether 63 affected homeowners were notified. City officials then mailed letters to homeowners, and 11 residents and advocates came out in support Wednesday. Smith was the only opponent.

Carol Olsen, a Naples Historic Society volunteer, told the council that, in 1987, there were 31 stops on historic district tours, which dropped to 27 in 1995 and 18 today. "If you do your math exponentially, in 2020, we will have three," Olsen said. "Now, that's pretty sad."

She urged city officials not to stop at this measure. "This is but a baby tooth and you've all been charged to put teeth into this," she said.

She held up an old wooden plank. "This is all that's left of the Haldeman House," she said, handing it to Councilman John Sorey, who passed it to other council members. She pulled out another ragged piece, saying, "This is all that's left of Captain Stewart's House. I do have a piece of the Crayton House, but it's too heavy to carry. Please don't let that be all that's left of the rest of Naples."

The Old Naples Historic District is bounded by Ninth Avenue South, Third Street South and 13th Avenue South. Although it's on the National Register of Historic Places, the designation doesn't protect homes.

The push to adopt a stronger ordinance follows Naples' loss of the Haldeman House, along with others such as the Carriage House on 13th Avenue South, a tourist attraction razed a day after a demolition permit was granted. That surprised many nearby homeowners and the Naples Historical Society, which was unaware until it was too late.

Wednesday's vote increases the current 45-day waiting period after a demolition period is filed to 180 days to allow preservation advocates time to find alternatives, such as moving homes — as the Haldeman House was in the early morning hours Tuesday, after 120 years next to Naples Pier. Its new home is Pennsylvania Avenue in Bonita Springs, where landscape architect Chris Busk restores historic homes.

The 45-day ordinance, prompted by the loss of the Carriage House, was passed in 2003 to prevent owners from immediately demolishing historic homes after a permit was granted.

Emily Gutchess, who lives in a historic home on Broad Avenue, told the council people don't understand how much effort goes into maintaining historic homes. She urged an increase to only 60 days.

Amy Rego, a 10th Avenue South resident, asked the council to pursue other avenues to prevent historic homes from being replaced by larger ones, and higher density zoning. "We should look at and explore every avenue we can to help people buying a house ... not to demolish it," she said.

Historical Society President Don Wingard, who spoke in favor of the ordinance, said afterward he considered it only a first step in educating and offering incentives to homeowners and potential buyers about the value of preserving historic Naples. "If you could freeze the taxes, it would be wonderful," he said. "But it can't be done just in the city. That's only a small percentage of the tax payments."

Naples City Council to seek input on historic ordinance

By AISLING SWIFT
aaswift@naplesnews.com

2/21/7

The city of Naples wants the public's input to possibly help preserve history.

City Council on Tuesday decided to hold a joint workshop with the Planning Advisory Board within the next two months to discuss a voluntary historic ordinance. The workshop would enable residents of the Old Naples Historic District to provide them with input about their desires.

ONLINE
To leave ideas for a possible Naples Historic Preservation ordinance, go to **naplesnews.com**

A historic building ordinance already has been drafted, but the PAB wants council's advice before it issues recommendations. A historic ordinance was first proposed in Naples in 1988, but over the years, it's always encountered some opposition and it's never moved forward.

Mayor Bill Barnett pointed out the last time the ordinance was proposed, opposition was overwhelming. "Within 30 minutes, it had disintegrated,"

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Ordinance

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Barnett said of a stricter ordinance. "People I hadn't seen in 30 years here came out."

The Old Naples Historic District is bounded by Ninth Avenue South, Third Street South and 13th Avenue South. Although it's on the National Register of Historic Places, the designation doesn't protect homes.

The push to adopt a stronger ordinance follows the loss of the Haldeman House, along with others such as the Carriage House on 13th Avenue South, a tourist attraction razed a day after a demolition permit was granted. That surprised many nearby homeowners and the Naples Historical Society, which was unaware until it was too late.

Last April, council voted to increase a 45-day waiting period after a demolition permit application is filed to 180 days to allow preservation advocates time to find alternatives, such as moving homes — as the Haldeman House was after 120 years next to Naples Pier. Its new home is on Pennsylvania Avenue in Bonita Springs, where landscape architect Chris Busk, who restores historic homes, is building a historic neighborhood.

Council also is considering becoming a Certified Local Government, which would enable the city to receive matching grant funds to help preserve historic homes, educate the public, provide training programs, oral histories, preservation plans, and other resources.

Bonnie Dearborn, community assistance consultant and administrator for the Southeast Florida Regional Preservation Office, a division of the Department of State, urged Naples to preserve its history. The federal government distributed $150 million in preservation funds nationwide in 2005, she said, and Florida usually receives about $750,000.

Buildings, typically 50 years old or more, could be historic due to age, if something important occurred there, or if someone important lived there, she said. However, she warned against preserving buildings just because they're old, or constructing faux historic buildings.

"Then you don't know what's old or what's new," Dearborn said.

"Concealing or neglecting your historic fabric deprives you of one of your best marketing tools."

But Councilman Bill Willkomm was concerned that an ordinance would hurt homeowners and prevent economic gain. Councilman John Sorey agreed, noting, "Any time the land values get substantially higher than the property values, it gets very difficult."

Sorey questioned the support a historic ordinance would have, pointing to the opposition the 90-day permit wait ordinance encountered.

Dearborn, however, said a property owner always has the right to appeal a city's decision to designate historic properties.

"If you don't have a program, then your heritage would be gone and you won't have that memory of your community," she said. "It gives you sense of place."

Elaine Reed, executive director of the Naples Historic Society, urged council support and read a letter by the society's president, Donald Wingard, who couldn't attend Tuesday's workshop.

"Collectively, we need to make a conscious effort to avoid losing the very charm that attracted most of us to Naples in the first place," Wingard wrote. "By affording little in the way of guidance or even encouragement in saving our significant structures, the current ... ordinances do not reflect the needs of our community."

Wingard urged a voluntary ordinance that would provide residents with creative incentives so they'd desire a historic designation.

Sharon Kenny, a historic society board member, called the loss of the Haldeman House a tragedy and worried another landmark would meet the wrecking ball — the 1921-era building that recently housed Fantozzi's, a deli, wine and cheese shop near the intersection of Third Street South and Broad Avenue South. It was evicted after 20 years in the building that over the years housed one of Naples' earliest development companies, a church, City Hall, and a movie theater.

"It's one of Naples' original structures," Kenny said, warning that it could be transformed into a big box store if it's sold. "If it's a CVS big box store, I don't think you'd have anybody coming to see it."

Willkomm said that if Naples wants to save historic buildings, it shouldn't take homes away without justification. He worried that involuntary taking would be a next step after voluntary.

"It seems that as a community, if we want to save these structures, we ought to step up to the plate and buy them," he said, adding that it's what New Orleans did.

Councilwoman Penny Taylor pointed out that there are advantages to the designation because Federal Emergency Management Agency restrictions don't apply. "You can't tell me someone wouldn't want that advantage," she said.

But opponents contended a stricter ordinance would take away property owners' rights.

"Jackie Sloan, a Broad Avenue South homeowner, urged a more democratic process and questioned whether a stricter ordinance is needed.

"So many people are interested in buying these old places," she said. "They're attractive. ... But they're doing it without having to do all this."

City watchdog Sue Smith, who lives in the historic district, called the voluntary designation an "invasion by ordinance," and pointed out that even if it's voluntary, a homeowner would have to spend time and money appealing Naples' decision. "You can't just say 'no,' you have to go through the process," she said.

"... You're invading property rights with a hammer. You don't have to do it. You're creating an economic tool for tourism."

She pointed out that residents have historically fought such an ordinance. "You're bringing the horse out to drag it through the street and we do not want it," she said. "It is *not* voluntary. It is another government 'take.'"

Mayor Bill Barnett assured her that council wasn't acting on it Tuesday. "There has never, ever been an overwhelming consent of the citizens of Naples, although we get criticized severely every time a location gets torn down," he said.

The city plans to send notices to residents in the historic district once a date is set for a joint workshop.

Naples City Co
to seek input o
historic ordina

By AISLING SWIFT
aaswift@naplesnews.com

2/21/

The city of Naples wants the public
bly help preserve history.

City Council on Tuesday decided
workshop with the Planning Advisor
the next two months to discuss a vo
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ONLINE
To leave ideas for a possible Naples Historic Preservation ordinance, go to **naplesnews.com**

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Mayor Bill Barnett pointed out the
dinance was proposed, opposition
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See **ORDI**

Naples Daily News

LOCAL & STATE

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Naples, Marco
Region and state news

E-mail: news@naplesnews.com

457

Friday, April 27, 2007

Residents discuss preserving Naples' image

Naples has to plan ahead to keep up with county's soaring growth and still keep its distinctiveness, consultant says at final visioning meeting

By KATY BISHOP
kmbishop@naplesnews.com

Naples residents gathered Thursday night to tackle their paradise paradox — how to handle the growth that has changed the city from a small fishing village to a destination.

The city isn't growing nearly as fast as Collier County, but because downtown Naples is the downtown for the entire county, the city has to plan ahead for that growth, said Herb Marlowe, of the consulting firm Arrington Marlowe, to about 40 people gathered at Naples City Hall for the third and final visioning meeting.

"What's happened in Florida is that the distinctiveness of many communities has disappeared due to the nature of the growth," Marlowe said. "That's what people don't want to happen here. They don't want to lose that distinctiveness."

Citizens who spoke after a presentation by Marlowe brought up complaints about Naples Municipal Airport's traffic and noise levels, called for citizen participation in airport governance, voiced support for sidewalks and bikepaths, expressed concerns about water shortages and called for environmental leadership.

"One of the challenges here is that we have to think about Naples as having to serve a lot more people than just its residents," Marlowe said. "The other challenge is how do you balance the development of other commercial centers ... in the county with the need to support your downtown businesses."

Twenty-four people — 23 city residents and one nonresident — cast votes using electronic polling remotes in the 10-question survey Marlowe conducted at the end of the meeting. The consultant identified seven strategies for the city to manage growth and maintain its unique character, and added questions about Naples Municipal Airport and environmental leadership at the audience's request.

Environmental leadership was the only topic to receive 100 percent support.

The call to address concerns about Naples Municipal Airport received 96 percent support. Ninety-six percent of the audience also supported Marlowe's strategies to encourage participation in regional governing bodies, to protect and market the name of Naples like a corporate brand and to maintain the city at a manageable size.

See VISIONING, Page 2B

Visioning

Continued from **1B**

Ninety-two percent supported Marlowe's proposal to encourage the Collier County to provide more services to ease demand on city infrastructure. Eighty-two percent supported working harder to balance equity interests in the city, for example, between business owners and residents on Fifth Avenue South.

Seventy-seven percent supported increasing city services, and 72 percent supported the city adopting a control strategy, which Marlowe defined as "using as many regulatory or other tools to shape growth."

Arrington Marlowe will present a report on months of town hall meetings, focus groups, one-on-one interviews and a telephone survey of 857 citizens to City Council during its Monday workshop.

HISTORIC PRESERVATION

5/20/7

Who cares about the past?

Take this simple test. A history test.

Which city — Naples or Bonita Springs — cares more about historic preservation? Which city has more respect for the past?

Let's look at deeds rather than words.

Where is the Haldeman House today? It is one of the oldest houses in Naples, the immediate southern neighbor of the Naples Pier.

INSIDE
Photos and story, 5G

Or we should say "was" all of that.

Haldeman House — the same Haldeman House — now resides in Bonita Springs, where it was celebrated the other day by the Bonita Springs Historical Society as a success story.

The builder who cared enough to raise instead of raze the landmark and haul it up the road, put it back down and lovingly restore it, leads by example. No wonder Bonita Springs City Council gave Chris Busk a special salute the other day.

We trust Haldeman House will become a model for Bonita's future historic preservation efforts — a shining example of what can be done — as redevelopment creeps further and further into old Bonita.

Naples — where the Old Naples neighborhood is a state of mind — talks the talk from time to time.

Bonita Springs does more.

Where there is a will there *is* a way.

The correct answer: Bonita.

R 5/10/7
The day the after meeting

City of Naples

PLANNING ADVISORY BOARD
WORKSHOP
AGENDA

Chairman: Falconer Jones, Vice Chairman:
Members: Wafaa Assaad, David Ball, Ian Butler, Richard Klaas, David Miller, Margaret Sulick
Kathleen McFadden, Alternate, and Amy Taylor, non-voting School Board representative

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May 9th, 2007-Following regular meeting
CITY COUNCIL CHAMBER
735 8TH STREET SOUTH

1. Roll Call
2. Changes to the Agenda
3. Discussion-Historic Preservation
4. Discussion-Planned Development
5. Discussion-Parking
5. Public Input
5. Adjourn

Public participation is welcome at this workshop. Simply fill out a speaker form found at the desk by the entry door, place it in the box next to the meeting clerk and you will be called to speak at the appropriate time.

Speakers' comments are limited to five minutes.

NOTICE

Any person who decides to appeal any decision made by this Board with respect to any matter considered at this meeting will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be heard.

All information on items in this agenda, which has been provided in advance of this meeting, may be inspected in the office of the City Clerk, Room B, City Hall, or at the Planning Department, 295 Riverside Circle. All written, audio-visual and other material presented to the Planning Advisory Board in conjunction with deliberations during this meeting will become the property of the City of Naples and will be retained by the City Clerk.

Any person with a disability requiring auxiliary aids and services for this meeting may call the City Clerk's Office at 213-1015 with requests at least two business days before the meeting date.

City of Naples

PLANNING ADVISORY BOARD
WORKSHOP AGENDA

Chairman: John Sorey, Vice Chairman: Gary Price
Members: James Black, Falconer Jones, Albert Luer, Samuel Noe, James Siedel, David Miller – Alternate, and Amy Taylor, non-voting School Board representative

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December 10, 2003, following the Regular Meeting
CITY COUNCIL CHAMBER
735 8TH STREET SOUTH

1. Roll Call

2. Items for Discussion:
   a.) Historic Preservation
   b.) US 41 Origin and Destination Study
   c.) Single-Family lot coverage

3. Public Input

4. Adjourn

Public participation is welcome at this workshop. Simply fill out a speaker form found at the desk by the entry door, place it in the box next to the meeting clerk and you will be called to speak at the appropriate time. Speakers' comments are limited to five minutes.

NOTICE

Formal action may be taken on any item discussed or added to this agenda. Any person who decides to appeal any decision made by this Board with respect to any matter considered at this hearing will need a record of the proceedings and may need to ensure that a verbatim record is made, which record includes the testimony and evidence upon which the appeal is to be heard.

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Cool quintet
Synergy Brass Quintet plays for students at Immokalee High School

NEAPOLITAN

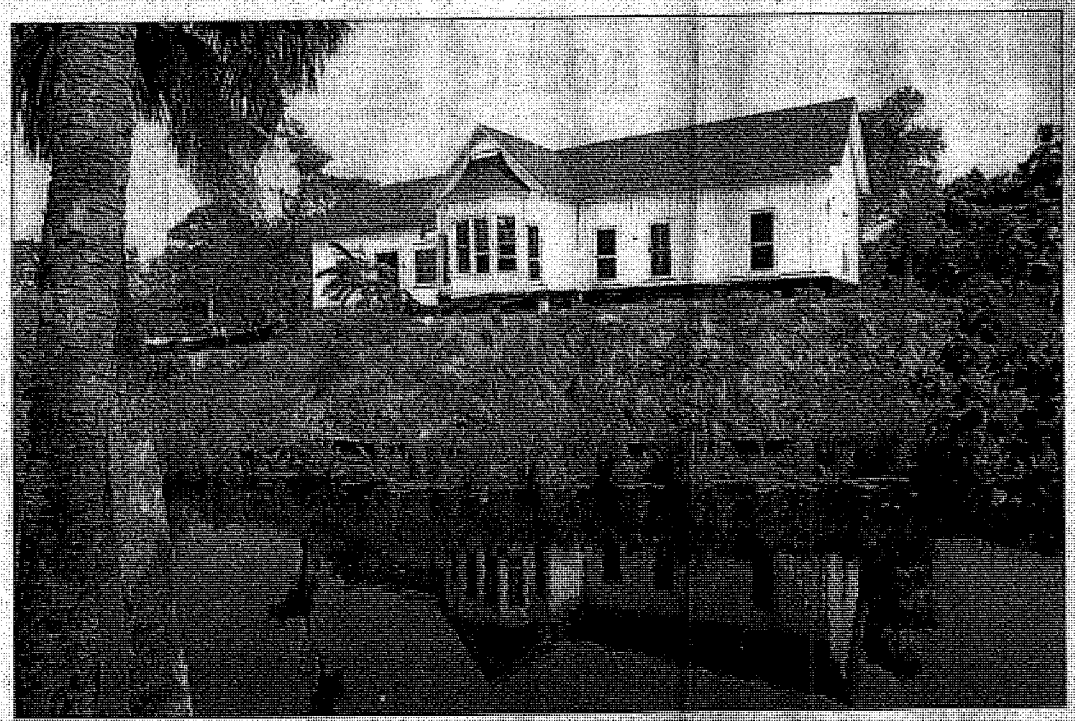
Living & The Arts in Southwest Florida

Friday, January 2, 2009

E-mail: features@naplesnews.com

YOUR VOICE

One in a continuing series of stories contributed by Daily News readers



The Haldeman House sits nearly finished along the bend in Oak Creek off Pennsylvania Avenue in Bonita Springs. David Albers/Pilr

The land that was never home

Walter Haldeman's great-great-grandson pays Naples a visit

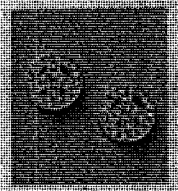
By LOIS A. BOLIN

Haldeman once offered a $10 lot in this new paradise called

SHEILA'SOUT SHOPPING

THE SIGN OF PEACE

It has been 50 years since the anti-war movement's peace sign was invented.



The sign was originally used for the Direct Action Committee Against Nuclear War and is a combination of the semaphore letters "N" and "D," meaning nuclear disarmament. In the 1960s, flower children land anyone against the wall embroidered and painted the symbol on their clothing, cars and walls and wore the sign in jewelry as a protest of the war.

The symbol is still worn today and is being shown on jewelry, T-shirts, underwear and apparel in local stores. It's easy to find the symbol, but we're still trying to find peace.

Nordstrom has a 24-inch gold-toned chain with a large peace sign dial and gold and blue peace along the chain by Liz Palacios ($[illegible]). You can also find a crystal and yellow gold [illegible] 18-inch chain ($[illegible]) or one that is white gold-toned ($[illegible]).

Fancy Couture has two chain earrings in gold tone and crystals ($[illegible]) and a large clip on a charm to put on a bracelet ($[illegible]). They also have a crystal and gold

grandson of Walter
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This new chapter brought forth many new catalysts that spurred development. In 1926, Naples established electric power, followed by rail service in 1927 and finally the definitive catalyst, the Tamiami Trail, which was completed in 1928 and linked Tampa, Naples and Miami.

Crayton worked on developing Naples until his death in 1938. The only deterrents to development during those times were the 1929 stock market crash and World War II. While those events slowed the inevitable growth, development always came back around: It was Naples' destiny.

Haldeman's legacy

Haldeman's dream was simple: build a resort paradise for people to visit in the winter months, turn a profit and, in doing so, support his family and home community in Kentucky. It was a noble dream.

Perhaps Haldeman's greatest legacy for Naples is the magnificent structure, his home, which caressed the horizon just south of Naples Pier. But on April 5, 2006, the Haldeman House was moved from its original site to make way for a new development.

It's interesting that the dream of development brought Haldeman to Naples in 1885 in the first place, and it was the dream of development that brought down the oldest iconic structure in the city of Naples in 2006, so it could be moved to its second resting place.

Chris Busk stepped in to save the Haldeman House from destruction and carted it away from its original location in Naples to a new site on Pennsylvania Avenue in Bonita Springs. At a cost of approximately $500,000, mostly from his own pocket, he took the house 17 miles up the Tamiami Trail at 7 miles per hour and placed it next to several other historic structures.

Busk sat next to Cort at a recent reception at the Naples Backyard History Mini Museum, thanked him profusely for his efforts to save the house and encouraged the gathering to support Busk, who was still dealing with the costs that came with the move.

Paul Arsenault, local artist

To artist Paul Arsenault, the Haldeman House represented the quintessential Naples Cottage, and an unforgivable loss

See **HALDEMAN**, *Page* **2D**

BOUT THIS FEATURE

ure in the Neapolitan section. Any topic related to life in Southwest Florida will be considered
: dogs, fascinating people. If you're interested in submitting stories, photos and/or videos
s features section — and to be featured on naplesnews.com — let us know.
rmation: E-mail us at features@naplesnews.com

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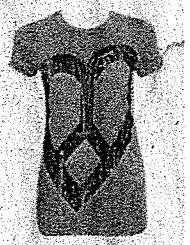
2, adults;

SATURDAY: Is it just us, or do few things sounds as fun as a fiddle fest? It probably won't involve old Appalachian men dressed in overalls, but **"Barrage: High Strung"** should be a romping exhibition of all things fiddle. The show starts at 8 p.m. Saturday at the Naples Philharmonic Center for the Arts, 5833 Pelican Bay Blvd. $39. 597-1900, www.thephil.org.

sterling silver peace symbol jewelry by Dean Harris. I like the large cuff bracelet ($55.99).

Delia's had quite a few T-shirts with different peace signs, but the **turquoise shirt with the large symbol** ($26.50) was my choice. I also like the black shirt with peace signs in different colored hands. I guess turquoise is my color, because I also got one in that color at Forever 21. The **large black peace sign** is inside a heart ($12.80) instead of a circle.

Charlotte Russe had a few to choose from and also had a necklace. The shirts are $10 and the necklace is $6.99.



Wet Seal has T-shirts ($14.50) and boys short-style underwear ($4.50) sporting the sign, and a striped halter ($19.50) with a peace symbol on one side. I also found a necklace ($8) at this store.

Time to give peace a chance?

WHERE TO SHOP

Charlotte Russe, Coastland Center mall, Naples, 435-0145

Delia's, Coastland Center mall, Naples, 659-6444

Forever 21, Coastland Center mall, Naples, 262-6430

Juicy Couture, 5485 U.S. 41 N., Nap 597-3555

Nordstrom, 5489 U.S. 41 N., Nap 325-6100

Target, 2324 Pine Ridge Road, 435-0051; 2415 Tarpon Bay Roa 552-1100; and 26811 U.S. 41 S Springs, 958-2300

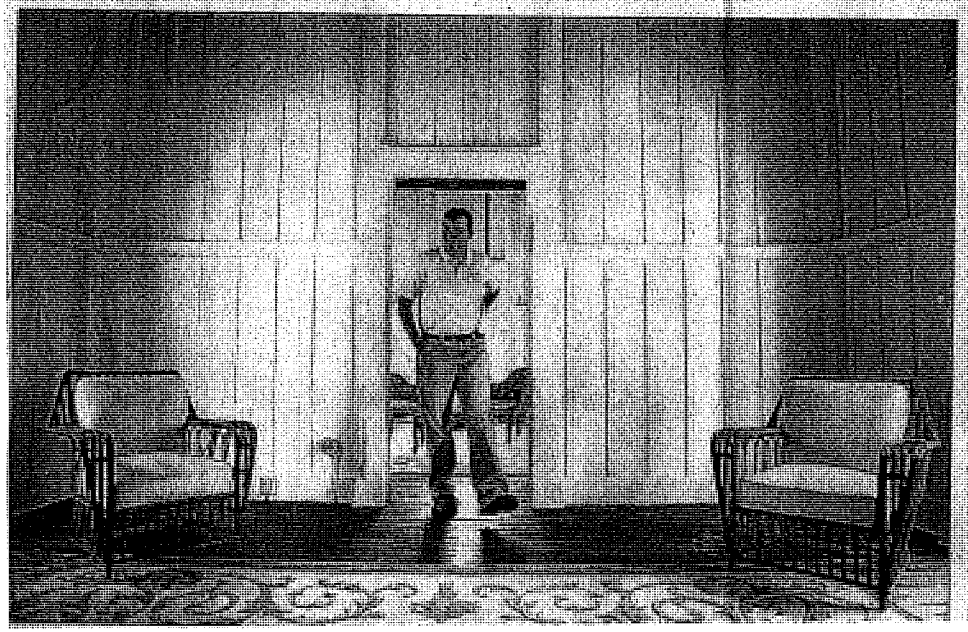
Wet Seal, Coastland Cent Naples, 403-4312

— BY SHEILA M

The Haldeman House is shown here sometime in the mid-1970s at its former location in Naples. *Submitted by Whitney Richardson, Executive Director Naples Historical Society*

The land that was never home

Walter Haldeman's great-great-grandson pays Naples a visit



Start the year with some easy green, and work up

By KEVIN KIRKLAND and GRETCHEN McKAY
Scripps Howard News Service

Most New Year's resolutions have to do with improving your life by losing weight, quitting smoking, etc. But what about your home and garden?

Here are tips from the Pennsylvania Resource Council and Collier and Lee county governments and utilities to help make the place you live more sustainable and friendlier to the environment. Here they are, from easiest and cheapest to tougher and more expensive.

Mulch your Christmas tree

In Collier and Lee counties, trees will be collected along with normal yard waste and recycled into mulch.

Remove all ornaments, tinsel, lights, all decorations and the tree stand before you place the tree curbside on your yard waste collection day. Do not put the tree in a plastic bag. In Collier County, trees taller than 6 feet must be cut in half.

Christmas trees also may be taken to the Collier County Landfill, the Immokalee Transfer Station or the three Collier County-area recycling centers for a small fee. Information: 252-2380.

Consume neither paper nor plastic

Keep canvas shopping bags in your car and remember to use them at the grocery store.

Recycle more

Remind everyone in the family that cans and most plastic should go in the recycle bin, not the trash can. If your municipality does not recycle magazines, newspapers or junk mail, drop them in bins at a local school to turn them all off at once.

Refrigerators are one of your biggest users of electricity. To save energy, keep the fridge at 37 degrees and the freezer at 0. When it's time for a new one, get an Energy Star model.

Get an energy audit

Chances are you'll find out you need to add more insulation and weatherstripping/caulking around your doors, windows and foundation. To have your home surveyed free of charge, have your account number ready, and then call **FPL at** (800) 342-5975, or the **Lee County Electric Cooperative at** (239) 997-2261.

Get a rain barrel

Besides holding water for use in the garden, a barrel keeps runoff out of storm sewers.

Shut off the sprinkler

Water lawns only once a week during the hottest part of the summer when there is no rain. Use a coffee can to find out how long it takes to apply 1 inch of water and run it only that long.

Even better, plant shrubs and flowers that require no more than 1 inch of water a week.

To set up an appointment for a free evaluation of your irrigation system, call the joint-agency operated Mobile Irrigation Lab at 455-4106.

Start composting

Instead of putting leaves and grass clippings out by the curb, add them to kitchen waste and get compost.

Muscle grass into mulch

Ditch the power mower for a push mower. Or trade in your bagger for a mulching mower, which cuts the grass into tiny pieces that break down faster and don't need to be raked.