

Naples City Council looks to crack down on lot combinations to preserve city's charm

Council members concerned about loss of small-town charm



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Naples City Council has taken a step toward adopting new regulations that could make it harder to build mammoth homes.

Council voted 5-2 in favor of a new ordinance on first reading Wednesday that would implement new rules for the combination of adjacent single-family lots.

The new rules would not apply to Port Royal, where mega homes are the norm.

City Council has raised concerns about the spread of the big-home trend – and the loss of the city's small-town charm.

Of particular concern are neighborhoods such as The Moorings, Park Shore and Lake Park.

Vice Mayor Mike McCabe motioned to approve the proposed ordinance after a few tweaks, including adding more specificity to yard and open space requirements for combined lots if approved. Councilman Paul Perry seconded.

"I think this gets us to where we need to be," Perry said. "And it's kind of a middle ground."

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Council members Beth Petrunoff and Terry Hutchison disagreed, voting against the code changes.

To support it, Hutchison said it would have to be more "nice and tight," raising concerns it could cause more confusion and do more harm than good.

For Petrunoff, the changes didn't go far enough.

She suggested lot combinations should not be allowed, outside of Port Royal, unless there's a hardship, which is unlikely, unless one of the lots is unbuildable.

Big houses should be built in areas where there are estate homes, not in more traditional neighborhoods, where they can overshadow smaller ones, making them look like maid's quarters, Petrunoff said.

"I still have an issue of consistency and keeping the neighborhood intact," she said.

A second reading and final vote is scheduled for Feb. 15.

Under the new rules, most lot combinations would be evaluated like major subdivisions, requiring a review by the city's Planning Advisory Board and a thumbs up from City Council.

An application for a lot combination would require the submittal of conceptual renderings, elevations and a site plan to show what's planned on the site.

The criteria for approval would include a determination that the project would:

- Not be out of scale with the existing character of the neighborhood and other lots on the street "within the immediate vicinity"

- Not "unreasonably interfere with air flow, sunlight and viewsheds provided by the current lot configuration and setbacks"

- Not adversely affect "access, design or other public safety concerns"

In the past, the city's planning department has reviewed and determined many lot combination requests administratively, with no input from the Planning Advisory Board or City Council.

City Council stopped that practice last year, expressing concern that it had resulted in oversized homes that are "out of character" with their surrounding neighborhoods, contrary to the city's comprehensive plan and vision.

Priorities in the city's vision plan include protecting and enhancing the natural environment and preserving the small-town feel of Naples.

Before voting on the ordinance, several city council members suggested changes to the language and requirements outlined in it.

Councilman Ted Blankenship said the version staff proposed went too far. He asked to strike language that stated City Council may "limit the maximum building area, scale, and massing, or impose other restrictions or conditions of approval to preserve neighborhood scale and neighborhood character."

The city should not try to dictate the architectural style of a home, or what trees or flowers should be planted, when lots are combined, Blankenship said, which he feared could happen with that verbiage.

Other councilors agreed, eliminating the language.

The city has not processed any new lot combination applications since Oct. 6, leaving them in a holding pattern after City Council declared a "zoning in progress," or moratorium of sorts, to allow time for new rules to be adopted.

The harder line on lot combinations has already sparked a lawsuit by long-time Naples property owners Richard and Margaret Schulze.

City Council denied the couple's application to combine lots for a new single-family home near the former Naples Beach Hotel on Oct. 19. The application had been in process for months.

The Planning Advisory Board recommended approval, but City Council voted 6-1 against it, finding it inconsistent with the comprehensive plan.

During the public hearing a neighbor complained the plans to build a larger home on a larger corner lot would hurt the use and value of his property – and his attorney argued the proposed residence would be out of character with other homes along South Golf Drive.

The Schulzes' attorney requested reconsideration of council's denial under the condition that her clients would agree to a larger setback, to minimize the impact on their proposed residence on neighbors, but City Council stuck with its decision.

The couple seeks a declaration by the court that the city lacks jurisdiction to reject the combination of their lots based on its existing zoning and development rules.

In its answer to the complaint, the city argues it does have that right and it followed the proper procedures in exercising that right.