

BAYSHORE BANNER

In our 63rd year of serving the community

FROM THE BOARD

- The Board appointed Jose Alicea as the new Dock Master.
- Gia Cruz was appointed Temporary District Office Manager
- A new gate has been installed on the road to the beach. The gate is on a timer to open in the morning and close at dark. If a car is still at the beach after the gate closes, there is a trigger that will open the gate to let that car out.
- Research has revealed that the picnic area & beach are open to the public during daylight hours in perpetuity.
- There are 4 open seats on the Board. If you are interested in becoming a Trustee please contact the office.

Visit bayshoregardens.org for the Board of Trustee Meeting Minutes

Board of Trustee has Vacancies

The Board of Trustees has vacancies for Trustees. If you are motivated and want to make a difference in your community, please forward a letter of intent and a resume to office@bayshoregardens.org or feel free to stop in the office and introduce yourself.

POOL HOURS - WITH COVID-19 RESTRICTIONS

MONDAY - FRIDAY - 8 AM - 11 AM

NO LIFEGUARD ON DUTY - FOR MORNING LAP SWIMMERS ONLY

MONDAY - WEDNESDAY - 4 PM - 7 PM WITH LIFEGUARD ON DUTY

THURSDAY - SUNDAY - 11 AM - 7 PM WITH LIFEGUARD ON DUTY

**Please note pool hours are subject to change. The lifeguards may close the pool at their discretion based on the weather and other conditions*

Accessory Dwelling Unit Workshop: Tuesday August 4, 9 am

Read Manatee County's ADU Neighborhood Blast, along with We The People's Letter to Commissioners and Proposed Changes, beginning on Page 12

Bayshore Gardens Recreation District Board of Trustees Meeting Minutes: June 17, 2020 @ 7:00 PM

Present: Chair Jim Frost, First Vice Chair Thom Williams, Second Vice Chair Barbara Susdorf, Treasurer Katey Dolan, Secretary Sandy McCarthy and Trustees, Steve Watkins, Belle Baxter, Terry Zimmerly, and John Lindsey.

Absent: None

Visitors: Office Assistant Gia Cruz, Kathi Frost, and Caleb Davis. Also see Sign-In Sheet.

- Roll Call, Establish a Quorum. All trustees present. See above.
- Call to Order. Frost at 7:02PM
- Pledge to the flag.
- Approval of Minutes: May 22 BOT Meeting and June 8 BOT Meeting. Baxter made the Motion to accept the Minutes as presented. **MOTION PASSED UNANIMOUSLY**
- Zimmerly made a Motion that the Board accept the budget created by she and Sharon Denson, representing a \$0 tax increase, and present it to the residents for a vote at the June 24, 2020 Meeting. **MOTION PASSED UNANIMOUSLY**
- Beach Gate. Susdorf made the Motion to accept the lowest quote received (Liberty Gates) for the installation of a fob-controlled beach gate. **MOTION PASSED UNANIMOUSLY**
- Club Recognition Defined / Approve Form1020F1 and 1020F2. To be taken up at a future workshop.
- New Dock Master Position. Board will have the opportunity to speak with the candidates for the job at the July 7 Work Session.
- District Manager Position. Moved to future meeting.
- Lindsey made the Motion to name Gia Cruz the Interim District Manager, at her current rate of pay, so that she may become a signer on the checking account in place of the previous District Manager. **MOTION PASSED UNANIMOUSLY**
- Hall/Marina Renovation. Lindsey made the Motion to complete the men's bathroom as contractor's Invoice details. **MOTION PASSED UNANIMOUSLY**
- Motion-Rescind Comp Time Motion. Moved to a future Workshop Meeting, TBD

- Baxter made the Motion to move funds from Acct. #5903 to Acct. #5311 \$8000 to pay the contractor. **MOTION PASSED UNANIMOUSLY**
- Zimmerly made a Motion to Accept the financials in the packet. **MOTION PASSED UNANIMOUSLY**
- Susdorf made the Motion to Adjourn. **MOTION PASSED UNANIMOUSLY**

Adjourned at 9:12 PM.

Woodchoppers Club

We had a WORK SHOP Saturday, July 18th at 9 am to begin the installation of the vacuum system. Not the whole thing, but enough to know what it entails.

We had our final 'back door/wall' workshop on June 20th with success, social distancing and precautions. Any new workshop notifications will be announced in Banner articles, and/or by email and post cards (to members).

Tools: As of this writing the table saw is still waiting on a parts order. The old radial arm saw is still for sale through the Recreation Center Office.

Memberships are available at the Recreation Center Office during regular business hours. Members must be adult residents of the Bayshore Gardens District.

As always, if there is any problem with a tool, please notify an officer and leave a note/tag on the tool. Club Officers' numbers are listed on the front window. Use safety equipment when using any power tool. Shop users are required to sign-in at the door and clean up after using the Shop.

Gwen Norris

CERT - (Community Emergency Response Team)

Hurricane season is here. We normally get the majority of our hurricanes in September but with the water temperature we could see more activity, stay tuned to local weather forecast. Make sure you know the evacuation routes if needed, where the shelters are, and if you have special needs, sign up with Manatee County NOW. Questions, we can help.

CERT is about your community. CERT attempts to put on community programs to assist the residents here. One of our new Community Service Programs is to locate Residents of Bayshore Gardens who do not need to evacuate most of the time and seek to pair up fostering with Trailer Estates residents who must evacuate. Many seniors will not evacuate due to concern for a pet. Many shelters do not accept pets or fill quickly. Having a safe place for your pet, will allow you to evacuate and keep yourself safe in an emergency. If you are interested in this project, please contact msmith0603@aol.com, or call 941-752-9101, and I will match you up.

Volunteers from CERT are putting together a list of those who might need fostering for their pets and those who are willing to

foster. Those will be matched up 1:1, and the volunteers can meet the animals and the owners can meet the volunteers who will be caring for the animals. This is totally voluntary and the only thing CERT will do is keep the list. Any arrangements will be between the owner and the foster parent. The list has been started here in Bayshore Gardens with several residents who have volunteered already. We are currently promoting the program in Trailer Estates to establish the need. The pet would need its own crate/cage, and be up to date on vaccinations.

We are in the process of setting up our fall and winter programs. We would like to schedule those programs of interest to Bayshore Gardens residents. Please let us know if any of the programs would be of interest to you. Email to originaltr@cs.com.

More information call 941-752-7421
Stop the Bleed class
Active Shooter
Animal Search and Rescue
CERT training.

STAY SAFE

Accessory Dwelling Unit Workshop

Tuesday August 4, 9 am

As part of the measures Manatee County Government is taking to protect public health and safety during the COVID-19 pandemic, the Manatee County Board of County Commissioners is temporarily holding meetings at the Bradenton Area Convention Center at One Haban Boulevard, Palmetto.

WE THE PEOPLE: August 2020

Our resident group is meeting regularly to discuss community issues. All residents are welcome. We meet the first and third Tuesday of the month. This is conveniently a day before the Board meets for Workshops and Board Meetings. This gives us the opportunity to discuss the current agenda, and plan actions based on the agenda items for the particular meeting. We also look at longer range issues, such as community assessment and putting together a long range plan, based on what residents want in our community in the future.

At our July 8th meeting, we discussed the beach gate issue and what options we may have. It was brought up that we still have a year plus to go on our agreement with the State to have our park area open to the public, and a FOB would be in violation of the agreement. A suggestion was made to put an automatic timer on the gate that would open the gate automatically at sunrise and close at it at sunset. It was also brought up that the facilities are for the use of residents and why would residents need to spend \$10.00 for a FOB. It was also discussed that if a resident has a Fob already for the pool or marina, the beach gate could be programmed on that FOB.

The screen room was discussed. It appears that the money voted in the referendum is not enough to double the size of the screen room. It was brought up that the referendum was put together abruptly with no drawings, bid estimates or other data to support the \$40,000.00 asked for in the referendum. The only money that can be spent on the screen room is what was spelled out in the referendum. The choice may be to have a new

referendum, with more realistic figures, or just repair what we have now. A member brought this up at the Workshop, and a discussion ensued.

Jodie's position (District Manager) was brought up and the name for the position was discussed. The title of "District Manager" carries an implication that the person has authority to make decisions for the District. The only authority to make decisions for the District is the Board of Trustees. The name "Office Manager" was floated as an option. A member brought it up at the Workshop, and another resident in the audience suggested "District Office Manager". That suggestion was well received by the residents at the meeting.

We discussed at length the need for the committees to be re-activated. This is the place for residents to give input to the Board, rather than attending meetings as individuals, where 3 minutes is all the time that a resident may speak. One of our members pledged to speak at the Workshop about the issue for the group, and did.

The acoustics continue to be poor in the Hall and nothing is being done. The son of a member is a sound engineer and was volunteered to take a look at the problem at no cost to the District. A member volunteered to carry this forward to the Workshop for the group. The Board had gathered a couple other names of sound engineers to look at the hall.

Continued on Page 5

We The People: Continued

This resident group is a good place to bring issues/concerns for discussion and advancement to Board members. It is an informal group to discuss what we see as problems waiting for solutions and are starting to see that this CAN work for our group of "We the People". Please come to the Board meeting and back up what you want to see fixed.

We have had one or two Board members in attendance, so issues may be forwarded on the spot, and they bring a Board perspective to us. Members of the group routinely receive communications about things that are happening that are not publicized elsewhere. An email address is all that is necessary to join the group. Email addresses are kept confidential by the facilitator, and used for no other purpose.

*Mary Lou Smith, facilitator
(msmith0603@aol.com)*

South Manatee County Branch Library is open

All six of Manatee Libraries' full-service locations are open with limited hours (listed below) and limited capacity following CDC guidelines. Each location will close one hour early to allow staff time to disinfect surfaces in all public areas. The LITtle Discovery Center will remain closed until further notice.

Library staff members are available via phone, during normal hours of operation, or via Ask a Librarian. Please see our Enjoy From Home page for many online resources and activities. Book Ends, the library's used book store will not reopen. Used book stores are available at Central (downtown) and all other branches.

Monday - CLOSED

Tuesday - 12 pm - 7 pm

Wednesday - 9 am - 4 pm

Thursday - 12 pm - 7 pm

Friday - 9 am - 4 pm

Saturday - 9 am - 4 pm

Sunday - CLOSED

Code Enforcement

PLEASE NOTE from our Code Enforcement Officer Ernie White

Code Enforcement has been lenient with motor vehicle issues because of COVID-19. However, as of June 16, 2020 Manatee County, FL Code of Ordinances Sec, 2-9-108. - Motor vehicles. Will be in full effect. Please make sure your vehicles comply with this code to avoid being ticketed.

(a) Commercial vehicles.

(1) Commercial vehicles may be parked on any property in compliance with the Land Development Code appurtenant to a structure on the premises, or when engaged in active on-site construction, transportation or other temporary service for the premises where they are parked.

Continued on Page 6

Code Enforcement: Continued

(2) Commercial vehicles shall not be parked for more than eight (8) hours in any one month on any residential lot or in the street abutting such lot, excluding agricultural property, except as provided below:

a. Two (2) commercial vehicles per premises may be parked on residential property and agricultural property, when such vehicles are used by residents of the premises and are parked off-street in a garage, carport or driveway, provided that neither vehicle exceeds one ton rated capacity and nine (9) feet in height. The height shall be measured from the ground to the highest point of the vehicle or any object being carried. The height limitation shall not apply to commercial vehicles less than one ton rated capacity. b. One of the two (2) commercial vehicles may be a tow truck, provided that the towing company is on an approved law enforcement response list and the vehicle is not capable of towing semi-tractor trailers.

(3) Additional limitations on commercial vehicles are set forth in the Land Development Code under the Whitfield Residential Overlay District and Restricted Vehicle Overlay District.

(b) Restricted vehicles.

(1) Restricted vehicles may be parked on property with an occupied single-family residence or duplex when such vehicles are unoccupied and stored in a garage, carport, structure or building or at an approved off street vehicle storage area in compliance with the requirements of the Land Development Code.

(2) Restricted vehicles may be parked in the side yard and rear yard of property with an occupied single family residence or duplex, provided that the restricted vehicle does not extend more than five (5) feet past the front of the structure and the restricted vehicle is owned by the property owner or tenant.

(3) Restricted vehicles may be parked in the driveway, drive aisle or parking stall of a front yard:

a. On property located within the General Agricultural District (A), Agricultural Suburban District (A-1), or Residential Single-Family District with a maximum density of one dwelling per acre (RSF-1) as described in the Land Development Code; or

b. When permitted for vehicle sales in compliance with the Land Development Code and approved plans,

(4) Restricted vehicles shall not be parked or located in any utility or drainage easement, visibility triangle, fire lane, walkway, exitway, drive aisle, maneuvering area or landscape area. (5) A restricted vehicle may be parked in a driveway if the owner or occupant of the property is physically disabled requiring the use of such equipment as the principle motor vehicle for general purpose transportation and a disabled parking permit is displayed in the restricted vehicle in compliance with Section 320.0848, Florida Statutes, as amended.

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Code Enforcement: Continued

(6) A restricted vehicle may be parked in a driveway temporarily for the purpose of loading and unloading materials in preparation for a trip or after returning from a trip, provided that such parking shall not exceed three (3) consecutive days in any thirty-day (30) period.

(7) No service facility, such as water, sewer or electrical connections shall be attached to a restricted vehicle.,6/16/2020 Manatee County, FL Code of Ordinances b. except that a temporary electrical extension may be connected to the restricted vehicle for battery charging and at the time when ordinary repairs or maintenance is being performed on the restricted vehicle.

(8) Additional limitations on restricted vehicles are set forth in the Land Development Code under the Whitfield Residential Overlay District and Restricted Vehicle Overlay District.

(9) Boats and commercial fishing vessels may be parked on property located in the Cortez Fishing Village Overlay District. Boats and commercial fishing vessels may be parked in the front yard and side yard of residential property in such district in compliance with the following requirements:

a. Non-commercial boats, such as pleasure boats, may be stored in side yards when the boat is owned by the resident of the premises, but only if the lot size or building configuration makes storage in the rear yard impossible.

b. Commercial fishing vessels owned the property owner be stored in the side yard or rear yard.

c. Historical or any fishing vessel titled in the name of a non-profit organization may be stored on property owned by such organization for a period not to exceed three (3) years.

d. Commercial fishing vessels and commercial fishing equipment may be stored on vacant lots adjacent to residential structures which are under the same ownership, provided such storage is located at least fifteen (15) feet from the front property line.

(c) Inoperable vehicles.

(1) Except as otherwise provided in the Land Development Code, no inoperable vehicle shall be parked, kept or stored on any property, and no vehicle shall at any time be in a state of major disassembly, disrepair, or in the process of being stripped or dismantled.

(2) No inoperable vehicle, including motor vehicle frame, vehicle body or parts shall be parked or stored on any property, public land, right-of-way or easement, except when parked or stored in a completely enclosed garage, structure or building.

(3) A maximum of three (3) vehicles commonly referred to as street rods or antiques may be parked or stored on agricultural property, provided such vehicles are not visible from the street or are screened from view from the street. The provisions of this section shall not apply to agricultural vehicles on agricultural property.

(d) No motor vehicle of vehicle shall be stopped or parked on or across or shall encroach upon or within any sidewalk.

(Ord. No. 15-10, § 8, 4-2-15)

Manatee Matters with Commissioner Misty Servia

Why a Mask Mandate is Needed

The Board of County Commissioners voted 4-3 this week to have our County Attorney draft a resolution and ordinance to mandate masks inside businesses. Why both? A resolution can be approved faster than an ordinance, but an ordinance is more legally defensible. So by drafting both, we can enact the rule as soon as possible with a resolution, until the ordinance is approved.

I realize that some people are not pleased with this decision, so I wanted to take this opportunity to explain my opinions on the five main issues I've heard.

1. "Republicans hate government mandates, and you are a Republican." True. I am a Republican, however, I am not a parrot of the party line. I am an independent thinker who was elected to represent Manatee County, District 4. A good percentage of my district is over the age of 65, making them especially vulnerable to this virus. An overwhelming percentage of my constituents that I have heard from want a mask mandate, and it is my job to represent them. We need to remember that government mandates are an important function of government. They are used to protect the public and are why we have clean water, safe food, fair business practices, and don't condone discrimination. Approving another mandate is not something I take lightly, but requiring people inside buildings to temporarily wear a mask during a world-wide pandemic and state of emergency rose to the occasion for me.

2. "Masks don't work." I have heard a number of specific complaints about masks. They don't allow you to get enough oxygen, they're hot, and they're not effective. Look, I don't like wearing a mask either, but I'm willing to do it to help people stay safe and help our businesses stay open. There is absolutely no evidence that suggests wearing a mask will reduce oxygen levels. Hospital workers wear them all day long. Of course, people with preexisting lung disease or other medical conditions should consult with their doctor on whether or not they can safely wear a mask, but for most people, doctors have confirmed there is no risk and they are effective at preventing the spread of the virus.

3. "Masks are an infringement on my civil liberties." I am greatly disappointed that wearing a mask has become a political issue. We all breathe the same air, and I am disappointed that some feel their right to not wear a mask is more important than the rights of a person who can be infected by them not wearing a mask. As someone said to me, "my rights begin where your rights end". I ask people to remember that this is a crisis, and we are in the middle of an emergency. Masks are a temporary safety inconvenience. I can imagine our founding fathers and authors of our constitution would be proud of our temporary sacrifice to protect our fellow Americans.

Continued on Page 9

Why a Mask Mandate is Needed: Continued from Page 8

4. "Our businesses are suffering and don't need another challenge." Many business owners have asked me why we don't have a uniform standard for everyone. They are tired facing hostility from a very loud minority of those who won't wear a mask because it is not required by law. Their employees are taking the heat and in some cases, risking their health. The prognosis for our small business owners, particularly restaurants and bars is dire. One of the ways we can get more people in the door to support our local businesses is to show the public that we will meet their safety expectations, and in our world today, that includes wearing masks.

5. "The scientists are constantly changing their opinion." Look, science is messy. It is constantly evolving. Scientists are only beginning to understand the novel coronavirus. Other viruses like the Flu, HIV,

and Herpes have been medically studied for years before fully understanding the symptoms and the best response. Scientists embrace changing conclusions as new data produces new findings, and so should we.

Masks are not the silver bullet, but if everyone is wearing one in public, the infection rates will decrease. It is the way to diminish infections during this first wave of the virus and waves to come, before we can develop a vaccine and distribute it world-wide. We still need to socially distance, wash our hands, sanitize surfaces, and avoid crowds, when possible. But masks are proven to be an important and simple way of helping our community to stay safe.

Misty Servia is an AICP certified land planner and Manatee County commissioner who represents south county.

Hurricane Season: Are you Prepared

Hurricanes are the most destructive natural weather occurrences on Earth. They can cause billions of dollars of property damage every year. People often underestimate the power of a Hurricane. That is one of the main reasons why people get seriously injured or fatalities occur because they are not prepared. Below are some survival tips during a Hurricane and how to prepare:

- NEVER use candles or have any open flame while the wind is blowing.
- Stay away from unprotected windows. Don't give into temptation to see what's happening through it. If power blinks off and on, turn off all of the circuit breakers except the one that powers a lamp in an internal part of your house.
- Put any food you're going to want to eat during a storm in coolers.
- If you rely on an elevator to get to your safe spot, you need to go there now. You do not want to be stuck in the elevator if the power goes out
- Know where to go.
- Make a disaster supply kit
- Secure loose items around the home

Inspector Massella

The Bayshore Banner

CRITICAL CONNECTIONS

Animal Services 742-5933
Wildlife Rescue 778-6324
Humane Society 747-8808
B. G. Neighborhood Watch 755-9388
B. G. HOA 755-9388
Building Permits 749-3078
Child Protective Services (CPS) 345-1200
Citizens Action Center 747-4357
Code Enforcement 748-2071
Nuisance Abatement 737-2356
Coast Guard 794-1261
Coast Guard Auxiliary 794-1607
County Commissioners 748-4501
Dist. 4, Misty Servia 745-3713
County Agric. Extension Office 722-4524
County Health Dept. 748-0747
County Neighborhood Services 749-3029
County Planning Dept. 749-3070
County Zoning Ordinances 749-3070
Crime Tip Hotline 747-2677
Elder Help Line 800-963-5337
Library, South County 755-3892
Meals on Wheels PLUS 747-4655
SHERIFFS DEPT. 747-3011
Marine Patrol 747-3011
State College of Florida 752-5000
Transportation/MCAT 749-7116
YMCA 782-0270

MANATEE COUNTY PUBLIC WORKS

Field Operations Call Center 941-708-7497
For Water & Sewer: 941-792-8811 x4999

Submit a request from your Smartphone or
Android device "MyManatee Mobile"
available in App Store or Google Play

BOARD OF TRUSTEES – 2020

Barbara Susdorf, 2nd Chair
Seat08@BayshoreGardens.org

John Lindsey
Seat03@BayshoreGardens.org

Steve Watkins
Seat02@BayshoreGardens.org

Dan Rawlinson
Seat05@BayshoreGardens.org

Daniel Smith, Jr.
Seat06@BayshoreGardens.org

Terry Zimmerly, Personnel & Salaries
Seat07@BayshoreGardens.org

NOTE: Trustees all have new email addresses. Please
use these addresses when contacting Board
members.

Interim District Office Manager – Gia Cruz

Office Hours: Monday – Friday, 8 am-4pm
Telephone: 941-755-1912
FAX: 941-739-3515

Email: office@bayshoregardens.org
Website: www.bayshoregardens.org

NOTICE OF MEETINGS FOR 2020

2020 Meeting Dates for Bayshore Gardens Park & Recreation District. All meetings are held in the Bayshore Gardens Recreation hall located at 6919 26th Street W., Bradenton, FL 34207 at 7 pm.

Any individuals needing more information or special accommodations to attend a meeting, may call the District Office at (941) 755-1912

Work Sessions	Board of Trustees	Committee
January 8 * (Annual Organizational Meeting)	January 22	January 2*
February 5	February 19	February 26
March 4	March 18	March 25
April 8	April 22	April 29
May 6	May 20	May 27
June 3	June 17	June 24
July 8	July 22	July 29
August 5	August 19	August 26
September 2	September 16	September 23
October 7	October 21	October 28
November 4	November 18	November 25
December 2	December 16	December 23

Board Meeting Minutes are available online



Bayshore Post 317

District 8, Southwestern Area
Department of Florida - American Legion
Veterans of all eras, Active Duty, Reserve and Guard

Monthly post meeting: 1st Saturday each month
Time: 9:30AM
Location: Bayshore Recreation Center
6919 26th St W, Bradenton, FL 34207

www.albayshorepost317.com

941-281-5007 (Google Voice)

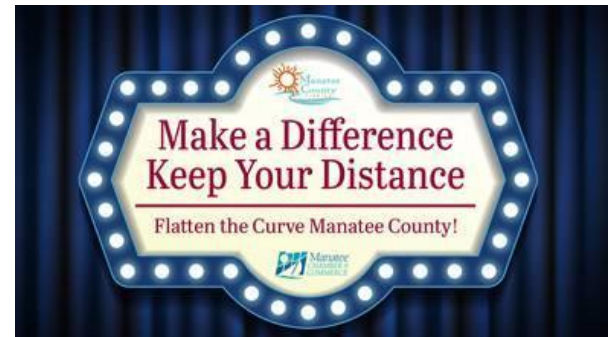
Email: albayshore317@gmail.com

P.O. Box 5718

Bradenton, FL 34281

Have you ever served in the military? Active duty, Reserve or Guard? Spouse or family member of a Veteran? The American Legion might be for you.

Contact Commander Dottie Deerwester for more info.



Real Estate Listings for Bayshore Gardens

Real Estate For Sale in Bayshore

Address	Price	Beds	Baths
415 BRYN MAWR IS	349000	3	2

Real Estate Sold in Bayshore

Address	Price	Beds	Baths
2628 RESERVE PL	222000	4	2
2301 FLORIDA BLVD	192000	3	1
3316 FLORIDA BLVD	186011	3	2
6724 GEORGIA AVE	256500	3	2



Helen Y. Carlsen

ABR, e-Pro

Real Estate Consultant

3007 W. Manatee Ave
Bradenton, FL 34205
C: 941.773.2917 D: 941.556.5064
Helen@HelenCarlsen.com
HelenCarlsen.com

RE/MAX
ALLIANCE GROUP



Dear Residents,

For the past two years, Manatee County has been working on changes to the Land Development Code (LDC) to allow Accessory Dwelling Units (ADUs) in existing neighborhoods. An accessory dwelling unit is a separate living unit contained on a single-family lot that provides full kitchen and dining facilities for its occupants. It is one way that Manatee County can increase its affordable housing stock, but it does have its limitations. The proposed amendments addressing ADUs is contained in the attachment.

ADUs may be prohibited by deed restriction in your community. Please check with your Homeowner's Association on your specific restrictions.

In addition, the location of the existing house, natural resources, setbacks, the ability to provide off-street parking and sites located in coastal zones may further restrict the ability to permit an ADU.

This amendment will be presented to the Board of County Commissioners at a Work Session; date undetermined because of coronavirus. In the interim, you may provide comments/concerns to bill.oshea@mymanatee.org. Once a work session date has been determined (anticipating June or later), it will be advertised on the County's website. After the work session, the amendment will be finalized, advertised and be heard at a future Planning Commission and Board of County Commission meeting, where additional public comment will be received before any action is taken.

Thank you for your review and input regarding the proposed Accessory Dwelling Unit LDC Text Amendment.

DRAFT ADU LDC Text Amendment

PROPOSED REVISIONS TO CHAPTER 2 – DEFINITIONS

Staff proposes to amend LDC Section 200 – Definitions, to include the following definition:

- Accessory Dwelling Unit (ADU) shall mean an attached or detached residential dwelling unit, with cooking and bathroom facilities, which is subordinate and separate from the primary dwelling unit.

PROPOSED REVISIONS TO CHAPTER 4 – ZONING

Table 4-1: Uses in Agriculture and Residential Districts

Land Use	See Sec.#	CON	A	A-1	RSF	RSMH	RDD	RMF	VIL
Residential Uses									
<ul style="list-style-type: none"> • <u>Residential Use: Accessory Dwelling Unit</u> 	<u>511.18</u>	<u>X</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>X</u>	<u>X</u>	<u>X</u>	<u>P¹</u>

"X" = prohibited; "P" = permitted

¹ Accessory dwelling units shall not be permitted within the Rubonia Village Zoning District.

PROPOSED REVISIONS TO CHAPTER 5 – STANDARDS FOR ACCESSORY AND SPECIFIC USES AND STRUCTURES

- a) Amend LDC Section 511, to include new sub-section 511.18 – Accessory Dwelling Units, to read as follows:

SECTION 511.18 Accessory Dwelling Units (ADUs)

SECTION 511.18.A INTENT AND PURPOSE

This Section is intended to address the establishment of Accessory Dwelling Units (ADUs). The following criteria constitutes the standards that the County shall use to evaluate a proposed accessory dwelling unit:

1. An accessory dwelling unit shall be limited to parcels which contain no more than one (1) existing single-family dwelling and on parcels zoned: A, A-1, RSF, the Myakka and Parrish Village Zoning Districts, and shall not be considered dwelling units for purposes of calculating density in the aforementioned zoning districts.
2. Accessory dwelling units shall not be permitted within the Coastal Evacuation Area (CEA) and Coastal High Hazard Area (CHHA) Overlay Districts.
3. An accessory dwelling unit shall be held in common ownership with the principal dwelling, and shall not be intended for sale separate of the primary structure, but may be rented. Either the accessory dwelling unit or the primary dwelling shall be

owner occupied.

4. An accessory dwelling unit shall not be considered a dwelling unit for purposes of calculating density. However, accessory dwellings units shall not be permitted within the Coastal Evacuation Area (CEA) and Coastal High Hazard Area (CHHA) Overlay District.
5. Mobile homes meeting the standards of Section 531.32, and this section, and are legally permitted, may be used as an accessory dwelling unit, in the A zoning district.
 - a. Single-wide mobile homes may be used as an ADU, provided that they meet the square footage limitation of 511.18.B.6.;
 - b. The minimum roof overhang shall be one (1) foot on all sides. The fascia of the overhang shall be a minimum width of six (6) inches;
 - c. The exterior finish shall be horizontal lap siding or brick, or similar materials;
 - d. Foundations shall be continuous block or masonry or compatible in appearance to foundations or residences built on adjacent or nearby locations; and
 - e. Window treatment such as shutters or awnings shall be provided on the exterior facade fronting all streets.

SECTION 511.18.B DEVELOPMENT STANDARDS

Accessory dwelling units shall be subordinate to the primary dwelling and shall meet all applicable requirements of the Land Development Code (LDC). Their placement shall prioritize privacy for adjacent properties over the privacy between the principal dwelling and ADU on the lot. These units, excluding mobile homes that are permitted in the A zoning district, shall match the principal dwelling's color and architectural style.

1. ADUs, attached or detached, shall follow the setback and height requirements of the principal dwelling's standard zoning district or meet the following requirements;
 - a. Detached
 - i. ADUs not meeting the standard zoning district's rear yard setback requirement, shall meet a minimum of ten (10) foot rear yard setback requirement and;
 1. Have all exterior windows facing neighboring properties be either opaque or screened by foliage or a fence;
 2. Have a maximum height of twelve (12) feet and shall be a single story with no lofts.
 - b. Detached Above A Garage
 - i. ADUs not meeting the standard zoning district's rear yard setback requirement, shall meet a minimum of fifteen (15) foot side and rear yard setback requirement and;
 1. Be constructed over an existing garage that is positioned in line with or behind the façade of the primary dwelling;

2. Shall have opaque windows on all exterior windows facing neighboring properties;
3. Have a maximum structure height of twenty-four (24) feet, and maximum exterior wall height of twenty (20) feet.
2. The floor area of any ADU shall not exceed five hundred (500) square feet (including covered porches or balconies), and shall be limited to one bedroom.
3. Exterior staircases shall not encroach in the zoning district's standard setbacks and may not be located on the rear of the ADU. Porches or balconies on ADUs must be built facing the principal dwelling.
4. The ADU shall comply with all applicable requirements of the Florida Building Code and shall be constructed with material that meets all building and safety requirements subject to the approval of the Building Official.
5. One (1) off-street parking space shall be provided for an accessory dwelling unit. Off-street parking for the accessory dwelling unit may be provided on an existing driveway leading to a garage or carport but must be in addition to any parking required for the primary single-family residence. The parking space location shall be submitted with the building permit. The location of the designated parking space shall be delineated on the lot survey and shall be included in the building permit application.
6. Conforming lots with a principal dwelling unit shall be limited to one ADU, or one grandfathered guest house.

b) Amend LDC Section 511, to include new sub-section 511.19 – Guest Houses, to read as follows:

SECTION 511.19 Guest Houses

SECTION 511.18.A INTENT AND PURPOSE

This Section is intended to address existing guest houses that were legally permitted by the County. The following criteria constitutes the standards that the County shall use to evaluate a guest house:

1. Guest houses shall not be permitted after the effective date of the Accessory Dwelling Unit standards [Month/Day/Year]. Existing, legally permitted guest houses prior to the effective date of the accessory dwelling unit standards, shall be grandfathered.
2. Existing, legally permitted guest houses may be converted to an ADU with a building permit, provided it meets the requirements of Section 511.18.

PROPOSED REVISIONS TO CHAPTER 5, SECTION 531.32 – MOBILE HOMES

Section 531.32. - Mobile Homes, Mobile Home Subdivisions, and Mobile Home Parks.

Any proposed mobile home which complies with the following standards may be approved administratively in the A and VIL zoning districts; otherwise, Special Permit approval is required.

- A. Individual mobile homes shall be set back from the front property line at least fifty (50) feet.

- B. The minimum size of new parcels and lots of record used for an individual mobile home shall be a minimum of five (5) acres.
- C. All mobile homes shall meet Federal and State construction and safety standards, in addition to the following.
 - 1. The minimum width of the main body of the manufactured home shall not be less than twenty-four (24) feet, as measured across the narrowest portion, or at the Department Director's discretion, that the manufactured meets the intent of the twenty-four (24) foot width. This subsection shall not apply to mobile homes utilized as an accessory dwelling unit within the A zoning district, in accordance with Section 511.18;
 - 2. The minimum roof overhang shall be one (1) foot on all sides. The fascia of the overhang shall be a minimum width of six (6) inches;
 - 3. The exterior finish shall be horizontal lap siding or brick, or similar materials;
 - 4. Foundations shall be continuous block or masonry or compatible in appearance to foundations or residences built on adjacent or nearby locations; and
 - 5. Window treatment such as shutters or awnings shall be provided on the exterior facade fronting all streets.

PROPOSED REVISIONS TO CHAPTER 10 – TRANSPORTATION MANAGEMENT

Amend LDC Section 1005 – Off-Street Parking – Table 10-2: Parking Ratios to include Accessory Dwelling Units to read as follows:

Table 10-2: Parking Ratios		
Use	Spaces/Sq. Ft or Unit of Measure	Notes
<i>Residential Uses:</i>		
<u>Accessory Dwelling Units</u>		<u>19</u>

Table Notes:

19. Off-street parking for the accessory dwelling unit may be provided on an existing driveway leading to a garage or carport but must be in addition to any parking required for the primary single-family residence.

We The People

July 22, 2020

To: Manatee County Commissioners

We are a new organization formed in Bayshore Gardens prior to our assessment vote in June of this year. Our group participated in organizing the community and distributing the proper information for the residents to make an informed decision regarding the proposed budget of the Board of Trustees. The Budget hearing hit a record of attendance with approximately 250 residents in attendance to defeat a proposed increase without any plan to go with the increase.

We are very concerned for our community with the pending vote on the zoning to allow a second 500 sq ft home to be built in each Bayshore Gardens backyard. The impact on our community we feel would be less than positive for the following reasons:

1. The operating assessment (non-advalorem) for Bayshore Gardens District would not increase but the potential for doubling the usage of the Bayshore Gardens Common areas is a reality. This is perhaps our greatest concern and the County cannot change the Bayshore Gardens Charter. Our taxpayers would have to assume the liability for those who do not contribute. (two homes on one parcel)
2. The enforcement would be non-existent. Code enforcement cannot just walk into my backyard and knock on the door. Changing the ordinance to allow Code Enforcement in a backyard of a residence is an intrusion on our privacy. If Code Enforcement can enter two home parcels, how would you prohibit entry on single home lots
3. Manatee County has failed to monitor the Homestead exemption provisions to date.
4. How would addition of ADU affect my Homestead exemption?
5. How would my Homestead exemption be affected if I lived in the ADU unit?
6. The schools could potentially have double the enrollment of today. Who would pay??
7. The parking in Bayshore Gardens is already a serious issue, how would adding an additional dwelling help the situation. Most of the ADU's that have been successful have been in an area where you could walk to shopping. Most families have two vehicles, where would you park two vehicles for each residence especially those that are not on a corner lot. 500 sq foot home would be almost as large as many of the homes that exist in Bayshore now. Picture the homes with four or more cars parked in the front yard. Residents do have visitors too. The current proposal only requires one additional parking spot. How would that be enforced?
8. The lift station for Bayshore Gardens is currently overloaded and must be moved with a projected date of 2024. How would Manatee County Utilities handle the conditions until then? Manatee County currently has to send trucks to haul the waste away and with a heavy rain and the sewage backs up into the Bayshore Gardens Recreational facilities. (when asked about the ADU in computing projected capacity, they were unaware)
9. Traffic is already an issue in Bayshore with all of those cutting thru to the new developments, and the potential of substantially increasing the traffic could cause major safety issues.
10. Many of our streets are in need of repair with current traffic load, how would you resolve this issue when it is not being handled with the traffic we have now.
11. Doubling the density of any area can contribute to the crime statistics for that area unless you have a Deed Restricted or gated community.
12. What would be the physical address of the additional home for emergency services, fire, ems, and police? US Postal service? Fed EX? UPS?
13. Homes in the backyard could pose a noise issue for the surrounding homes. Enforcement??
14. Electrical hookups, added to home service could be fire hazard, no requirements for separate meter (service)

- 15. Perhaps the resale value in our community could price our homes out of market?
- 16. What would be the minimum lot size to construct an ADU that already had a home built on it? (what percentage of backyard can unit occupy.) See Chart for Orlando that follows this document.

We sincerely hope that the Commission will give this zoning change a lot more thought before it is put into effect. It appears that Bayshore Gardens would be the major recipient of the ADU units as most of the other communities are exempt. Thank you for addressing the concerns of our community.

Respectfully submitted for We The People,
 Mary Lou Smith
 941-752-9101
 Msmith0603@aol.com

Attachments: 2 pages "Proposed Changes to the ADU Code" and "Overview"

OVERVIEW

Potential Issues	Proposed Remedy
Complex Codes	The proposed code provides uniform and City wide standards for all single family residential lots of a minimum lot size
Over building in existing neighborhoods	Limits the Floor Area Ratio (FAR) for both the house and the ADU to 0.5. Currently, there is no maximum FAR for houses on conforming lots (Max FAR in Colonial Town will remain at 0.4)
Allowing two full dwelling units on a single family lot	The maximum size of any ADU is limited to 500 s.f. with ADUs of up to 1,000 s.f. for lots that are 1.5 times the minimum lot size. This will limit the number of people that would want to occupy such a small space.
Nuisance Problems (noise, activity , etc.)	ADUs may not be sold "fee simple". This requires the owner of the property to be responsible for any tenants that may occupy the ADU.
Appearance issues	An Appearance Review requiring materials and finish to be similar to the main house is required for all ADUs
Parking	Requires an additional code compliant parking space for larger ADUs (501 s.f to 1,000 s.f) but eliminates the need for additional parking for a smaller ADU (500 s.f. or less proving the house has a code compliant parking space).

PROPOSED CHANGES TO THE ADU CODE

Minimum Lot Size – The draft ordinance below would allow for smaller ADUs (maximum size of 500 s.f.) attached or detached as a permitted use in all 1 and 2 family zoning district providing the parcel meets the minimum lot size for a house. Larger ADUs (maximum size of 1,000 s.f.) will be permitted on lots that are 1.5 times the minimum lot size. Other size limitation, include a maximum FAR of 0.5 for both the house and the ADU. Below is Staff proposal for the minimum lot size for an ADU:

	<u>Current Development Standards for an ADU</u>		<u>Proposed Development Standards for an ADU</u>	
	<u>Current Code Minimum Lot size for a Single Family Home</u>	<u>Current Code Minimum Lot size for a Duplex</u>	<u>Minimum Lot Size for a house and an ADU up to 500 sq. ft. *</u>	<u>Minimum Lot Size for a house and an ADU up to 1,000 sq. ft.*</u>
<u>R-1AA</u>	<u>10,000</u>		<u>10,000</u>	<u>15,000</u>
<u>R-1A</u>	<u>7,700</u>		<u>7,700</u>	<u>11,550</u>
<u>R-1</u>	<u>6,000</u>		<u>6,000</u>	<u>9,000</u>
<u>R-1N</u>	<u>5,500</u>		<u>5,500</u>	<u>8,250</u>
<u>R-2A</u>	<u>4,400</u>	<u>5,500</u>	<u>5,500</u>	** —
<u>R-2B</u>	<u>4,000</u>	<u>5,000</u>	<u>5,000</u>	** —
<u>R-3A</u>	<u>4,400</u>	<u>5,500</u>	<u>5,500</u>	** —
<u>R-3B</u>	<u>4,000</u>	<u>5,000</u>	<u>5,000</u>	** —
<u>R-3C</u>	<u>3,500</u>	<u>4,500</u>	<u>4,500</u>	** —
<u>R-3D</u>			<u>4,500</u>	** —
<u>MXD-1</u>	<u>4,000</u>	<u>5,000</u>	<u>5,000</u>	** —
<u>MXD-2</u>	<u>3,500</u>	<u>4,500</u>	<u>4,500</u>	** —
<u>O-1</u>	<u>4,500</u>	<u>5,500</u>	<u>5,500</u>	** —
<u>O-2</u>	<u>3,500</u>	<u>4,500</u>	<u>4,500</u>	** —
<u>** Must comply with Tandem Code—Part 3C of Chapter 58</u>				

Simplify—The proposed changes will have the same regulations City wide for attached or detached ADUs (with the exception of Baldwin Park and the South East Sector). Also eliminates a special type of ADUs called ECHO Housing and just use the ADU regulations for development standards.

Appearances—The proposed code amendments would require Appearance Review for each new ADU.

Parking—The proposed code clarifies the City’s regulations on parking for an ADU and eliminates the need for an extra parking space for ADUs that are 500 s.f or less (provide the house has at least one code compliant parking space).

Rear Yard Setbacks— Since any two story accessory building is allowed to be within 5 to 7 1/2 feet (depending on the zoning district) of any side yard property line, the proposed change allows the same setback for the rear yard as well for any two story ADU / accessory structure that is less than 500 s.f. on the second story. The applicant will need to obtain a Modification of Standards from the Zoning Official to use the lesser rear yard setback. Staff is also recommending the elimination of the requirements for the second story windows to be frosted or clerestory (i.e. windows higher up on the wall) because that same requirements are not required for the second story of the principal structure.

