

The following two ordinances were approved by the Cape Coral City Council and became effective on 9/14/20. The below information is a summary only. Please refer to the Cape Coral Code of Ordinances at the link below to read the complete changes:

https://library.municode.com/fl/cape_coral/ordinances/code_of_ordinances?nodeId=2020

Ordinance 55-20

Description:

LDC Amendments for Attached and Detached Garages

Things that changed:

The requirements for attached and detached garages in residential zoning districts found in LDC 5.2.4..

- Changes the maximum allowable size of *detached* garages from 1,000 square feet to a maximum equal to the square footage of the first floor conditioned space of the principal residence;
- Clarifies the standards for when a garage is considered attached to include when either a "breezeway" or common wall connection is used;
- Establishes standards for garages when located in a rear yard. Garages no longer allowed on a lot behind the lot where the primary residence is located;
- Allows a toilet to be included in a detached garage. Toilet flange (floor) must be elevated to Base Flood Elevation (BFE) + 1 foot freeboard elevation.
- Breezeway, if attaching a garage to a primary residence, must be at least 4 ft wide and 8 feet long, and be constructed with materials of similar construction and appearance to the house and garage. The breezeway must have a roof, a floor, and access doors into both the garage and house.

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Ordinance 56-20

Description:

LDC Amendments for Swimming Pools, Spas, and Hot Tubs in Side Yards

Things that changed:

Land Development Code (LDC) 5.2.15 swimming pools, spas, and hot tubs now allows pools, spas, and hot tubs to be placed in the side yard of residential properties. The current LDC and former Land Use and Development Regulations required all pools to be in the rear yard

(i.e., behind the residence). Both the pool edge and any enclosure must be set back at least 10 ft. from the side property line when the pool is located in the side yard.

This will provide additional design flexibility for homeowners and pools designers. The changes will also impact lots with canal frontage by locating the pool between the house and the canal, even if that is the side yard.