

ORDINANCE 55 - 20

AN ORDINANCE AMENDING THE CITY OF CAPE CORAL LAND DEVELOPMENT CODE, ARTICLE 5, "DEVELOPMENT STANDARDS," CHAPTER 2, "ACCESSORY STRUCTURES," SECTION 5.2.4, "ATTACHED AND DETACHED GARAGES" BY AMENDING THE REQUIREMENTS FOR ATTACHED AND DETACHED GARAGES; PROVIDING SEVERABILITY AND AN EFFECTIVE DATE.

NOW, THEREFORE, THE CITY OF CAPE CORAL, FLORIDA, HEREBY ORDAINS THIS ORDINANCE AS FOLLOWS:

SECTION 1. The City of Cape Coral Land Development Code, Article 5, "Development Standards, Chapter 2, "Accessory Structures," Section 5.2.4, "Attached and detached garages" is hereby amended as follows:

Section. 5.2.4. Attached and detached garages.

- A. All single-family detached and single-family semi-detached dwelling units and each unit of a duplex structures shall include a garage with minimum dimensions of 14 feet by 20 feet unobstructed space. Carports are prohibited on single-family detached, single-family semi-detached, and duplex residential properties requiring a garage.
- B. For attached garages, the following shall apply:
 - 1. A garage shall be considered attached if it:
 - a. It shares at least a five-foot length of common wall with the principal structure ~~The common wall shall include an internal access door to the principal structure. Attachment through a roof or breezeway structure only shall not be adequate to consider the garage attached; or~~
 - b. It is connected to and accessible from the principal structure by a roofed breezeway with minimum dimensions of 4 feet by 8 feet. For purposes of this section, a roofed breezeway means a roofed open passage that contains a floor, an access door to the garage, and an access door to the principal structure so that a person may access the garage from the principal structure via the breezeway.
 - 2. For purposes of this LDC, an attached garage shall be considered to be a part of the principal structure and shall comply with all district regulations for the zoning district in which it is located.
 - 3. An operable garage door capable of providing access to the garage by a motor vehicle is required.
 - 4. A driveway providing vehicular access to the garage is required and shall be constructed and maintained in a condition that is safe and free of potholes, and in accordance with the City of Cape Coral Engineering Design Standards.
 - 5. The garage shall not be included in determining the living area.
 - 6. No garage or storage area shall be used as living quarters unless another garage is constructed prior to conversion. Should a garage connected to

the principal structure by a roofed breezeway be converted to living quarters, the conversion of the garage and roofed breezeway shall comply with all applicable regulations, rules, and laws for living quarters, including, but not limited to, the Florida Building Code.

7. The exterior building materials of an attached garage shall conform to the exterior building materials of the principal structure.

C. For detached garages, the following shall apply:

1. A detached garage shall meet all of the setback requirements of the principal structure.
2. A detached garage shall be on the same parcel as the principal structure.
3. The area of a A detached garage shall not exceed 1,000 square feet in area the living area square footage of the principal structure or, if the principal structure has more than one story, the living area square footage of the first floor of the principal structure.
4. The height of a detached garage shall not exceed 14 feet in height when measured according to the definition of "building height" in the Land Development Code.
5. An operable garage door capable of providing access to the garage by a motor vehicle is required.
6. The maximum size and height restrictions shall not apply in the RE district or A district.
7. No plumbing shall be allowed in a detached garage except that a single one-compartment utility sink and one bathroom consisting of a toilet and a sink shall be allowed.
8. The exterior building materials of a detached garage shall conform to the exterior building materials of the principal structure.
9. A parcel may contain both an attached and detached garage, but only one detached garage shall be permitted.
10. Except on a corner lot, the driveway to a detached garage shall connect the garage exclusively to the street that the principal structure faces. On a corner lot, the driveway to the detached garage may connect the garage to the street that intersects with the street that the principal structure faces.
11. When a property, including but not limited to a parcel or a double frontage lot, has frontage on a street other than the street that the principal structure faces, no detached garage or any portion thereof shall be located farther than 115 feet from the property line abutting the street that the principal structure faces.

SECTION 2. Severability. In the event that any portion or Section of this ordinance is determined to be invalid, illegal or unconstitutional by a court of competent jurisdiction, such decision shall in no manner affect the remaining portions or Sections of this ordinance which shall remain in full force and effect.

SECTION 3. Effective Date. This ordinance shall become effective immediately after its adoption by the Cape Coral City Council.

ADOPTED BY THE COUNCIL OF THE CITY OF CAPE CORAL AT ITS REGULAR SESSION
THIS _____ DAY OF _____, 2020.

JOE COVIELLO, MAYOR

VOTE OF MAYOR AND COUNCILMEMBERS:

COVIELLO _____
GUNTER _____
CARIOSCIA _____
STOUT _____

NELSON _____
WELSH _____
WILLIAMS _____
COSDEN _____

ATTESTED TO AND FILED IN MY OFFICE THIS _____ DAY OF _____, 2020.

KIMBERLY BRUNS
CITY CLERK

APPROVED AS TO FORM:

DOLORES D. MENENDEZ
CITY ATTORNEY
ord\Garages-Attached and Detached