

**DEVELOPMENT CODE ADMINISTRATIVE RELIEF APPLICATION****CITY of CAPE GIRARDEAU**

COMMUNITY DEVELOPMENT DEPARTMENT, 44 NORTH LORIMIER STREET, CAPE GIRARDEAU, MO 63701 (573) 339-6327

Property Address/Location

Applicant		Property Owner of Record <input type="checkbox"/> Same as Applicant	
Mailing Address	City, State, Zip	Mailing Address	City, State, Zip
Telephone	Email	Telephone	Email
Contact Person		<i>(Attach additional owners information, if applicable)</i>	

Section of the Development Code from which the administrative relief is requested:**Describe the nature of the administrative relief request.***Application continues on next page***OFFICE USE ONLY**

Date Received & By _____ File No. _____ MUNIS Application # _____ Permit # _____

Staff Action _____ APPROVED AS SUBMITTED _____ APPROVED WITH CONDITIONS _____ DENIED

Date of Action & By _____ Payment Received: \$ _____ ☐ Check # _____ ☐ Credit Card ☐ Cash

Administrative Relief Criteria

Explain how the administrative relief request meets the criteria below. Attach additional sheets, if necessary.

- 1) Approval of the administrative relief request is not detrimental to the subject property or the surrounding properties.

- 2) The administrative relief request is the minimum amount necessary to allow the improvement to be made.

- 3) Approval of the administrative relief request is consistent with the general spirit and intent of the Development Code.

**ADDITIONAL ITEMS
REQUIRED**

See Instructions for more
information.

In addition to this completed application form, the following items must be submitted:

- ___ Application fee (\$86.00 per section, payable to City of Cape Girardeau)
 - ___ List of adjacent property owners *(see Instructions for requirements)*
 - ___ One (1) set of mailing envelopes, stamped and addressed to adjacent property owners or
\$3.00 per adjacent property owner, if stamped envelopes are not submitted
 - ___ One (1) set of supporting documents sufficiently depicting the location of the requested
administrative relief and any proposed improvements
 - ___ One (1) set of current photos of the property
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CERTIFICATIONS

The undersigned hereby certifies that:

- 1) They are the Property Owner(s) of Record for the property described in this application;
- 2) They acknowledge the restrictions pertaining to filing administrative relief applications as stated in the Instructions; and
- 3) They acknowledge that they are responsible for ensuring that all required licenses and permits are obtained prior to commencing any use or work on the property.

Property Owner of Record Signature and Printed Name

Date

(Provide additional owners signatures and printed names in the space below, if applicable)

The undersigned hereby certifies that they are an agent duly authorized by the Property Owner(s) of Record to file this application on their behalf, and that the Property Owner(s) of Record hereby agree to the above certifications.

Applicant Signature and Printed Name

Date

CITY OF CAPE GIRARDEAU

DEVELOPMENT CODE ADMINISTRATIVE RELIEF APPLICATION

INSTRUCTIONS

The Development Code Administrative Relief Application is to be used only for requests pertaining to the following sections of the Development Code (Chapter 25 of the City Code):

Section 25-47 (Required number of parking spaces)
Section 25-90 (Exterior lighting standards)
Section 25-109 (Billboards)
Section 25-222 (General requirements)
Section 25-223 (Parking lot landscaping requirements)

Administrative relief applies only to the quantitative standards in the above sections. Relief may be approved for up to ten percent (10%) of the standard. For requests pertaining to other sections of the Development Code, use the Development Code Exception Application. Per the Development Code, no more than one (1) application for administrative relief shall be filed for a property within an eighteen (18) consecutive month period, and no more than two (2) applications for administrative relief shall be filed for a property during the period of ownership by a record owner of the property.

Applicants must discuss their request with City staff prior to filing an application. Staff will assist with identifying the applicable code section(s), and explain the administrative relief criteria. To speak with a staff member, contact the Planning Services Division at (573) 339-6327. Applicants should also discuss their request with adjacent property owners, tenants, and other parties that may be affected should the request be approved.

A list of the adjacent property owners must be submitted as part of the application. "Adjacent property" means a property that is next to, or across a street or alley from, the property for which the administrative relief is being requested, including diagonal orientation. To obtain property owner information, contact Cape Girardeau County Mapping and Appraisal at (573) 243-3123 or visit the County's website at www.capecounty.us. The list must contain the name, property address, mailing address, city, state, and ZIP code for each adjacent property owner, per the following examples:

Property Owner Name	Property Address	Mailing Address	City	State	Zip Code
<i>Ex. John and Jane Doe</i>	<i>900 North Main Street</i>	<i>900 North Main Street</i>	<i>Cape Girardeau</i>	<i>MO</i>	<i>63701</i>
<i>Ex. ZZZ Development, LLC</i>	<i>910 North Main Street</i>	<i>100 Natural Bridge Avenue, Suite A</i>	<i>St. Louis</i>	<i>MO</i>	<i>63107</i>

In addition to the list, a set of plain, white, business size mailing envelopes addressed to the adjacent property owners (each with a first class U.S. postage stamp) must be submitted. Do not include a return address; City staff will add the Planning Services Division's return address to each envelope prior to mailing the public hearing notice. In lieu of submitting stamped addressed envelopes, the applicant may choose to pay an additional \$3.00 per adjacent property owner for the required envelopes.

Development Code administrative relief requests are reviewed by the staff. Applications must be emailed to cityplanning@cityofcape.org or submitted in person to: City of Cape Girardeau, Planning Services Division, 44 North Lorimier Street, Cape Girardeau, MO 63701.

Staff will review each application for completeness. If additional information is needed, the applicant will be contacted. Incomplete applications will not be reviewed until the requested information is provided.

Within three (3) business days from the date an application has been deemed complete, staff will mail notification letters regarding the application to the adjacent property owners. Staff will render a decision within fifteen (15) business days from the same date.

If the request is approved, an authorized staff member will sign off on the application, which will be filed along with documented findings supporting the decision and any conditions imposed as part of the approval.

If the request is denied, the applicant may submit a written appeal to the Community Development Department no later than five (5) business days from the date of decision. Appeals are reviewed by the Planning and Zoning Commission. If the Planning and Zoning Commission upholds the staff decision, the applicant may file an appeal with the circuit court within thirty (30) days after the date the Commission's decision is filed.

For questions, please contact the Planning Services Division at (573) 339-6327 or cityplanning@cityofcape.org.