



DEVELOPMENT CODE EXCEPTION APPLICATION
CITY of CAPE GIRARDEAU

COMMUNITY DEVELOPMENT, 44 N LORIMIER ST, CAPE GIRARDEAU, MO 63701 (573) 339-6327

Property Address/Location

Applicant		Property Owner of Record (if other than Applicant)	
Mailing Address	City, State, Zip	Mailing Address	City, State, Zip
Telephone	Email	Telephone	Email
Contact Person (If Applicant is a Business or Organization)		(Attach additional owners information, if applicable)	
Section of the Development Code from which the exception is requested			

Describe the nature of the exception request.

Application continues on next page

OFFICE USE ONLY

Date Received & By _____ File # _____ MUNIS Application # _____ MUNIS Permit # _____

Application Fee Received \$ _____ Check # _____ Credit Card Cash

Planning & Zoning Commission Action APPROVED AS REQUESTED APPROVED WITH CONDITIONS DENIED Date _____

Exception Criteria

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

- 1) As part of the exception request, a substantial equivalent is proposed. "Substantial equivalent" means an alternate design, method, or feature that accomplishes the same purpose as the applicable Development Code requirement, or results in a significant public benefit.

- 2) Approval of the exception 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 (\$75.00 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
 - One (1) set of supporting documents sufficiently depicting the location of the requested exception 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 that the exception, if approved, will be valid for a period no greater than one hundred eighty (180) days from the date of approval, unless within such period the required permits are obtained and the work is commenced and pursued diligently toward completion, or an extension has been granted; 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 EXCEPTION APPLICATION INSTRUCTIONS

The Development Code Exception Application is to be used only for requests for exceptions from the Development Code (Chapter 25 of the City Code). It is not for requests for variances from the Zoning Code (Chapter 30 of the City Code). For variance requests, use the Zoning Code Variance Application.

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 exception criteria. To speak with a staff member, contact:

City of Cape Girardeau
Planning Services Division
401 Independence Street
Cape Girardeau, MO 63703
(573) 339-6327
cityplanning@cityofcape.org

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 exception 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.

Development Code exception requests are reviewed by the Planning and Zoning Commission. The application deadline is four (4) weeks prior to the Planning and Zoning Commission meeting date. The Commission meets monthly on the second Wednesday. Applications must be delivered to the Planning Services Division using the above contact information.

City staff will review each application for completeness. If required information and/or items are missing, the applicant will be contacted. Incomplete applications will not be reviewed until the requested information and/or items are provided.

Once an application has been deemed complete, it will be placed on the next Planning and Zoning Commission agenda. A notice of the public hearing will be sent to the applicant and the adjacent property owners. In addition, a sign containing information about the public hearing will be posted on the property.

The Planning and Zoning Commission will hold a public hearing on the request. The applicant, property owner(s) of record, or their representative must appear at the hearing and present the request to the Commission. If no one appears, then the Commission may table (postpone) the request.

If the request is approved, a certificate will be issued and a copy mailed to the applicant. The certificate will be valid for a period no greater than one hundred eighty (180) days from the date of approval, unless within such period the required permits are obtained and the work is commenced and pursued diligently toward completion. The applicant may request in writing, and the Planning and Zoning Commission may grant, extensions not exceeding one hundred eighty (180) calendar days, without notice or public hearing.

If the request is denied, the applicant may file an appeal with the circuit court within thirty (30) days after the date the Commission's decision is filed.