



DEVELOPMENT CODE EXCEPTION APPLICATION
CITY of CAPE GIRARDEAU

DEVELOPMENT SERVICES DEPARTMENT, 401 INDEPENDENCE ST, CAPE GIRARDEAU, MO 63703 (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 No. _____ MUNIS Application No. _____

Planning & Zoning Commission Action APPROVED AS SUBMITTED APPROVED WITH CONDITIONS DENIED

Date of Action _____

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.

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)
 - ___ One (1) list of names and mailing addresses of adjacent property owners
 - ___ 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 agree that the exception, if approved, will be valid for a period no longer than one hundred eighty (180) days from the date of approval, unless within such period the applicable permit(s) are obtained and the work is commenced and pursued diligently toward completion; 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 the Development Services Department 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.

As part of the application, a list of the property owner of record's name and tax mailing address for each adjacent property must be submitted. "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 information, contact Cape Girardeau County Mapping and Appraisal at (573) 243-3123 or visit the County's website at www.capecounty.us. In addition to the list, one (1) set of plain white, business size mailing envelopes properly affixed with first class U.S. postage and addressed to the adjacent property owners must be submitted. Do not include a return address; the City will add its 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 three (3) weeks prior to the meeting date. The Planning and Zoning Commission meets on the second Wednesday of each month. Applications must be submitted in person or delivered to: City of Cape Girardeau, Development Services Department, 401 Independence Street, Cape Girardeau, MO 63703.

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.

Once an application has been deemed complete, it will be placed on the Planning and Zoning Commission agenda. A notice of the public hearing will be advertised in the newspaper. Notification letters will also be sent to the applicant and the property owners of record for the property pertaining to the request as well as the adjacent properties. In addition, a sign containing information about the public hearing will be posted on the property pertaining to the request.

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, the Commission may table the request.

If the request is approved, a certificate will be issued and a copy mailed to the applicant. The certificate will include any conditions imposed as part of the approval. The certificate will be valid for a period no longer than one hundred eighty (180) days from the date of approval, unless within such period the applicable permit(s) 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.