REZONING / SPECIAL USE PERMIT 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** ❑ **Same as Applicant**	
Mailing Address	City, State, Zip	Mailing Address	City, State, Zip
Telephone	Email	Telephone	Email
Contact Person		*(Attach additional owners information, if necessary)*	
Type of Request ❑ **Rezoning** ❑ **Special Use Permit** ❑ **Both**		**Proposed Special Use (Special Use Permit requests only)**	
Existing Zoning District Choose a Zoning District		**Proposed Zoning District (Rezoning requests only)** Choose a Zoning District	

Legal description of property to be rezoned and/or upon which the special use is to be conducted

Describe the proposed use of the property.

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 Recommendation _____ Date _____ City Council Final Action _____ Date _____

Special Use Criteria (Special Use Permit requests only)

Explain how the special use permit request meets the criteria below. Attach additional sheets, if necessary.

1) *The proposed special use will not substantially increase traffic hazards or congestion.*

2) *The proposed special use will not substantially increase fire hazards.*

3) *The proposed special use will not adversely affect the character of the neighborhood.*

4) *The proposed special use will not adversely affect the general welfare of the community.*

5) *The proposed special use will not overtax public utilities.*

ADDITIONAL ITEMS REQUIRED

See Instructions for more information.

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

___ Base Application fee - $155.00 payable to City of Cape Girardeau
___ Planned Development rezoning only - Additional $92 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) full size copy of a plat or survey of the property, if available
___ One (1) full size set of plans, drawn to an appropriate scale, depicting existing features to be removed, existing features to remain, and all proposed features such as: buildings and structures, paved areas, curbing, driveways, parking stalls, trash enclosures, fences, retaining walls, light poles, detention basins, landscaping areas, freestanding signs, etc. (Planned Development rezonings and Special Use Permits only)
___ One (1) set of Planned Development documents (Planned Development rezonings only)

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 special use permit, if approved, will become null and void if the use for which the permit was granted does not commence within twelve (12) months of the approval date, unless 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
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INSTRUCTIONS

Due to the complex nature of zoning, it is strongly recommended that an applicant discuss their request with City staff prior to submitting an application for a rezoning or a special use permit. To speak with a staff member, contact:

City of Cape Girardeau
Planning Services Division
44 North Lorimier Street
Cape Girardeau, MO 63701
(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 rezoning or special use permit 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
Ex. John and Jane Doe	*900 North Main Street*	*900 North Main Street*	*Cape Girardeau*	*MO*	*63701*
Ex. ZZZ Development, LLC	*910 North Main Street*	*100 Natural Bridge Avenue, Suite A*	*St. Louis*	*MO*	*63107*

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.

For requests to rezone a property to PD (Planned Development District), refer to Section 30-341 of the City's Code of Ordinances for additional submission requirements.

Rezoning and special use permit 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 Planning and Zoning Commission recommends approval of the request, then a public hearing before the City Council will be scheduled. A notice of the public hearing will be advertised in the newspaper. An ordinance approving the request will be prepared for consideration by the Council (if a request involves both a rezoning and a special use permit, then two separate ordinances are prepared).

If the Planning and Zoning Commission recommends denial of the request, then the application will be forwarded to the City Council at its next meeting. The Council may deny the request and file the application, or set a public hearing on the request. If the

application is filed, then a letter will be sent to the applicant notifying them of the filing and their right to ask for a public hearing within ten (10) days. If the applicant fails to ask for a public hearing within the ten (10) day period, the request will be denied.
Rezoning and special use permit requests are approved by ordinance and must receive approval of the first reading at one meeting and approval of the second and third readings at the next meeting. A mandatory ten (10) day waiting period applies to all ordinances approved by the City Council. After the waiting period has passed, the ordinance will take effect. For special use permit requests, a special use permit will be executed by the City Manager, after which City staff will submit it to the Cape Girardeau County Recorder of Deeds Office for recording. Staff will deliver a copy of the recorded special use permit to the applicant. A special use permit becomes null and void if the use for which the permit was granted does not commence within twelve (12) months of the approval date, unless an extension has been granted.

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