

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
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 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. In lieu of submitting stamped and addressed envelopes the applicant may choose to pay an additional \$2.85 per adjacent property owner for the required envelopes.

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 and a notice of the public hearing will be published in the newspaper.

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.

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