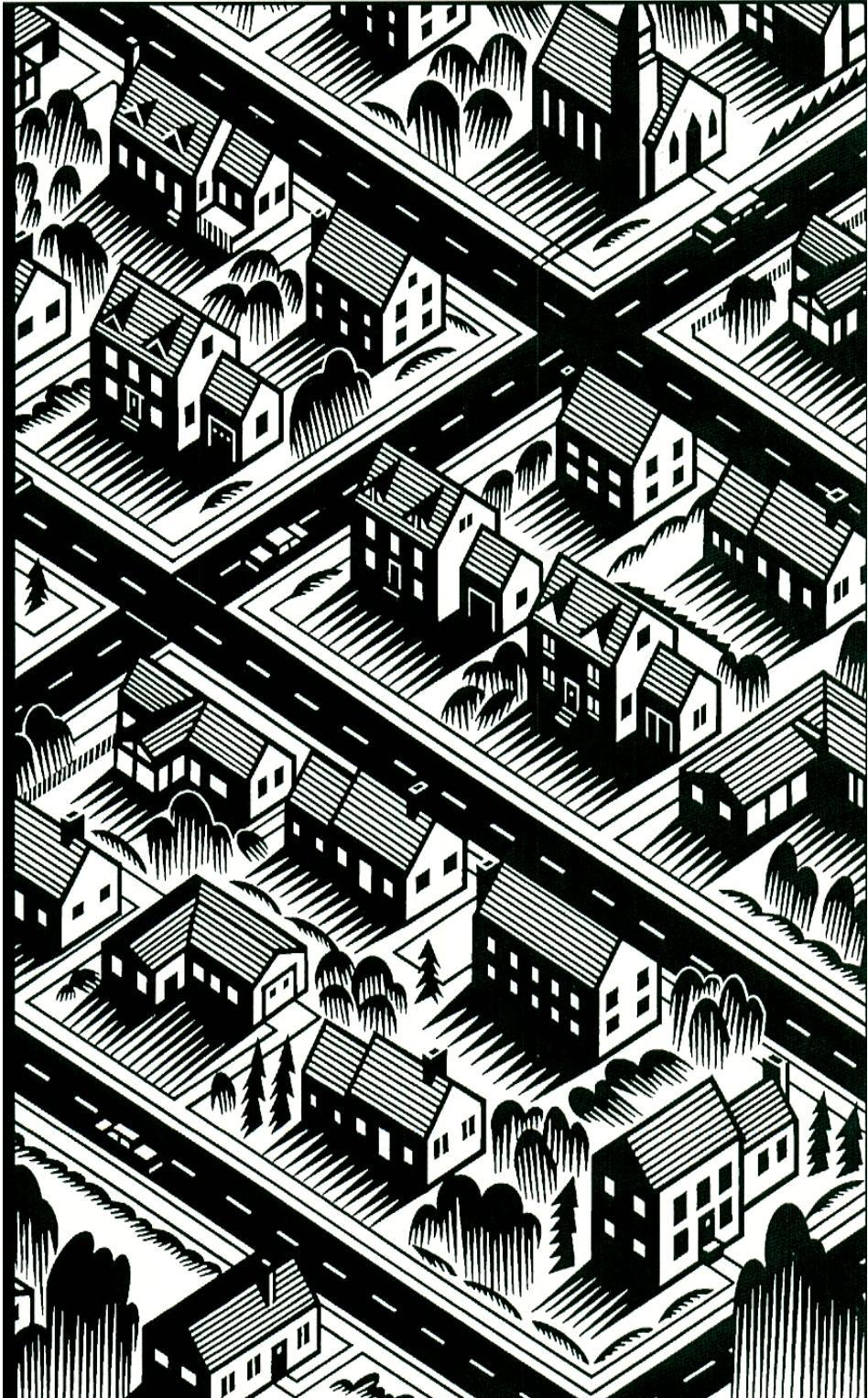


# Limited Setback Waiver Procedure (One- and Two-Family Residences) A Guide to the Application Process



Planning Services Department, 50 West 13th Street, Dubuque, IA 52001-4845  
(563) 589-4210 e-mail: [planning@cityofdubuque.org](mailto:planning@cityofdubuque.org)

# Limited Setback Waiver Procedure (One- and Two-Family Residences)

Guidelines to help you through the application process.

## What is a Limited Setback Waiver?

A limited setback waiver “relaxes” certain zoning requirements for setbacks to help you get a building permit for a home improvement project without having to go to a City board or a public hearing.

Setback Waiver applications are reviewed by the Planning Services Department staff in approximately 1-2 days. Filing an application does not guarantee approval. Fees are not refundable.

## How do I apply for a Limited Setback Waiver?

**Step 1:** Call or go to the Planning Services Office, Second Floor, City Hall (589-4210). Review application procedure.

**Step 2:** Apply for a building permit at the Building Services Department, First Floor, City Hall (589-4150).

**Step 3:** Prepare a simple site plan (see example) for your home improvement project. Fill out the top portion of the Setback Waiver Agreement forms. You are the applicant. The address is where the home improvement will be done. The sketch of your property should include property lines, location of existing and proposed structures on the lot and all dimensions. If you cannot get all the required signatures, you can apply for a Special Exception through the Zoning Board of Adjustment or revise your project.

**Step 4:** Using the Setback Waiver Agreement Forms (copies are attached), get signatures from all property owners who are: 1) on each side of your property, 2) behind or to the rear of your property, and 3) directly across the street. If you need more forms, please run copies or contact the Planning Services Office for more copies. You can mail or hand deliver these forms to the neighboring property owners.

**Step 5:** Submit all of the following application materials at one time to the Planning Services Office:

1. Application form, with a description of your proposal (for example, a 14 foot by 16 foot deck 4 feet from the side property line).
2. Application fee, check payable to City of Dubuque.
3. Simple site plan.
4. Setback Waiver Agreement Forms signed by all affected property owners.

**Step 6:** Planning Services Department staff will sign off on building permit, usually the same day.

**Step 7:** Obtain your building permit from the Building Services Department.

# Limited Setback Waiver Procedure (One- and Two-Family Residences)

Guidelines to help you through the application process.

**Please note:**

- It is your responsibility to locate your property lines and to check your abstract for easements and restrictive covenants. Please review the attached Citizen's Guide to Establishing Property Lines.
- All driveways and parking areas must be paved with asphalt, concrete, or permeable pavement. For information on curb cuts, contact the Engineering Division at 589-4270.
- For information on underground utilities, call Iowa One-Call at 800-292-8989.

*This guide is not intended to cover every aspect of the Limited Setback Waiver application process. It should not be considered the final or definitive authority on any of the matters it addresses. It is only a general guide. Questions on specific projects should be addressed to the Planning Services Department, 50 W. 13th Street, Dubuque, Iowa 52001, phone (563) 589-4210 ; fax (563) 589-4221; email: [planning.cityofdubuque.org](mailto:planning.cityofdubuque.org).*

Attachments:

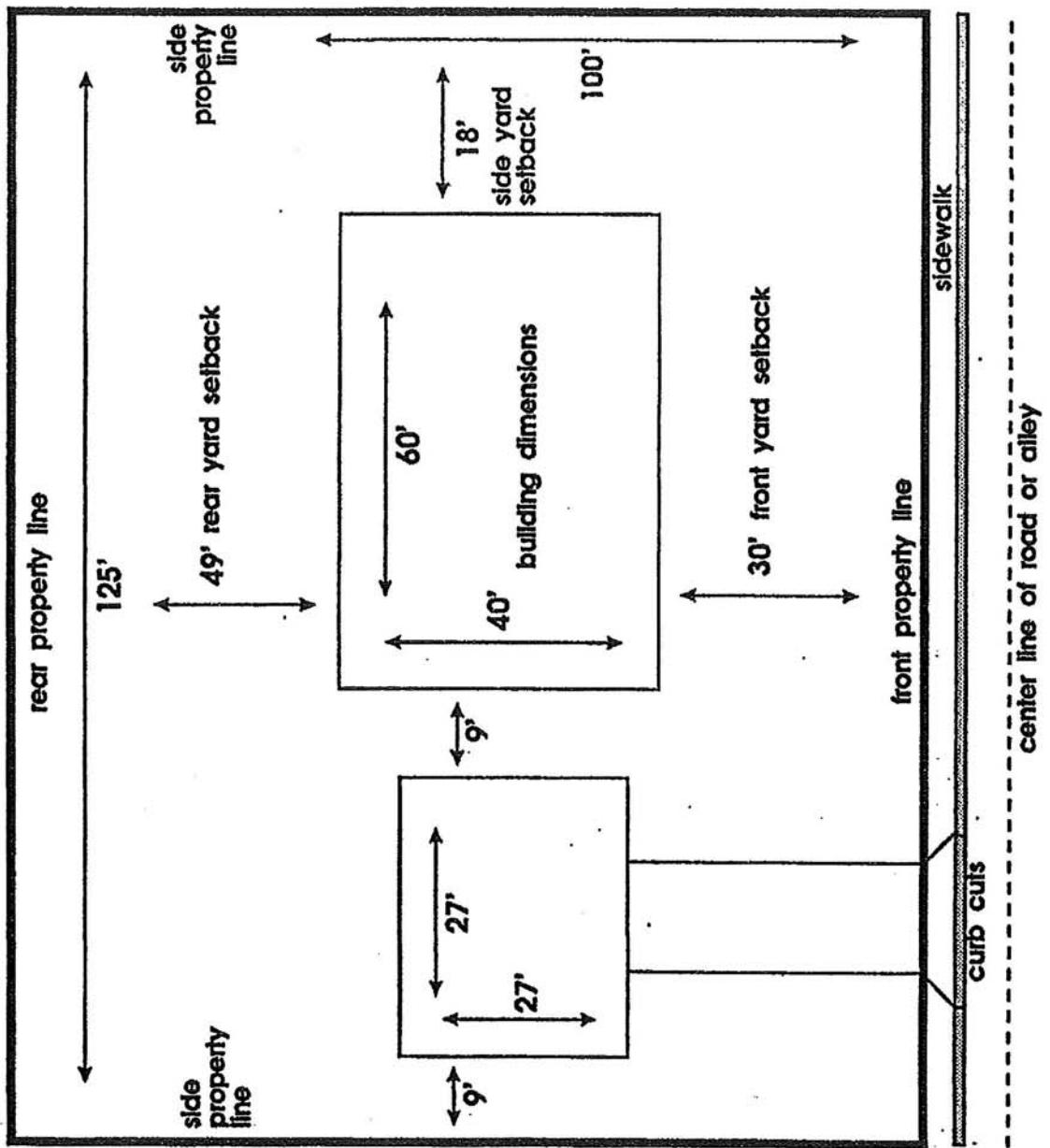
- Simple Site Plan Example
- Citizen's Guide to Establishing Property Lines
- Fee Schedule
- Planning Application Form
- Setback Waiver Agreement Forms (4 copies)

## Simple Site Plan Example

Owner: J. Z. Public  
 Lot address: 4343 Forty-third street  
 Legal description L-1 - L-3  
Maple subdivision  
 Zoning: R-1  
 Current use: Single family dwelling  
 Lot size: 120' x 125' or 15,000 sq. ft.  
 Building size: 60' x 40' or 2400 sq. ft.  
 Garage: 27' x 27' or 729 sq. ft.  
 Parking: N.A.  
 Number of floors: 2

Contact person for this project:

Mrs. J. Z. Public  
4343 43rd Street  
Dubuque, Iowa 52001  
(319) 555-5555



# The Citizen's Guide to Establishing Property Lines



Establishing the location of your property lines is necessary prior to adding on to your house, erecting an accessory structure such as a garage or storage shed, building a fence or pouring a driveway. The Zoning Ordinance requires that you build a required distance from your property lines, so it is very important to know their exact location.

The City does not locate property lines on private property. Please note: It is the property owner's responsibility to locate property lines and to check your abstract for easements and restrictive covenants. Here are two methods that may help you establish your property lines:

- 1) Locate the metal "pins" that designate the corners of your property. These "pins" may be iron pipes, iron rods or "T" bars and have a cap on them identifying the licensed surveyor who performed the survey. Sometimes they may be buried and can be located with a metal detector. A plat of your property will indicate the location of each pin (at the property corners) and lists the dimensions of all property lines. The recorded plat should be included in the abstract of your property. The Dubuque County Recorder's Office also has a copy of all recorded plats. NOTE: Mortgage inspections made for lending institutions do not establish property lines.
- 2) The only accurate way to establish or verify your property corners if you cannot find the original survey pins, is to obtain a survey from a licensed land surveyor. Names of licensed surveyors can be found under "surveyors-land" in the Yellow Pages of the phone book. Most licensed surveyors will provide an estimate for the cost of the survey.

Please note that there may be utility and access easements or private covenants that may impact the development of your property that will not be indicated on a survey plat. For information on underground utilities, call Iowa One-Call at 800-292-8989. If you have any questions regarding zoning and setback regulations, please contact the Planning Services Department.



**Planning Services Department**  
50 W. 13th Street  
Dubuque IA 52001-4864  
(563) 589-4210  
E-mail: [planning@cityofdubuque.org](mailto:planning@cityofdubuque.org)

04/07



## **SETBACK WAIVER AGREEMENT FORM**

(each neighbor address requires a separate form)

The City of Dubuque Planning Services Department can waive certain setback requirements for home improvements. Setbacks are how close houses, sheds, garages, carports, porches, decks, etc. can be to the property line.

Your neighbor is proposing the following home improvement:

Applicant Name: \_\_\_\_\_

Property Address: \_\_\_\_\_

Proposal: \_\_\_\_\_  
\_\_\_\_\_

### **TO NEIGHBORING PROPERTY OWNER(S):**

If you have an objection or a concern, do not sign this form.

If you agree with or do not object to this proposal, please sign your name and address below.

Name: \_\_\_\_\_ Address: \_\_\_\_\_

If you have any questions, please call or write the Planning Services Department, 50 W. 13th Street, Dubuque, IA 52001, telephone 589-4210.

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### **FOR OFFICE USE ONLY--PLEASE DON'T WRITE IN THIS SPACE.**

I/We, the undersigned, do hereby certify that the information submitted herein is true and correct to the best of my/our knowledge.

Applicant: \_\_\_\_\_ Date: \_\_\_\_\_

Subscribed and sworn before me, this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

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Notary Public

PLANNING SERVICES DEPARTMENT  
City Hall, 50 W. 13th Street, Dubuque, Iowa 52001 (563) 589-4210



## FEE SCHEDULE

Effective July 1, 2025



### DEVELOPMENT SERVICES APPLICATIONS

Billboard Inspection Fee per sign/year	\$ 62
Electronic Message Sign Inspection Fee per sign/year	\$ 62
Extension of Subdivision Bonding	\$ 42
Flood Plain Permit	\$ 190
Flood Way Permit	\$ 763
Limited Setback Waiver	\$ 153
Freestanding Solar Array Waiver	\$ 153
Sign Permit Reviews	\$ 46
Site Plan: Simple	\$ 230
Site Plan: Minor	\$ 410
Site Plan: Major	\$ 470
Simple Subdivision (Staff Review)	\$ 77
Simple Subdivision (Council Action Required)	\$ 510
Temporary Use Permit	\$ 184

### OTHER PLANNING SERVICES FEES

Copies	\$0.25/page *
Maps, Reports & Ordinances	\$15 to \$51/document
Verification Letter, Report (i.e. Zoning, IDOT)	\$ 77

### ZONING ADVISORY COMMISSION APPLICATIONS

Planned District, NEW (PUD) (ID)	\$ 920+ \$2/notice
Planned District, AMENDED (PUD) (ID)	\$ 765 + \$2/notice
Plat: Minor Subdivision	\$ 460 + \$20/Lot
Plat (FINAL): Major Subdivision	\$ 663
Plat (PRELIMINARY): Major Subdivision	\$ 663+ \$20 /Lot
Rezoning	\$ 663 + \$2/notice
Text Amendment	\$ 510
Waiver from Site Design Standards	\$ 460

### ZONING BOARD OF ADJUSTMENT APPLICATIONS

Appeal	\$ 255
Conditional Use Permit	\$ 561+ \$2/notice
Special Exception	\$ 200
Variance	\$ 561+ \$2/notice

### HISTORIC PRESERVATION COMMISSION APPLICATIONS

Design Review (including Economic Non-Viability & Demolition)	\$ 200
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## Board and Commission Meeting Schedule January-December 2025

### Submit Application to:

Planning Services Department

City of Dubuque  
50 W. 13th Street  
Dubuque, IA 52001

[planning@cityofdubuque.org](mailto:planning@cityofdubuque.org)

### APPLICATION DUE BY

Nov 25  
Dec 30  
Feb 03  
Mar 03  
Mar 31  
Apr 28  
Jun 02  
Jun 30  
Aug 04  
Tues Sept 2  
Sep 29  
Nov 03  
Dec 01

### MEETING DATE

	Long Range Planning Advisory Commission (LRPAC)	Historic Preservation Commission (HPC)	Zoning Board of Adjustment (ZBA)	Zoning Advisory Commission (ZAC)	City Council	Port of Dubuque/ Chaplain Schmitt Island Design Review
Meets Monthly	3rd Wednesday 5:30 p.m.	3rd Thursday 5:30 p.m.	4th Thursday 5:30 p.m.	1st Wednesday 6:00 p.m.	3rd Monday 6:30 p.m.	4th Wednesday 3:00 p.m.
* Agenda link	<a href="http://cityofdubuque.org/LRPAC">cityofdubuque.org/LRPAC</a>	<a href="http://cityofdubuque.org/HPC">cityofdubuque.org/HPC</a>	<a href="http://cityofdubuque.org/ZBA">cityofdubuque.org/ZBA</a>	<a href="http://cityofdubuque.org/ZAC">cityofdubuque.org/ZAC</a>	<a href="http://cityofdubuque.org/novusagenda.com/AgendaPublic/">cityofdubuque.org/novusagenda.com/AgendaPublic/</a>	
Nov 25	Dec 18	Dec 19	Dec 19	Jan 08	Tues Jan 21	Dec 18
Dec 30	Jan 15	Jan 16	Jan 23	Feb 05	Feb 17	Jan 22
Feb 03	Feb 19	Feb 20	Feb 27	Mar 05	Mar 17	Feb 26
Mar 03	Mar 19	Mar 20	Mar 27	Apr 02	Apr 21	Mar 26
Mar 31	Apr 16	Apr 17	Apr 24	May 07	May 19	Apr 23
Apr 28	May 21	May 15	May 22	Jun 04	Jun 16	May 28
Jun 02	Jun 18	Tues Jun 17	Jun 26	Jul 02	Jul 21	Jun 25
Jun 30	Jul 16	Jul 17	Jul 24	Aug 06	Aug 18	Jul 23
Aug 04	Aug 20	Aug 21	Aug 28	Sep 03	Sep 15	Aug 27
Tues Sept 2	Sep 17	Sep 18	Sep 25	Oct 01	Oct 20	Sep 24
Sep 29	Oct 15	Oct 16	Oct 23	Nov 05	Nov 17	Oct 22
Nov 03	Nov 19	Nov 20	Nov 20	Dec 03	Dec 15	Nov 19
Dec 01	Dec 17	Dec 18	Dec 18	Jan 07	Jan 20	Dec 17

\* Agenda contains meeting location information.

The agenda link connects to the Board or Commission website home page.

Scroll to 'Agendas & Minutes' and click on 'Most Recent Agenda'



## APPLICATION FORM

### Zoning Advisory Commission

- Amended PUD
- Rezoning/PUD/ID
- Text Amendment
- Simple Subdivision
- Preliminary Plat
- Major Final Plat
- Minor Final Plat
- Waiver from Site Design Standards

### Zoning Board of Adjustment

- Conditional Use Permit
- Special Exception
- Variance
- Appeal

### Development Services

- Annexation
- Limited Setback Waiver
- Site Plan Simple
- Site Plan Minor
- Site Plan Major
- Simple Subdivision
- Temporary Use Permit
- Port of Dubuque/  
Chaplain Schmitt Island  
Design Review

### Historic Preservation Commission

- Demolition Review
- Historic Revolving Loan
- Certificate of Economic Non-Viability
- Design Review Certificate of  
Appropriateness
- Advisory Design Review (Public  
Projects)
- Historic Designation

***Please complete the applicable sections below. Please type or print legibly.***

#### **A. Property Information**

Site Location/Address: \_\_\_\_\_

Legal Description/Parcel ID#/Subdivision: \_\_\_\_\_

Existing Zoning: \_\_\_\_\_ Proposed Zoning: \_\_\_\_\_ Site Area (square feet/acres): \_\_\_\_\_

Historic District: \_\_\_\_\_ Landmark:  Yes  No

#### **B. Describe proposal and reason for application (attach a letter of explanation, if necessary):**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

#### **C. Applicant/Agent Information**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Email: \_\_\_\_\_

#### **D. Property Owner(s) Information**

Name(s): \_\_\_\_\_ Phone: \_\_\_\_\_

Address: \_\_\_\_\_ City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_ Email: \_\_\_\_\_

#### **E. Certification:** I/we, the undersigned, do hereby certify/acknowledge that:

1. Payment does not guarantee approval and fees are nonrefundable;
2. All additional required written and graphic materials are attached;
3. It is the property owner's responsibility to locate property lines and to review the abstract for easements and restrictive covenants; and
4. The information submitted herein is true and correct to the best of my/our knowledge and upon submittal becomes public record.

Applicant/Agent: \_\_\_\_\_ Date: \_\_\_\_\_

Property Owner(s): \_\_\_\_\_ Date: \_\_\_\_\_

## FOR OFFICE USE ONLY

Fee \$ \_\_\_\_\_ Ck# \_\_\_\_\_  CC  Cash Received by \_\_\_\_\_ Date \_\_\_\_\_