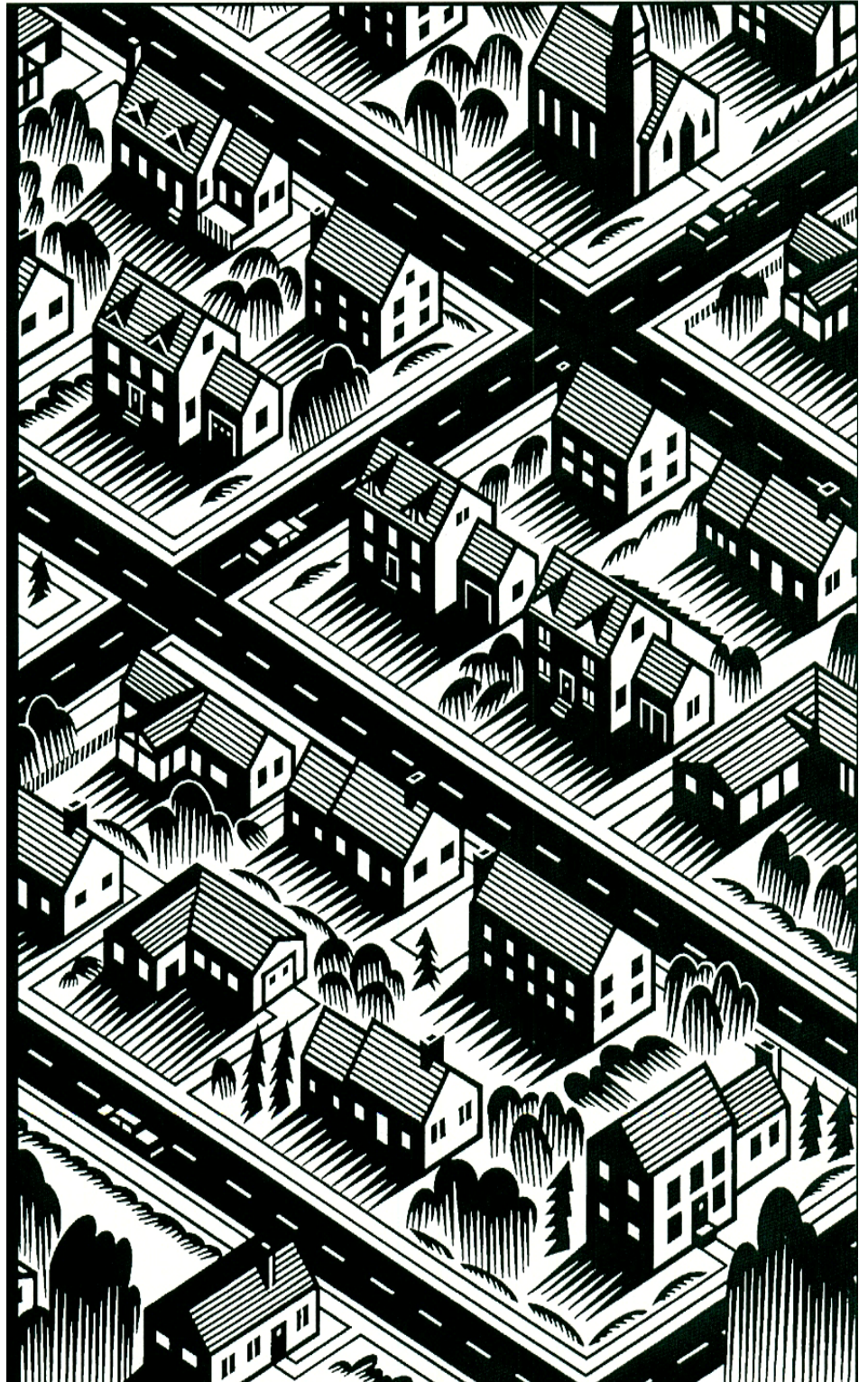


Limited Setback Waiver Procedure (One- and Two-Family Residences) A Guide to the Application Process



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

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.

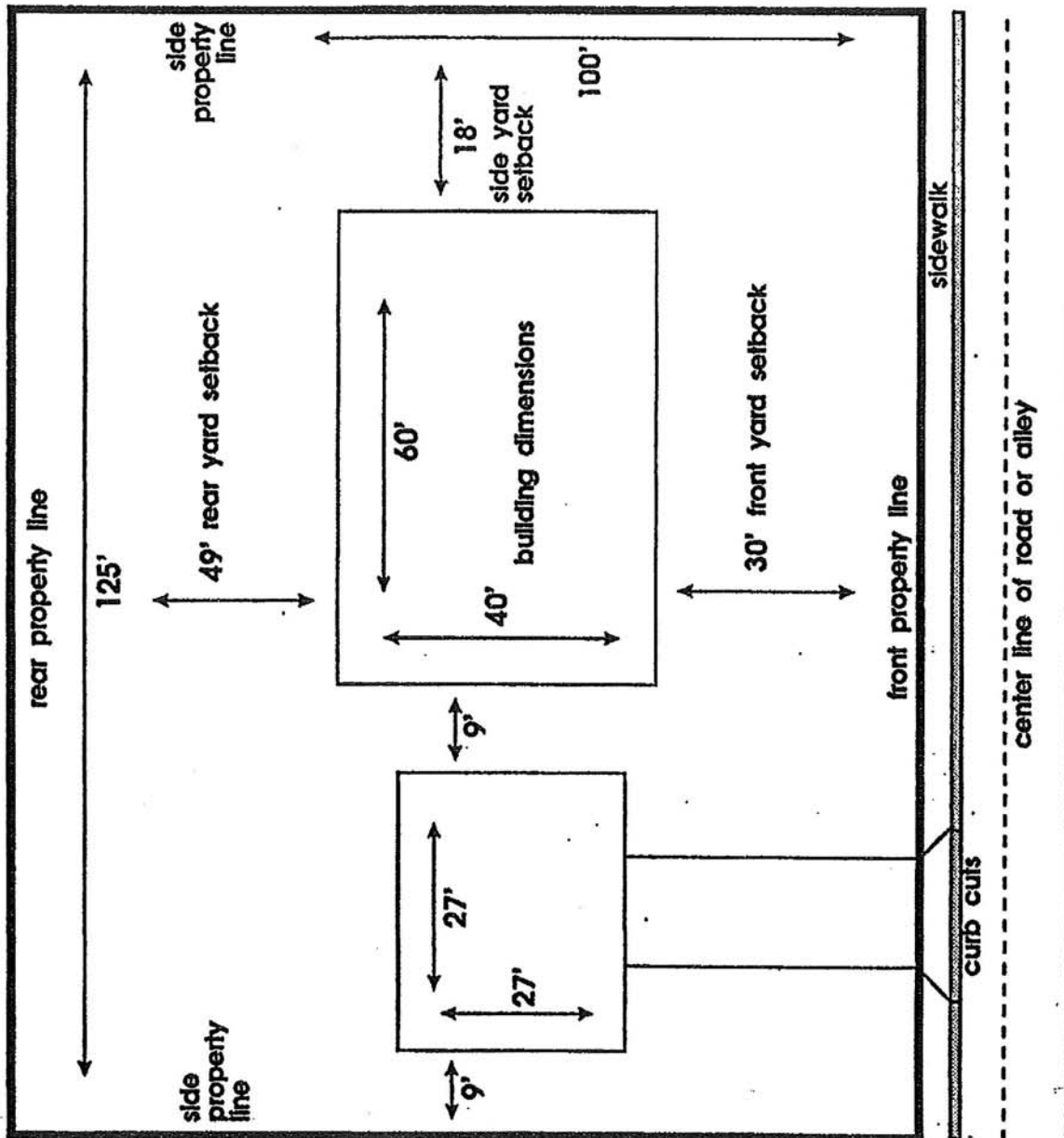
Attachments:

- 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.
Home 60' x 40' or 2400 sq. ft.
Garage 27' x 27' or 729 sq. ft.
 Building size: N.A.
 Parking: 2
 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

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.

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____.

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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*Fees higher for oversized/color copies

Revised 11/6/2024

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

Long Range Planning Advisory Commission (LRPAC)

Meets
Monthly

* Agenda
link

3rd Wednesday
5:30 p.m.

[cityofdubuque.
org/LRPAC](http://cityofdubuque.org/LRPAC)

Historic Preservation Commission (HPC)

3rd Thursday
5:30 p.m.

[cityofdubuque.
org/HPC](http://cityofdubuque.org/HPC)

Zoning Board of Adjustment (ZBA)

4th Thursday
5:30 p.m.

[cityofdubuque.
org/ZBA](http://cityofdubuque.org/ZBA)

Zoning Advisory Commission (ZAC)

1st Wednesday
6:00 p.m.

[cityofdubuque.
org/ZAC](http://cityofdubuque.org/ZAC)

City Council

3rd Monday
6:30 p.m.

[cityofdubuque.
novusagenda.com
/AgendaPublic/](http://cityofdubuque.novusagenda.com/AgendaPublic/)

Port of Dubuque/ Chaplain Schmitt Island Design Review

4th Wednesday
3:00 p.m.

APPLICATION DUE BY

MEETING DATE

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

Dec 18

Jan 15

Feb 19

Mar 19

Apr 16

May 21

Jun 18

Jul 16

Aug 20

Sep 17

Oct 15

Nov 19

Dec 17

Dec 19

Jan 16

Feb 20

Mar 20

Apr 17

May 15

Tues Jun 17

Jul 17

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Oct 16

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Mar 27

Apr 24

May 22

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Dec 18

Jan 08

Feb 05

Mar 05

Apr 02

May 07

Jun 04

Jul 02

Aug 06

Sep 03

Oct 01

Nov 05

Dec 03

Jan 07

Tues Jan 21

Feb 17

Mar 17

Apr 21

May 19

Jun 16

Jul 21

Aug 18

Sep 15

Oct 20

Nov 17

Dec 15

Jan 20

Dec 18

Jan 22

Feb 26

Mar 26

Apr 23

May 28

Jun 25

Jul 23

Aug 27

Sep 24

Oct 22

Nov 19

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 _____