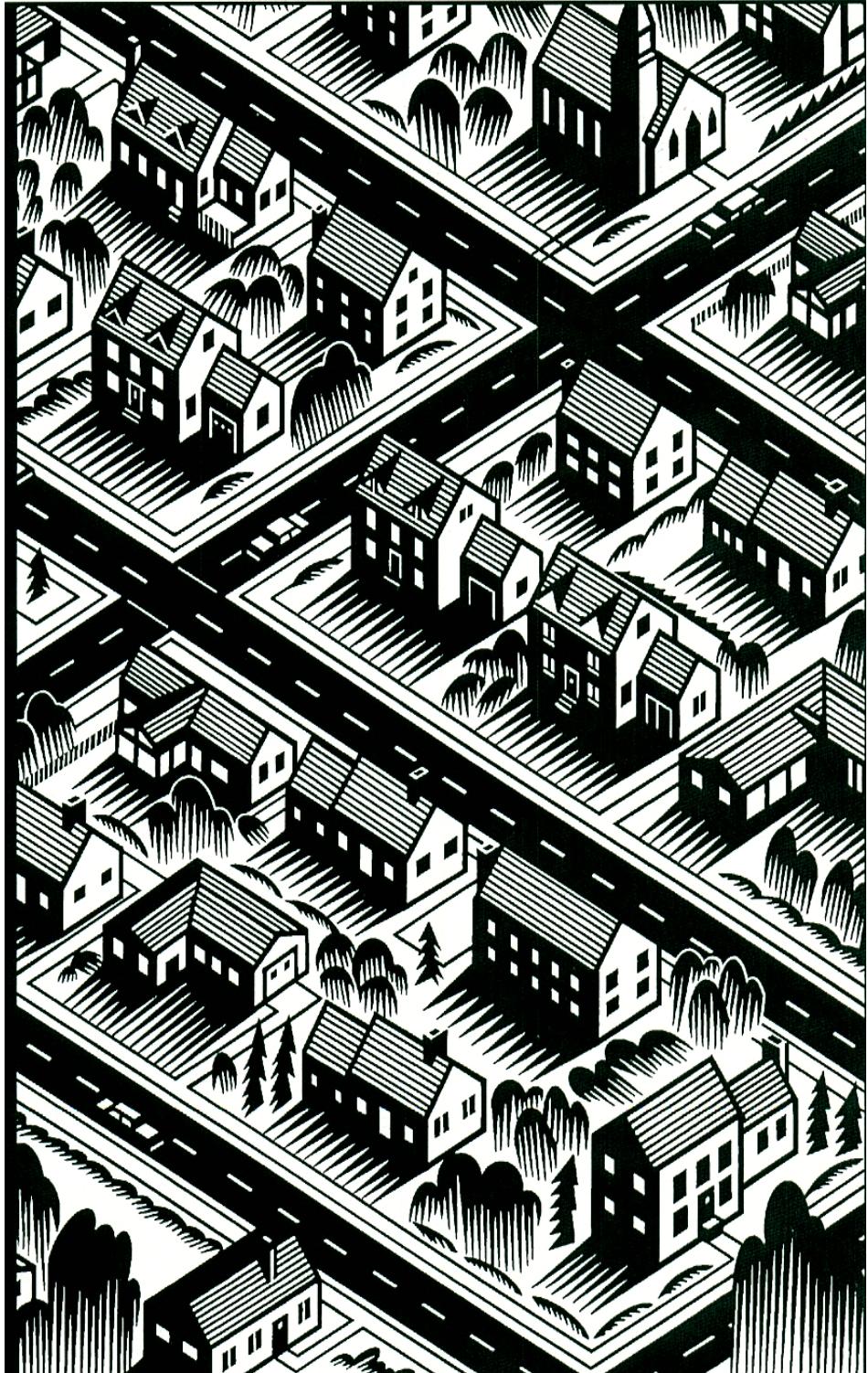


# Special Exceptions

(Residential Property Only)

## 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)

# Special Exceptions

Guidelines to help you through the application process.

## **What is a Special Exception?**

A Special Exception is a request to waive the zoning requirements for setbacks on residential property. The Zoning Board of Adjustment has the authority to waive these requirements.

## **When do I need a Special Exception?**

You need to request a Special Exception if you want to build closer to your property line than what is allowed in your zoning district. Other examples of a special exception request could be: To build farther from a property line than the maximum setback allows; to erect a fence higher than allowed; to build a garage larger than allowed; or to cover more of your lot with structure(s) than is allowed by the Unified Development Code.

## **How long does the application process take?**

In most cases, the application process takes 21-30 days from the application deadline. Filing an application, however, does not guarantee approval. Fees are not refundable.

## **Who is the Zoning Board of Adjustment?**

The Board is a volunteer group of 5 citizens from the community who are appointed by the City Council to meet once a month to make decisions on requests like yours. The Board members have various backgrounds and expertise.

## **What criteria are considered when granting a Special Exception?**

The Zoning Board of Adjustment uses 5 criteria for granting a special exception.

- 1) It will not be detrimental to or endanger public health, safety, comfort or general welfare.
- 2) It will not be injurious to the use and enjoyment of other property in the immediate vicinity for the purposes already permitted, and will not substantially diminish and impair property values within the neighborhood.
- 3) It will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the zone in which such property is located.
- 4) Adequate utilities, access roads, drainage and other necessary facilities are being provided.
- 5) Any structure shall in all other respects conform to the applicable regulations or standards of the zone in which it is to be located.

## **How do I apply for a Special Exception?**

To apply for a Special Exception you need to:

**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 with Inspection & Construction Services, Third Floor, Historic Federal Building, 350 W. 6th Street (589-4150).

# Special Exceptions

Guidelines to help you through the application process.

**Step 3:**

Prepare a simple site plan (see example) for your project. The sketch of your property should include property lines, location of existing and proposed structures on the lot, and all dimensions.

**Step 4:**

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 3 feet from the side property line).
- 2) Application fee, check made payable to the City of Dubuque.
- 3) Simple site plan.

**Step 5:** Present your application to the Zoning Board of Adjustment.

Please feel free to include any other information that will help clarify your request and support your position by the application deadline. (For application deadline meeting dates and other information, please see the attached meeting schedule or contact the Planning Services Office at 589-4210 or [planning@cityofdubuque.org](mailto:planning@cityofdubuque.org)).

**How does Planning Services staff help you through the process?**

When we receive your application materials, your request will be placed on the agenda for the next available meeting date. Staff are available to help you complete your application form and answer any questions you may have about the process.

During the next two weeks, staff will review your application and mail notices to property owners abutting your property. Staff also will visit your property, take photos and write a staff report regarding the request. We also are required to publish a public notice about your request in the newspaper prior to the meeting. One week before the meeting, we will mail you a copy of the staff report and an agenda for the meeting.

**Do I need to be at the meeting?**

Yes. You or your representative need to present your request to the Board and be available to answer questions, if needed. If you or your representative are not at the meeting, your request will be tabled.

The Board generally meets in the City Council Chamber in the Historic Federal Building on the 4th Thursday of each month at 4:00 p.m. Check the attached meeting schedule for the exact date.

**What happens at the meeting?**

At the meeting, both Planning Services staff and you or your representative will make presentations to the Board. The meeting then will be opened to the public to allow comments and questions. The Board will either approve, modify, deny or table your request for more information.

# Special Exceptions

Guidelines to help you through the application process.

## **What happens next?**

If approved, you may request a building permit from Inspection & Construction Services Department the next day.

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.

## **Please note:**

- All driveways and parking areas must be paved with asphalt, concrete, or permeable pavement.
- The Inspection & Construction Services Department has special requirements for structures built closer than three feet from the property line. These include, but may not be limited to: fire-rated walls and no openings or overhangs.
- Housing and building codes may further limit the location or configuration of your project. Check with these departments early on about any special requirements.
- 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.

If denied, you may appeal the Board's decision to District Court within 30 days or submit a revised proposal.

*This guide is not intended to cover every aspect of the Special Exception 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:

- Meeting Schedule
- Fee Schedule
- Citizen's Guide to Establishing Property Lines
- Simple Site Plan Example
- Planning Application Form

Revised 06\_10

# 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.

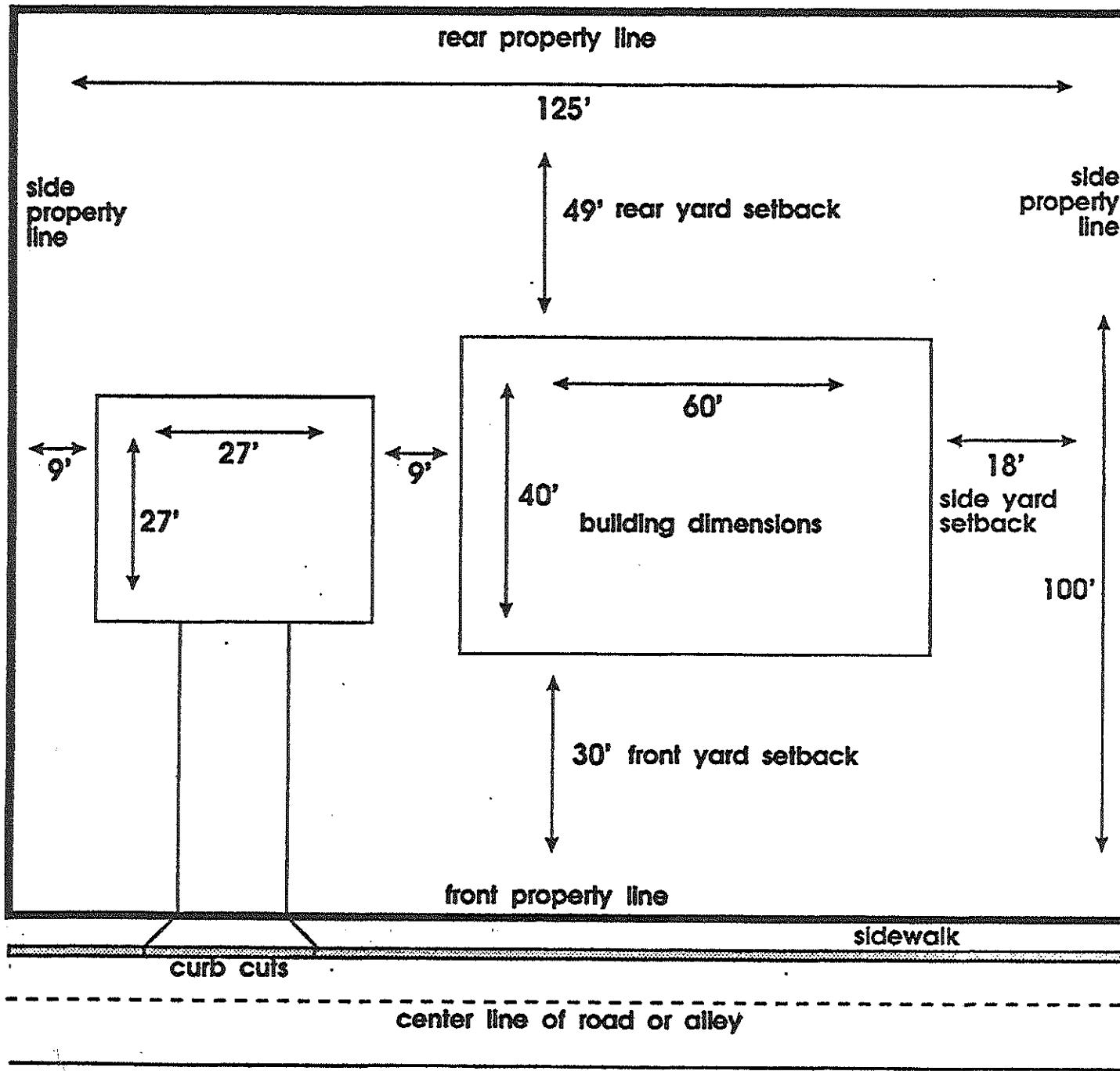
Please note that there may be utility and access easements or private covenants that may impact the development of your property that will not be indicated on a survey plat. For information on underground utilities, call Iowa One-Call at 800-292-8989. If you have any questions regarding zoning and setback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

# Simple Site Plan Example



Owner: J. 2. 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.  
Building size: Garage 27' x 27' or 729 sq. ft.

Parking: N.A.

Number of floors: 2

Contact person for this project:

Mrs. J. 2. Public  
4343 43rd Street  
Dubuque, Iowa 52001  
(319) 555-5555



**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<br>(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 |
|---|--------|



## Board and Commission Meeting Schedule January-December 2026

### 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

Dec 01  
Jan 05  
Feb 02  
Mar 02  
Mar 30  
May 04  
Jun 01  
Jun 29  
Aug 03  
Aug 31  
Sep 28  
Oct 26  
Nov 30

### MEETING DATE

Long Range  
Planning  
Advisory  
Commission  
(LRPAC)

|                  |  |
|------------------|--|
| Meets<br>Monthly | 3rd Wednesday<br>5:30 p.m.   |
| * Agenda<br>link | <a href="http://cityofdubuque.org/LRPAC">cityofdubuque.org/LRPAC</a> |

Dec 17  
Jan 21  
Feb 18  
Mar 18  
Apr 15  
May 20  
Jun 17  
Jul 15  
Aug 19  
Sep 16  
Oct 21  
Nov 18  
Dec 16

Historic  
Preservation  
Commission  
(HPC)

|  |
|--|
| 3rd Thursday<br>5:30 p.m.  |
| <a href="http://cityofdubuque.org/HPC">cityofdubuque.org/HPC</a> |

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

Port of  
Dubuque/  
Chaplain  
Schmitt Island  
Design Review

|   |
|---|
| 4th Wednesday<br>3:00 p.m.  |
| <a href="http://cityofdubuque.org/DesignGuidelines">Design Guidelines</a> |

Dec 17  
Jan 28  
Feb 25  
Mar 25  
Apr 22  
May 27  
Jun 24  
Jul 22  
Aug 26  
Sep 23  
Oct 28  
Nov 18  
Dec 16

Zoning Board  
of Adjustment  
(ZBA)

|  |
|--|
| 4th Thursday<br>5:30 p.m.  |
| <a href="http://cityofdubuque.org/ZBA">cityofdubuque.org/ZBA</a> |

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

Zoning  
Advisory  
Commission  
(ZAC)

|  |
|--|
| 1st Wednesday<br>6:00 p.m.                                       |
| <a href="http://cityofdubuque.org/ZAC">cityofdubuque.org/ZAC</a> |

Jan 07  
Feb 04  
Mar 04  
Apr 01  
May 06  
May 18  
Jun 03  
Jun 15  
Jul 01  
Aug 05  
Aug 17  
Sep 02  
Sep 21  
Oct 07  
Oct 19  
Nov 04  
Dec 02  
Jan 06

City Council

|  |
|--|
| 3rd Monday<br>6:30 p.m.  |
| <a href="http://cityofdubuque.org/novusagenda.com/AgendaPublic/">cityofdubuque.org/novusagenda.com/AgendaPublic/</a> |

Tues. Jan 20  
Feb 16  
Mar 16  
Apr 20  
May 18  
Jun 15  
Jul 20  
Aug 17  
Sep 21  
Oct 19  
Nov 16  
Dec 21  
Tues. Jan 19

\* 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 \_\_\_\_\_