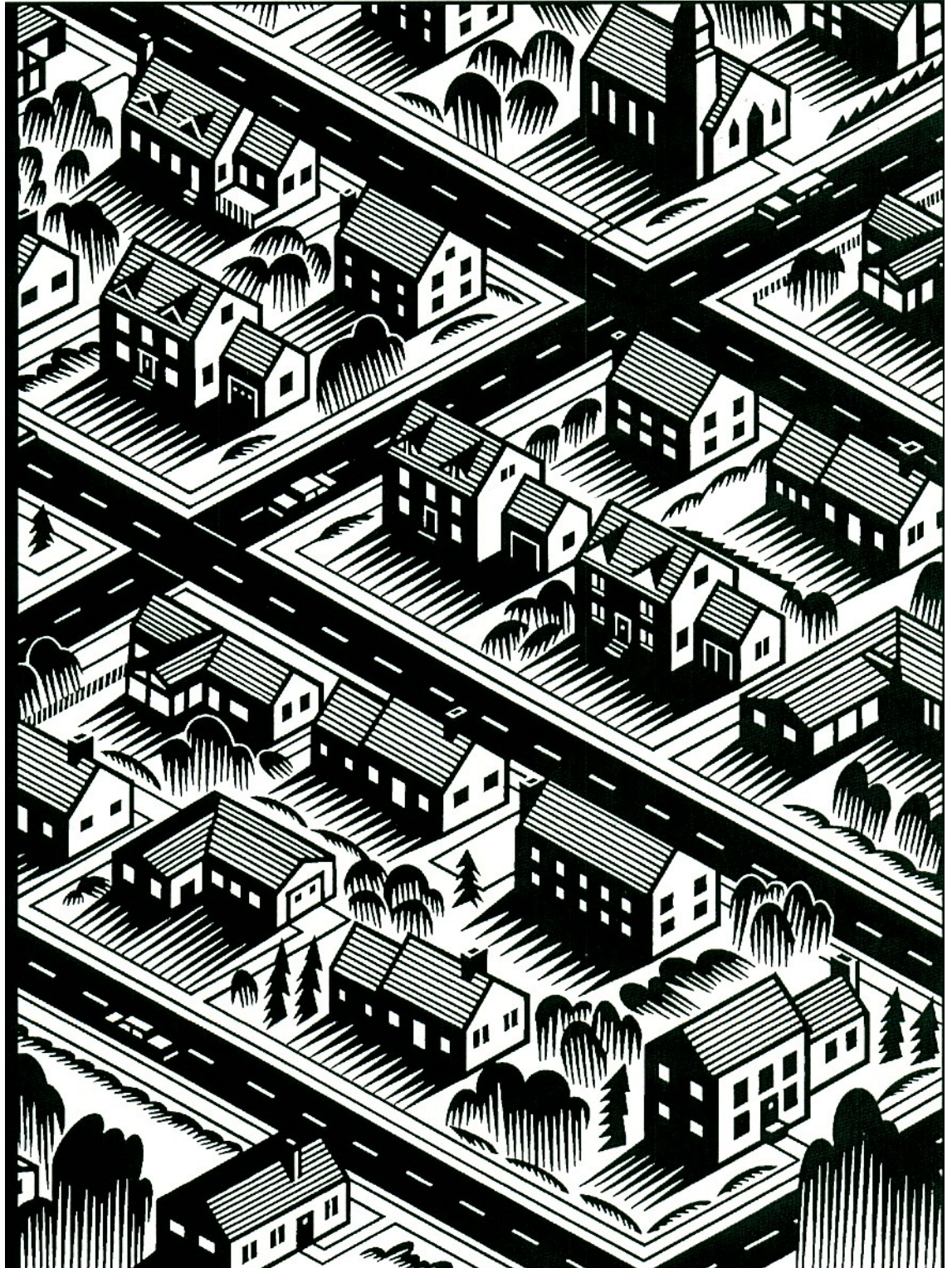


Requesting a Variance

A guide to the application process



THE CITY OF
DUBUQUE
Masterpiece on the Mississippi



2007★2012★2013
2017★2019

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

Requesting a Variance

Guidelines to help you through the application process.

What is a Variance?

A variance allows a property owner to request to develop property in a way that is not permitted by the City's Unified Development Code. Only the Zoning Board of Adjustment has the authority to grant a variance.

When do I need a Variance?

You may need to file an application for a variance if you need to seek relief from dimensional requirements such as lot size, setbacks, size of a building, fence height, accessory buildings or other improvements to industrial, office, multi-family or commercial property. The process is intended to provide relief in some limited and/or unique situations where strict compliance with the Unified Development Code would cause undue hardship for a property owner. A variance cannot be granted to allow a use which is not permitted 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.

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.

What criteria are considered when granting a Variance?

The Zoning Board of Adjustment uses 5 criteria when reviewing a variance request.

- 1) The particular property, because of size, shape, topography or other physical conditions, suffers a unique disadvantage in meeting the zoning regulations, and this disadvantage does not apply to other properties in the vicinity; and
- 2) Because of this disadvantage, the owner is unable to make reasonable use of the affected property; and
- 3) This disadvantage does not exist because of conditions created by the owner or previous owners of the property; and
- 4) Granting the variance request will not confer on the applicant any special privilege that is denied by this ordinance to other lands, structures, or buildings in the same district; and
- 5) Granting of the variance will not be contrary to the public interest, will not adversely affect other property in the vicinity, and will be in harmony with the intent and purpose of this ordinance.

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When presenting your case to the Board try to address each of these criteria very carefully. While financial hardship may be your primary concern, it **cannot** be the basis on which a variance request is judged and granted.

How do I apply for a Variance?

To apply for a Variance you need to:

- Complete an application form.
- Submit a sketch of your property that includes dimensions of all buildings, parking spaces, signs and structures, both existing and proposed if applicable.
- Submit a floor plan showing structural layout of each floor designating room uses and sizes of rooms (if applicable).
- Submit any other pertinent information that is available or required.
- Submit the above information and the fee. Fees are not refundable. (See the attached Schedule of Fees).

Please feel free to include any other documentation that will help clarify your request and support your position by the application deadline. (For application deadline dates and other information, please call the Planning Services office at 563-589-4210.)

For information on curb cuts, contact the Engineering Division at 563-589-4270. For information on underground utilities, call Iowa One-Call at 800-292-8989.

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.

During the next two weeks, staff will review your application and will send notices to property owners within 200 feet of your property. Staff also will visit your property, take photos and write a staff report and an agenda for the meeting.

We also are required to publish a public notice about your request in the local newspaper prior to the meeting. One week before the meeting, you will receive a copy of the staff report regarding the request.

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Do I need to be at the meeting?

Yes. You or a representative need to present your request to the Board and be available to answer questions, if needed. If you or your representative aren't at the meeting, your request will be tabled. The Board will either approve, modify, deny or table your request for more information.

The Board generally meets at the Historic Federal Building City Council Chamber (Post Office Building, 350 W. 6th Street, 2nd Floor) on the 4th Thursday of each month at 5:00 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.

What happens next?

If approved, you may apply for a building permit from Inspection & Construction Services the next day. **Please note:** It is your responsibility to locate your property lines and to check your abstract for easements and restrictive covenants.

- All driveways must be paved with asphalt or concrete.
- 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 configurations of your project.

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 Variance application process, and 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 IA. 52001 phone (563) 589-4210; e-mail: planning@cityofdubuque.org.

Attachments:
Meeting schedule
Fee Schedule
Application form

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 2026

Submit Application to:		Long Range Planning Advisory Commission (LRPAC)	Historic Preservation Commission (HPC)	Port of Dubuque/ Chaplain Schmitt Island Design Review	Zoning Board of Adjustment (ZBA)	Zoning Advisory Commission (ZAC)	City Council
Planning Services Department City of Dubuque 50 W. 13th Street Dubuque, IA 52001 planning@cityofdubue.org		Meets Monthly	Meets Monthly	Meets Monthly	Meets Monthly	Meets Monthly	Meets Monthly
		3rd Wednesday 5:30 p.m.	3rd Thursday 5:30 p.m.	4th Wednesday 3:00 p.m.	4th Thursday 5:30 p.m.	1st Wednesday 6:00 p.m.	3rd Monday 6:30 p.m.
* Agenda link		cityofdubue.org/LRPAC	cityofdubue.org/HPC	Design Guidelines	cityofdubue.org/ZBA	cityofdubue.org/ZAC	cityofdubue.novusagenda.com/AgendaPublic/
APPLICATION DUE BY	MEETING DATE	Dec 01	Dec 17	Dec 18	Dec 17	Dec 18	Tues. Jan 20
		Jan 05	Jan 21	Jan 15	Jan 28	Jan 22	Feb 16
		Feb 02	Feb 18	Feb 19	Feb 25	Feb 26	Mar 16
		Mar 02	Mar 18	Mar 19	Mar 25	Mar 26	Apr 20
		Mar 30	Apr 15	Apr 16	Apr 22	Apr 23	May 18
		May 04	May 20	May 21	May 27	May 28	Jun 15
		Jun 01	Jun 17	Jun 18	Jun 24	Jun 25	Jul 20
		Jun 29	Jul 15	Jul 16	Jul 22	Jul 23	Aug 17
		Aug 03	Aug 19	Aug 20	Aug 26	Aug 27	Sep 21
		Aug 31	Sep 16	Sep 17	Sep 23	Sep 24	Oct 19
		Sep 28	Oct 21	Oct 15	Oct 28	Oct 22	Nov 16
		Oct 26	Nov 18	Nov 19	Nov 18	Nov 19	Dec 21
		Nov 30	Dec 16	Dec 17	Dec 16	Dec 17	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 _____