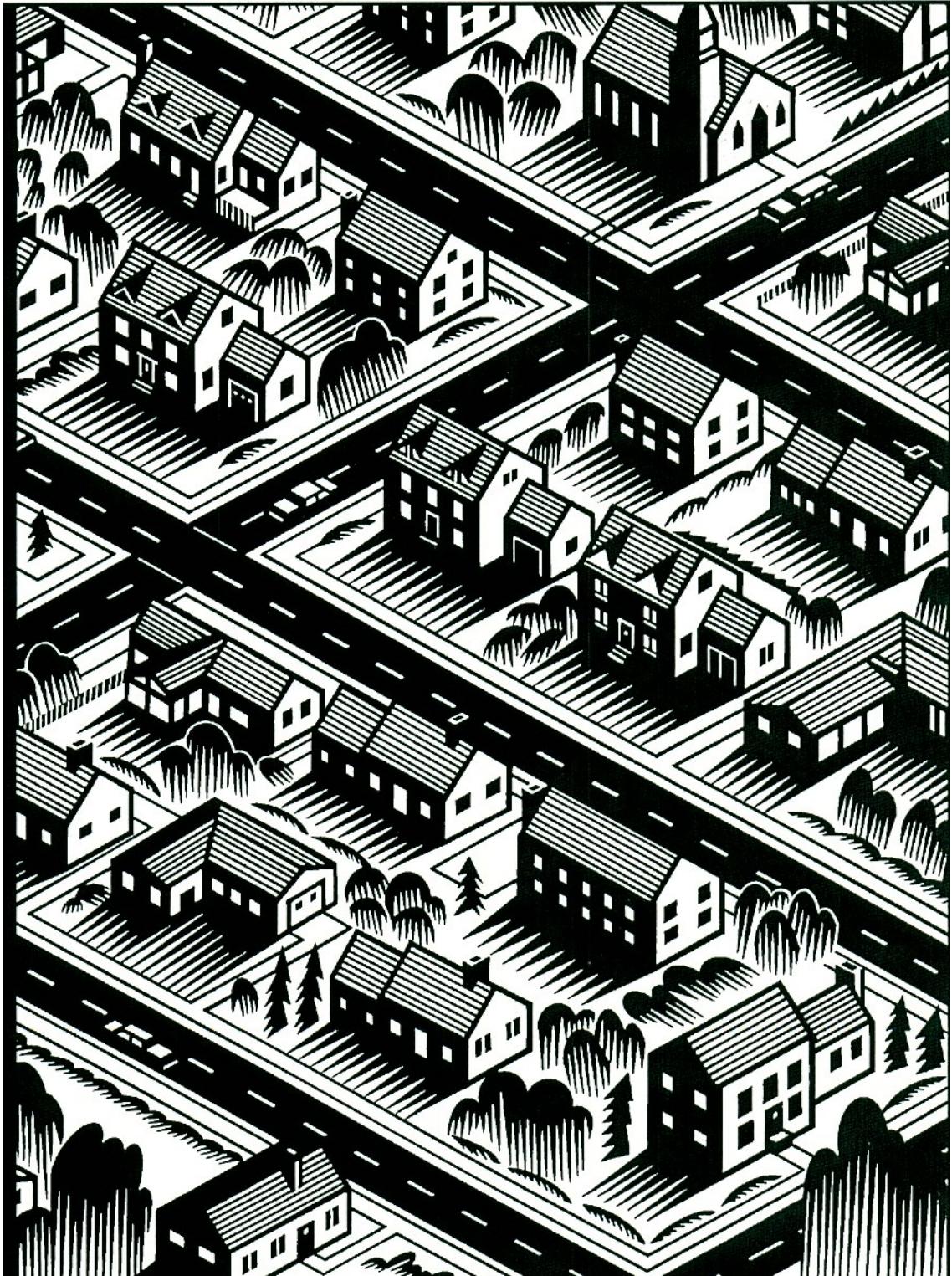


Requesting a Variance

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

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.
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- 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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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

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 Monthly	3rd Wednesday 5:30 p.m.
* Agenda link	cityofdubuque.org/LRPAC

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 5:30 p.m.
cityofdubuque.org/HPC

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 3:00 p.m.
Design Guidelines

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 5:30 p.m.
cityofdubuque.org/ZBA

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 6:00 p.m.
cityofdubuque.org/ZAC

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 6:30 p.m.
cityofdubuque.org/novusagenda.com/AgendaPublic/

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 _____