

FILE NUMBER: BOA-26-000007_FW1

BUILDING OFFICIAL'S REPORT: Application of Juan Garcia for a fee waiver for **(1)** a special exception to the fence height regulations, **(2)** a special exception to the 20-foot visibility obstruction regulation at the drive approach, and **(3)** special exception to the fence opacity regulations at **8440 KINGSFIELD ROAD**. This property is more fully described as Block 7866, Lot 40, and is zoned R-7.5(A).

LOCATION: 8440 KINGSFIELD ROAD

APPLICANT: Juan Garcia

REQUEST:

- (1) Request for a fee waiver for a special exception to the fence height regulations, a special exception to the 20-foot visibility obstruction regulation at the drive approach, and a special exception to the fence opacity regulations.

The applicant is requesting a fee waiver for three separate applications, each with a fee of \$600, for a total requested waiver amount of \$1,800.00. This request pertains solely to the waiver of fees associated with the proposed deviations from fence height regulations, visibility obstruction standards, and opacity requirements as described above.

STANDARD FOR A FEE WAIVER OR REIMBURSEMENT:

Section 303.12.1.6 in Chapter 52 of the Dallas City Code specifies the board of adjustment may waive the filing fee if the board finds **that payment of the fee would result in substantial financial hardship to the applicant**. The applicant may either pay the fee and request reimbursement at the hearing on the matter or request that the issue of financial hardship be placed on the board's miscellaneous docket for predetermination. If the issue is placed on the miscellaneous docket, the applicant may not file the application until the merits of the request for waiver have been determined by the board. In making this determination, the board may require the production of financial documents.

STAFF RECOMMENDATION:

The staff does not make a recommendation on fee waiver requests since the standard is whether the board finds that payment of the fee would result in substantial financial hardship to the applicant.