

**FILE NUMBER:** BOA-25-000107\_FW3 (KMH)

**BUILDING OFFICIAL'S REPORT:** Application of Michael Burtzlaff for a fee waiver for (1) a special exception to the fence height regulations for (2) a special exception to the fence opacity regulations, and for (3) a special exception to the 45-foot visibility obstruction triangle regulation at **12364 HALIMA STREET**. This property is more fully described as Block D/8418, Lot 1B, and is zoned MF-1(A).

**LOCATION:** 12364 Halima Street

**APPLICANT:** Michael Burtzlaff

**REQUEST:**

- (1) A request for a fee waiver for a special exception to the fence height regulations;
- (2) A special exception to the fence opacity regulations;
- (3) And a special exception to the visual obstruction regulations.

**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.