APPLICANT: Morgan Smith

ACTION REQUESTED: Special Exception to permit a fence or wall to exceed 4-feet in height inside the required front street setback (Sec. 45.080-A)

LOCATION: 3501 E 107 PL S

PRESENT USE: Residential

ZONED: RS-1

TRACT SIZE: 41225.35 SQ FT

LEGAL DESCRIPTION: LT 6 BLK 1, PHILCREST

RELevANT PReVIOUS ACTIONS: None.

RELATIONSHIP TO THE COMPREHENSIVE PLAN: The Tulsa Comprehensive Plan identifies the subject property as part of an “Existing Neighborhood” and an “Area of Stability”.

An Existing Neighborhood is intended to preserve and enhance Tulsa’s existing single-family neighborhoods. Development activities in these areas should be limited to the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects, as permitted through clear and objective setback, height, and other development standards of the zoning code.

The Areas of Stability include approximately 75% of the city’s total parcels. Existing residential neighborhoods, where change is expected to be minimal, make up a large proportion of the Areas of Stability. The ideal for the Areas of Stability is to identify and maintain the valued character of an area while accommodating the rehabilitation, improvement or replacement of existing homes, and small-scale infill projects. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life. The concept of stability and growth is specifically designed to enhance the unique qualities of older neighborhoods that are looking for new ways to preserve their character and quality of life.

ANALYSIS OF SURROUNDING AREA: The subject tract is located at the dead of E. 107th Pl. S. West of Louisville.

STAFF COMMENTS: The applicant is requesting a Special Exception to permit a fence or wall to exceed 4-feet in height inside the required front street setback (Sec. 45.080-A)
The portion of wall outside the street setback is not the subject of this application and is compliant with the code limitations since the wall is no higher than 8-feet from grade.

SAMPLE MOTION: Move to _________ (approve/deny) a Special Exception to permit a fence or wall to exceed 4-feet in height inside the required front street setback (Sec. 45.080-A)

- Per the Conceptual Plan(s) shown on page(s) ______ of the agenda packet.

- Subject to the following conditions (including time limitation, if any):

  ________________________________

The Board finds that the requested Special Exception will be in harmony with the spirit and intent of the Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.
LEGAL DESCRIPTION - AS PROVIDED - WD DOC. #2013102906
LOT SIX (6), BLOCK ONE (1), PHILCREST, AN ADDITION IN TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF.

LEGAL DESCRIPTION - AS PROVIDED - QCD DOC. #2020078345
A PARCEL OF LAND SITUATED IN THE WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA, MORE PARTICULARLY DESCRIBED AS FOLLOWS, TO-WIT:

COMMENCING AT THE SOUTHEAST CORNER OF SAID WEST HALF OF THE SOUTHWEST QUARTER OF SECTION 28, TOWNSHIP 18 NORTH, RANGE 13 EAST, TULSA COUNTY, OKLAHOMA;
THENCE NORTH 00°05'43" WEST FOR 1307.18 FEET;
THENCE SOUTH 89°17'47" WEST ALONG THE NORTH LINE OF EAST 109th STREET SOUTH AS DEDICATED IN PHILCREST SUBDIVISION IN TULSA, TULSA COUNTY, OKLAHOMA FOR 825.29 FEET;
THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 150.00 FEET, A CHORD BEARING OF SOUTH 58°00'46" WEST, A CHORD DISTANCE OF 155.78 FEET AND AN ARC DISTANCE OF 163.86 FEET;
THENCE NORTH 63°16'14" WEST FOR 175.58 FEET;
THENCE SOUTH 89°17'47" WEST A DISTANCE OF 190.43 FEET;
THENCE NORTH 33°53'00" EAST FOR 24.94 FEET;
THENCE NORTH 08°52'11" EAST FOR 651.06 FEET TO THE POINT OF BEGINNING;
THENCE CONTINUING NORTH NORTH 08°52'11" EAST FOR 50.69 FEET;
THENCE NORTH 89°23'17" EAST ALONG A WEST EXTENSION AND THE SOUTH LINE OF LOT 6, BLOCK 6, PHILCREST SUBDIVISION IN TULSA, TULSA COUNTY, OKLAHOMA; FOR 250.78 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6;
THENCE SOUTH 00°36'43" EAST FOR 50.00 FEET;
THENCE SOUTH 89°23'17" WEST FOR 259.13 FEET TO THE POINT OF BEGINNING.

LOD COMMENTS
1. THE WROUGHT IRON FENCE, STUCCO COLUMNS AND THAT PORTION OF THE CONCRETE RETAINING WALL LOCATED IN THE FRONT STREET SETBACK MEASURE FROM 5' TO 6.5' IN HEIGHT FROM FINISHED GRADE.
2. SEE SEPARATE CONSTRUCTION AGREEMENT EXHIBIT FOR CONCRETE RETAINING WALL LYING WITHIN THE LOT AND WITHIN THE FRONT 35' EASEMENT ALONG THE NORTHEAST LOT LINE.

PLAT OF SURVEY
LOT SIX (6), BLOCK ONE (1), PHILCREST & ADJ. UNPLATTED AREA
3501 E. 107th PL., TULSA, TULSA COUNTY, OKLAHOMA 74137

SURVEY: MJL DATE: 01.26.2021 PREPARED BY: FRITZ LAND SURVEYING, LLC
DRAFT: RLL DATE: 01.28.2021 2017 W. 91ST STREET, TULSA, OK 74132
APPROVED: PLS PH: 918.231.0575 DATE: 02.11.2021 FRITZLANDSURVEYING@GMAIL.COM
PROJ. NO. 20038 C.A. # 5848 SHEET 2 OF 2 EXPIRES: 6-30-2022

13.6
Friday, September 10, 2021

V. David Miller II and Pamela E. Miller
15 E 5th St, STE 3800
Tulsa, OK 74103

RE: Copy of Original - Agreement for Construction in a Utility Easement

To Whom It May Concern:

Enclosed is an executed copy of the document filed of record by the City of Tulsa. This copy is for your records.
AGREEMENT FOR CONSTRUCTION
IN A UTILITY EASEMENT

This agreement, made and entered into by and between the CITY OF TULSA, OKLAHOMA, a municipal corporation, (City), and V. David Miller II and Pamela E. Miller, a married couple, owner of the subject real property, (Owner),

WITNESSETH:

WHEREAS; City owns and controls an easement in, under, over, upon and through the real property which is the subject matter hereof described as:

Lot Six (6), Block One (1), PHILCREST, an Addition in Tulsa County, State of Oklahoma, according to the recorded Plat thereof, more particularly described in Exhibit “A”; (hereafter, “the subject property”); and

WHEREAS; the Owner has applied for a permit (the “permit”) to allow construction and maintenance of retaining wall, landscaping, planters, fireplace, generator, irrigation and drainage systems, fountain and decking (hereinafter referred to as “Improvements”) in, upon and through that portion of City's easement as described and as shown on the Exhibit, marked “Exhibit “A”, attached hereto and incorporated herein by reference; and

WHEREAS; City and Owner agree to the issuance of the Permit subject to the conditions and covenants set forth hereafter.

NOW, THEREFORE, IT IS HEREBY AGREED BY AND BETWEEN THE PARTIES, AS FOLLOWS:

1. The owner and its successors in title, shall bear all construction, maintenance, and related costs associated with the subject Improvements on that part of the easement, described as:

   See Exhibit “A”

through the entirety of that portion affected by the Improvements as detailed in the attached Exhibit “A”. The City shall bear no costs associated with said Improvements now or in the future. Nothing shall be permitted to threaten the safety and continued integrity of all utilities, public and/or private, and/or their accessories located in said easement.

2. In the event the Owner or its successors in title fail to otherwise properly maintain the Improvements, in the easement area, the City or their designated contractor or private utility company as appropriate, may enter the area as required and perform maintenance on the Improvements necessary to the achievement of the intended functions and may remove any obstruction or correct any alteration of grade or contour, and all costs borne by the city and/or their agents shall be paid by the Owner or its successors in title. In the event the Owner or its successors in title fail to pay the costs of the subject work after the receipt of a statement of such costs, the City may file of record a copy of the statement of costs, and thereafter the costs shall
be a lien against the subject property. A lien established as provided herein may be foreclosed by
the City.

3. No liability for property damage or personal injury arising out of the construction, installation or maintenance of the Improvements shall attach to the City.

4. City, by granting the subject Permit, does not waive any privilege or right applicable to the subject easement. Nor are such privileges and/or rights waived which belong to others, including, but not limited to utility companies.

5. It is expressly understood that the Owner shall construct and maintain the Improvements at its own expense and at its own risk. In the event it becomes necessary for any public purpose, including but not limited to construction, installation, maintenance, repair or discontinuance of utilities, public and/or private, over, upon, or in the utility easement occupied or affected by the Improvements, to remove, alter or impact the Improvements, for the reason that they interfere with the privileges or rights of the City, their agents, servants and employees and others, including, but not limited to utility companies, the Improvements, or any portion of them, shall be timely removed by the Owner or its successors in title, at the exclusive expense of the Owner or its successors. In the event the removal of the Improvements is not accomplished in timely fashion as herein provided, the Improvements may be immediately removed by the City, their agents, servants or employees, including, but not limited, to utility companies or independent contractors, at the exclusive expense of the Owner or its successor in title. In the event the Owner or its successors in title fail to pay the costs of the subject work after receipt of a statement of such costs, the City may file of record a copy of the statement of costs, and thereafter the costs shall be a lien against the subject property. A Lien established as provided herein may be foreclosed by the City.

6. The Owner and its successors, shall defend any and all claims, liabilities, suits at law or equity brought against the City resulting from the operation, construction, installation, or maintenance of the Improvements and shall indemnify the City for any costs and/or damages suffered as a result thereof.

7. THIS AGREEMENT SHALL "RUN WITH THE LAND" and shall be binding on the Owner, its grantees, assigns, successors and heirs.

8. The effective date of this agreement shall be the date on which it is executed by the City of Tulsa.
IN WITNESS WHEREOF, the parties hereto have executed this agreement on the dates set forth below.

V. David Miller II

Pamela E. Miller

STATE OF OKLAHOMA

COUNTY OF TULSA

Before me, the undersigned, a Notary Public, in and for said County and State on this 9th day of June, 2021, personally appeared V. David Miller II and Pamela E. Miller, a married couple, to me known to be the identical persons who executed the within and foregoing instrument, and acknowledged to me that they executed the same as their free and voluntary act and deed for the uses and purposes therein set forth.

Given under my hand and seal the day and year last above written.

Notary Public

My Commission Expires:

10/20/2022

5-6-21-22 Page 3 of 4
STATE OF OKLAHOMA )
COUNTY OF TULSA ) ss.

Before me, a Notary Public in and for said County and State, on the 28th day of
July ________, 2021, personally appeared G. T. Bynum to me known to be the identical
person who approved the within and foregoing instrument as Mayor of the City of Tulsa,
Oklahoma, and acknowledged to me that they approved the within and foregoing instrument as
their free and voluntary act and deed and as the free and voluntary act and deed of the City of
Tulsa, Oklahoma, for the uses and purposes therein set forth.

My commission expires: 2/15/25
Application for
Right-of-way / Easement
Closure or Encroachment Agreement

APPLICATION IS HEREBY MADE TO THE CITY OF TULSA TO CONSIDER THE FOLLOWING:

CHOOSE (1) CLOSURE: ___________ ENCROACHMENT: X

CHOOSE (1) RIGHT-OF-WAY: _______ EASEMENT: X _______ AIR SPACE: _______

County Assessor Parcel Number: __________________________ Zoning: ________

Property Location: 3501 E 107 Pl S Tulsa OK 74137

Legal Description: Subdivision: Philcrest Plat No.: ________

Lot: ____________ Block: 1

Section: 28 Township: 18 Range: 13

IF UNPLATTED ATTACH LEGAL DESCRIPTION.

Applicant Name: Jones, Gotcher, & Bogan, P.C. as Attorneys for Millers
Applicant Company: Jones, Gotcher, & Bogan, P.C.
Applicant D.B.A.: __________________________
Address: 15 E 5th Street Suite 3800
City: Tulsa State: OK Zip: 74103
Phone: 918-581-8216 Email: msmith@jonesgotcher.com

Secondary Point of Contact: __________________________
Phone: 918-581-8200 Email: jweger@jonesgotcher.com

Property Owner(s) of Record: David V. Miller II and Pamela E. Miller

Address: 3501 E 107th Pl S
City: Tulsa State: OK Zip: 74137
Phone: 918-463-2921 Email: vdamidil@crosstel.net

Signatures

Applicant: Morgan Smith Date: 2/25/2021

Property Owner(s): David V. Miller II Date: 2/25/2021
Pamela E. Miller Date: 2/25/2021

EXHIBIT "A"
Page 1 of 17

13.12
Application for
Right-of-way / Easement
Closure or Encroachment Agreement

Explaination of necessity for closing right-of-way or easement or for encroaching into the right-of-way or easement.

REQUIRED - Legal Description with a Plat of Survey for all closings. For Encroachments a digital sketch delineating the described request, showing all data pertinent to the property (refer to application instructions).

Portion of terraced landscaping and other improvements encroach within the front 35' easement/setback and within the southernly 15' easement area of lot 6. Provides aesthetic value and improves visual environment of property.

See Plat of Survey Construction Agreement Exhibit "A" for legal descriptions.
CONSTRUCTION AGREEMENT LEGAL DESCRIPTION:


A TRACT OF LAND THAT IS PART OF LOT SIX (6), BLOCK ONE (1), PHILCREST, AN ADDITION TO THE CITY OF TULSA, TULSA COUNTY, STATE OF OKLAHOMA, ACCORDING TO THE RECORDED PLAT THEREOF, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A POINT ON THE NORTHERLY RIGHT-OF-WAY OF EAST 107th PLACE, SAID POINT BEING THE SOUTHEAST CORNER OF SAID LOT 6, BLOCK 1, PHILCREST;

THENCE SOUTHWESTERLY ALONG THE RIGHT-OF-WAY LINE ALONG A CURVE TO THE LEFT, HAVING A RADIUS OF 50.00 FEET, AN ARC LENGTH OF 62.90 FEET, A CHORD BEARING OF SOUTH 34°41'16" WEST AND A CHORD LENGTH OF 58.93 FEET TO THE SOUTHEAST CORNER OF SAID LOT 6;

THENCE SOUTH 88°38'04" WEST ALONG THE SOUTH LINE OF SAID LOT SIX A DISTANCE OF 174.80 FEET TO THE EAST LINE OF A PLATTED 15 FOOT UTILITY EASEMENT;

THENCE NORTH 07°53'37" EAST ALONG SAID EASEMENT LINE 15.20 FEET TO THE NORTH LINE OF A PLATTED 15 FOOT UTILITY EASEMENT;

THENCE NORTH 88°38'04" EAST AND PARALLEL WITH THE SOUTH LINE OF SAID LOT 6 A DISTANCE OF 138.70 FEET TO A POINT OF CURVATURE, SAID POINT BEING ON A PLATTED 35 FOOT EASEMENT / SETBACK LINE;

THENCE NORTHEASTERLY ALONG A CURVE TO THE RIGHT HAVING A RADIUS OF 85.00 FEET, AN ARC LENGTH OF 89.99 FEET, A CHORD BEARING OF NORTH 39°08'48" EAST AND A CHORD LENGTH OF 85.83 FEET TO A POINT ON THE EAST LINE OF SAID LOT 6;

THENCE SOUTH 22°18'06" EAST ALONG SAID EAST LINE A DISTANCE OF 35.03 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 5,024.8 SQUARE FEET OR 0.12 ACRES.

BEARINGS ARE BASED ON THE RECORDED PLAT OF PHILCREST #3666.

SURVEYOR'S CERTIFICATION


WITNESS MY HAND AND SEAL THIS 23rd DAY OF FEBRUARY, 2021.

FRITZ LAND SURVEYING, LLC
2017 W. 91ST STREET, TULSA, OK 74132
PH: 918.231.0575
FRITZLANDSURVEYING@GMAIL.COM
C.A. # 5848 EXPIRES: 6-30-2022
FLS #20038

ANDY FRITZ, PLS
OK LIC. 1694
CA #5848 EXP. 06.30.2022

PAGE 2 OF 2

EXHIBIT "A"
Page 3 of 17
PLAT OF SURVEY
CONSTRUCTION AGREEMENT EXHIBIT "A"

Location Map

SCALE: 1" = 3000'

FRITZ LAND SURVEYING, LLC
2017 W. 91ST STREET, TULSA, OK 74132
PH: 918.231.0575
FRITZLANDSURVEYING@GMAIL.COM
C.A. # 5848 EXPIRES: 6-30-2022
FLS #20038

PAGE 1 OF 2

EXHIBIT "A"
Page 4 of 17
RIGOROUS STRUCTURAL ANALYSIS REPORT OF RETAINING WALL

SITE DESIGNATION

Site Number: N/A
Site Name: MILLER RETAINING WALL

ANALYSIS CRITERIA:

Codes: IBC, ACI
Structure: Modified concrete retaining wall

SITE DATA

3501 EAST 107TH PLACE
Tulsa, Oklahoma, 74137
Market: N/A (Private Residence)
Concrete retaining wall modified with CMUs up to 8 ft high max.

To Whom It May Concern,

Specialty Telecommunications Services, LLC is pleased to submit this Rigorous Structural Analysis Report analyzing the structural integrity of the above-mentioned retaining wall and its ability to support the existing loads. This analysis was performed using the Rankine method for earth pressure, IBC standard strength loading, and standard design criteria for driveway loading (250 psf, IBC 1607.1).

Analysis Results

<table>
<thead>
<tr>
<th>Analysis</th>
<th>Capacity</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall Footing</td>
<td>43.6%</td>
<td>PASS</td>
</tr>
<tr>
<td>Wall Stem</td>
<td>99.4%</td>
<td>PASS</td>
</tr>
<tr>
<td>Stability and Sliding</td>
<td>68.4%</td>
<td>PASS</td>
</tr>
</tbody>
</table>

Based on our analysis this modified retaining wall is in accordance with IRC 2015 Section R404.4.

We at STS appreciate the opportunity to provide our continual professional services to you at Branch Communications. If you have any questions please do not hesitate to call.

Respectfully,

Samual T. Curtis, P.E.
Oklahoma#: 22174

13431 NORTH BROADWAY . SUITE 120 . OKLAHOMA CITY . OK
405-753-7167 . STSENGR.COM

EXHIBIT "A"
Page 5 of 17

13.16
The purpose of this analysis was to assess the structural integrity of the existing retaining wall and its ability to support the existing site loads. The following describes in more detail the analyses performed in evaluating the capacity of the site in question.

SITE RESULT SUMMARY

<table>
<thead>
<tr>
<th>Analysis Component</th>
<th>Section</th>
<th>Capacity (%)</th>
<th>Result</th>
</tr>
</thead>
<tbody>
<tr>
<td>Top Flex</td>
<td>Footing</td>
<td>43.6</td>
<td>PASS</td>
</tr>
<tr>
<td>Bottom Flex</td>
<td>Footing</td>
<td>27.5</td>
<td>PASS</td>
</tr>
<tr>
<td>Heel Shear</td>
<td>Footing</td>
<td>34.4</td>
<td>PASS</td>
</tr>
<tr>
<td>Toe Shear</td>
<td>Footing</td>
<td>31.1</td>
<td>PASS</td>
</tr>
<tr>
<td>Max Internal</td>
<td>Wall Stem</td>
<td>99.4</td>
<td>PASS</td>
</tr>
<tr>
<td>Max External</td>
<td>Wall Stem</td>
<td>1.7</td>
<td>PASS</td>
</tr>
<tr>
<td>Max Shear</td>
<td>Wall Stem</td>
<td>38.4</td>
<td>PASS</td>
</tr>
<tr>
<td>Max Dowel</td>
<td>Wall Stem</td>
<td>14.8</td>
<td>PASS</td>
</tr>
<tr>
<td>Bearing</td>
<td>Stability/Sldng</td>
<td>37.6</td>
<td>PASS</td>
</tr>
<tr>
<td>Overturning</td>
<td>Stability/Sldng</td>
<td>31.2</td>
<td>PASS</td>
</tr>
<tr>
<td>Sliding</td>
<td>Stability/Sldng</td>
<td>68.4</td>
<td>PASS</td>
</tr>
</tbody>
</table>

Stress ratios up to 105% are considered customary within engineering structural analysis practices.

ANALYSIS METHOD

The structural analysis program RISA Foundation was used to facilitate modeling and analysis of the retaining wall. IBC wind and earth loading procedures were used to calculate loading on the wall sections. The analysis was completed with the Rankine earth pressure method, with calculated K values of .217 based on soil profiles from existing USDA soil surveys (see section below) best engineering practice. The soil profiles were then cross-referenced with Foundation Engineering Handbook (Peck, 1974) tables for other parameters such as the unit weight of soil and angle of internal friction. The RISA Foundation program was used to create a 3D model and apply various load cases to determine the stress level of primary members and maximum reaction at fixed members. Selected output from the structural analysis is included in the Appendix. The following table details the information provided from which this report was exclusively based without benefit of a comprehensive site visit.

<table>
<thead>
<tr>
<th>Document</th>
<th>Remarks</th>
<th>Source</th>
</tr>
</thead>
<tbody>
<tr>
<td>Wall Mapping Report</td>
<td>Dated 7/25/19</td>
<td>Branch Communications</td>
</tr>
<tr>
<td>Site Photos</td>
<td>Branch site visit, 7/24/19</td>
<td>Branch Communications</td>
</tr>
<tr>
<td>Correspondence w/ Branch</td>
<td>Wall dimensions, 9/10/19</td>
<td>Branch Communications</td>
</tr>
</tbody>
</table>
ANALYSIS – CUSTOM RETAINING WALL

Based on the wall mapping report and site photos provided by Branch, it was determined that the wall could be accurately modeled with maximum dimensions of a total of 8’ of height above ground level (at maximum), with up to 10’ of backfill on the heel side and up to 6’ of toe embedment. The total height of the modified wall above the ground is 8’ maximum. The footing, stem, and metal reinforcements were modeled as depicted on the wall mapping report. However, due to variability in exact height, backfill, and toe embedment, the 14 wall sections were modeled as a range of possibilities to capture a diverse variety of scenarios. As expected, the analysis facilitated by RISA Foundation showed that the scenario with 10’ backfilled (buried) wall and 8’ max above ground was “worst-case”.

<table>
<thead>
<tr>
<th>Height Above Ground</th>
<th>Backfill</th>
<th>Toe Embedment</th>
</tr>
</thead>
<tbody>
<tr>
<td>8’</td>
<td>10’</td>
<td>6’</td>
</tr>
<tr>
<td>6’</td>
<td>9’</td>
<td>5’</td>
</tr>
<tr>
<td>4’</td>
<td>8’</td>
<td>4’</td>
</tr>
<tr>
<td>2’</td>
<td>6’</td>
<td>3’</td>
</tr>
</tbody>
</table>

Note that the original concrete wall was as low as 3’ above ground in some places, and the CMU blocks added on top as a post-construction modification increased the height above ground to a maximum of 8’ in some sections of the wall. None of the CMU bear earth pressure loads, and all CMUs are fully grouted and are structurally adjoined to the existing concrete wall with 6’ #6 rebar with at least 2’ embedment in the existing concrete wall. More details on how the retaining wall was modeled can be found in Appendix A.3.

Loads modeled include earth pressures, wind loads, hydrostatic loads, and surcharge loads due to the weight of the adjoining 4” pavement driveway (48 psf) plus theoretical max driveway loading of 250 psf.

SOIL SURVEY

The USDA soil survey (see Appendix A.1) detailed that the soil on the site is Glenpool loamy fine sand. This soil is characterized by a slope of 3- to 15%, accessible depth in excess of 80 inches, with high natural drainage capacity and a high capacity to transmit water (6 to 20” per hour). The water table is more than 80 inches below the surface (USGA surveys confirmed water table to be at least 20’ below the surface, see Appendix A.1). When cross-referenced with engineering handbooks and tables for applicable soil properties, this characterization was translated as silty medium dense sand/dense, well-graded sand.

CONCLUSION

The maximum load combinations resulted in a design capacity of 99.4% with proposed loading at worst case wind speeds, earth pressures, surcharge loads, and hydrostatic loading utilizing load combination 2 for the modified retaining wall (see Appendix A.2 for RISA details). Based on these results, it is our opinion that the existing modified concrete retaining wall is structurally adequate for current loading conditions. Based on our analysis this modified retaining wall is in accordance with IRC 2015 Section R404.4.
APPLICATION NO: BLDR-37354-2019  (PLEASE REFERENCE THIS NUMBER WHEN CONTACTING OUR OFFICE)
Project Location: 3501 E 107th Pl
Description: Fence

<table>
<thead>
<tr>
<th>INFORMATION ABOUT SUBMITTING REVISIONS</th>
</tr>
</thead>
<tbody>
<tr>
<td>OUR REVIEW HAS IDENTIFIED THE FOLLOWING CODE OMISSIONS OR DEFICIENCIES IN THE PROJECT APPLICATION FORMS, DRAWINGS, AND/OR SPECIFICATIONS. THE DOCUMENTS SHALL BE REVISED TO COMPLY WITH THE REFERENCED CODE SECTIONS.</td>
</tr>
<tr>
<td>REVISIONS NEED TO INCLUDE THE FOLLOWING:</td>
</tr>
<tr>
<td>1. A COPY OF THIS DEFICIENCY LETTER</td>
</tr>
<tr>
<td>2. A WRITTEN RESPONSE AS TO HOW EACH REVIEW COMMENT HAS BEEN RESOLVED</td>
</tr>
<tr>
<td>3. THE COMPLETED REVISED/ADDITIONAL PLANS FORM (SEE ATTACHED)</td>
</tr>
<tr>
<td>4. BOARD OF ADJUSTMENT APPROVAL DOCUMENTS, IF RELEVANT</td>
</tr>
</tbody>
</table>

REVISIONS SHALL BE SUBMITTED DIRECTLY TO THE CITY OF TULSA PERMIT CENTER LOCATED AT 175 EAST 2nd STREET, SUITE 450, TULSA, OKLAHOMA 74103, PHONE (918) 596-9601. THE CITY OF TULSA WILL ASSESS A RESUBMITTAL FEE. DO NOT SUBMIT REVISIONS TO THE PLANS EXAMINERS.

SUBMITTALS FAXED / EMAILED TO PLANS EXAMINERS WILL NOT BE ACCEPTED.

<table>
<thead>
<tr>
<th>IMPORTANT INFORMATION</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. SUBMIT TWO (2) SETS [4 SETS IF HEALTH DEPARTMENT REVIEW IS REQUIRED] OF REVISED OR ADDITIONAL PLANS. REVISIONS SHALL BE IDENTIFIED WITH CLOUDS AND REVISION MARKS.</td>
</tr>
<tr>
<td>2. INFORMATION ABOUT ZONING CODE, INDIAN NATION COUNCIL OF GOVERNMENT (INCOG), BOARD OF ADJUSTMENT (BOA), AND TULSA METROPOLITAN AREA PLANNING COMMISSION (TMAPC) IS AVAILABLE ONLINE AT <a href="http://WWW.INCOG.ORG">WWW.INCOG.ORG</a> OR AT INCOG OFFICES AT 2 W. 2nd ST., 8th FLOOR, TULSA, OK, 74103, PHONE (918) 584-7526.</td>
</tr>
<tr>
<td>3. A COPY OF A “RECORD SEARCH” [ ] IS [X] IS NOT INCLUDED WITH THIS LETTER. PLEASE PRESENT THE “RECORD SEARCH” ALONG WITH THIS LETTER TO INCOG STAFF AT TIME OF APPLYING FOR BOARD OF ADJUSTMENT ACTION AT INCOG. UPON APPROVAL BY THE BOARD OF ADJUSTMENT, INCOG STAFF WILL PROVIDE THE APPROVAL DOCUMENTS TO YOU FOR IMMEDIATE SUBMITTAL TO OUR OFFICE. (See revisions submittal procedure above.).</td>
</tr>
</tbody>
</table>

(continued)
Note: As provided for in Section 70.130 you may request the Board of Adjustment to grant a variance from the terms of the Zoning Code requirements identified in the letter of deficiency below. Please direct all questions concerning variances, special exceptions, appeals of an administrative official decision, Master Plan Developments Districts (MPD), Planned Unit Developments (PUD), Corridor (CO) zoned districts, zoning changes, platting, lot splits, lot combinations, alternative compliance landscape and screening plans and all questions regarding (BOA) or (TMAPC) application forms and fees to an INCOG representative at 584-7526. It is your responsibility to submit to our offices documentation of any appeal decisions by an authorized decision making body affecting the status of your application so we may continue to process your application. INCOG does not act as your legal or responsible agent in submitting documents to the City of Tulsa on your behalf.

Staff review comments may sometimes identify compliance methods as provided in the Tulsa Zoning Code. The permit applicant is responsible for exploring all or any options available to address the noncompliance and submit the selected compliance option for review. Staff review makes neither representation nor recommendation as to any optimal method of code solution for the project.

45.080-A Fences and walls within required building setbacks may not exceed 8 feet in height, except that in required street setbacks (front setback) fences and walls may not exceed 4 feet in height. However, in R zoned districts, fences up to 8 feet in height are permitted in side street setbacks of detached houses or duplexes located on corner lots and in street setbacks abutting the rear lot line of houses and duplexes located on double frontage lots. The board of adjustment is authorized to modify these fence and wall regulations in accordance with the special exception procedures of Section 70.120.

Review Comments - Provide documentation indicating the proposed fence located in the front street setback will not exceed 4’ in height measured from grade or apply to BOA for a special exception to allow a fence to exceed 4’ in height in a front street setback.

This letter of deficiencies covers Zoning plan review items only. You may receive additional letters from other disciplines such as Building or Water/Sewer/Drainage for items not addressed in this letter. A hard copy of this letter is available upon request by the applicant.

Please Notify Plans Examiner By Email When You Have Submitted A Revision. If you originally submit paper plans, revisions must be submitted as paper plans. If you submit online, revisions must be submitted online.

END – ZONING CODE REVIEW

NOTE: THIS CONSTITUTES A PLAN REVIEW TO DATE IN RESPONSE TO THE SUBMITTED INFORMATION ASSOCIATED WITH THE ABOVE REFERENCED APPLICATION. ADDITIONAL ISSUES MAY DEVELOP WHEN THE REVIEW CONTINUES UPON RECEIPT OF ADDITIONAL INFORMATION REQUESTED IN THIS LETTER OR UPON ADDITIONAL SUBMITTAL FROM THE APPLICANT.

KEEP OUR OFFICE ADVISED OF ANY ACTION BY THE CITY OF TULSA BOARD OF ADJUSTMENT OR TULSA METROPOLITAN AREA PLANNING COMMISSION AFFECTING THE STATUS OF YOUR APPLICATION FOR A ZONING CLEARANCE PERMIT.
BOA-23239

Subject Tract

18-13 28

Note: Graphic overlays may not precisely align with physical features on the ground.

Aerial Photo Date: 2020/2021