Note – Some of the members of the Board of Adjustment, as well as City staff members, may attend this meeting virtually. For public health reasons, those who attend in person should consider personal hygiene, the use of facial coverings, and social distancing.

BOARD OF ADJUSTMENT
AGENDA
December 8, 2021

Registration Link: https://us06web.zoom.us/webinar/register/WN_Vht1nITCQbCm87JoTMmkLw

I. Call to Order
II. Approval of Minutes
III. New Business

1. **Trail Ridge Subdivision - Perimeter Fence** **Variance***
   101 NW Trail Ridge Road (VAR21-0035)
   - Perimeter Fence Right of Way Setback Variance

2. **Potts Law Firm – Balcony Sign** **Variance***
   201 SW 14th Street, Suite 201 (VAR21-0037)
   - Sign Requirements Variance

3. **Robinson Family Trust – Home Courtyard Wall** **Variance***
   206 SE 3rd Street (VAR21-0038)
   - Wall Height Variance

4. **Phil and Lesley Herr – Existing Non-Conforming Addition** **Variance***
   301 SW 3rd Street (VAR21-0039)
   - Rear Setback Variance

5. **Old Town Dry Cleaners - Drive Through Remodel** **Variance***
   308 N Walton Blvd (VAR21-0040)
   - Front Setback Variance

6. **Crystal Lands LLC – New C Street Residential Construction** **Variance***
   Parcels 01-00365-000, 01-00363-000, 01-00364-000, and 01-00366-000 (VAR21-0041)
   - Front Setback Variance

Board of Adjustment
Minutes
November 10, 2021

Meeting called to order by Mr. Rogers

Present: Rick Rogers, Joe Haynie, Jan Holland, Sam Pearson, Rustin Chrisco
Absent: N/A
Staff: Tyler Overstreet, Luke Aitken

Motion by Mr. Pearson, seconded by Mr. Haynie to approve the minutes of October 27, 2021 as written

Approved 5-0

Old Business

Item #1
FSB Realty LLC, 403 SE 8th Street, Suite 5, VAR21-0033
Luke Aitken reads the updated staff report.
Shannon Bedore, the applicant, and owner of 403 SE 8th Street, is available to speak on the item.
There is discussion amongst Board members and staff.
A vote is called for the maximum building height portion of the variance
Approved 4-1

New Business

Item #1
1003 North Main Street LLC, 1003 N Main Street, VAR21-0031
Luke Aitken reads the staff report.
Opened Public Hearing
Closed Pubic Hearing
Ken Ehret the applicant, is available to speak on the item.
There is discussion amongst Board members, the applicant, and staff.
A vote is called for a variance of minimum lot width requirements

Approved 5-0

Item#2
Donamaria and Cizaurre Backyard Pergola, 609 McClain Road, VAR21-0034
Luke Aitken reads the staff report.
Opened Public Hearing
Closed Public Hearing
Pablo Donamaria, the applicant, and owner of 609 McClain Road, is available to speak on the item.
There is discussion amongst Board members and staff.
A vote is called for a variance of accessory structure side setback requirements

Approved 5-0

Motion by Mr. Haynie, seconded by Mr. Pearson to adjourn the meeting.
Meeting adjourned

*A copy of this recording can be obtained from the Bentonville Planning Department.

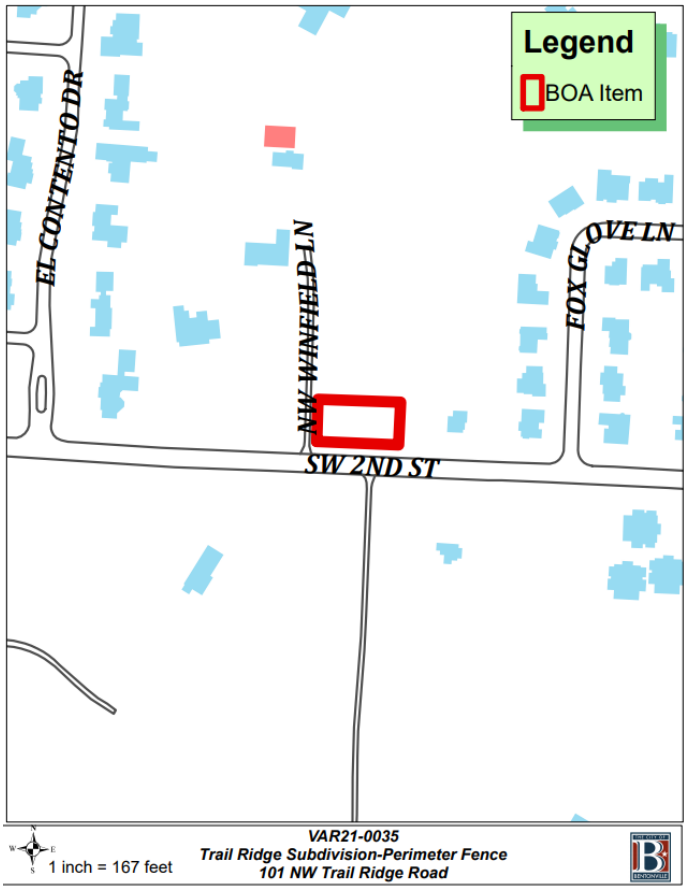
Luke Aitken

BOARD OF ADJUSTMENT STAFF REPORT

Trail Ridge Subdivision

101 NW Trail Ridge Road
BOA Date: 12/8/2021
Reviewer: Elizabeth Johnson, Senior Planner, AICP

Project Number	VAR21-0035
Applicant / Current Owner	Boulder and Beam, LLC
Site Area	N/A
Current Zoning	R-O, Residential Office
Variance Request	Land Development Code Article 1100.06



Property Description
This property is located at 101 NW Trail Ridge Road. It is currently zoned R-O, Residential Office.

Regulation
According to Land Development Code Article 1100.06, Fence and Wall Requirements, section g, subsection 2, Fence location adjacent to public right-of-way, a fence shall be placed no closer than five feet to the current or proposed right-of-way.

Variance Request
The applicant is requesting the fence to be 3.3 feet away from the property line, which is a variance of 1.7 feet.

Background
According to the applicant's narrative, they trying to build a perimeter fence for Trail Ridge Subdivision. A water line sits 8.8 feet away from the property line, so in order to maintain a 5 foot clearance and not reduce the yard size of the adjacent lot, they are requesting to move their fence 1.7 feet closer to the property line.

Public Comment
At the time of writing this staff report, staff has not received public comment on this item.

Conditions of Approval
If approved, the following conditions shall apply:

1. The approved variance shall be for the proposed fence height, location, and materials as provided by the applicant within the application.
2. The applicant shall be required to obtain an approved fence permit prior to constructing the fence.
3. The fence shall meet the requirements for fences located within utility easements listed within the Land Development Code.

BOARD OF ADJUSTMENT STAFF REPORT

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

(1) The applicant demonstrates that:

a. special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structure or buildings in the same district;

b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

c. that special conditions and circumstances do not result from the actions of the applicant; and,

d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

Boulder & Beam LLC
4508 NE Birchgrove Place
Bentonviile AR 72712

November 22, 2021

City of Bentonville Planning and Zoning and
Board of Adjustments
305 SW A Street
Bentonville, AR 72712

RE: Board of Adjustments Variance Request Narrative
Project Name: Perimeter Fence at Trail Ridge Subdivision

To The City of Bentonville Planning Department and Board of Adjustments:

We are proposing to construct a subdivision perimeter fence along SW 2nd Street for the new Trail Ridge Subdivision. We would like to request a variance from Municipal Code Section 1100.06 (g)(2) which states that adjacent to a public right-of-way, a fence or wall shall be placed no closer that five (5) feet to the current or proposed public right-of-way. The subject property is located at 101 Trail Ridge Road in the new Trail Ridge Subdivision.

In addition to the Zoning Code requirement that a fence be located 5 feet from a public right-of-way line, the City Water Utilities Department requires that a fence be located no closer than 5 feet from a water line. In order to provide water service to this new subdivision, we extended an existing city water line from the west along SW 2nd Street to the eastern border of Trail Ridge. During the platting process we dedicated additional right-of-way along SW 2nd Street as shown on the attached Exhibit. As such, extending the water line from its existing location and dedicating additional right-of-way created the situation where the water line is 8.8' from the new property line/right-of-way.

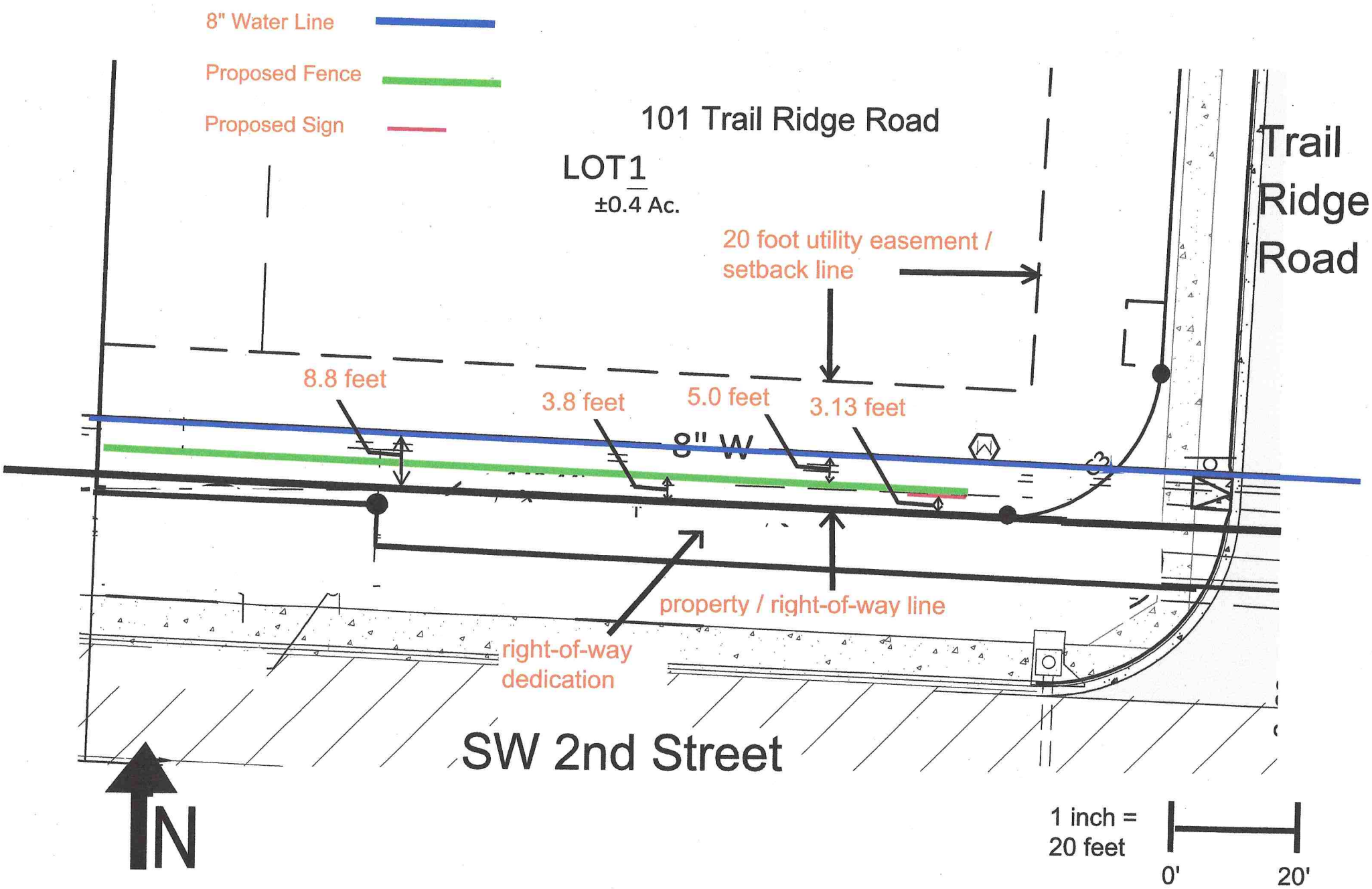
We are proposing to locate the fence between the water line and right-of-way line. The proposed wood fence will be 6 inches wide. In addition, we are proposing to attach a subdivision sign to the east end of the fence. The sign will be no wider than 8 feet. For this 8 foot section of fence, the sign will protrude an additional 1 inch (for a total of 7 inches wide). Therefore, the variance we are requesting will be for the fence to be 3.3 feet from the right-of-way, with one 8 foot section with the sign to be 3.13 feet from the right-of-way. The fence will be located 5 feet from the water line, resulting in a request for a 1.7 foot variance for the fence and a 1.87 foot variance for the portion of the fence with the sign attached.

If a variance is not approved, our only alternative would be to locate the fence 5 feet north of the water line which would be 13.8 feet from the new right-of-way. This would create hardship due to a loss of use of an additional 8.8 feet of private property along the south edge of lot 1 beyond what normal conditions require for fences to be set back from a public right-of-way.

We appreciate your consideration of this variance request.

Teri Malies
Boulder & Beam LLC

Proposed Perimeter Fence at Trail Ridge Subdivision

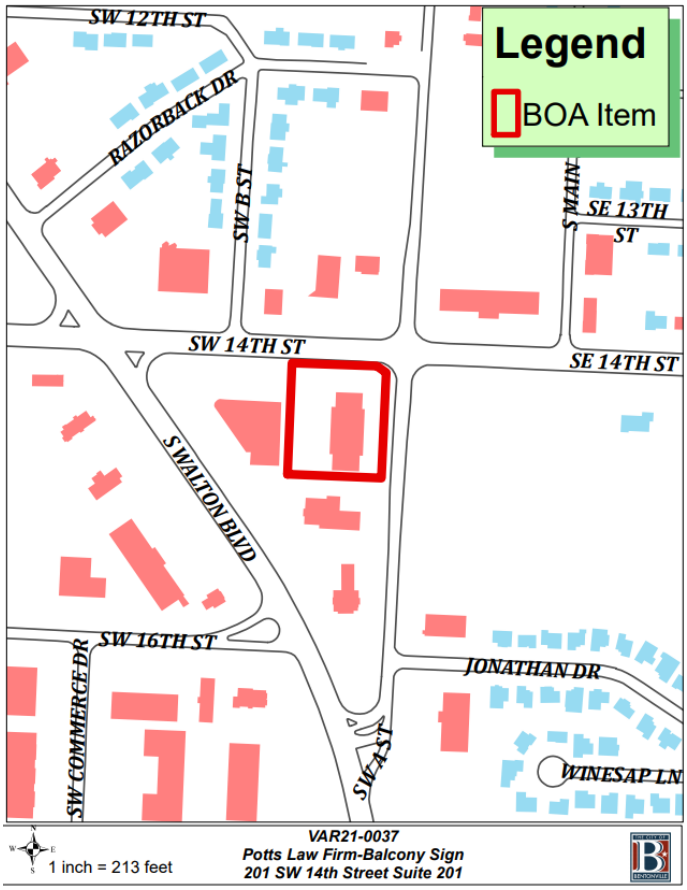


BOARD OF ADJUSTMENT STAFF REPORT

Potts Law Firm

201 SW 14th Street Suite 201
BOA Date: 12/8/2021
Reviewer: Elizabeth Johnson, Senior Planner, AICP

Project Number	VAR21-0037
Applicant / Current Owner	Hillcrest Holdings, LLC
Site Area	+/- 1.59 acres
Current Zoning	C-2, General Commercial
Variance Request	Zoning Code Article 801.15(a)



Property Description
This property is located at 201 SW 14th Street Suite 201. It is currently zoned C-2, General Commercial.

Regulation
According to Zoning Code Article 801.15, Signs Allowed with a Sign Permit, suspended signs are limited to 4-square feet.

Variance Request
The applicant is requesting to place a suspended sign, similar in size to other existing suspended signs on the building at Crossroads Plaza. The proposed wall sign is 32 inches by 82 inches (18.22-square feet).

Background
According to the applicant's narrative, the applicant is requesting this variance to have the same advertising ability as other tenants within the same building.

Public Comment
At the time of writing this staff report, staff has not received public comment on this item.

Conditions of Approval
If approved, the following conditions shall apply:

1. The approved variance shall be for the proposed sign size and location as provided by the applicant within the application.
2. The applicant shall be required to obtain an approved sign permit before construction.

BOARD OF ADJUSTMENT STAFF REPORT

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

(1) The applicant demonstrates that:

a. special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structure or buildings in the same district;

b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

c. that special conditions and circumstances do not result from the actions of the applicant; and,

d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

Sign Studio

CLIENT
Client: Potts Law Firm

JOB NAME
Job: Cabinet Sign



PROOF DATE: 09.15.21
DESIGNER: VINCE

PLEASE CONFIRM ALL PROOF SPECS ARE ACCURATE. IT IS YOUR RESPONSIBILITY TO CHECK FOR ANY AND ALL ERRORS.
WE ARE NOT RESPONSIBLE FOR ERRORS AFTER APPROVAL. ANY ADDITIONS OR CORRECTIONS AFTER PROOF APPROVAL WILL BE AT CUSTOMER'S EXPENSE.

Type: Cabinet Sign
Size: 82in W x 32in H
Material: Aluminum, Lexan and Translucent Vinyl
Color: Full Color
Sides: 1
Quantity: 1
Notes: install above Vapor World sign on second floor under overhang

479-250-4844 | www.yoursignstudio.com

POTTS
LAW FIRM



APPROVED: _____ DATE: _____

THIS DRAWING OR ANY COPY IS THE PROPERTY OF SIGN STUDIO UNLESS PURCHASED OR WRITTEN CONSENT FROM SIGN STUDIO

MEMBER ISA INTERNATIONAL SIGN ASSOCIATION
TRI-STATE SIGN ASSOCIATION

COPYRIGHT SIGN STUDIO 2016

Client is requesting signage similar to what existing business have in the same building. Existing businesses (see below) have signs that have been brought to the edge of the overhang/balcony.



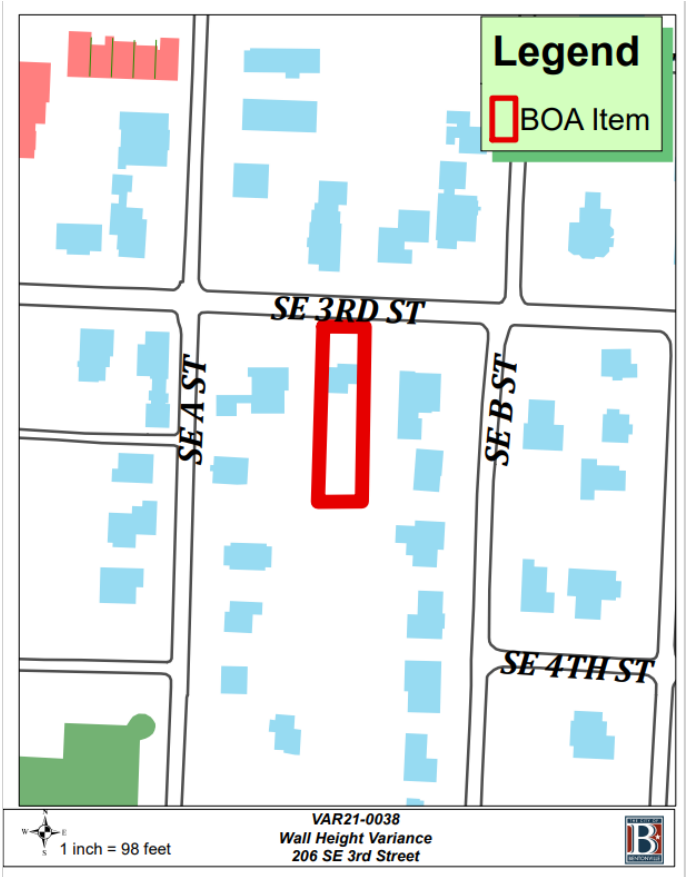
Literal interpretation of the provisions of this ordinance would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this ordinance (Reference code 801.15 sec (a & e)). Allows for projecting and suspended signs, but only 4 sq. ft. Customer is requesting a sign that is (32" x 82" or 18.22 sq. ft).

BOARD OF ADJUSTMENT STAFF REPORT

Robinson Family Trust

206 SE 3rd Street
BOA Date: 12/8/2021
Reviewer: Luke Aitken, Planning Tech

Project Number	VAR21-0038
Applicant / Current Owner	Ronnie Robinson
Site Area	+/- .26 acres
Current Zoning	R-1, Single Family Residential
Variance Request	*Land Development Code, Article 1100, Design Standards, Section 1100.06, Fence design standards, Subsection h, Fence height*



Property Description
This property is located at 206 SE 3rd Street. It is currently zoned R-1, Low Density Single Family Residential.

Regulation
According to Land Development Code Article 1100, Section 1100.06, Fence design standards, section h, Fence height, the maximum fence height shall be six feet above grade.

Variance Request
The applicant is requesting a variance of two feet to accommodate the differing grades of properties and building heights of their neighbor's homes. This would result in an eight foot tall wall along a portion of the North side, and the entire East and West side property lines.

Background
According to the applicant's narrative, they wish to construct an eight foot tall brick wall around a portion of the North side, and the entire East and West sides of their property to aid in privacy from the raised elevation and building heights of the homes next door. If they construct a six foot tall wall, their neighbor's 3 story homes to the East and West would have a unique line of sight into their front courtyard area and back yard.

Public Comment
Staff has **NOT** received public comment regarding this request.

Conditions of Approval
If approved, the following conditions shall apply:

1. The approved variance shall be for the proposed layout, as provided by the Board of Adjustment and approved by the applicant.
2. The applicant shall be required to obtain an approved fence permit prior to construction.

BOARD OF ADJUSTMENT STAFF REPORT

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

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b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

c. that special conditions and circumstances do not result from the actions of the applicant; and,

d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

206 SE 3RD STREET – BENTONVILLE

PARCEL # 01-3814-000

Ronnie and Candy Robinson – homeowners (Title: Robinson Family Trust)

***Request Variance to Fence Code Height**

To Board of Adjustment

We sincerely, and humbly request your approval to support and approve our new home design, specifically our request for our front courtyard wall, and perimeter sides to 8 ft height vs 6 ft code currently in place for this lot.

We have attached 4 drawings for your review.

1. Elevation home view – including courtyard views
2. Floorplan home and courtyard review
3. Survey 2002, and Survey 2021
4. Word doc outlining our request for approval

Please consider:

- The courtyard space is a critical element to the design of our home. As the courtyard wall is a continuation of the home design and extends our living space into the front greenspace in a more suitable and private fashion, the courtyard wall must be 8 ft high to maintain this home design.
- The courtyard wall will be the same color, and material as the exterior of the home, and will be seen when finished, as one unified structure.
- The courtyard wall is appropriately spaced, 5 feet away from the existing sidewalk, as seen in drawing and as per code. Landscaping will screen a portion of the wall that is parallel to the sidewalk.
- Only a small portion of the front yard is considered courtyard, as seen in the sketches, the larger front yard space will be landscaped with fescue grass, boxwood shrubs, hydrangeas bushes, evergreen trees and flower bearing trees.
- Both of our adjoining neighboring homes, to the East and West have 3 story homes, of which provide them a unique line of sight into our courtyard space, thus encouraging us to ask for an 8 ft wall variance.

- As you can also see in the sketches provided, we will extend the fence down the East and West sides of the home (North /South lanes) and will landscape the space between the home the fence.
- One neighbor has a grade level above our lot, one neighbor has a grade slightly below our grade – I believe this detail is viewable on GIS system - an approved 8 ft height would net a more aesthetically appropriate view for the three homes as they sit next to each other.
- We are a mere few steps away from DC zoning lots and believe that our 2 adjoining neighbors to the West could - at some point - potentially achieve this zoning variance and believe it is in the best interest of all parties to allow for our height exception.

We sincerely appreciate the opportunity and thank you in advance for the approval of our request. Our new home will be completed in mid to late 2022, we will raise our two kids here and will support the growth of Bentonville.

C/L SOUTHEAST 3RD STREET C/L
Asphalt Road - 42' Public R/W

S 87°55'57" E 50.00' (R2)
S 88°09'18" E 49.89' (M)

5'-0"
R/W
Found 3/8" Rebar
COURTYARD
SIDEWALK (EXIST.)
21'-0"
BRICKWALL (8'-0" HIGH)
PROPOSED
HOUSE
ENTRY
4.0'
1.9'
POOL
GARAGE 35'x25'
14.8'
25'

Found 5/8" Rebar
Northeast Corner of Lot 8,
Block 5 Railroad Addition
per Plat Book 4, Page 742

R/W
Found Chiseled "X"
S 87°34'51" E 140.00' (M)
S 87°55'57" E 140.32' (R)

210.00' (R)
N 02°42'08" E 215.66' (M)
N 02°40'20" W 216.46' (M)
N 02°37'56" E 216.13' (R2)

S 02°53'01" W 147.03' (M)
S 02°56'37" W 147.59' (R2)

Found 5/8" Rebar
S 02°54'07" W 71.19' (M)
S 02°56'37" W 71.20' (R2)

Found 5/8" Rebar, 1101' from Corner

Found 5/8" Rebar Capped "1285"

Found Chiseled "X"
Southeast Corner of Lot 9,
Block 5 Railroad Addition
per Plat Book 4, Page 742

N 87°13'45" W 50.00' (M)
N 86°50'44" W 50.00' (R2)

N 86°51'27" W 139.17' (M)
N 86°50'44" W 139.13' (R2)

10' Alley Way
Plat Book 4, Page 742

CERTIFICATE OF AUTHORIZATION
BLEW & ASSOCIATES, PA.
No. 1534
ARKANSAS

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 25TH DAY OF AUGUST, 2021.

PROFESSIONAL LICENSED SURVEYOR
STATE OF ARKANSAS
No. 1826
Heath Myers
SIGNATURE

Record Description

WALL

35'-0"

GARAGE

7'-6"

4'x8' GATE

4 - CARS

25'-0"

ALLEY / (ROAD) ACCESS

COVERAGE ALLOWED: 4000 SQ.FT. (40%)
HOUSE: 35'x 80' = 2800 SQ.FT.
GARAGE: 35'x 25' = 875 SQ.FT.
PROPOSED COVERAGE: 3675 SQ.FT.

ENTRY

COURTYARD

GATE

21'-0"

1'-6"

EXIST. SIDEWALK

PLAN VIEW · SCHEME · A.

LIVE ROOF / SOLAR PANELS

BAL. ROOF HEIGHT

CLG.

10'-0" CLG. HT

FLOOR

12 FT. CLG. HT

HT. OF WALL 8'-0"

GATE

SEETHROUGH

36'-0"

50'-0"

REAR ELEVATION

PARAPET WALL

WHITE BRICK

GLASS RAILS

COURTYARD

PRELIMINARY SKETCH · SCHEME · A
PROPOSED FRONT ELEVATION

Copyright "Costello Land Surveying" 2002

PH/742

FILED FOR RECORD
At 2:14 O'Clock P M
MAY 30 2002
SUE HODGES
Clerk and Recorder
Benton County, ARK.

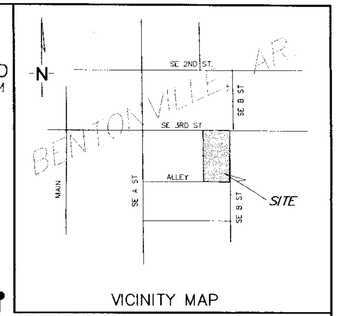
FLOOD NOTE:

THE HEREON DESCRIBED PROPERTY IS LOCATED WITHIN ZONE "X" (AREAS DETERMINED TO BE OUTSIDE 500-YEAR FLOODPLAIN) AS DETERMINED BY SCALING FROM THE NATIONAL FLOOD INSURANCE PROGRAM, FLOOD INSURANCE RATE MAPS FOR BENTON COUNTY, ARKANSAS. MAP NUMBER: 05007C0063 F. EFFECTIVE DATE: DECEMBER 20, 2000.

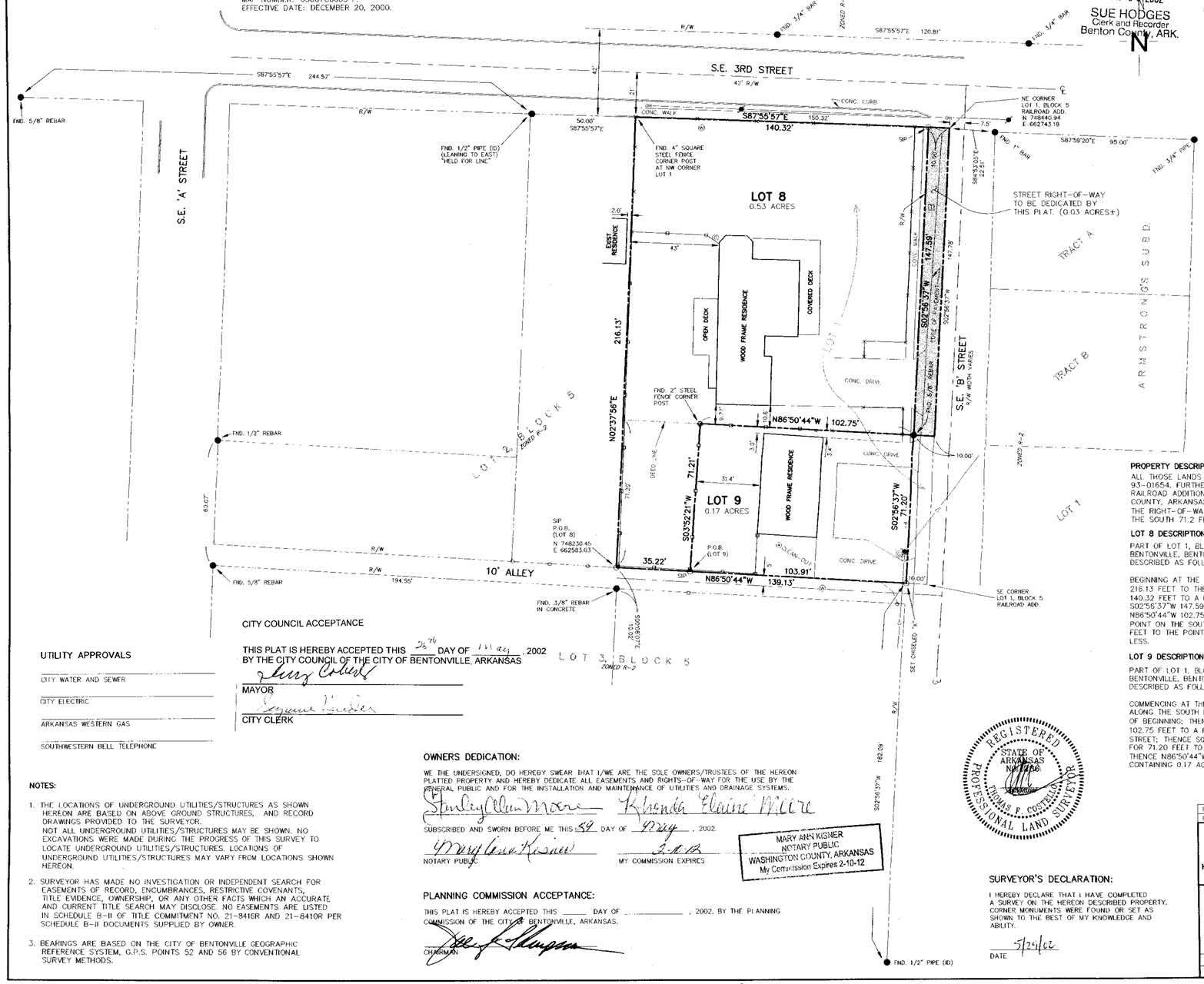
OWNER:
STANLEY & RHONDA MOORE
208 SE 3RD STREET
BENTONVILLE, AR. 72712

CURRENT ZONING: R2
SETBACK REQUIREMENTS
FRONT YARD: 30' FROM PLANNED R/W
REAR YARD: 25' FROM PROPERTY LINE
SIDE (INTERIOR) = 10'
SIDE YARD (CORNER LOT) = 3'

GRAPHIC SCALE
(IN FEET)
1 inch = 30 ft.
0 15 30 60



VICINITY MAP



LEGEND

	CENTERLINE
	BOUNDARY LINE
	WIRE/METAL FENCE LINE
	FOUND MONUMENT
SIP	SET IRON PIN MONUMENT
FND.	FOUND
W.D.	WARRANTY DEED
OH	OVERHEAD UTILITY LINES
T	TELEPHONE RISER
G	GAS METER
W	WATER METER
	UTILITY POLE W/ANCHOR
	CHAINLINK FENCE
ID	INSIDE DIAMETER
E	ELECTRIC RISER
E	ELECTRIC METER
	FIRE HYDRANT
	WATER VALVE
(XXX.XX')	RECORD DISTANCE WHEN MEASURED DIFFERS
	STREET LIGHT
	WOOD FENCE
SMN	SET MAG-NAIL W/SHINNER

PROPERTY DESCRIPTION: (PARENT PARCEL)

ALL THOSE LANDS DESCRIBED IN WARRANTY DEED 99-024519 AND 93-01654, FURTHER DESCRIBED AS ALL OF LOT 1, BLOCK 5, RAILROAD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS. LESS AND EXCEPT THAT PART LYING WITHIN THE RIGHT-OF-WAY OF SE 'B' STREET ON THE EAST SIDE OF THE SOUTH 71.2 FEET THEREON.

LOT 8 DESCRIPTION: (NEW PARCEL)

PART OF LOT 1, BLOCK 5, RAILROAD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE SW CORNER OF SAID LOT 1; THENCE N02°37'56"E 216.13 FEET TO THE NW CORNER OF SAID LOT 1; THENCE S87°55'57"E 140.32 FEET TO A POINT ON THE NORTH LINE OF SAID LOT 1; THENCE S02°56'37"W 147.59 FEET TO A FOUND 5/8" REBAR; THENCE N86°50'44"W 102.75 FEET; THENCE S03°52'21"W 71.21 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE N86°50'44"W 35.22 FEET TO THE POINT OF BEGINNING. CONTAINING 0.53 ACRES, MORE OR LESS.

LOT 9 DESCRIPTION: (NEW PARCEL)

PART OF LOT 1, BLOCK 5, RAILROAD ADDITION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS. MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SW CORNER OF SAID LOT 1; THENCE S86°50'44"E ALONG THE SOUTH LINE OF SAID LOT 1, FOR 35.22 FEET TO THE POINT OF BEGINNING; THENCE N03°52'21"E 71.21 FEET; THENCE S86°50'44"E 102.75 FEET TO A POINT ON THE WEST RIGHT-OF-WAY LINE OF SE 'B' STREET; THENCE S02°56'37"W ALONG SAID WEST RIGHT-OF-WAY LINE, FOR 71.20 FEET TO A POINT ON THE SOUTH LINE OF SAID LOT 1; THENCE N86°50'44"W 103.91 FEET TO THE POINT OF BEGINNING. CONTAINING 0.17 ACRES, MORE OR LESS.

CITY COUNCIL ACCEPTANCE

THIS PLAT IS HEREBY ACCEPTED THIS 24th DAY OF May, 2002
BY THE CITY COUNCIL OF THE CITY OF BENTONVILLE, ARKANSAS

MAYOR

CITY CLERK

UTILITY APPROVALS

CITY WATER AND SEWER

CITY ELECTRIC

ARKANSAS WESTERN GAS

SOUTHWESTERN BELL TELEPHONE

OWNERS DEDICATION:

WE THE UNDERSIGNED, DO HEREBY SWEAR THAT I/WE ARE THE SOLE OWNERS/TRUSTEES OF THE HEREON PLATTED PROPERTY AND HEREBY DEDICATE ALL EASEMENTS AND RIGHTS-OF-WAY FOR THE USE BY THE GENERAL PUBLIC AND FOR THE INSTALLATION AND MAINTENANCE OF UTILITIES AND DRAINAGE SYSTEMS.

Stanley Allen Moore Rhonda Elaine Moore

SUBSCRIBED AND SWORN BEFORE ME THIS 29 DAY OF May, 2002.

NOTARY PUBLIC MY COMMISSION EXPIRES 2-10-12

MARY ANN KISNER
NOTARY PUBLIC
WASHINGTON COUNTY, ARKANSAS
My Commission Expires 2-10-12

PLANNING COMMISSION ACCEPTANCE:

THIS PLAT IS HEREBY ACCEPTED THIS ____ DAY OF ____, 2002, BY THE PLANNING COMMISSION OF THE CITY OF BENTONVILLE, ARKANSAS.

CHAIRMAN

REGISTERED
STATE OF ARKANSAS
1286
PROFESSIONAL LAND SURVEYOR
THOMAS F. COSTELLO

SURVEYOR'S DECLARATION:

I HEREBY DECLARE THAT I HAVE COMPLETED A SURVEY ON THE HEREON DESCRIBED PROPERTY. CORNER MONUMENTS WERE FOUND OR SET AS SHOWN TO THE BEST OF MY KNOWLEDGE AND ABILITY.

5/24/02
DATE

NOTES:

1. THE LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES AS SHOWN HEREON ARE BASED ON ABOVE GROUND STRUCTURES, AND RECORD DRAWINGS PROVIDED TO THE SURVEYOR. NOT ALL UNDERGROUND UTILITIES/STRUCTURES MAY BE SHOWN. NO EXCAVATIONS WERE MADE DURING THE PROGRESS OF THIS SURVEY TO LOCATE UNDERGROUND UTILITIES/STRUCTURES. LOCATIONS OF UNDERGROUND UTILITIES/STRUCTURES MAY VARY FROM LOCATIONS SHOWN HEREON.
2. SURVEYOR HAS MADE NO INVESTIGATION OR INDEPENDENT SEARCH FOR EASEMENTS OF RECORD, ENCUMBRANCES, RESTRICTIVE COVENANTS, TITLE EVIDENCE, OWNERSHIP, OR ANY OTHER FACTS WHICH AN ACCURATE AND CURRENT TITLE SEARCH MAY DISCLOSE. NO EASEMENTS ARE LISTED IN SCHEDULE B-II OF TITLE COMMITMENT NO. 21-8416R AND 21-8410R PER SCHEDULE B-II DOCUMENTS SUPPLIED BY OWNER.
3. BEARINGS ARE BASED ON THE CITY OF BENTONVILLE GEOGRAPHIC REFERENCE SYSTEM, G.P.S. POINTS 52 AND 56 BY CONVENTIONAL SURVEY METHODS.

CITY ATLAS PAGE NO. 403

STATE CODING NO.: 500-2014-31W-0-31-110-04-1286

REV. 2	5-24-02	REVISED PER PLANNING AND OWNER COMMENTS
REV. 1	5-8-02	REVISED PER PLANNING AND OWNER COMMENTS

PROPERTY LINE ADJUSTMENT PLAT

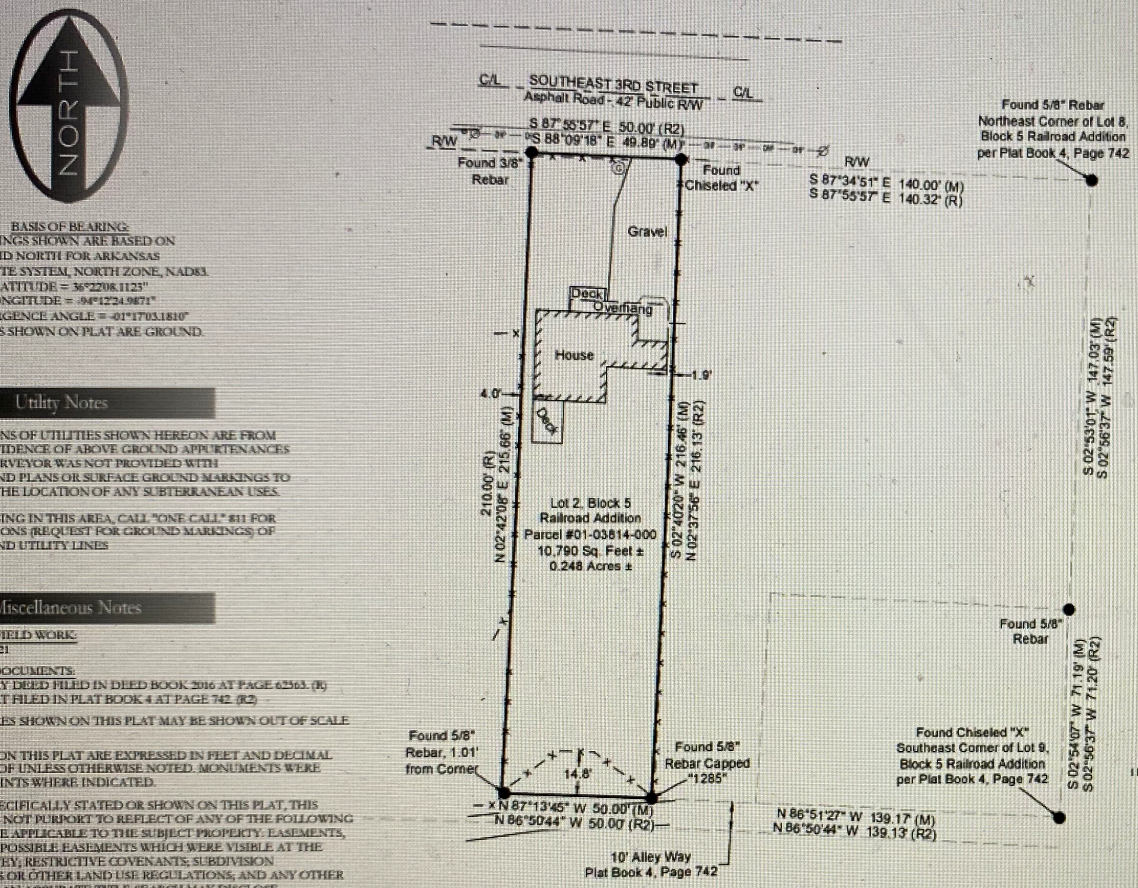
for MR. STANLEY MOORE

PART OF LOT 1, BLOCK 5 OF RAILROAD ADDITION TO BE KNOW AS LOTS 8 AND 9 OF BLOCK 5 OF RAILROAD ADDITION BENTONVILLE, ARKANSAS

Costello Land Surveying
R.R. 1 BOX 1142
PINEVILLE, MO. 64856
(417) 226-4524

JOB NO. 05802	DATE: 04-29-02
SHEET 1 OF 1	DRAWING: SPLIT

206 SE 3rd Street. SURVEY.08 • 2021



BASIS OF BEARING:
BEARINGS SHOWN ARE BASED ON GRID NORTH FOR ARKANSAS COORDINATE SYSTEM, NORTH ZONE, NAD83.
LATITUDE = 36°22'08.1125"
LONGITUDE = -94°12'24.9871"
CONVERGENCE ANGLE = -01°17'03.1810"
DISTANCES SHOWN ON PLAT ARE GROUND.

Utility Notes

THE LOCATIONS OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES ONLY. THE SURVEYOR WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE GROUND MARKINGS TO DETERMINE THE LOCATION OF ANY SUBTERRANEAN USES.

BEFORE DIGGING IN THIS AREA, CALL "ONE CALL" 811 FOR FIELD LOCATIONS (REQUEST FOR GROUND MARKINGS) OF UNDERGROUND UTILITY LINES

Miscellaneous Notes

COMPLETED FIELD WORK:
AUGUST 20, 2021

REFERENCE DOCUMENTS:
1. BENEFICIARY DEED FILED IN DEED BOOK 2016 AT PAGE 62563. (R)
2. SURVEY PLAT FILED IN PLAT BOOK 4 AT PAGE 742. (R2)

SOME FEATURES SHOWN ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR CLARITY

DIMENSIONS ON THIS PLAT ARE EXPRESSED IN FEET AND DECIMAL PARTS THEREOF UNLESS OTHERWISE NOTED. MONUMENTS WERE FOUND AT POINTS WHERE INDICATED.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS SURVEY DOES NOT PURPORT TO REFLECT OF ANY OF THE FOLLOWING WHICH MAY BE APPLICABLE TO THE SUBJECT PROPERTY: EASEMENTS, OTHER THAN POSSIBLE EASEMENTS WHICH WERE VISIBLE AT THE TIME OF SURVEY; RESTRICTIVE COVENANTS; SUBDIVISION RESTRICTIONS OR OTHER LAND USE REGULATIONS; AND ANY OTHER FACTS WHICH AN ACCURATE TITLE SEARCH MAY DISCLOSE.

Zoning & Setback Requirements

CURRENTLY ZONED: D-E, DOWNTOWN EDGE

SETBACKS:
- FRONT: 20' MAX, 7' MIN
- SIDE: 7'
- REAR: 12'

Record Description

A STRIP OF GROUND 50 FEET IN WIDTH SQUARELY OFF THE EAST SIDE OF LOT TWO (2) IN BLOCK FIVE (5) IN RAILROAD ADDITION TO THE CITY OF BENTONVILLE, STATE OF ARKANSAS. SAID LAND BEING 50 (FIFTY) FEET WIDE FROM EAST TO WEST BY 210 (TWO HUNDRED-TEN) FEET MORE OF LESS FROM NORTH TO SOUTH. SUBJECT TO EASEMENTS, RIGHT-OF-WAY, AND PROTECTIVE COVENANTS OF RECORD. SUBJECT TO ALL PRIOR MINERAL RESERVATIONS AND OIL AND GAS LEASES, IF ANY.

1 INCH = 40 FEET
0' 40' 80 120

Legend of Symbols & Abbreviations

- BOUNDARY LINE
- ADJACENT / TIE LINE
- CENTERLINE OF ROAD (C/L)
- RIGHT-OF-WAY (R/W)
- FENCE
- BUILDING SET BACK (B.S.B.)
- UTILITY EASEMENT (U.E.)
- OVERHEAD POWER LINE
- FOUND MONUMENT (AS NOTED)
- SET 1/2" REBAR & CAP #1826
- COMPUTED POINT
- P.O.B. POINT OF BEGINNING
- P.O.C. POINT OF COMMENCEMENT
- (M) MEASURED/CALCULATED DIMENSION
- (R) RECORD DIMENSION
- (R2) PLAT BOOK 4, PAGE 742
- POWER POLE
- GAS METER
- SIGN

CERTIFICATE OF AUTHORIZATION
BLEW & ASSOCIATES, PA
No. 1534
ARKANSAS

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 25TH DAY OF AUGUST, 2021.

LICENSED PROFESSIONAL SURVEYOR
STATE OF ARKANSAS
No. 1826
Heath Myers
SIGNATURE
HEATH A. MYERS

IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

FIRM:
BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS
3825 N. SHILOH DRIVE
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com
Certificate of Authorization № 1534

DRAWN BY & DATE:	REVIEWED BY:	SURVEYED BY:
ANS, 8/25/2021	HM	SS
COUNTY & STATE: BENTON COUNTY, ARKANSAS	JOB NUMBER: 21-6423	

LOCATION: 206 SOUTHEAST 3RD STREET, BENTONVILLE, AR 72712

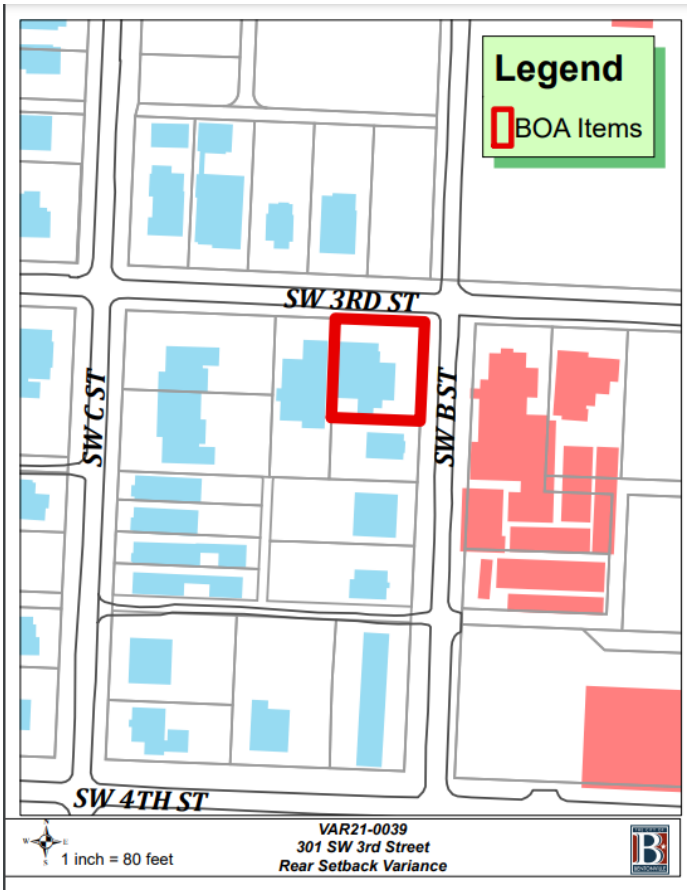
FOR THE USE AND BENEFIT OF:
RONNIE ROBINSON

BOARD OF ADJUSTMENT STAFF REPORT

Phil and Lesley Herr

301 SW 3rd Street
BOA Date: 12/8/2021
Reviewer: Luke Aitken, Planning Tech

Project Number	VAR21-0039
Applicant / Current Owner	Phil and Lesley Herr
Site Area	+/- 0.21 acres
Current Zoning	R-1, Single Family Residential
Variance Request	*Zoning Code, Article 40, Section 401.07, Residential (R) District Regulations, Subsection C, Residential (R) districts setback standards*



Property Description
This property is located at 301 SW 3rd Street and is currently zoned R-1, Single-Family Residential.

Regulation
According to Zoning Code Article 401, Section 401.07, Residential (R) District Regulations, Subsection C, Residential (R) districts setback standards, the rear setback for an R-1 property is 25 feet.

Variance Request
This request is for a rear setback variance to allow an existing sunroom addition to the rear of the applicant's home to remain in place. The addition was built in 2016, without the proper permits, within the 25-foot rear setback required by code. The applicant requests a variance of 13 feet from the 25-foot rear setback required by ordinance.

Background
The applicant states that while working with a local general contractor to enclose their carport and create additional living space, they were unable to obtain building permits for the project after the discovery of the non-conforming rear addition and unpermitted fence on their property. The rear addition and a privacy fence were both built in 2016, prior to when they purchased the home in 2020. At the time the home was purchased a Property Disclosure provided by the sellers indicated that all appropriate permits had been obtained.

The applicant states that they are willing to pay any required retroactive permitting or inspection fees and any retroactive property taxes. They have also offered to pay a licensed contractor to remedy any issues identified during an inspection of the addition.

Public Comment
Staff has **NOT** received public comment regarding this request.

Conditions of Approval
If approved, the following conditions shall apply:

1. The approved variance shall be for the proposed layout and setbacks, as provided by the applicant within this application.

BOARD OF ADJUSTMENT STAFF REPORT

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

(1) The applicant demonstrates that:

a. special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structure or buildings in the same district;

b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

c. that special conditions and circumstances do not result from the actions of the applicant; and,

d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

Narrative:

City of Bentonville Board of Adjustments,

My name is Phil Herr. My wife Lesley, myself, and our three daughters moved to downtown Bentonville in April of 2020 and reside at 301 SW 3rd Street. We absolutely love the area, community, and the amazing amenities that are within walking distance!

We are seeking approval for a hardship variance related to a non-conforming structure inside the 25' rear setback requirement for our property. Our property is located on a corner lot zoned as R1 residential at the intersection of SW 3rd and SW B Street.

We had been working with Midwest Outdoor Concepts (https://www.midwestoutdoorconcepts.com/), a reputable local general contractor to enclose our carport and create additional living space. The planned design is included in **Appendix A.** Unfortunately, when Midwest Outdoor Concepts submitted for the permits to start this project, Mr. Lance Blasi let us know that he wouldn't be able to approve the permit application due to identifying a non-permitted addition added to the south side of the home making it non-conforming. He informed us that the current structure does not meet the rear setback on the south side of the home. The edge of this structure is 12 feet from the rear property line instead of the 25 feet defined in the R1 Zoning requirements. He also let us know that a fence permit had not been issued for our property and recommended we connect with Mr. Tyler Overstreet with the Bentonville Planning Department to remediate. After speaking with Mr. Tyler Overstreet, he let us know that we would need to submit a hardship variance request for consideration by the Board of Adjustments.

We were very disappointed to find out the news about the appropriate permits not being pulled since all of these modifications had been made prior to us purchasing this home in 2020. Based on discussions with Mr. Lance Blasi, he said the GIS records indicated that the non-permitted addition had been added in 2016. In consideration of our request for a hardship variance, we have included the Property Disclosure provided by the sellers indicated that all appropriate permits had been obtained (see **Appendix B**). We've circled statements 8 & 9 in red since these are the statements that reference additions and permits. In addition, in **Appendix C**, we have included the listing photos from when we bought this property showing this non-conforming room on the south side existed when we purchased this property. We have also provided the site survey of our property and pictures along SW 3rd Street and SW B Street for reference.

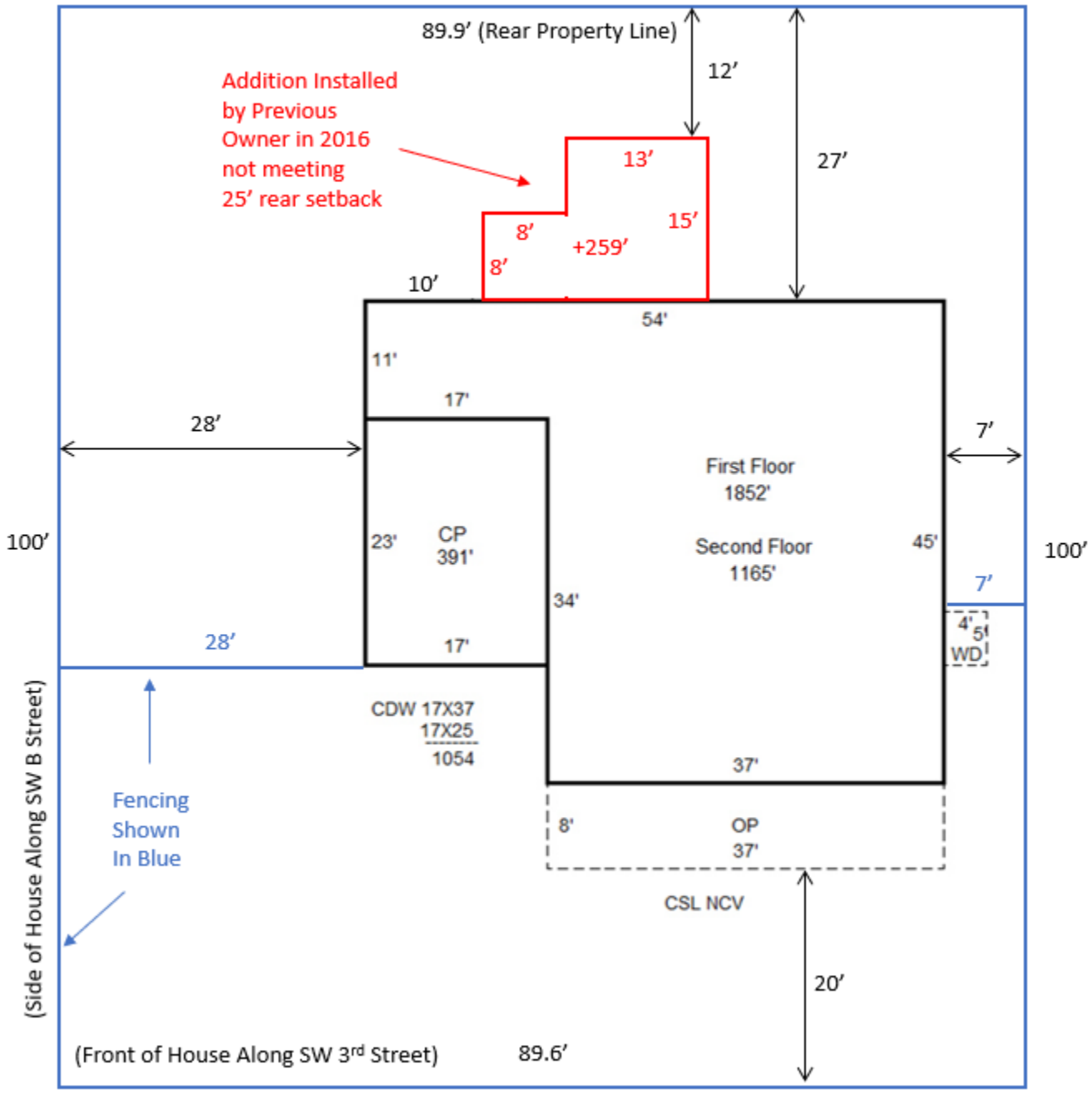
We earnestly request that we won't be required to demolish this room to meet the 25' setback requirement or uninstall our fence that was not permitted by the previous owners. We love this family room in the rear of our house and use it very frequently. In order to be able to keep this room and no longer have it considered a non-conforming structure, we would be happy to pay any required retroactive permitting or inspection fees and any retroactive property taxes going all the way back to when this room was originally added to our house by the previous owners in 2016. We would also be glad to pay a licensed contractor to remedy any issues identified during an inspection of this structure.

Thank you for your consideration of this request. We'll happily provide any additional supporting pictures, documents, or details that would be helpful.

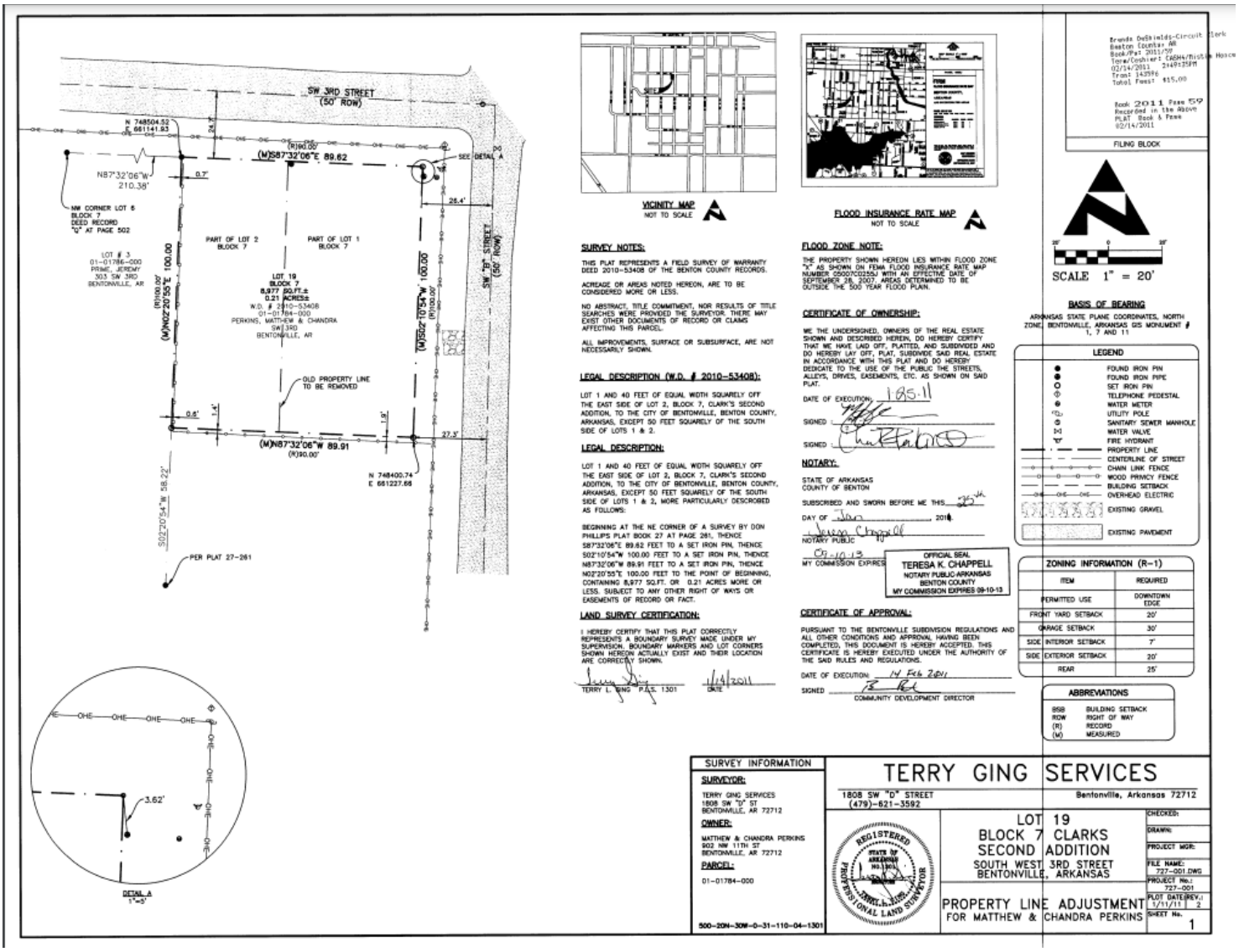
Sincerely,

Phil and Lesley Herr
301 SW 3rd Street
Bentonville, AR 72712
pherr26@yahoo.com
(717) 471-6306

Plan Set:


89.9' (Rear Property Line)
12'
27'
Addition Installed by Previous Owner in 2016 not meeting 25' rear setback
13'
15'
8'
+259'
8'
10'
54'
11'
17'
28'
7'
First Floor
1852'
100'
23'
CP
391'
Second Floor
1165'
45'
100'
34'
7'
28'
17'
4'
5'
WD
CDW 17X37
17X25
1054
37'
Fencing Shown In Blue
8'
OP
37'
CSL NCV
20'
(Side of House Along SW B Street)
(Front of House Along SW 3rd Street)
89.6'

Site Survey: 301 SW 3rd Street, Bentonville, AR 72712



VICINITY MAP
NOT TO SCALE

FLOOD INSURANCE RATE MAP
NOT TO SCALE

Brenda DeShields-Circuit Clerk
Benton County, AR
Book/Pg: 2011/59
Time/Cashier: 56844/Tisha Hosea
02/14/2011 2:49:25PM
Trans: 143596
Total Fees: $15.00

Book 2011 Page 59
Recorded in the Above
PLAT Book & Page
02/14/2011

FILING BLOCK

SCALE 1" = 20'

SURVEY NOTES:

THIS PLAT REPRESENTS A FIELD SURVEY OF WARRANTY DEED 2010-53408 OF THE BENTON COUNTY RECORDS.

ACREAGE OR AREAS NOTED HEREON, ARE TO BE CONSIDERED MORE OR LESS.

NO ABSTRACT, TITLE COMMITMENT, NOR RESULTS OF TITLE SEARCHES WERE PROVIDED THE SURVEYOR. THERE MAY EXIST OTHER DOCUMENTS OF RECORD OR CLAIMS AFFECTING THIS PARCEL.

ALL IMPROVEMENTS, SURFACE OR SUBSURFACE, ARE NOT NECESSARILY SHOWN.

LEGAL DESCRIPTION (W.O. # 2010-53408):

LOT 1 AND 40 FEET OF EQUAL WIDTH SQUARELY OFF THE EAST SIDE OF LOT 2, BLOCK 7, CLARK'S SECOND ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, EXCEPT 50 FEET SQUARELY OF THE SOUTH SIDE OF LOTS 1 & 2.

LEGAL DESCRIPTION:

LOT 1 AND 40 FEET OF EQUAL WIDTH SQUARELY OFF THE EAST SIDE OF LOT 2, BLOCK 7, CLARK'S SECOND ADDITION, TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS, EXCEPT 50 FEET SQUARELY OF THE SOUTH SIDE OF LOTS 1 & 2, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE NE CORNER OF A SURVEY BY DON PHILLIPS PLAT BOOK 27 AT PAGE 261, THENCE S87°32'06"E 89.62 FEET TO A SET IRON PIN, THENCE S02°10'54"W 100.00 FEET TO A SET IRON PIN, THENCE N87°32'06"W 89.91 FEET TO A SET IRON PIN, THENCE N02°20'55"E 100.00 FEET TO THE POINT OF BEGINNING, CONTAINING 8,977 SQ.FT. OR 0.21 ACRES MORE OR LESS. SUBJECT TO ANY OTHER RIGHT OF WAYS OR EASEMENTS OF RECORD OR FACT.

LAND SURVEY CERTIFICATION:

I HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE UNDER MY SUPERVISION. BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION ARE CORRECTLY SHOWN.

TERRY L. GING P.L.S. 1301 — DATE 1/14/2011

FLOOD ZONE NOTE:

THE PROPERTY SHOWN HEREON LIES WITHIN FLOOD ZONE "X" AS SHOWN ON FEMA FLOOD INSURANCE RATE MAP NUMBER 05007C0235J WITH AN EFFECTIVE DATE OF SEPTEMBER 28, 2007. AREAS DETERMINED TO BE OUTSIDE THE 500 YEAR FLOOD PLAIN.

CERTIFICATE OF OWNERSHIP:

WE THE UNDERSIGNED, OWNERS OF THE REAL ESTATE SHOWN AND DESCRIBED HEREIN, DO HEREBY CERTIFY THAT WE HAVE LAID OFF, PLATTED, AND SUBDIVIDED AND DO HEREBY LAY OFF, PLAT, SUBDIVIDE SAID REAL ESTATE IN ACCORDANCE WITH THIS PLAT AND DO HEREBY DEDICATE TO THE USE OF THE PUBLIC THE STREETS, ALLEYS, DRIVES, EASEMENTS, ETC. AS SHOWN ON SAID PLAT.

DATE OF EXECUTION: 1-25-11

SIGNED:

SIGNED:

NOTARY:

STATE OF ARKANSAS
COUNTY OF BENTON

SUBSCRIBED AND SWORN BEFORE ME THIS 25th DAY OF January, 2011.

NOTARY PUBLIC

MY COMMISSION EXPIRES: 09-10-13

OFFICIAL SEAL
TERESA K. CHAPPELL
NOTARY PUBLIC-ARKANSAS
BENTON COUNTY
MY COMMISSION EXPIRES 09-10-13

CERTIFICATE OF APPROVAL:

PURSUANT TO THE BENTONVILLE SUBDIVISION REGULATIONS AND ALL OTHER CONDITIONS AND APPROVAL HAVING BEEN COMPLETED, THIS DOCUMENT IS HEREBY ACCEPTED. THIS CERTIFICATE IS HEREBY EXECUTED UNDER THE AUTHORITY OF THE SAID RULES AND REGULATIONS.

DATE OF EXECUTION: 14 Feb 2011

SIGNED

COMMUNITY DEVELOPMENT DIRECTOR

BASIS OF BEARING

ARKANSAS STATE PLANE COORDINATES, NORTH ZONE, BENTONVILLE, ARKANSAS GIS MONUMENT # 1, 7 AND 11

LEGEND

- FOUND IRON PIN
- FOUND IRON PIPE
- SET IRON PIN
- TELEPHONE PEDESTAL
- WATER METER
- UTILITY POLE
- SANITARY SEWER MANHOLE
- WATER VALVE
- FIRE HYDRANT
- PROPERTY LINE
- CENTERLINE OF STREET
- CHAIN LINK FENCE
- WOOD PRIVACY FENCE
- BUILDING SETBACK
- OVERHEAD ELECTRIC
- EXISTING GRAVEL
- EXISTING PAVEMENT

ZONING INFORMATION (R-1)

ITEM	REQUIRED
PERMITTED USE	DOWNTOWN EDGE
FRONT YARD SETBACK	20'
GARAGE SETBACK	30'
SIDE INTERIOR SETBACK	7'
SIDE EXTERIOR SETBACK	20'
REAR	25'

ABBREVIATIONS

BSB	BUILDING SETBACK
ROW	RIGHT OF WAY
(R)	RECORD
(M)	MEASURED

SURVEY INFORMATION

SURVEYOR:
TERRY GING SERVICES
1808 SW "D" ST
BENTONVILLE, AR 72712

OWNER:
MATTHEW & CHANDRA PERKINS
902 NW 11TH ST
BENTONVILLE, AR 72712

PARCEL:
01-01784-000

500-20N-30W-0-31-110-04-1301

REGISTERED PROFESSIONAL LAND SURVEYOR — STATE OF ARKANSAS — NO. 1301 — TERRY L. GING

TERRY GING SERVICES
1808 SW "D" STREET
(479)-621-3592
Bentonville, Arkansas 72712

LOT 19
BLOCK 7 CLARKS
SECOND ADDITION
SOUTH WEST 3RD STREET
BENTONVILLE, ARKANSAS

PROPERTY LINE ADJUSTMENT
FOR MATTHEW & CHANDRA PERKINS

CHECKED:	
DRAWN:	
PROJECT MGR:	
FILE NAME:	727-001.DWG
PROJECT No.:	727-001
PLOT DATE(REV.):	1/11/11 2
SHEET No.	1

Pictures of Front and Side of Property:

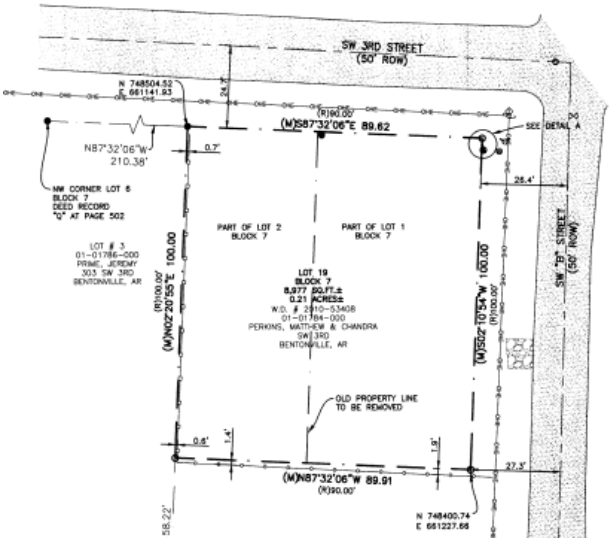
Looking down SW 3rd Street facing West:



Intersection of SW 3rd Street SW B Street facing South:



Site Survey Details:



Side of Property along SW B Street facing south:



Facing west along rear property line from SW B Street:



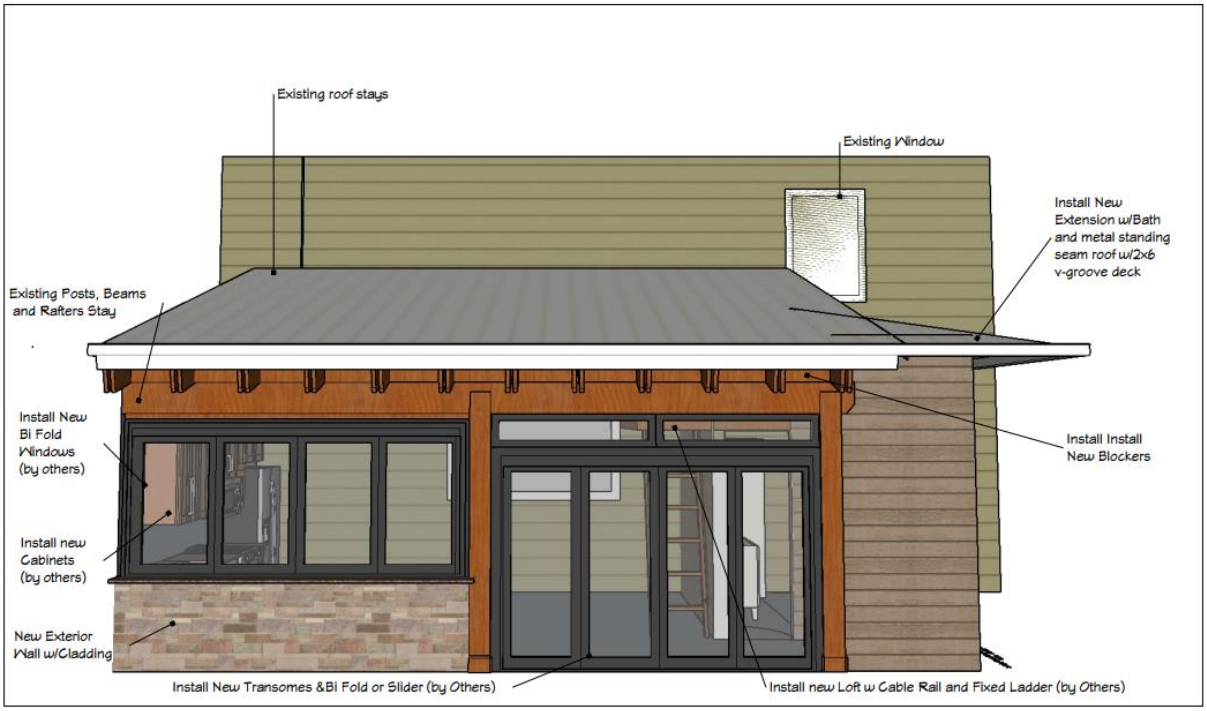
Front corner of privacy fencing facing South along SW B:



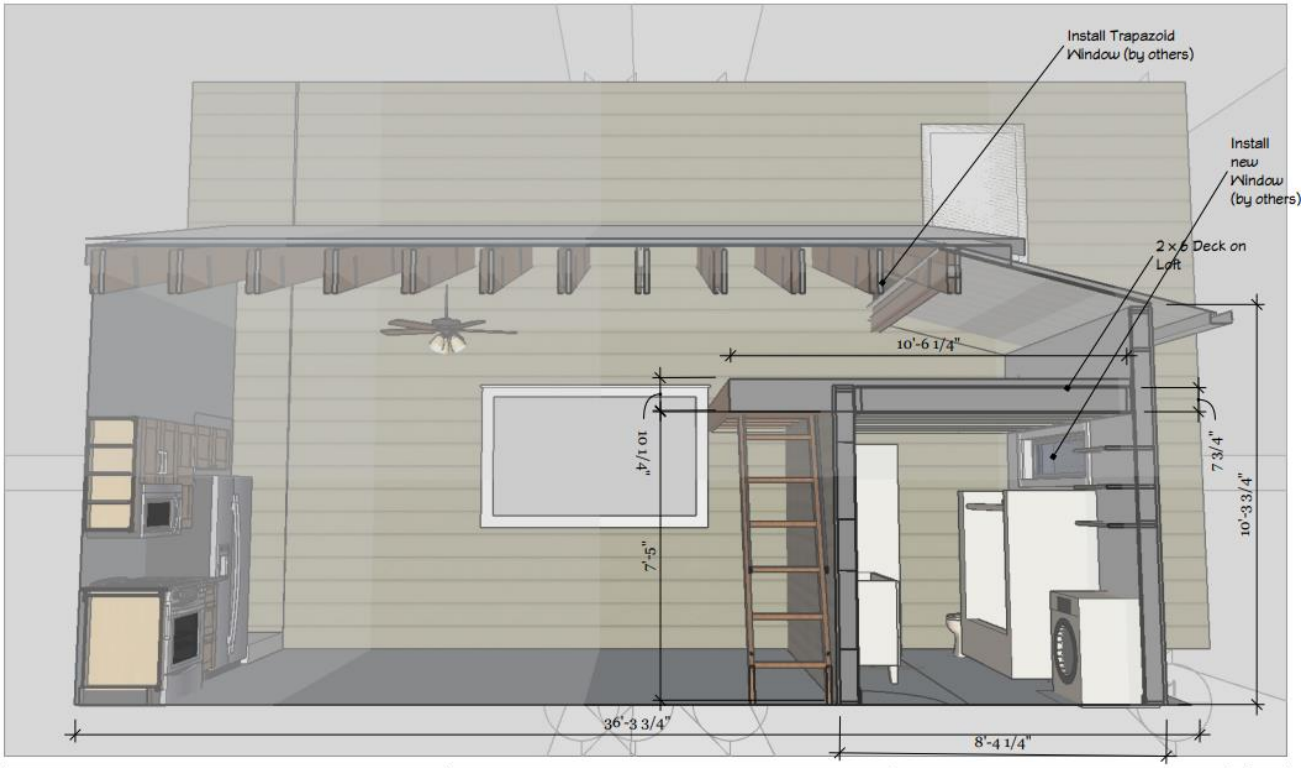
Appendix A: Proposed Carport Conversion (the project we had recently submitted permits for via Midwest Outdoor Concepts that identified the issue with previous additions):



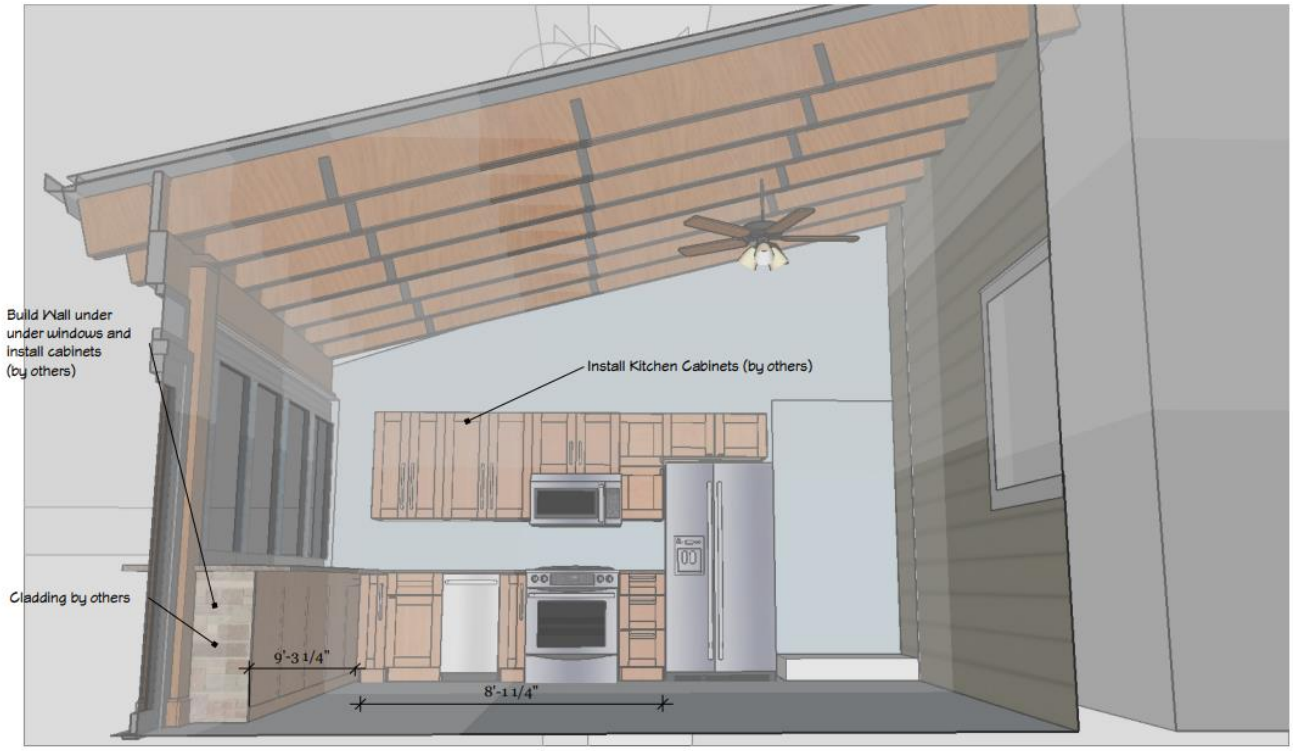
Overview	MidwestOutdoor CONCEPTS	REVISIONS	01
	Herr Carport Conversion	MM/DD/YY REMARKS	A



Scope	MidwestOutdoor CONCEPTS	REVISIONS	02
	Herr Carport Conversion	MM/DD/YY REMARKS	A



Scope	MidwestOutdoor CONCEPTS	REVISIONS		03
		MM/DD/YY	REMARKS	
	Herr Carport Conversion	1 __/__/__	...	A
		2 __/__/__	...	
		3 __/__/__	...	
		4 __/__/__	...	
		5 __/__/__	...	



Scope	MidwestOutdoor CONCEPTS	REVISIONS		04
		MM/DD/YY	REMARKS	
	Herr Carport Conversion	1 __/__/__	...	A
		2 __/__/__	...	
		3 __/__/__	...	
		4 __/__/__	...	
		5 __/__/__	...	



Scope	MidwestOutdoor CONCEPTS	REVISIONS		05
		MM/DD/YY	REMARKS	
		1 __/__/__	...	
		2 __/__/__	...	
	Herr Carport Conversion	3 __/__/__	...	A
		4 __/__/__	...	
		5 __/__/__	...	

Appendix B – Signed Property Disclosure from when we purchased the home in 2020.

Seller Property Disclosure

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FORM SERIAL NUMBER: 089437-900158-0916870

TO BE COMPLETED BY SELLER: (Please Print) Date: March 10 2020

Seller(s): Matthew + Chanda Perkins

Seller ☒ is ☐ is not occupying the Property. Property ☐ is ☒ is not Builder Owned.

(If Seller is occupying or has occupied the Property, give length of occupancy in years: 2012 - Present)

Property Address: 301 SW 2nd St Bentonville AR 72712

Approximate finished, heated & cooled square footage (if applicable): 3017

Approximate Date of Construction: 2012

Please check the following boxes as they apply to the Property:

Subject Property is located:

☒ within incorporated city limits

☐ outside incorporated city limits (Property may be subject to Territorial Jurisdiction (TJ) of an incorporated city or municipality, or may be under consideration or proposal to be annexed in incorporated city or municipality.

☒ Water, provided by

☐ A rural water district or other non-municipal water system:

☒ A municipality or county:

☐ Well ☐ Other:

☒ Natural gas, provided by:

☐ Propane tank: ☐ Owned ☐ Rented from: Black Hills

☐ Electricity, provided by:

☐ Sewer, provided by

☐ A non-municipal sewer system:

☒ A municipality or county: City of Bentonville

☐ Septic system (See questions 5 & 6, following page). Type, if known:

☐ Other:

☐ Mandatory Property Owner's Association Dues: Amount $ Frequency:

POA Contact Name: Phone Number:

☐ POA has 1st Right of Refusal Option

Covered by association fee (check all that apply):

☐ Swimming pool ☐ Hot tub ☐ Playground ☐ Clubhouse ☐ Tennis courts

☐ Exterior maintenance ☐ Termite contract ☐ Grounds maintenance ☐ Fitness center

☐ Water ☐ Gas ☐ Garbage Pickup ☐ Other:

☐ Shoreline Structures: PERMITTING AGENCY:

☐ Boat Dock (Number of Slips)

☐ Piers, Decks (No.) ☐ Lifts (No.)

☐ Boardwalk ☐ Boat Ramp ☐ Personal Watercraft (PWC) (No.)

☐ Pool: ☐ Aboveground ☐ Inground ☐ Gunite/Concrete ☐ Liner ☐ Other

☐ Salt ☐ Chlorine ☐ Other

☐ Condominium/Town Home, total number of parking spaces:

☐ Open (No.) ☐ Assigned (No.) ☐ Owned (No.)

These spaces are: ☐ Uncovered (No.) ☐ Covered (No.) ☐ Garage (No.)

☐ Special Property Assessment: Amount $ Frequency:

☒ Cable ☒ Satellite ☐ Internet, provided by: OK + AT+T

☒ Security Service, ☒ Owned ☐ Leased provided by: Life Shield

☒ Garbage pickup, provided by: City of Bville

☒ Fire protection, provided by: City of Bville

☒ Seller's Homeowners Insurer: State Farm

☒ Termite policy (current), provided by (Name of Company): West Termite

☐ Homestead Tax Credit has been claimed for the tax year of

☐ A Tax Benefit (tax assessment frozen) for over 65 or handicapped status has been claimed by Seller.

Seller Property Disclosure

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FORM SERIAL NUMBER: *089437-900158-0916870*

Purpose Of Statement: This is a statement of conditions and information concerning the Property. Unless otherwise advised, Seller does not possess any expertise in construction, architecture, engineering or any other specific areas related to the construction or condition of improvements on the Property or the Property itself, other than occupying or having ownership of the Property. Seller possesses no greater knowledge than that which could be obtained by inspection of the Property by potential buyers, lessees, tenants or their representatives. This statement is not a warranty of any kind by Seller, Listing Firm or any subagent of Listing Firm. **THIS DISCLOSURE IS NOT A SUBSTITUTE FOR INSPECTIONS. ANY POTENTIAL BUYER OF THE PROPERTY IS ENCOURAGED TO OBTAIN A PROFESSIONAL, PERSONAL OR OTHER INSPECTION PRIOR TO PURCHASING, LEASING, EXCHANGING, RENTING OR OFFERING TO PURCHASE THE PROPERTY.**

Instructions to Seller: (1) Complete this form yourself. (2) Report known conditions affecting the Property. (3) Attach additional pages with your signature if additional space is required. (4) Answer ALL questions. (5) If some items do not apply to Property, check "Not Applicable." (6) If you do not know the answer to a question or do not understand a question, check the answer "Unknown."

Seller's Statement: Even though this is not a warranty, Seller hereby specifically makes the following representations based on Seller's knowledge as of the above date. **Seller agrees to immediately notify Listing Firm in writing and to modify this Seller Property Disclosure if any answer set forth below changes prior to Closing.** Unless a potential buyer desires not to obtain a copy of this statement (as expressly set forth in a Real Estate Contract), Seller authorizes Listing Firm to provide a copy of this statement to any person or entity in connection with any possible, actual or anticipated sale, exchange, lease or rental of the Property.

ALL STATEMENTS MADE IN THIS DISCLOSURE ARE MADE BY SELLER AND ARE NOT REPRESENTATIONS OF ANY AGENT(S) AND/OR SUBAGENT(S) OF SELLER. THE STATEMENTS MADE BY SELLER ARE BASED SOLELY UPON SELLER'S KNOWLEDGE AND INFORMATION AND DO NOT CONSTITUTE ANY REPRESENTATION OR WARRANTY BY SELLER AGAINST ANY CONDITIONS THAT MAY EXIST THAT ARE UNKNOWN TO SELLER. THE BUYER IS AGAIN STRONGLY ENCOURAGED TO CONDUCT AND OBTAIN INSPECTIONS OF THE PROPERTY.

Concerning the Property referenced above:

1.	To your knowledge, are there any features of the Property shared in common with adjoining landowners, such as walls, fences, driveways, septic systems, water wells, satellite dishes, or shared meters or shared utilities?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
2.	To your knowledge, is there a Homeowners Association, Planned Unit Development, historical preservation district, or architectural committee or board that has any authority over the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
3.	To your knowledge, are there any common areas such as pools, tennis courts, driveways, roads or walkways co-owned with or used by others.	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
4.	To your knowledge are there any fixtures or attached items (roofs, windows, HVAC, appliances, siding, etc..) currently being leased or financed?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
5.	To your knowledge, is there now or has there ever been a waste disposal maintenance and monitoring contract with maintenance personnel certified by the Arkansas Department of Health?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
6.	To your knowledge, have there been any problems with any private sewer or water system, septic system, water well, or other system or utility servicing the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
7.	To your knowledge, are there any encroachments, easements, leases, liens, mortgages or deeds of trust, contracts for sale or installment land sales contracts, adverse possession claims or similar matters that affect the Property that a title search would not reveal?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
8.	To your knowledge, have there been any room additions, structural modifications or other alterations made to the Property since the Property was originally constructed?	☒ Yes	☐ No	☐ Unknown	☐ Not Applicable
9.	If the answer to Question 8 was "Yes," to your knowledge were such structural changes done following issuance of a permit and in compliance with building codes?	☒ Yes	☐ No	☐ Unknown	☐ Not Applicable

Seller Property Disclosure

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FORM SERIAL NUMBER: *089437-900158-0916870*

10.	To your knowledge, are there any underground storage tanks of any kind located on the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
11.	To your knowledge, has there been any settling from any cause, or slippage, sliding or other poor soil conditions at the Property or at adjacent properties?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
12.	To your knowledge, has there been any flooding, drainage, grading problems, or has water ever stood on the Property or under any improvement constructed thereon?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
13.	To your knowledge, has there been any damage to the Property or any of the structures from fire, earthquake, storms, floods or landslides prior to or during your ownership?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
14.	To your knowledge, are there any Bills of Assurance, deed restrictions, other obligations, or other use restrictions for the Property that a title search would not reveal?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
15.	To your knowledge, are there any violations or nonconforming uses of the Property regarding zoning, land use restrictions or "setback" requirements or matters not disclosed in Question 14?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
16.	To your knowledge, are there any notices of abatement or citations against the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
17.	To your knowledge, are there any lawsuits affecting this Property or judgments against Seller that would affect the title or sale of the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
18.	To your knowledge, are there any neighborhood noise problems or other nuisances that would not be normal for this type of Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
19.	To your knowledge, are there any defects in the appliances or the mechanical, electrical, plumbing, heating and air conditioning, water, sewer or septic systems of the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
20.	To your knowledge, are there any defects in the structure(s) or sub-structure(s) of any improvements located on the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
21.	To your knowledge, is any of the Property in the floodplain or floodway?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
22.	To your knowledge, has any lender required you to purchase flood insurance on the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
23.	To your knowledge, has there ever been a problem with the roof on any of the improvements on the Property, such as defective shingles, damaged shingles, leaking or otherwise?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
24.	To your knowledge, is there any infestation by termites or other wood-destroying insects?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
25.	To your knowledge, is there any damage from a previous infestation of this type on the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
26.	Do you have knowledge or have you ever received notice from a termite company or other person or entity concerning possible problems or potential problems with the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable

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FORM SERIAL NUMBER: *089437-900158-0916870*

27.	Have you ever filed or made an insurance claim, warranty claim, or other claim concerning the Property? ***Seller is aware that insurance claims against this Property may affect the availability/affordability of a Buyer to obtain homeowner's insurance and/or mortgage.***	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
28.	Have you ever received a settlement of a claim and not made repairs to improvements on the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
29.	To your knowledge, has any person or entity ever refused to complete the purchase of the Property because of an actual or alleged problem with the condition of the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
30.	To your knowledge, are there any leases or rental Agreements (or parties other than Seller in possession) currently in effect on the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
31.	To your knowledge, has any part of the Property been designated as Wetlands?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
32.	To your knowledge, are there any persons or entities, other than those listed above as "Sellers," who claim or have ownership or leasehold interest or 1st right of refusal option on the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
33.	To your knowledge, are there any existing pipelines carrying oil, gas or chemicals underneath or adjacent to the Property or are there any pipeline rights-of-way or easements over or adjacent to the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
34.	To your knowledge, has there been an unsatisfactory percolation, groundwater, or soil test concerning the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
35.	To your knowledge, has any boundary discrepancy or unsatisfactory condition concerning the Property been disclosed to you, including information obtained from a boundary survey, environmental report or property inspection of the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
36.	To your knowledge, are there any facts, circumstances or events on or around the Property which, if known to a potential buyer, could adversely affect in a material manner the value or desirability of the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
37.	To your knowledge, have any of the improvements on the Property been constructed at another site then moved onto the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
38.	To your knowledge, does the Property contain any exterior insulation finish system (EIFS) or synthetic stucco or similar components?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
39.	To your knowledge, is there any surface or sub-surface mining or extraction for coal, gravel, rock, oil, gas, or other minerals on the Property or on adjacent properties?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
40.	To your knowledge, is there any person or entity claiming or possibly having the right to claim the right to extract any minerals, oil, natural gas, coal or other minerals from the surface or sub-surface of the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable

Seller Property Disclosure

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FORM SERIAL NUMBER: *089437-900158-0916870*

41.	To your knowledge, does any person or entity, other than Seller, claim any rights to any natural resource or minerals located on the surface of the Property, sub-surface of the Property, or otherwise affecting or impacting the ownership or use of such natural resources or mineral rights?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
42.	To your knowledge, is the Property specially constructed or modified to permit access and use by a person with a physical disability?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
43.	Does Seller hold a real estate license?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
44.	To your knowledge, does any person owning an interest in the Property (if Seller is a corporation or other entity) hold a real estate license?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
45.	To your knowledge, are there any other defects in the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
46.	To your knowledge, are there landfills, hazardous waste, asbestos, radon gas, urea-formaldehyde, electromagnetic fields, or other substances that may affect the Property or the occupants of the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
47.	Is Seller aware of any unlawful chemical or drug substances or their manufacture within the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
48.	To your knowledge, are there any notifications of environmental conditions about the Property from the EPA, governmental agencies, or some other source?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
49.	Does seller or anyone in possession of the property utilize audio or video surveillance in, on or about the Property?	☐ Yes	☑ No	☐ Unknown	☐ Not Applicable
50.	To your knowledge, in what school district is the Property located? Elementary: Pat Baker Elem Middle/Junior High: OHMS / LJHS Senior High: BHS				

If the answer to any of the previous questions is yes, explain. Attach additional sheets if necessary.

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Seller Property Disclosure

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51.	To your knowledge, were any improvements on this Property constructed prior to 1978?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
52.	To your knowledge, are there lead-based paint or lead-based paint hazards on any improvements to the Property including, without limitation, garages, tool sheds, other outbuildings, fences, signs and mechanical equipment on the Property?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable

NOTICE: If either questions 51 or 52 are answered with "Yes" or "Unknown," the Lead-Based Paint Disclosure must be completed and acknowledged by all parties to the real estate transaction and attached to ANY Real Estate Contracts associated with this Property.

MOLD ENVIRONMENTAL CONDITIONS: *Mold, mildew, spores and other microscopic organisms and/or allergens (collectively referred to as "mold") are environmental conditions that are common in residential properties and may affect the Property. Mold, in some forms, has been reported to be toxic and may cause serious illnesses, including, but not limited to, allergic and/or respiratory reactions or other problems, particularly in persons with immune system problems, young children and/or the elderly. Mold has also been reported to cause extensive damage to personal and real property.*

Selling Firm or Listing Firm cannot suggest, refer, recommend, or infer that you should or should not use a Mold Inspector. Should you desire an inspection by a Certified Mold Inspector, you should contact an Inspector who has been authorized to capture mold samples and/or air samples for laboratory testing.

No warranty, representation or recommendation can be made by any agent or representative of Selling Firm or Listing Firm concerning any Mold Inspector. The person(s) signing this Seller Property Disclosure is STRONGLY URGED to independently determine the competency of any Mold Inspector to be used in connection with the purchase, sale or rental of real estate.

53.	To your knowledge, is there or has there ever been any past or present water intrusion?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable
54.	To your knowledge, is there or has there ever been any presence of mold?	☐ Yes	☒ No	☐ Unknown	☐ Not Applicable

If the answer to any of the above four questions is yes, explain. Attach additional sheets if necessary.

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FORM SERIAL NUMBER: 089437-900158-0916870

If the presence of a registered sex offender is a matter of concern to Buyer, Buyer understands that Buyer must contact local law enforcement officials or access the State of Arkansas registered sexual offender website at http://www.acic.org regarding such information.

Buyer is strongly urged, as part of any pre-closing investigation desired by Buyer concerning the Property to:

(i) conduct testing for possible existence of chemical or drug substances in, on or about the Property, as desired by Buyer, and (ii) visit with applicable law enforcement authorities about possible prior illegal activity on or about the Property.

If the location of the Property being in a Flood or Flood Prone area is of concern to Buyer, Buyer may access FEMA (Federal Emergency Management Authority) at www.fema.gov regarding such information.

Your mortgage lender may require you to purchase flood insurance in connection with your purchase of this property. The National Flood Insurance Program provides for the availability of flood insurance but also establishes flood insurance policy premiums based on the risk of flooding in the area where properties are located. Due to recent amendments to federal law governing the NFIP those premiums are increasing, and in some cases will rise by a substantial amount over the premiums previously charged for flood insurance for the property. As a result, you should not rely on the premiums paid for flood insurance on this property previously as an indication of the premiums that will apply after you complete your purchase. In considering your purchase of this property you should consult with one or more carriers of flood insurance for a better understanding of flood insurance coverage, the premiums that are likely to be required to purchase such insurance and any available information about how those premiums may increase in the future

SELLER HEREBY AUTHORIZES (UNLESS A POTENTIAL BUYER DESIRES NOT TO OBTAIN A COPY OF THE STATEMENT AS EXPRESSLY SET FORTH IN A REAL ESTATE CONTRACT) ALL AGENTS INVOLVED IN THE SALE, EXCHANGE, LEASE OR RENTAL OF THE PROPERTY TO DISTRIBUTE THIS SELLER PROPERTY DISCLOSURE TO PROSPECTIVE BUYERS, LESSEES OR TENANTS OF THE PROPERTY. THIS SELLER PROPERTY DISCLOSURE IS INCORPORATED INTO THE LISTING AGREEMENT EXECUTED BY SELLER AND LISTING FIRM. SELLER FURTHER CERTIFIES THAT THE INFORMATION HEREIN IS TRUE AND CORRECT TO THE BEST OF SELLER'S KNOWLEDGE AS OF THE ABOVE DATE. SELLER FURTHER AGREES TO NOTIFY IN WRITING BUYERS, LESSEES, TENANTS AND LISTING FIRM OF ANY CHANGES IN THIS DISCLOSURE THAT MAY BECOME KNOWN TO SELLER AFTER THE DATE SIGNED BY SELLER.

COUNTERPARTS: This Seller Property Disclosure may be executed in multiple counterparts each of which shall be regarded as an original hereof but all of which together shall constitute one in the same.

Submitted by:

Signature: _____ Signature: _____

Printed Name: Chanda Perkins Printed Name: Matt Perkins

Seller Seller

(month) March (day) 10, (year) 2020, at 10:31 ☐ (a.m.) ☒ (p.m.)

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BUYER'S DISCLOSURE ACKNOWLEDGEMENT

WE ACKNOWLEDGE RECEIPT OF A COPY OF THIS SELLER PROPERTY DISCLOSURE. WE UNDERSTAND THAT THE ABOVE STATEMENTS ABOUT THE PROPERTY ARE TRUE AND CORRECT TO THE BEST OF SELLER'S KNOWLEDGE AS OF THE ABOVE DATE. IT IS NOT A WARRANTY OF ANY KIND BY SELLER OR SELLER'S AGENT AND IS NOT A SUBSTITUTE FOR ANY INSPECTIONS BUYER, LESSEE OR TENANT MAY WISH TO OBTAIN.

THIS FORM IS PRODUCED AND COPYRIGHTED BY THE ARKANSAS REALTORS® ASSOCIATION. THE SERIAL NUMBER BELOW IS A UNQUE NUMBER NOT USED ON ANY OTHER FORM. THE SERIAL NUMBER BELOW SHOULD BE AN ORIGINAL PRINTING, NOT MACHINE COPIED, OTHERWISE THE FORM MAY HAVE BEEN ALTERED. DO NOT SIGN THIS FORM IF IT WAS PREPARED AFTER DECEMBER 31, 2020.

FORM SERIAL NUMBER: *089437-900158-0916870*

BUYER'S LEAD-BASED PAINT DISCLOSURE ACKNOWLEDGEMENT:

1.	Buyer has received copies of all records and reports pertaining to lead-based paint or lead-based paint hazards in or about the Property available to Seller.	☐ Yes	☐ No	☐ Unknown	☐ Not Applicable
2.	Buyer has received a copy of the pamphlet, "Protect Your Family From Lead In Your Home".	☐ Yes	☐ No	☐ Unknown	☐ Not Applicable

Received by:

Signature: Philip H. Herr — Signature: Leslee Ether

Printed Name: Philip H. Herr (Buyer) — Printed Name: Leslee Ether (Buyer)

(month) March (day) 21, (year) 2020, at 2:00 ☐ (a.m.) ☒ (p.m.)

Appendix C – Real Estate Property Photos

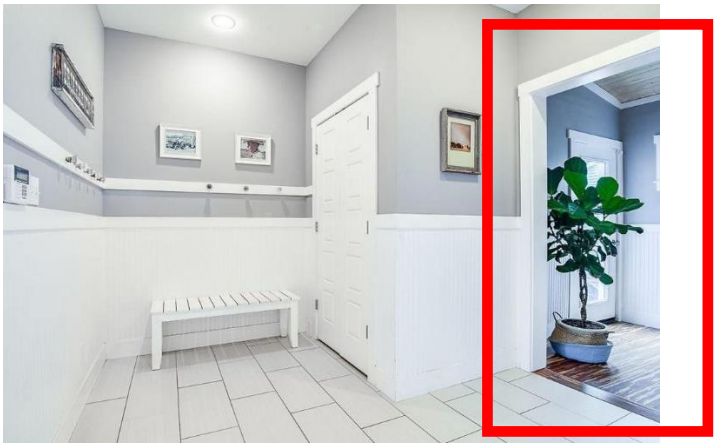
The following photos were a part of the real estate listing from when we purchased this house in 2020, showing the non-conforming room and fence. Source: https://www.realtor.com/realestateandhomes-detail/301-SW-3rd-St_Bentonville_AR_72712_M85175-85688#photo0

Pictures Showing Non-Conforming Room:









Pictures Showing Fence:







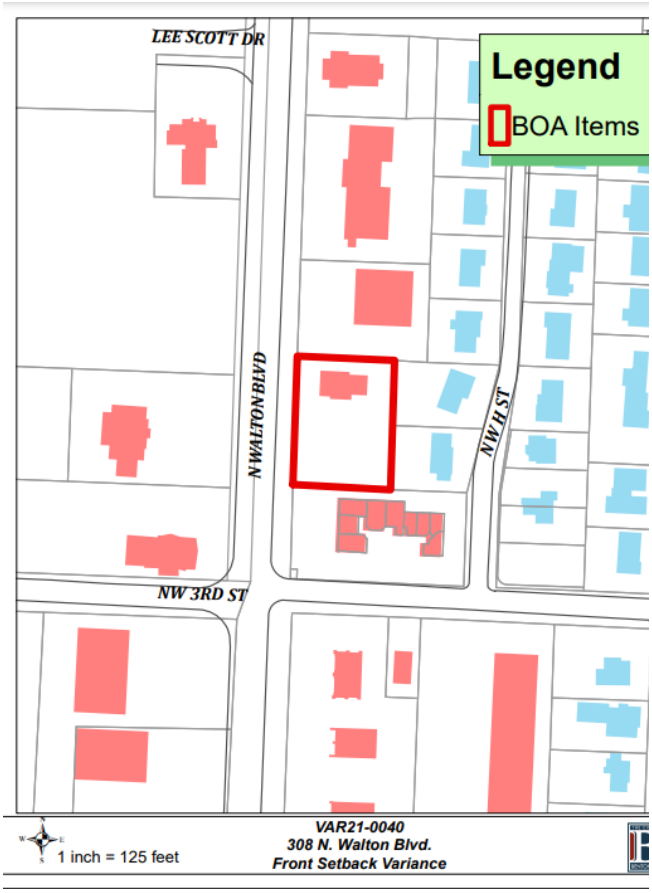


BOARD OF ADJUSTMENT STAFF REPORT

Mathias Ventures Inc.

308 N Walton Blvd
BOA Date: 12/8/2021
Reviewer: Luke Aitken, Planning Technician

Project Number	VAR21-0040
Applicant / Current Owner	Mathias Ventures Inc.
Site Area	+/- 0.69 acres
Current Zoning	C-2, General Commercial
Variance Request	Zoning Code Article: 401.08



Property Description
This property is located at 308 N Walton Blvd and is currently zoned C-2, General Commercial.

Regulation
According to Zoning Code Article Sec 401.08 Commercial (C) Districts Regulations, the minimum front setback for structures with parking in front shall be 50' from the property line that the structure faces.

Variance Request
The applicant is requesting a variance of 42', from the 50' front setback required by code, to allow for a new covered drive through for dry-cleaning pickup and delivery to be constructed 8' from the front property line.

Background
According to the applicant's narrative, a variance to the front setback requirement would provide space for a two vehicle covered drive thru for dry-cleaning pickup and delivery. It is the desire of the owner to repurpose the existing building. The current building configuration coupled with limited ceiling height makes the existing building best suited for the customer service area and therefore the best location for the drive thru on the west side facing N Walton Blvd. This configuration mitigates congestion and provides good stack length for multiple vehicles in the drive through.

The applicant states the existing buildings location on the lot and the functional need for the addition do not allow for an intuitive and safe solution other than the proposed covered drive through design.

Public Comment
Staff has **NOT** received public comment regarding this request.

Conditions of Approval
If approved, the following conditions shall apply:

1. The approved variance shall be for the proposed layout, as provided by the applicant within this application.
2. The applicant must obtain a building permit prior to construction of the covered drive through.

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

(1) The applicant demonstrates that:

a. special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structure or buildings in the same district;

b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

c. that special conditions and circumstances do not result from the actions of the applicant; and,

d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

MATTHIAS J PEARSON ARCHITECT

November 16, 2021

Board of Adjustment - City of Bentonville

Re: Variance Request for Old Town Dry Cleaners - 308 North Walton - Zoned C2

To whom it may concern,

The owner of the property listed above is requesting a variance to the front setback requirement to provide space for a two vehicle covered drive thru for dry-cleaning pickup and delivery. The project consists of remodeling an existing 2,342 SF structure and the addition of a new 2,486 SF structure to the south. The front of the existing building will be customer service. The rear of the existing building and the addition will be for washing, pressing, and sorting - set back and away from the customer.

Special condition: It is the desire of the owner to repurpose the existing building. The current configuration and amount of glass coupled with limited ceiling height makes the existing building best suited for the customer service area and therefore the best location for the drive thru on the west (Walton Blvd) side. A side-by-side covered drive thru is required for pick-up and delivery of dry-cleaning goods. These two lanes along with the extended drive lane around the building mitigates congestion and provides good stack length for multiple vehicles.

Literal Interpretation:
With the desire to repurpose the existing building, its location on the lot and the functional need for the addition do not allow for an intuitive and safe solution other than the proposed design. Sec 401.08 Commercial (C) Districts Regulations calls for a 50'-0" setback from the property line (with front parking). We are asking that the setback be waived for the construction of the covered drive thru.

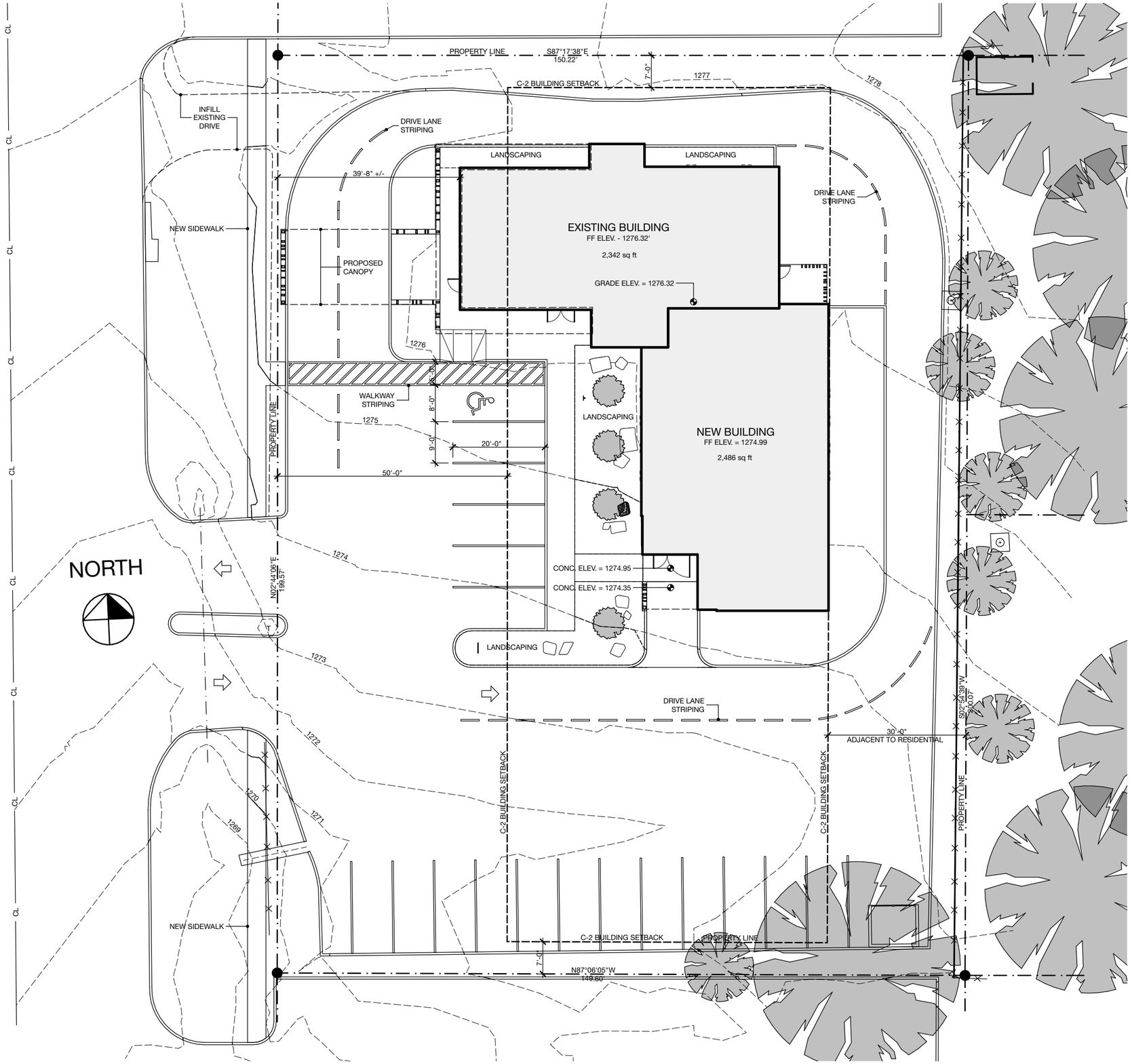
In addition, we understand it is the desire of the city to promote construction that is closer the the street to define the corridor along north Walton Blvd.

Thank you for your consideration,

Matt Pearson

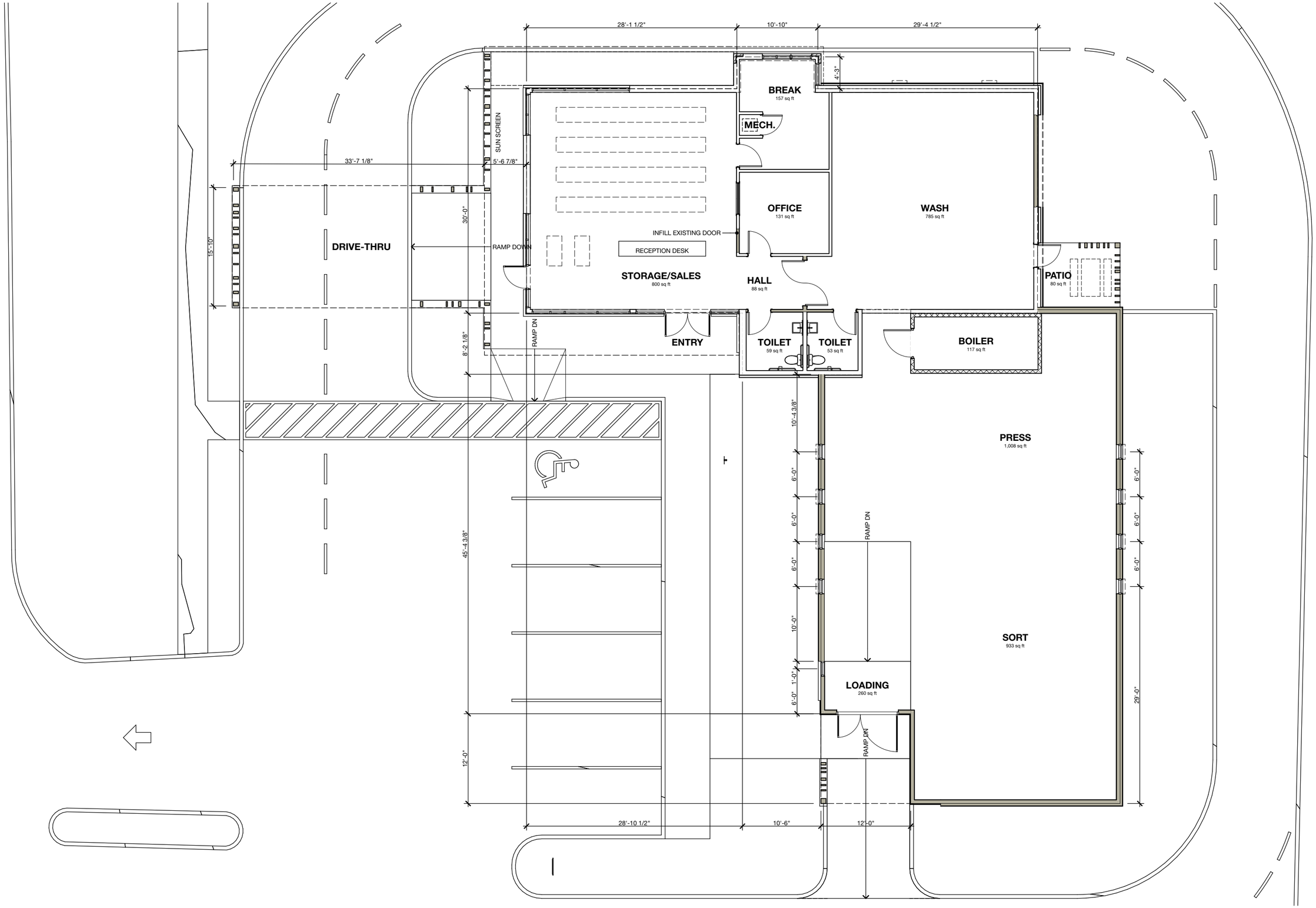
MATTHIAS J. PEARSON ARCHITECT – AIA
185 SOUTH MOUNT OLIVE STREET
SILOAM SPRINGS, ARKANSAS 72761

479-524-6575
mjparch.com



1 **SITE PLAN** 1" = 20'

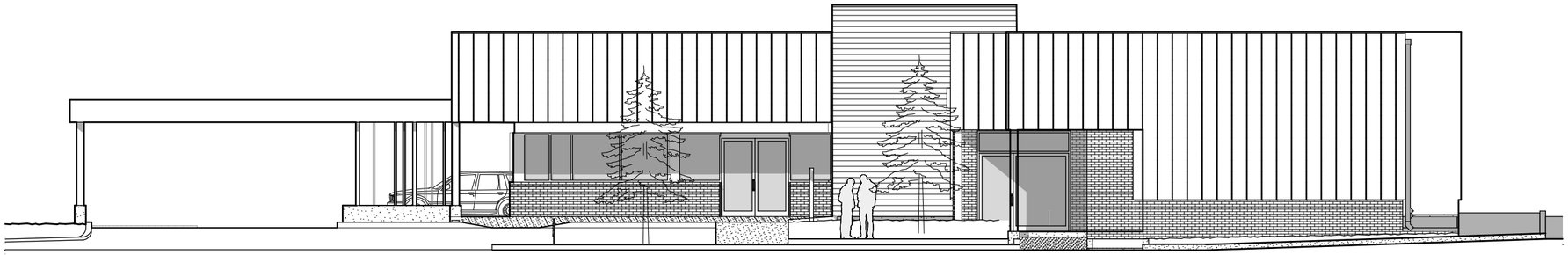
Survey provided by Michael D. Million Land Surveyor - Bella Vista, AR.



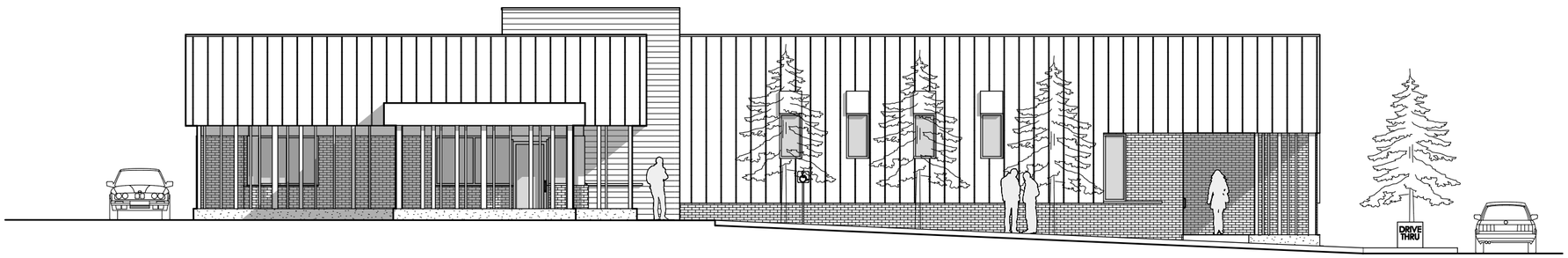
1 **MAIN LEVEL FLOOR PLAN** 3/32" = 1'-0"

MATTHIAS J PEARSON ARCHITECT 479.524.6575 mjparch.com

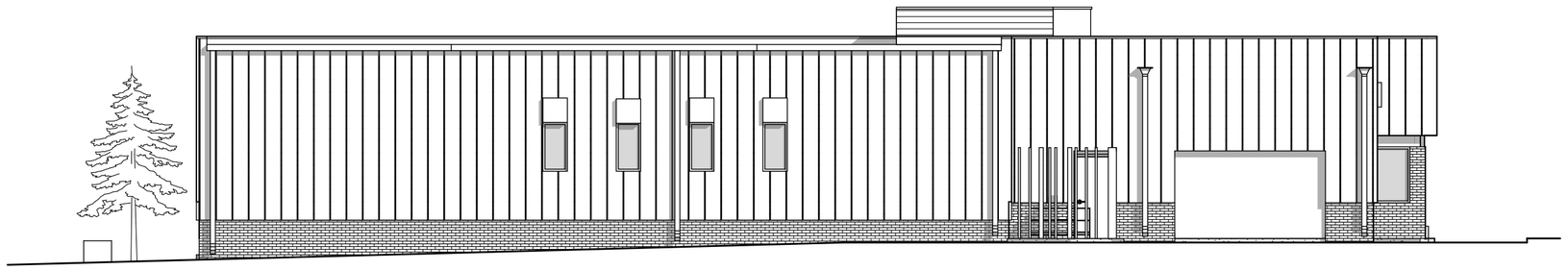
11/11/21 BENTONVILLE, ARKANSAS OLD TOWN CLEANERS REMODEL & ADDITION



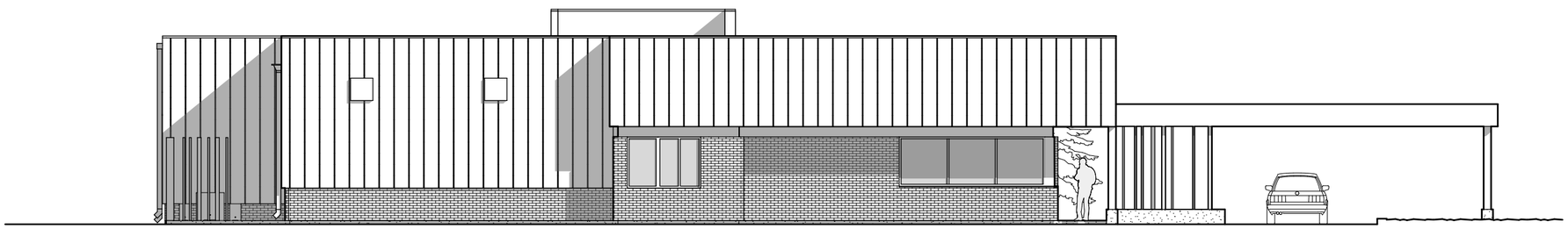
1 **SOUTH ELEVATION** 3/32" = 1'-0"



2 **WEST ELEVATION** 3/32" = 1'-0"



3 **EAST ELEVATION** 3/32" = 1'-0"



4 **NORTH ELEVATION** 3/32" = 1'-0"

MATTHIAS J PEARSON ARCHITECT 479.524.6575 mjparch.com

11/11/21 BENTONVILLE, ARKANSAS OLD TOWN CLEANERS REMODEL & ADDITION



WEST HIGH



SOUTH HIGH



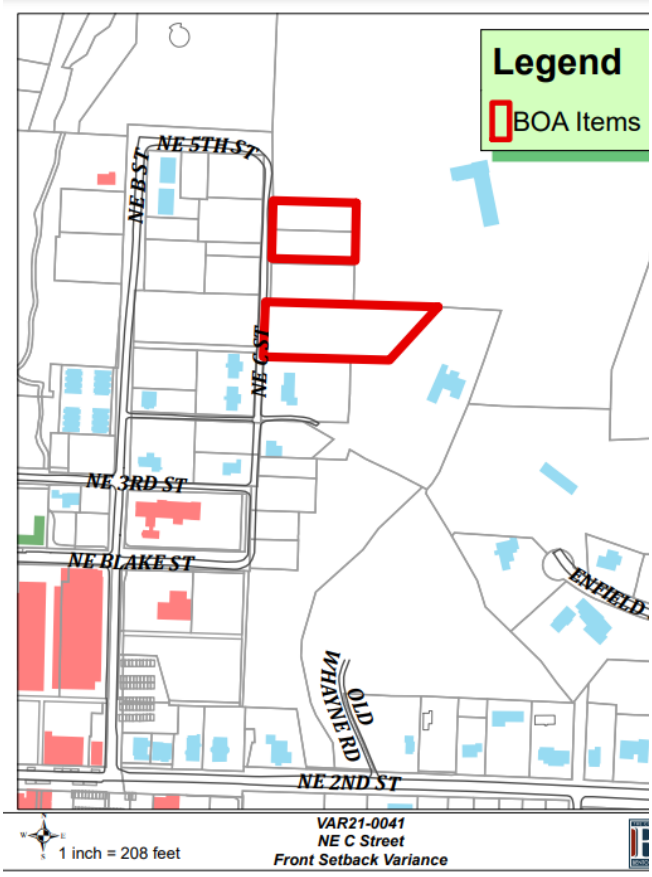
SOUTHWEST HIGH

BOARD OF ADJUSTMENT STAFF REPORT

Crystal Lands LLC.

NE C Street
BOA Date: 12/8/2021
Reviewer: Luke Aitken, Planning Technician

Project Number	VAR21-0041
Applicant / Current Owner	Crystal Lands LLC.
Site Area	+/- 0.37 acres, +/- 0.37 acres & +/- 1.59 acres
Current Zoning	A-1, Agricultural
Variance Request	Zoning Code Article: Section 401.06(b)(2)



Property Description
These properties (Parcels 01-00365-000, 01-00363-000, 01-00364-000, and 01-00366-000) are located along NE C Street and are currently zoned A-1, Agricultural.

Regulation
According to Zoning Code Article Section 401.06(b)(2) Minimum Setback Standards, the minimum front setback required is 30' from the property line that the structure faces.

Variance Request
The applicant is requesting a variance of 19', from the 30' front setback required by code, to allow for a new single family home to be constructed 11' from the current front property line.

Background
The applicant states that the property owner has expressed urgency for the start of construction, which must occur in early January, 2022. Because of this they state the requested variance is necessary in order to secure a Building Permit and meet the construction start date without violation of setback requirements. The proposed home has been situated on the property such that it does not compromise the view shed of an existing historic home as well as another home on the property. The property owner has obtained ownership of all properties within the bounds of NE B St., NE 5th St., NE C St., and north of a public alley to the south closing this looped boundary, and as such, there are no properties owned by anyone other than the applicant. The applicant claims the granting of this variance creates no detriment to their neighbors.

In a related action, the property owner shall be submitting an Incidental Plat for the combination of the referenced parcels with the abutting parcel situated to the east and a vacation request for the NE C Street right of way. Upon approvals of forthcoming requests and full implementation of the plan in the first quarter 2022, the subject home will have a front setback in excess of 300 feet from the public street, NE B Street.

Public Comment
Staff has **NOT** received public comment regarding this request.

Conditions of Approval
If approved, the following conditions shall apply:

1. The approved variance shall be for the proposed layout, as provided by the applicant within this application.
2. The applicant must obtain a building permit prior to construction of the covered drive through.

BOARD OF ADJUSTMENT STAFF REPORT

Section 301.10.c, Standards of Approval, of the Zoning Code

Standards for approval. A variance from the terms of this chapter shall not be granted by the board of adjustment unless and until:

(1) The applicant demonstrates that:

a. special conditions and circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structure or buildings in the same district;

b. that literal interpretation of the provisions of this chapter would deprive the applicant of rights commonly enjoyed by other properties in the same district under the terms of this chapter;

c. that special conditions and circumstances do not result from the actions of the applicant; and,

d. that granting the variance requested will not confer on the applicant any special privilege that is denied by this chapter to other lands, structures, or buildings in the same district.

(2) No nonconforming use of neighboring lands, structures, or buildings in the same district, and no permitted or nonconforming use of lands, structures, or buildings in other districts shall be considered grounds for the issuance of a variance.

(3) The board of adjustment shall further make a finding that the reasons set forth in the application justify the granting of the variance and that the variance is the minimum variance that will make possible the reasonable use of land, building or structure.

(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(5) *Conditions.* In granting any variance, the board of adjustment may prescribe appropriate conditions and safeguards that it deems necessary or desirable. Violations of such conditions and safeguards, when made a part of the terms under which the variance is granted, shall be deemed a violation of this chapter.

(6) *Uses.* Under no circumstances shall the board of adjustment grant a variance to allow a use not permissible under the terms of this chapter in the district involved, or any use expressly or by implication prohibited by the terms of this chapter in said district.

Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management

3108 SW Regency Parkway
Bentonville, AR 72712
Office: 479.273.9472
Toll-free: 1.800.433.4173
ceieng.com

November 22, 2021

City of Bentonville
Board of Adjustment
305 S.W. "A" Street
Bentonville, AR 72712

Dear Members of the Bentonville Board of Adjustment:

RE: Building Setback Variance Request
Zone A-1 Agricultural
Benton County Parcels 01-00365-000, 01-00363-000, 01-00364-000, and 01-00366-000

On behalf of Crystal Lands, LLC, CEI respectfully requests variance of the current Zoning Code to accommodate construction of a single-family dwelling on the subject properties. In a related action, the property owner shall be submitting an Incidental Plat for the combination of the referenced parcels with the abutting parcel situated to the east and a vacation request for the NE C Street right of way.

The property owners have engaged a team of consultants to develop and implement a plan to provide for their privacy and ensure their safety. As such, several actions have been discussed with City electric, utilities, planning, and engineering staff and shall be pursued in order to execute the strategy. Please see the attached Exhibit A submitted by the owner's representative.

We are requesting a variance from Section 401.06(b)(2) *Minimum Setback Standards.* The properties are zoned A-1 Agriculture with a required minimum front setback of 30'; the pending lot combination and street vacation will resolve side and rear setbacks. The property owners submit the following for consideration:

1. Request that the 30-ft front setback be varied and replaced with an11-ft front setback.
2. The property owners have expressed urgency for the start of construction, which must occur in early January, 2022. The requested variance is necessary in order to secure a Building Permit and meet the construction start date without violation of setback requirements in this zone. In the event that the requested variance is not granted, a series of scheduled tasks for implementation of security measures and features will be delayed.
3. In a subsequent action, the property owner shall be submitting a street vacation request for NE C Street, after which the prescribed 30' front setback would be met provided that the right-of-way reverts to the abutting owners to the street centerline in accordance with the typical process.
4. The proposed home has been situated on the property such that it does not compromise the viewshed of an existing historic home as well as another home on the property. This location encroaches 19 feet into the setback, necessitating the requested variance.
5. The property owner has obtained ownership of all properties within the bounds of NE B St., NE 5th St., NE C St., and to the north of a public alley to the south closing this looped boundary (these streets create a dead-end situation only accessible from NE B or NE C on the south end of the loop). As such and as previously noted, there are no properties owned by anyone other than the applicant and granting of this variance creates no detriment to neighbors or other members of the public. Full implementation of the owners plans anticipated to be submitted and approved by the city is expected within the 1st quarter of 2022.
6. Upon approvals of forthcoming requests and full implementation of the plan, the subject home will have a front setback in excess of 300 feet from the public street, NE B Street.

See attached site plan for depiction of the proposed setback. We appreciate your consideration of this request and believe approval of this request and additional actions to be processed through City permitting will result in the improved security of this property owner and the public at large. Thank you in advance for your time and attention to our submittal.

Respectfully submitted,
CEI Engineering Associates, Inc.



Nate Bachelor, PE
Project Manager

Attachments: Exhibit A, Effectus Group Letter
Exhibit B, Site Plan

cc: Garett Essl, Effectus Group

November 11, 2021

City of Bentonville
Board of Adjustments
305 SW A Street
Bentonville, AR 72712

To whom it may concern,

This variance application is based on an undue security and safety hardship that is being created by following the standard city process/ordinances.

Due to the property owner's unique involvement in the community, this ownership has drawn the lure of increased attention and focus, including but not limited to golf cart tours of their primary residences.

Various family members are the sole owners & neighbors, through various investments and partnerships, that are directly contingent to this property consolidation request. The duration of wait of the "standard process" is going to expose all family members to unique and longer-term security and safety risks.

Access, knowledge, and visibility into security infrastructure improvements on the future private property could actually degrade its future benefit and effectiveness.

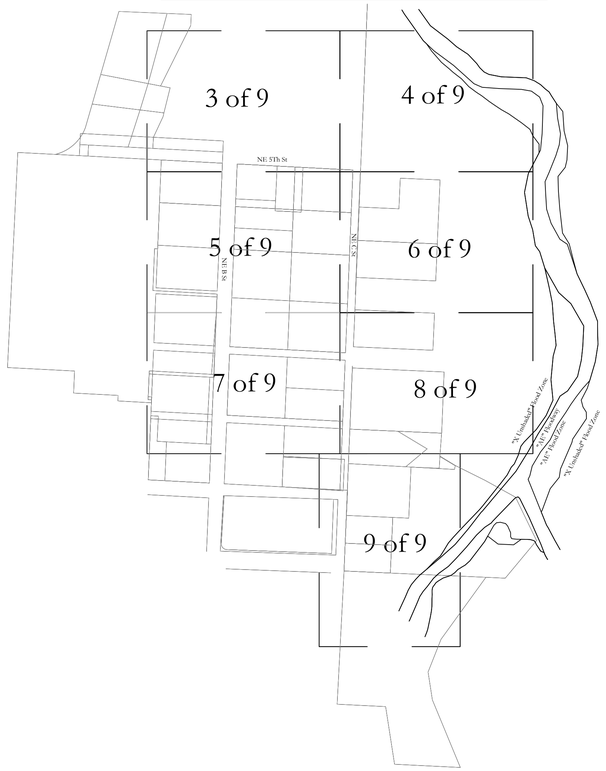
We appreciate your consideration.

Sincerely,

Garett G. Essl
Effectus Group
Owners Representative
SLW HoldCo, LLC

Exhibit A
Building Setback Variance Request
Crystal Lands, LLC
NE C Street

Sheet Detail: Not To Scale



Boundary/Topographic Survey

Zoning Information

The zoning information provided below is per the City of Bentonville Municipal codes.

Article 401 (Sec. 401.07)
R-1 (Single Family Residential)
Maximum Height: 36 Feet
Minimum Lot Area: 6,000 Sq. Ft.
Minimum Lot Width: 60 Feet
Minimum Yards Required
Front Yard: 20 feet
Rear Yard: 25 Feet
Side Yard: 7 Feet
Maximum Lot Coverage by Buildings: 40% Interior Lot
45% Exterior /Corner Lot

Notes:
Blew & Associates makes no warranty to the exact regulations or ordinances represented on the drawing hereon. The user of this survey should consult an attorney or title insurer to verify the zoning classification of the property as well as the applicable restrictions and requirements associated with such zoning classification.

Specific zoning information as shown hereon is as interpreted by the surveyor per City of Bentonville Municipal codes and should be confirmed by a licensed Arkansas attorney or zoning professional in the controlling jurisdiction.

Utility Notes

The utilities shown on this drawing hereon have been located by field measurements, utility map drawings, and one-call utility locate request. blew & associates makes no warranty to the exact location of any underground utilities shown or not shown on this drawing. it is the responsibility of the contractor to verify any and all utilities prior to construction. Call Arkansas one-call at (800) 482-8998 for field locations (request for ground markings) of underground utility lines before digging.

1. Dig Ticket Number: 201229-0931 dated: December 29, 2020

   Companies to contact per one-call ticket:

AT&T Arkansas	response: E-mail(As shown)
Black Hills Energy	response: no response
Cox Communications	response: E-mail(As shown)
City of Bentonville	response: E-mail(As shown)

2. Dig Ticket Number: 201229-0964 dated: December 29, 2020

   Companies to contact per one-call ticket:

AT&T Arkansas	response: E-mail(As shown)
Black Hills Energy	response: no response
Cox Communications	response: E-mail(As shown)
City of Bentonville	response: E-mail(As shown)

3. Dig Ticket Number: 201229-0928 dated: December 29, 2020

   Companies to contact per one-call ticket:

AT&T Arkansas	response: E-mail(As shown)
Black Hills Energy	response: no response
Cox Communications	response: E-mail(As shown)
City of Bentonville	response: E-mail(As shown)

4. Dig Ticket Number: 201229-1069 dated: December 29, 2020

   Companies to contact per one-call ticket:

AT&T Arkansas	response: E-mail(As shown)
Black Hills Energy	response: no response
Cox Communications	response: E-mail(As shown)
City of Bentonville	response: E-mail(As shown)

811
Know what's below.
Call before you dig.

Utility Contacts

Electric
Black Hills Energy
Contact Name
(605) 721-1700
Switch Board

Fiber/ Telephone
Cox Communications
Chad Hodge (479) 871-0339
(Field Supervisor)
Larry Alexander (479) 871-7606
(Construction Planner)

Fiber / Telephone
AT&T Communications
Brock Payton (479) 259-4155
(Field Manager)
Brent Baldwin (479) 571-6609
(Planning Manager)

Water/Sewer/Storm
City of Bentonville
Jim Wheelless (479) 271-5926
(GIS Coordinator)

Flood Note

By graphic plotting only, this property is in Zone X Unshaded and Zone AE of the Flood Insurance Rate Map, Community Panel No. 05007C0090I & 05007C0253K which bears an effective date of 09/28/2007 & 06/05/2012 respectively. They are in a Special Flood Hazard Area

Zone Definitions According to the FEMA website.

Zone "X Unshaded" - Area of minimal flood hazard, usually depicted on FIRMs as above the 500-year flood level. Zone X is the area determined to be outside the 500-year flood and protected by levee from 100-year flood.

Zone "AE" - The base floodplain where base flood elevations are provided. AE Zones are now used on new format FIRMs instead of A1-A30 Zones.

General Survey Notes

1. Completed field work was January 20, 2021.
2. The Basis of Bearing for this survey is per Grid North GPS coordinate observations Arkansas State Plane, North Zone NAD83.
   Latitude = 36°22'28.34529"
   Longitude = -94°12'04.82624"
   Convergence Angle = 01°16'51.44945"
3. Distances shown on plat are grid.
   Combined scale factor (grid to ground) = 0.99996903587079
4. Some features on this plat may be shown out of scale for clarity.
5. Dimensions on this plat are expressed in feet and decimal parts thereof unless otherwise noted. Monuments were found at points where indicated.
6. Any servitude's and restrictions shown on this survey are limited to those set forth in the description furnished to surveyor, and there is no representation that all applicable servitude's and restrictions are shown hereon.
7. Names and addresses of adjoining property owners were taken from Benton County tax cards and deeds.
8. The nearest fire hydrant is as shown on survey.
9. No surveyor or any other person other than a licensed Arkansas attorney may provide legal advice concerning the status of Title to the property described in this survey ("the subject property"). The purpose of this survey, and the comments related to the Schedule B-II exceptions, is only to show the location of boundaries and physical objections in relation thereto. To the extent that the survey indicates that the legal instrument "affects" the subject property, such statement is only intended to indicate that property boundaries included in such instrument include some or all of the subject property. The surveyor does not purport to describe how such instrument affects the subject property or the enforceability or legal consequences of such instrument.
10. All bearings and distances shown hereon are measured dimensions unless otherwise noted hereon. Record dimensions, if differing from measured dimensions, will be followed by "(R#)" where the # indicates from which reference document the dimension originated.
11. Contour Interval = 1 foot
12. Elevations established with GPS static observations utilizing online positioning user service (OPUS) for post processing. (NAVD 1988 datum).
13. There was no evidence of any delineated wetland areas, per the U.S. Fish and Wildlife service National Wetlands Inventory website. No markers from a field delineation of wetlands conducted by a qualified specialist were observed during the course of the survey.
14. Surveyor did not receive current deeds for adjoining properties from the title insurer. Surveyor obtained the deed information reflected on this survey on their own. The user of this survey should consult an attorney or title insurer to verify the current deed descriptions for adjoining properties
15. Reference documents noted hereon were obtained by the surveyor and any and all representations based thereon should be reviewed by a licensed attorney or title insurer for verification.
16. Surveyor did not receive any information from the title insurer regarding the current zoning classification of the property or any requirements related to the applicable zoning classification. Surveyor obtained the zoning information reflected on this survey on their own. The user of this survey should consult an attorney or title insurer to verify the zoning classification of the property as well as the applicable restrictions and requirements associated with such zoning classification.

See page 2 of 9
for tree table

Elevation Benchmarks			
Benchmark #1		Benchmark #2	
Type	Found 5/8" Rebar	Type	Set 1/2" Rebar
Northing	751316.20	Northing	75660.64
Easting	662760.94	Easting	662718.97
Elevation	1281.58	Elevation	1288.26'

Invert Information

SS#1
Rim Elevation: 1290.29'
Inv 6" PVC(N): 1285.13' (OUT)
Inv 8" PVC(W): 1285.13'
Inv 8" PVC(E): 1285.13'

SS#2
Rim Elevation: 1287.89'
Inv 6" PVC(S): 1283.09'
Inv 8" PVC(W): 1283.09'
Inv 6" PVC(N): 1283.09'(OUT)

SS#3
Rim Elevation: 1288.52'
Inv 8" PVC(E): 1283.32'(OUT)
Inv 4" PVC(W): 1283.32'

SS#4
Rim Elevation: 1285.17'
Inv 6" PVC(S): 1280.06'
Inv 6" PVC(N): 1280.06'(OUT)

SS#5
Rim Elevation: 1256.51'
Inv 8" CLAY(N): 1252.19'(OUT)
Inv 8" CLAY(SW): 1252.19'

SS#6
Rim Elevation: 1280.92'
Inv 6" PVC(N): 1277.65'(OUT)
Inv 6" PVC(S): 1277.65'

SS#7
Rim Elevation: 1249.38'
Inv 8" PVC(SW): 1244.70'
Inv 8" PVC(NE): 1244.70'(OUT)

SS#8
Rim Elevation: 1245.35'
Inv 8" PVC(NE): 1239.43'(OUT)
Inv 8" PVC(SW): 1239.43'

SS#9
Rim Elevation: 1242.65'
Inv 8" PVC(SW): 1236.03'
Inv 8" PVC(NE): 1236.03'(OUT)
Inv 8" PVC(S): 1236.03'

SS#10
Rim Elevation: 1252.93'
Inv 8" PVC(N): 1244.29'(OUT)
Inv 8" PVC(S): 1244.29'

SS#11
Rim Elevation: 1257.25'
Inv 8" PVC(N): 1247.34'(OUT)
Inv 8" PVC(S): 1247.34'

SS#12
Rim Elevation: 1256.24'
Inv 8" PVC(N): 1247.54'(OUT)

SS#13
Rim Elevation: 1285.27'
Inv 4" PVC(W): 1281.40'
Inv 6" PVC(S): 1281.40'(OUT)

SS#14
Rim Elevation: 1282.26'
Inv 6" PVC(N): 1278.96'
Inv 6" PVC(S): 1278.96'(OUT)

SS#15
Rim Elevation: 1286.92'
Inv 6" PVC(W): 1283.71'
Inv 6" PVC(E): 1283.71'(OUT)

SS#16
Rim Elevation: 1281.04'
Inv 6" PVC(N): 1276.44'
Inv 6" PVC(W): 1276.44'
Inv 6" PVC(S): 1276.44'(OUT)

SS#17
Rim Elevation: 1254.75'
Inv 6" PVC(N): 1243.50'
Inv 24" PVC(SW): 1243.50'
Inv 24" PVC(NE): 1243.50'(OUT)

SW#1 (C.B.)
Rim Elevation: 1253.19'
Inv 12" CPP(NW): 1251.29'

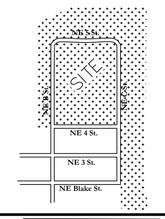
SW#2 (Ditch Inlet)
Rim Elevation: 1287.98'
Unable to open at time of survey

SW#3 (C.I. W/ Lid)
Rim Elevation: 1291.86'
Unable to open at time of survey

SW#4 (C.I. W/ Lid)
Rim Elevation: 1281.45'
Inv 15" CPP(SE): 1279.01'

DATE	REVISION	BY

Vicinity Map



Legend of Symbols & Abbreviations

- Found Monument as Noted
- Set 1/2" Rebar & Cap
- 000.00 Spot Elevation
- Benchmark
- Water Valve
- Break Line
- Fire Hydrant
- Fiber Optic Post
- Water Meter
- Telephone Pedestal
- Irrigation Control Valve
- Gas Meter
- Electric Meter
- Sanitary Sewer
- Electric Pedestal
- Sanitary Cleanout
- Utility Pole with Meter
- Storm Manhole
- Utility Pole
- Storm Catch Basin
- Guy Wire Anchor
- Central Angle
- Light Pole
- AC Unit
- Tree

- Building Set Back Line
- Easement Line
- Boundary Line
- Adjacent Property Line
- Centerline
- Right of Way Line
- Fence Line (as noted)
- Minor Contour
- Major Contour
- Overhead Power Line
- Storm Water Line
- Sewer Line
- Water Line
- Telephone/Fiber Line
- Gas Line
- Tree Line
- Underground Electric

- Asphalt
- Concrete
- Gravel

R/W	Right-of-Way	DT	Deciduous Tree
(R)	Recorded Measurement	CT	Conifer Tree
(e)	Per Zoning Regulations	SS	Sideshot
C/L	Centerline of Road	SW	Stone Wall
(M)	Field Measurement	CI	Curb Inlet Box
P.O.B.	Point of Beginning	BM	Benchmark
P.O.C.	Point of Commencement	MN	Misc. Notes
TC	Top of Concrete	BHL	Building Height Limit
BC	Building Corner	F.F.	Finished Floor

NORTH

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 18TH DAY OF MARCH, 2021.

REGISTERED PROFESSIONAL LAND SURVEYOR — STATE OF ARKANSAS — NO. 1533 — BERKLEY A. BLEW — Preliminary

IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

FIRM
BLEW & ASSOCIATES, PA
CIVIL ENGINEERS & LAND SURVEYORS
3825 N. SHILOH DRIVE
FAYETTEVILLE, ARKANSAS 72703
OFFICE: 479.443.4506
FAX: 479.582.1883
www.BLEWINC.com

DRAWN BY & DATE:	REVIEWED BY:	SURVEYED BY:
DLD 5/18/2021	PRS/GC	DDA

COUNTY & STATE:	JOB NUMBER:
Benton, Arkansas	21-0045

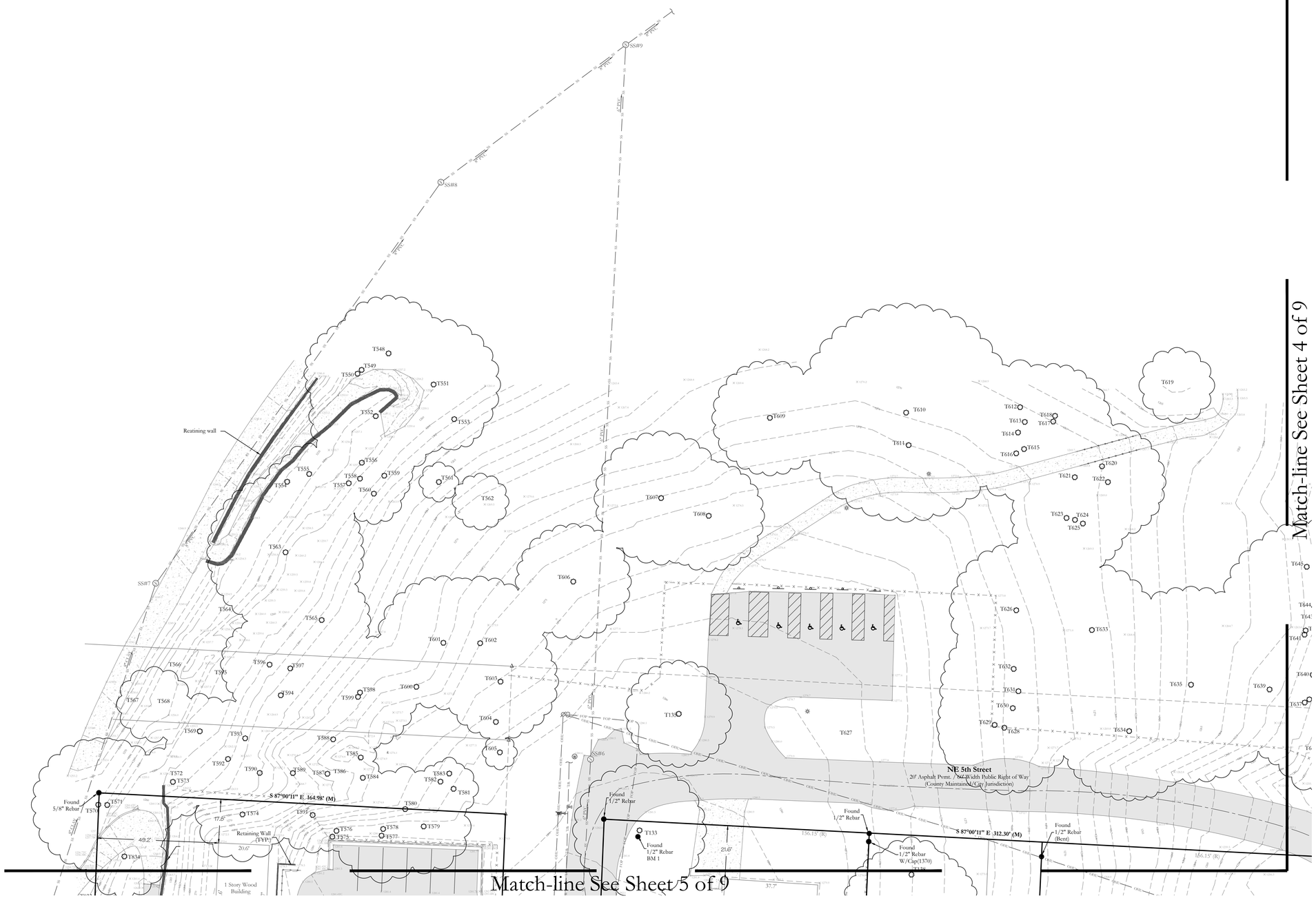
LOCATION:
Along NE B St, NE C St. & NE 5th St., Bentonville, AR.

FOR THE USE AND BENEFIT OF:
CESO, Inc.

Tree Table

Tree ID.	Type	Dia.	Canopy	Species
T1	DT	52	30	hack berry
T2	DT	32	18	white oak
T3	DT	32	21	white oak
T4	DT	32	24	walnut
T5	DT	26	12	cherry
T6	DT	30	18	hickory
T7	DT	36	21	walnut
T8	DT	48	27	walnut
T9	DT	14	12	locust
T10	DT	33	33	red oak
T11	DT	22	18	hack berry
T12	DT	15	15	box elder
T13	DT	36	20	hackberry
T14	DT	30	19	walnut
T15	DT	6	6	hackberry
T16	DT	14	14	hickory
T17	DT	7	7	hickory
T18	DT	12	12	walnut
T19	DT	22	18	hackberry
T20	DT	28	15	box elder
T21	DT	19	19	walnut
T22	DT	6	6	walnut
T23	DT	12	12	walnut
T24	DT	26	16	walnut
T25	DT	18	18	walnut
T26	DT	7	7	walnut
T27	DT	30	20	walnut
T28	DT	7	7	hackberry
T29	DT	8	8	walnut
T30	DT	24	11	walnut
T31	DT	36	28	walnut 2 fork
T32	DT	15	15	cherry
T33	DT	9	9	walnut
T34	DT	13	13	walnut 2 fork
T35	DT	30	25	hickory
T36	DT	12	15	walnut
T37	DT	30	25	cherry
T38	DT	40	16	maple 2 fork
T39	DT	8	8	maple
T40	DT	16	16	maple
T41	DT	18	18	maple
T42	DT	7	7	hackberry
T43	DT	13	13	box elder
T44	DT	15	15	hack berry
T45	DT	60	33	walnut
T46	DT	30	25	hack berry
T47	DT	8	8	walnut
T48	DT	9	9	walnut
T49	DT	36	22	walnut 4 fork
T50	DT	40	34	walnut 3 fork
T51	DT	36	32	walnut
T52	DT	32	22	pine
T53	DT	7	7	walnut
T54	DT	15	15	walnut
T55	DT	9	9	walnut
T56	DT	8	8	walnut
T57	DT	7	7	walnut
T58	DT	6	6	hackberry
T59	DT	7	7	walnut
T60	DT	7	7	hackberry
T61	DT	36	22	hackberry 3 fork
T62	DT	30	11	cherry 2 fork
T63	DT	36	22	walnut 3 fork
T64	DT	36	26	bodark 3 fork
T65	DT	40	25	cherry 5 fork
T66	DT	7	7	hackberry
T67	DT	24	20	walnut
T68	DT	30	25	walnut
T69	DT	36	25	walnut
T70	DT	60	30	white oak
T71	DT	38	31	hackberry
T72	DT	52	25	white oak
T73	DT	30	25	hackberry
T74	DT	30	21	walnut
T75	DT	48	29	walnut
T76	DT	24	36	cherry
T77	DT	35	29	hackberry
T78	DT	46	33	hackberry
T79	DT	7	7	locust
T80	DT	30	24	hack berry
T81	DT	20	23	hickory
T82	DT	24	20	hackberry
T83	DT	60	23	walnut 4 fork
T84	DT	34	10	cedar
T85	DT	40	28	walnut 3 fork
T86	DT	36	22	pine
T87	DT	7	7	locust
T88	DT	12	12	locust
T89	DT	8	8	hackberry
T90	DT	36	24	locust 2 forkl
T91	DT	8	8	hackberry
T92	DT	13	13	hackberry
T93	DT	6	6	hackerry
T94	DT	24	22	locust
T95	DT	36	24	bodark 3 fork
T96	DT	34	23	hackberry
T97	DT	30	22	hackberry
T98	DT	30	18	hackberry
T99	DT	9	9	hackberry
T100	DT	13	13	bodark
T101	DT	24	24	hickory
T102	DT	34	26	hackberry
T103	DT	9	9	hackberry
T104	DT	6	6	hackberry
T105	DT	9	9	hackberry
T106	DT	36	21	hackberry 2 fork
T107	DT	22	28	hackberry
T108	DT	8	8	walnut
T109	DT	15	15	walnut
T110	DT	24	20	hackberry
T111	DT	34	34	walnut
T112	DT	18	28	walnut
T113	DT	13	13	walnut
T114	DT	14	24	walnut 2 fork
T115	DT	8	8	hackberry
T116	DT	20	20	walnut
T117	DT	12	12	hackberry
T118	DT	42	15	cherry
T119	DT	6	6	hackberry
T120	DT	13	13	white oak
T121	DT	26	21	white oak
T122	DT	54	38	walnut 2 fork
T123	DT	16	18	hackberry
T124	DT	24	31	walnut 3 fork
T125	DT	16	16	hackberry
T126	DT	30	20	ornamental peach
T127	DT	30	20	hackberry
T128	DT	28	16	walnut
T129	DT	32	31	walnut
T130	DT	38	28	walnut
T131	DT	44	20	walnut
T132	DT	36	23	?
T133	DT	48	30	white oak
T134	DT	36	26	bradford pear 8 fork
T135	DT	24	24	walnut
T136	DT	40	14	hackberry 2 fork
T137	DT	38	32	maple
T138	DT	30	16	maple
T139	DT	38	28	walnut
T140	DT	60	23	unknown 3 fork
T141	DT	15	15	box elder
T142	DT	20	20	box elder 2 fork
T143	DT	12	12	box elder
T144	DT	18	18	box elder
T145	DT	33	33	box elder 3 fork
T146	DT	40	24	box elder
T147	DT	34	26	walnut
T148	DT	22	22	box elder
T149	DT	7	7	walnut
T150	DT	21	21	box elder
T151	DT	34	26	box elder 3 fork
T152	DT	24	15	beech
T153	DT	32	16	walnut
T154	DT	60	30	beech 6 fork
T155	DT	20	27	beech
T156	DT	18	20	beech
T157	DT	16	16	hickory
T158	DT	30	30	hickory
T159	DT	8	8	unknown
T160	DT	22	13	walnut
T161	DT	7	7	walnut
T162	DT	36	21	oak
T163	DT	8	8	hackberry
T164	DT	7	7	beech
T165	DT	15	15	hackberry
T166	DT	9	9	box elder
T167	DT	14	14	box elder
T168	DT	7	7	box elder
T169	DT	40	33	walnut 2 fork
T170	DT	36	26	walnut 2 fork
T171	DT	42	30	walnut
T172	DT	30	16	hickory
T173	DT	48	36	sycamore
T174	DT	42	12	walnut 3 fork
T175	DT	32	32	walnut
T176	DT	40	28	hackberry
T177	DT	48	39	walnut
T178	DT	42	28	walnut
T179	DT	48	27	walnut
T180	DT	18	18	hackberry
T181	DT	20	20	sycamore
T182	DT	9	9	hackberry
T183	DT	13	13	box elder
T184	DT	14	7	box elder
T185	DT	30	34	hackberry
T186	DT	10	10	walnut
T187	DT	8	8	walnut
T188	DT	8	8	hackberry
T189	DT	38	30	walnut
T190	DT	9	9	walnut
T191	DT	6	6	walnut
T192	DT	6	6	walnut
T193	DT	11	11	box elder
T194	DT	32	29	cherry 2 fork
T195	DT	8	8	walnut
T196	DT	48	29	red oak
T197	DT	6	6	hack berry
T198	DT	36	20	red oak
T199	DT	9	9	hackberry
T200	DT	40	28	walnut 2 fork
T201	DT	60	54	walnut 2 fork
T202	DT	16	16	walnut
T203	DT	9	9	walnut
T204	DT	6	6	walnut
T205	DT	28	14	walnut
T206	DT	16	16	redbud 2 fork
T207	DT	7	7	walnut
T208	DT	10	10	oak
T209	DT	15	15	walnut
T210	DT	8	8	walnut
T211	DT	30	36	walnut
T212	DT	12	12	walnut
T213	DT	15	15	redbud
T214	DT	16	16	walnut
T215	DT	36	34	walnut 2 fork
T216	DT	30	30	walnut
T217	DT	16	16	walnut 2 fork
T218	DT	8	8	walnut
T219	DT	7	7	walnut
T220	DT	7	7	walnut
T221	DT	6	6	white oak
T222	DT	13	13	white oak
T223	DT	60	50	white oak
T224	DT	8	8	cherry
T225	DT	12	12	privit
T226	DT	28	18	hickory
T227	DT	26	18	walnut
T228	DT	20	18	walnut
T229	DT	34	27	walnut
T230	DT	44	35	cherry 2 fork
T231	DT	30	16	hickory
T232	DT	22	21	cherry
T233	DT	20	18	walnut
T234	DT	20	28	walnut 2 fork
T235	DT	60	42	walnut
T236	DT	36	36	walnut
T237	DT	24	42	walnut 2 fork
T238	DT	22	22	box elder dead
T239	DT	26	25	hickory
T240	DT	22	15	walnut
T241	DT	16	16	walnut
T242	DT	18	18	walnut
T243	DT	44	34	walnut 2 fork
T244	DT	18	13	red bud 4 fork
T245	DT	9	9	dogwood 2 fork
T246	DT	18	18	walnut
T247	DT	11	11	walnut
T248	DT	18	18	hickory
T249	DT	22	20	walnut
T250	DT	25	17	maple
T251	DT	35	30	walnut
T252	DT	26	27	black walnut
T253	DT	26	26	redbud 2 fork
T254	DT	13	13	walnut
T255	DT	19	19	hackberry
T256	DT	60	45	walnut
T257	DT	30	25	hackberry
T258	DT	36	33	hackberry
T259	DT	50	33	white oak
T260	DT	16	16	boxelder
T261	DT	24	20	walnut
T262	DT	13	13	boxelder
T263	DT	7	7	boxelder
T264	DT	7	7	beech
T265	DT	24	20	hickory
T266	DT	18	18	hickory
T267	DT	30	33	hackberry
T268	DT	16	16	hackberry
T269	DT	8	8	hackberry
T270	DT	24	22	hackberry
T271	DT	20	28	hackberry
T272	DT	33	31	hackberry
T273	DT	9	9	hackberry
T274	DT	7	7	hackberry
T275	DT	7	7	hackberry
T276	DT	15	15	hackberry
T277	DT	14	14	hackberry
T278	DT	25	25	cherry
T279	DT	14	14	hackberry
T280	DT	55	55	oak
T281	DT	8	8	bodark
T282	DT	9	9	bodark
T283	DT	36	36	oak
T284	DT	15	15	bodark
T285	DT	32	32	hackberry
T286	DT	8	8	walnut
T287	DT	36	26	hickory 2 fork
T288	DT	24	27	walnut
T289	DT	31	31	walnut
T290	DT	17	17	walnut
T291	DT	23	23	walnut
T292	DT	30	28	oak
T293	DT	56	40	red oak
T294	DT	22	20	ickory
T295	DT	42	42	walnut
T296	DT	22	22	box elder
T297	DT	16	16	box elder
T298	DT	24	24	walnut
T299	DT	24	24	box elder 3 fork
T300	DT	7	7	walnut
T301	DT	6	6	box elder
T302	DT	14	14	box elder
T303	DT	28	28	walnut
T304	DT	34	34	walnut 3 fork
T305	DT	30	25	box elder 2 fork
T306	DT	12	12	ack berry
T307	DT	24	20	cherry 2 fork
T308	DT	16	16	red bud 2 fork
T309	DT	30	25	box elder 2 fork
T310	DT	12	12	red bud
T311	DT	48	30	walnut 3 fork
T312	DT	17	17	hack berry
T313	DT	32	32	walnut
T314	DT	8	8	red bud
T315	DT	6	6	hack berry
T316	DT	9	9	walnut
T317	DT	16	16	red bud
T318	DT	14	14	hack berry
T319	DT	36	20	walnut 2 fork
T320	DT	24	24	hack berry
T321	DT	8	8	cherry
T322	DT	26	24	hackberry
T323	DT	14	14	maple
T324	DT	28	28	maple
T325	DT	48	35	walnut 2 fork
T326	DT	10	10	red bud
T327	DT	8	8	walnut
T328	DT	15	15	red oak
T329	DT	15	15	walnut
T330	DT	15	10	cherry
T331	DT	20	20	maple
T332	DT	22	20	hackberry
T333	DT	8	8	hackberry
T334	DT	18	18	hickory
T335	DT	19	19	maple
T336	DT	30	30	maple
T337	DT	38	28	cherry 2 fork
T338	DT	13	13	hackberry
T339	DT	9	9	hickory
T340	DT	13	13	hackberry
T341	DT	15	15	hickory
T342	DT	10	10	walnut
T343	DT	6	6	walnut
T344	DT	7	7	walnut
T345	DT	18	18	hackberry
T346	DT	13	13	hackberry
T347	DT	8	8	cherry
T348	DT	12	12	bodark
T349	DT	18	18	box elder
T350	DT	7	7	hackberry
T351	DT	8	8	walnut
T352	DT	16	16	cherry
T353	DT	18	18	hackberry
T354	DT	20	20	hickory
T355	DT	8	8	red oak
T356	DT	7	7	red bud
T357	DT	36	30	red oak
T358	DT	14	14	box elder
T359	DT	6	6	box elder
T360	DT	9	9	white oak
T361	DT	10	10	white oak
T362	DT	15	15	white oak
T363	DT	8	8	box elder
T364	DT	48	42	white oak
T365	DT	20	20	walnut
T366	DT	14	14	box elder
T367	DT	15	15	hackberry
T368	DT	15	15	hackberry
T369	DT	18	18	box elder
T370	DT	30	20	box elder
T371	DT	40	30	locust
T372	DT	12	12	box elder
T373	DT	6	6	walnut
T374	DT	6	6	box elder
T375	DT	11	11	beech
T376	DT	12	12	box elder 2 fork
T377	DT	6	6	hickory
T378	DT	32	20	white oak
T379	DT	60	34	box elder 7 fork
T380	DT	60	45	red oak
T381	DT	12	12	box elder
T382	DT	48	35	red oak
T383	DT	20	20	box elder
T384	DT	20	20	box elder
T385	DT	18	18	box elder
T386	DT	32	26	white oak
T387	DT	34	28	hickory
T388	DT	14	14	cherry
T389	DT	15	15	box elder
T390	DT	14	14	box elder
T391	DT	50	40	red oak
T392	DT	30	28	oak
T393	DT	7	7	hackberry
T394	DT	16	16	cherry
T395	DT	52	40	red oak
T396	DT	36	30	red oak
T397	DT	6	6	box elder
T398	DT	32	24	sycamore
T399	DT	30	20	walnut
T400	DT	28	20	walnut
T401	DT	32	32	white oak
T402	DT	48	42	red oak
T403	DT	6	6	hackberry
T404	DT	8	8	hackberry
T405	DT	40	28	red oak
T406	DT	42	32	walnut
T407	DT	36	26	red oak
T408	DT	36	28	red oak
T409	DT	44	44	walnut
T410	DT	24	24	red oak
T411	DT	14	14	box elder
T412	DT	7	7	box elder
T413	DT	14	14	walnut
T414	DT	16	16	walnut
T415	DT	6	6	hackberry
T416	DT	22	20	hackberry
T417	DT	36	36	walnut
T418	DT	20	18	maple
T419	DT	22	18	red bud
T420	DT	6	6	hackberry
T421	DT	12	12	hackberry
T422	DT	12	12	hackberry
T423	DT	18	18	hackberry
T424	DT	6	6	beech
T425	DT	12	12	hickory
T426	DT	6	6	box elder
T427	DT	6	6	box elder
T428	DT	11	11	box elder
T429	DT	18	18	walnut
T430	DT	18	18	persimmon
T431	DT	13	16	hickory
T432	DT	6	6	walnut
T433	DT	20	20	hickory
T434	DT	20	20	walnut
T435	DT	16	16	walnut
T436	DT	36	30	red bud 3 fork
T437	DT	20	20	walnut
T438	DT	26	24	walnut
T439	DT	60	45	walnut 3 fork
T440	DT	36	34	walnut
T441	DT	30	30	walnut 2 fork
T442	DT	6	6	walnut
T443	DT	7	7	bodark
T444	DT	7	7	walnut
T445	DT	18	18	walnut
T446	DT	13	13	hackberry
T447	DT	0	?	?
T448	DT	16	16	walnut
T449	DT	12	12	walnut
T450	DT	18	15	beech
T451	DT	14	14	box elder
T452	DT	26	20	walnut
T453	DT	18	18	walnut
T454	DT	13	13	walnut
T455	DT	14	14	walnut
T456	DT	22	22	cherry
T457	DT	24	24	hackberry
T458	DT	14	14	red oak
T459	DT	34	26	oak
T460	DT	10	10	beech
T461	DT	20	20	oak
T462	DT	24	14	oak
T463	DT	14	14	beech
T464	DT	22	22	hickory
T465	DT	12	12	walnut
T466	DT	6	6	walnut
T467	DT	22	22	walnut
T468	DT	22	22	hickory
T469	DT	13	13	ash
T470	DT	7	7	walnut
T471	DT	32	25	hackberry
T472	DT	18	18	walnut
T473	DT	6	6	hackberry
T474	DT	38	30	walnut
T475	DT	22	22	walnut
T476	DT	8	8	hickory
T477	DT	13	13	walnut
T478	DT	38	15	red oak
T479	DT	8	8	walnut
T480	DT	18	18	walnut
T481	DT	13	13	hackberry
T482	DT	7	7	hackberry
T483	DT	6	6	walnut
T484	DT	16	16	hickory
T485	DT	13	13	walnut
T486	DT	15	20	hickory
T487	DT	15	15	hickory
T488	DT	14	14	walnut
T489	DT	8	8	hackberry
T490	DT	13	13	walnut
T491	DT	13	13	hickory
T492	DT	66	40	white oak
T493	DT	18	18	walnut
T494	DT	13	13	walnut
T495	DT	12	12	walnut
T496	DT	6	6	box elder
T497	DT	15	15	white oak
T498	DT	8	8	hickory
T499	DT	36	32	walnut
T500	DT	12	12	hackberry
T501	DT	13	13	walnut
T502	DT	34	34	walnut
T503	DT	14	14	beech
T504	DT	36	36	box elder
T505	DT	20	20	box elder
T506	DT	32	32	hackberry
T507	DT	22	22	box elder
T508	DT	22	22	hickory
T509	DT	24	24	hickory
T510	DT	22	22	white oak
T511	DT	12	12	hickory
T512	DT	32	32	walnut
T513	DT	7	7	oak
T514	DT	18	18	hickory
T515	DT	7	7	wlanut
T516	DT	7	7	oak
T517	DT	48	24	white oak
T518	DT	36	36	white oak
T519	DT	16	16	beech
T520	DT	14	14	hickory
T521	DT	14	14	hickory
T522	DT	10	10	hickory
T523	DT	7	7	hickory
T524	DT	32	25	beech
T525	DT	22	22	walnut
T526	DT	26	26	red oak
T527	DT	6	6	hickory
T528	DT	34	34	white oak
T529	DT	6	6	hickory
T530	DT	34	34	white oak
T531	DT	7	7	white oak
T532	DT	6	6	dogwood
T533	DT	6	6	hackberry
T534	DT	6	6	oak
T535	DT	32	25	white oak
T536	DT	30	20	white oak
T537	DT	36	20	white oak
T538	DT	6	6	hickory
T539	DT	11	11	red oak
T540	DT	15	15	hickory
T541	DT	26	20	red oak
T542	DT	26	26	hickory
T543	DT	15	15	hickory
T544	DT	6	6	walnut
T545	DT	8	8	hickory
T546	DT	22	22	red oak
T547	DT	7	7	white oak
T548	DT	26	26	beech
T549	DT	20	20	hickory
T550	DT	24	24	hickory
T551	DT	36	30	hickory
T552	DT	30	30	hickory
T553	DT	13	13	cherry
T554	DT	9	9	box elder
T555	DT	13	13	walnut
T556	DT	6	6	beech
T557	DT	9	9	beech
T558	DT	10	10	beech
T559	DT	12	12	beech
T560	DT	13	13	beech
T561	DT	8	8	beech
T562	DT	12	12	hickory
T563	DT	52	36	cayalpa
T564	DT	28	26	beech
T565	DT	22	22	catalpa
T566	DT	6	6	walnut
T567	DT	6	6	box elder
T568	DT	16	16	box elder
T569	DT	16	16	catalpa
T570	DT	36	30	walnut
T571	DT	36	30	walnut
T572	DT	18	18	box elder
T573	DT	16	16	bodark
T574	DT	20	20	sycamore
T575	DT	6	6	cherry
T576	DT	6	6	beech
T577	DT	20	20	beech
T578	DT	22	22	beech
T579	DT	20	20	sycamore
T580	DT	18	18	beech
T581	DT	10	10	beech
T582	DT	8	8	beech
T583	DT	6	6	hickory
T584	DT	8	8	beech
T585	DT	6	6	beech
T586	DT	8	8	beech
T587	DT	6	6	beech
T588	DT	7	7	beech
T589	DT	14	14	beech
T590	DT	8	8	beech
T591	DT	16	16	bodark
T592	DT	20	20	beech
T593	DT	18	18	beech
T594	DT	7	7	locust
T595	DT	6	6	box elder
T596	DT	22	22	hickory
T597	DT	6	6	hickory
T598	DT	32	26	walnut
T599	DT	10	10	hickory
T600	DT	7	7	hack berry
T601	DT	46	30	white oak
T602	DT	46	30	white oak
T603	DT	36	26	oak
T604	DT	8	8	box elder
T605	DT	7	7	beech
T606	DT	23	26	beech
T607	DT	40	30	walnut
T608	DT	36	25	hickory
T609	DT	36	26	walnut
T610	DT	60	50	box elder
T611	DT	15	10	walnut
T612	DT	30	20	cherry
T613	DT	6	6	locust
T614	DT	15	15	cherry
T615	DT	15	15	box elder
T616	DT	20	20	cherry
T617	DT	26	26	beech
T618	DT	13	13	box elder
T619	DT	16	16	hackberry
T620	DT	20	20	box elder
T621	DT	7	7	box elder
T622	DT	32	26	bodark
T623	DT	30	25	box elder
T624	DT	24	24	box elder
T625	DT	32	15	box elder
T626	DT	30	30	bodark
T627	DT	24	16	red bud
T628	DT	30	30	locust
T629	DT	9	9	box elder
T630	DT	26	16	hackberry
T631	DT	36	36	locust
T632	DT	28	28	bodark
T633	DT	48	30	maple
T634	DT	32	32	maple
T635	DT	60	45	maple
T636	DT	20	20	beech
T637	DT	26	20	maple
T638	DT	34	34	box elder
T639	DT	20	20	hickory
T640	DT	12	12	box elder
T641	DT	13	13	hackberry
T642	DT	7	7	hickory
T643	DT	60	45	maple
T644	DT	9	9	hackberry
T645	DT	15	15	walnut
T646	DT	9	9	hack berry
T647	DT	30	30	walnut
T648	DT	34	28	hickory
T649	DT	32	32	red oak
T650	DT	32	32	red oak
T651	DT	20	20	white oak
T652	DT	22	22	red oak
T653	DT	18	18	white oak
T654	DT	20	20	red oak
T655	DT	20	20	cherry
T656	DT	13	13	hickory
T657	DT	15	15	white oak
T658	DT	22	22	red oak
T659	DT	20	20	walnut
T660	DT	18	18	red oak
T661	DT	26	26	box elder
T662	DT	14	14	hickory
T663	DT	7	7	hack berry
T664	DT	18	18	box elder
T665	DT	16	16	walnut
T666	DT	8	8	hackberry
T667	DT	8	8	bodark
T668	DT	24	24	box elder
T669	DT	15	15	hackberry
T670	DT	10	10	hackberry
T671	DT	13	13	box elder
T672	DT	60	60	syacomore
T673	DT	32	32	walnut
T674	DT	15	15	cherry
T675	DT	18	18	hackberry
T676	DT	6	6	hackberry
T677	DT	24	24	red oak
T678	DT	20	20	red oak
T679	DT	48	48	red oak
T680	DT	36	36	red oak
T681	DT	28	28	red oak
T682	DT	12	12	red oak
T683	DT	16	16	box elder
T684	DT	15	15	box elder
T685	DT	13	13	box elder
T686	DT	7	7	box elder
T687	DT	6	6	hackberry
T688	DT	34	34	sycamore
T689	DT	6	6	hackberry
T690	DT	13	13	hackberry
T691	DT	13	13	white oak
T692	DT	16	16	hickory
T693	DT	6	6	red oak
T694	DT	6	6	cherry
T695	DT	34	34	red oak
T696	DT	6	6	dogwood
T697	DT	32	32	white oak
T698	DT	6	6	red oak
T699	DT	32	32	white oak
T700	DT	32	32	white oak
T701	DT	22	22	walnut
T702	DT	40	40	white oak
T703	DT	8	8	hickory
T704	DT	8	8	cherry
T705	DT	28	28	oak
T706	DT	24	24	sycamore
T707	DT	22	22	hickory
T708	DT	10	10	hickory
T709	DT	18	18	red oak
T710	DT	32	32	cherry
T711	DT	42	42	white oak
T712	DT	36	36	red oak
T713	DT	16	16	oak
T714	DT	16	16	locus
T715	DT	28	28	red oak
T716	DT			red bud (dead)
T717	DT	7	7	red bud
T718	DT	18	18	walnut
T719	DT	32	32	walnut
T720	DT	6	6	red oak
T721	DT	18	18	walnut
T722	DT	7	7	hackberry
T723	DT	28	28	walnut
T724	DT	20	20	red oak
T725	DT	20	20	red oak
T726	DT	18	18	hackberry
T727	DT	6	6	box elder
T728	DT	12	12	box elder
T729	DT	9	9	box elder
T730	DT	18	18	box elder
T731	DT	24	24	hackberry
T732	DT	20	20	box elder
T733	DT	32	28	locust
T734	DT	7	7	hackberry
T735	DT	6	6	box elder
T736	DT	6	6	hackberry
T737	DT	40	32	walnut
T738	DT	32	26	walnut
T739	DT	8	8	hackberry
T740	DT	14	14	hackberry
T741	DT	18	18	walnut
T742	DT	32	32	walnut
T743	DT	10	10	walnut
T744	DT	6

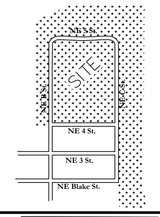
Boundary/Topographic Survey



Match-line See Sheet 5 of 9

Match-line See Sheet 4 of 9

Vicinity Map



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NORTH

Scale: 1" = 20'

0 20' 40'

DATE	REVISION	BY

FIRM:
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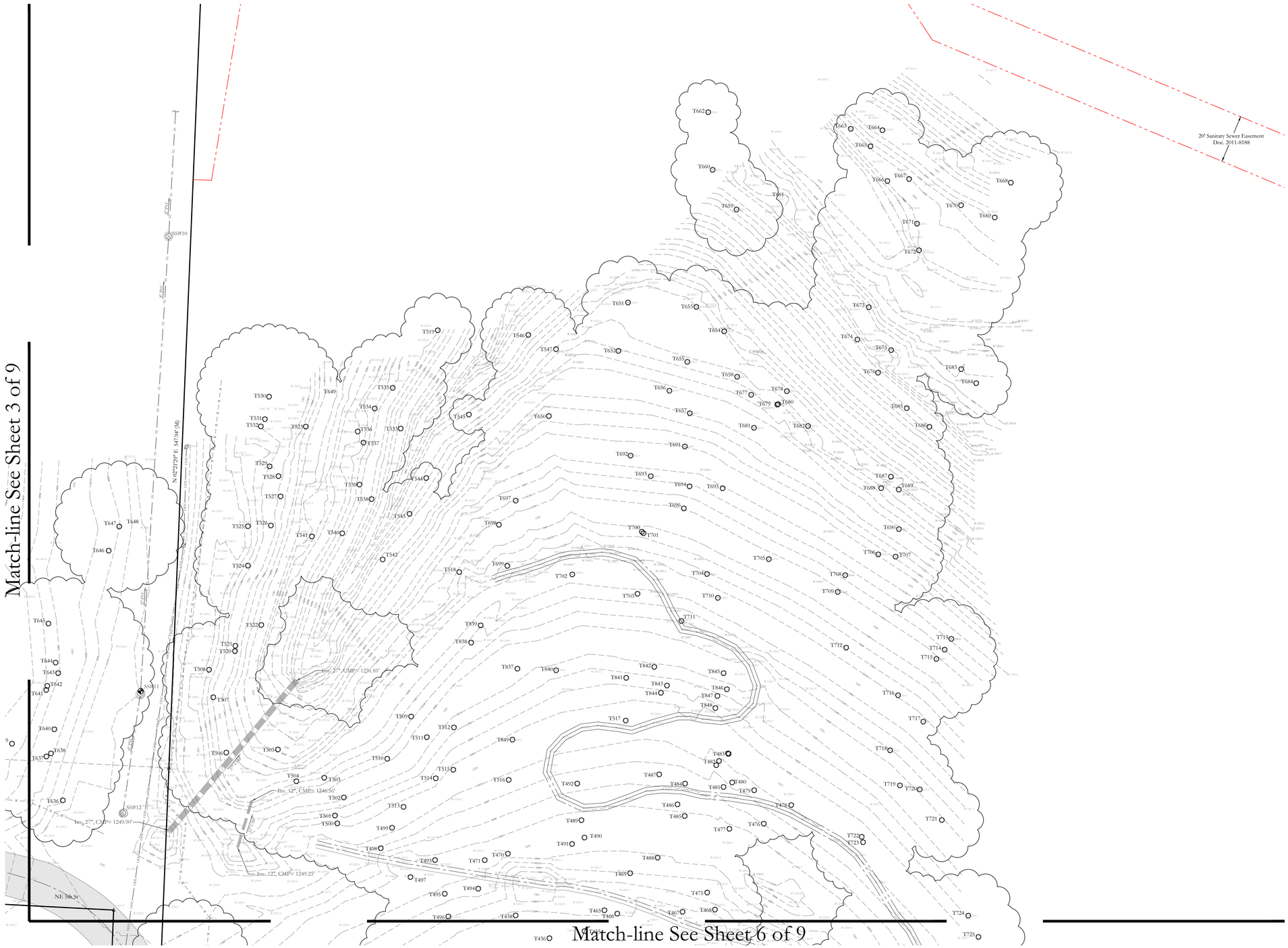
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DLD 5/18/2021	PRS/GC	DDA

COUNTY & STATE:	JOB NUMBER:
Benton, Arkansas	21-0045

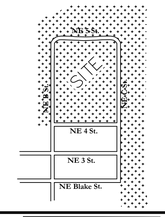
LOCATION:
Along NE B St, NE C St. & NE 5th St., Bentonville, AR.

FOR THE USE AND BENEFIT OF:
CESO, Inc.

Boundary/Topographic Survey



Vicinity Map



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Scale: 1" = 20'

0 20' 40'

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DLD 5/18/2021	PRS/GC	DDA

COUNTY & STATE:	JOB NUMBER:
Benton, Arkansas	21-0045

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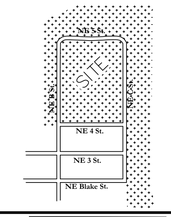
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Boundary/Topographic Survey

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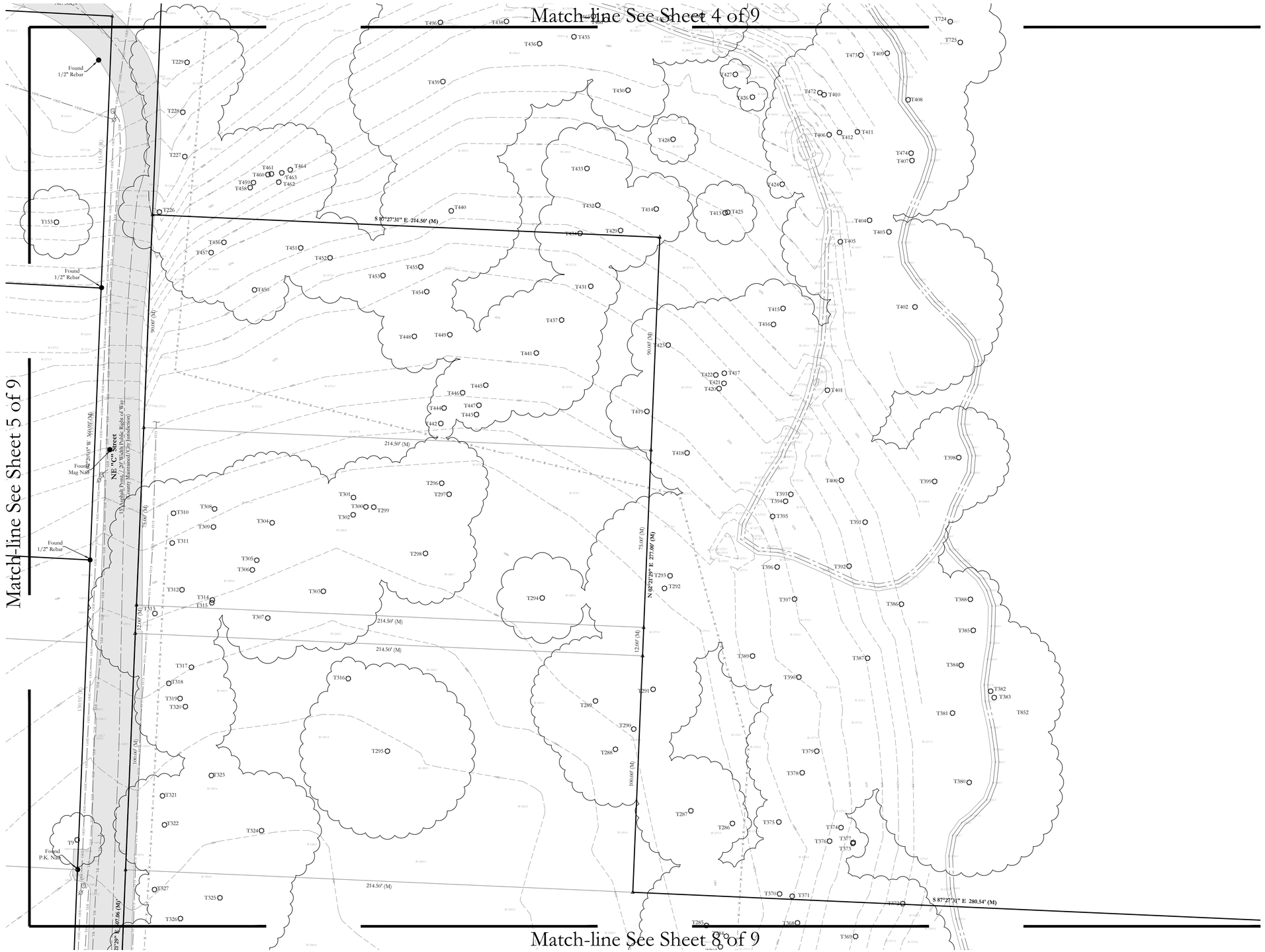
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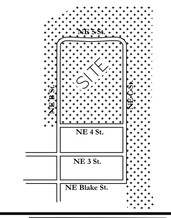
CESO, Inc.

Boundary/Topographic Survey

Match-line See Sheet 4 of 9



Vicinity Map



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TC	Top of Concrete	BH.	Building Height Limit
BC	Building Corner	F.F.	Finished Floor

NORTH

Scale: 1" = 20'

0 20' 40'

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DRAWN BY & DATE:	REVISED BY:	SURVEYED BY:
DLD 5/18/2021	PRS /GC	DDA
COUNTY & STATE: Benton, Arkansas	JOB NUMBER: 21-0045	

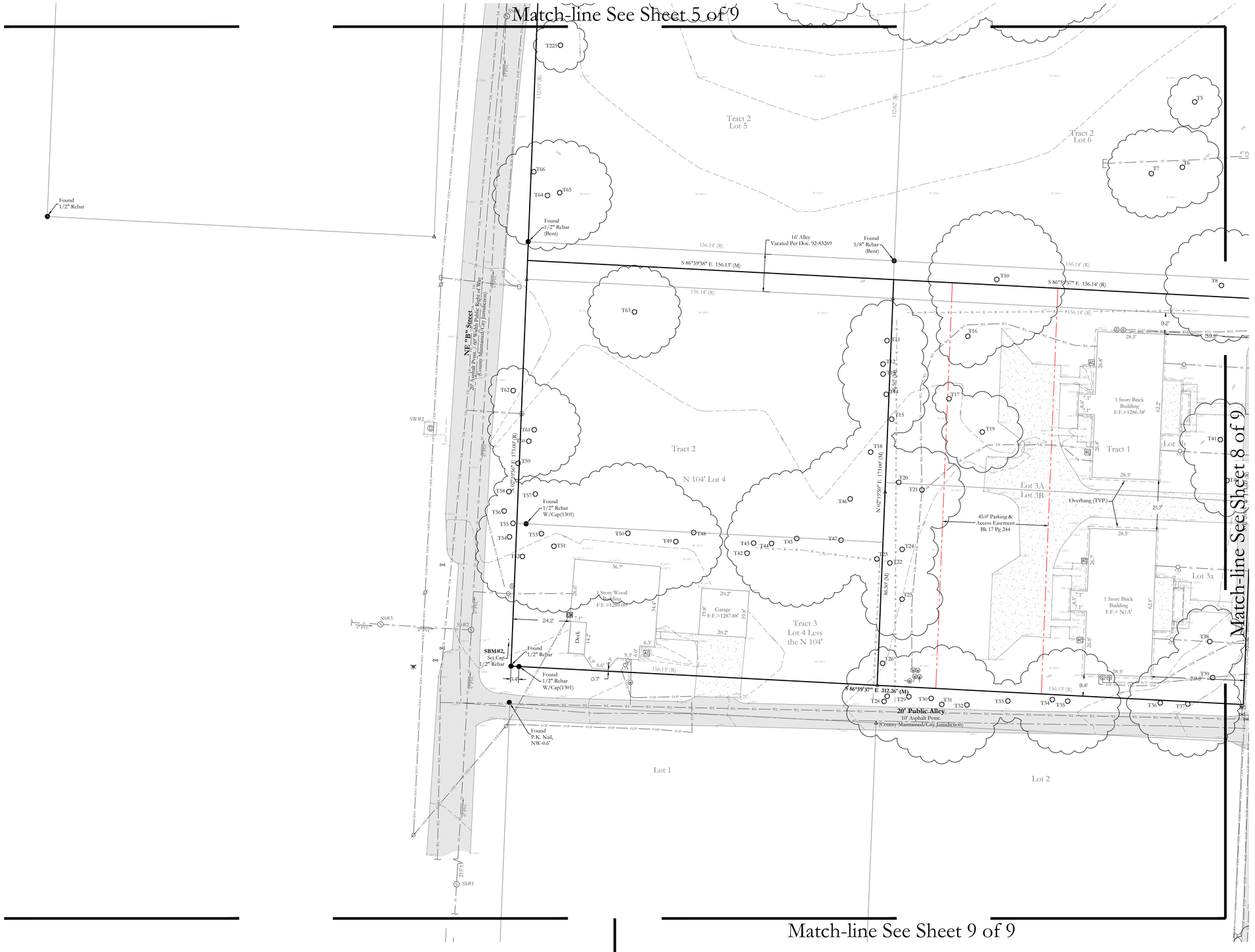
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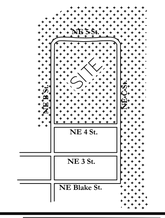
CESO, Inc.

DATE	REVISION	BY

Boundary/Topographic Survey



Vicinity Map



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NORTH

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0 20' 40'

DATE	REVISION	BY

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COUNTY & STATE: Benton, Arkansas	JOB NUMBER: 21-0045	

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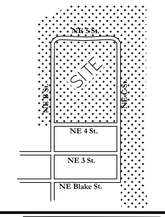
CESO, Inc.

Boundary/Topographic Survey

Match-line See Sheet 6 of 9



Vicinity Map



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FOR THE USE AND BENEFIT OF: CESO, Inc.

DATE	REVISION	BY

Boundary/Topographic Survey

Match-line See Sheet 8 of 9

Match-line See Sheet 7 of 9

LINE	BEARING	DISTANCE
L1 (M)	N 86°45'24" W	14.71'

Found 1/2" Rebar Cap#4 (1370)

S 02°38'09" W 137.65' (M)

Found 1/2" Pipe W/Cap(1370)

N 02°21'25" E 149.77' (M)

Found 1/2" Pipe W/Cap(1260)

Found 1/2" Pipe W/Cap(1370)

N 87°21'21" W 167.98' (M)

N 87°21'15" W 125.00' (M)

S 87°28'00" E 114.43' (M)

N 03°19'14" E 75.43' (M)

N 86°45'15" W 14.84' (M)

Found 5/8" Rebar

Found 3/4" Pipe

N 02°15'11" E 232.55' (M)

N 02°21'18" E 74.39' (M)

Inv. 15", CPP= 1278.90'

1 Story Wood Shed

1 Story Type Building F.F.=1282.38'

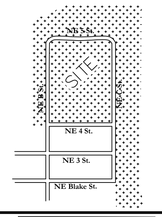
NE "C" Street
20' Asphalt Pvmt. / 60' Width Public Right of Way
(County Maintained/City Jurisdiction)

NE 3rd Street
10' Asphalt Pvmt. / 20' Width Public Right of Way
(County Maintained/City Jurisdiction)

NE Blake Street
20' Asphalt Pvmt. / 52' Width Public Right of Way
(County Maintained/City Jurisdiction)

LOT 2

Vicinity Map



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LOCATION: Along NE B St, NE C St. & NE 5th St., Bentonville, AR

FOR THE USE AND BENEFIT OF:

CESO, Inc.


1 ACRE HOUSE LOT
POTENTIAL FUTURE FAMILY LOT
30' Required SetBack
11' Proposed SetBack
POTENTIAL SITE OF ENTERTAINMENT BARN/POOL COMPLEX
NEW DRIVEWAY CONNECTED TO EXISTING ROAD
EXISTING PARKING FOR CRYSTAL BRIDGES TRAILS
DISCREET EASEMENT REQUIRED FOR UTILITY ACCESS
NATURAL BUFFER / SCREENING FROM PUBLIC WAY
NATURAL BUFFER/ SCREENING FROM PUBLIC WAY
Block 1 Dunnings
Block 1 Dunnings
County Addition
Block 1 Dunnings
Utility Easement
Utility Easement
Utility Easement

Civil Engineering, Landscape Architecture,
Survey, Planning & Program Management

3108 SW Regency Parkway
Bentonville, AR 72712
Office: 479.273.9472
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ceieng.com

November 22, 2021

City of Bentonville
Board of Adjustment
305 S.W. "A" Street
Bentonville, AR 72712

Dear Members of the Bentonville Board of Adjustment:

RE: Building Setback Variance Request
Zone A-1 Agricultural
Benton County Parcels 01-00365-000, 01-00363-000, 01-00364-000, and 01-00366-000

On behalf of Crystal Lands, LLC, CEI respectfully requests variance of the current Zoning Code to accommodate construction of a single-family dwelling on the subject properties. In a related action, the property owner shall be submitting an Incidental Plat for the combination of the referenced parcels with the abutting parcel situated to the east and a vacation request for the NE C Street right of way.

The property owners have engaged a team of consultants to develop and implement a plan to provide for their privacy and ensure their safety. As such, several actions have been discussed with City electric, utilities, planning, and engineering staff and shall be pursued in order to execute the strategy. Please see the attached Exhibit A submitted by the owner's representative.

We are requesting a variance from Section 401.06(b)(2) *Minimum Setback Standards.* The properties are zoned A-1 Agriculture with a required minimum front setback of 30'; the pending lot combination and street vacation will resolve side and rear setbacks. The property owners submit the following for consideration:

1. Request that the 30-ft front setback be varied and replaced with an11-ft front setback.
2. The property owners have expressed urgency for the start of construction, which must occur in early January, 2022. The requested variance is necessary in order to secure a Building Permit and meet the construction start date without violation of setback requirements in this zone. In the event that the requested variance is not granted, a series of scheduled tasks for implementation of security measures and features will be delayed.
3. In a subsequent action, the property owner shall be submitting a street vacation request for NE C Street, after which the prescribed 30' front setback would be met provided that the right-of-way reverts to the abutting owners to the street centerline in accordance with the typical process.
4. The proposed home has been situated on the property such that it does not compromise the viewshed of an existing historic home as well as another home on the property. This location encroaches 19 feet into the setback, necessitating the requested variance.
5. The property owner has obtained ownership of all properties within the bounds of NE B St., NE 5th St., NE C St., and to the north of a public alley to the south closing this looped boundary (these streets create a dead-end situation only accessible from NE B or NE C on the south end of the loop). As such and as previously noted, there are no properties owned by anyone other than the applicant and granting of this variance creates no detriment to neighbors or other members of the public. Full implementation of the owners plans anticipated to be submitted and approved by the city is expected within the 1st quarter of 2022.
6. Upon approvals of forthcoming requests and full implementation of the plan, the subject home will have a front setback in excess of 300 feet from the public street, NE B Street.

See attached site plan for depiction of the proposed setback. We appreciate your consideration of this request and believe approval of this request and additional actions to be processed through City permitting will result in the improved security of this property owner and the public at large. Thank you in advance for your time and attention to our submittal.

Respectfully submitted,
CEI Engineering Associates, Inc.



Nate Bachelor, PE
Project Manager

Attachments: Exhibit A, Effectus Group Letter
Exhibit B, Site Plan

cc: Garett Essl, Effectus Group

November 11, 2021

City of Bentonville
Board of Adjustments
305 SW A Street
Bentonville, AR 72712

To whom it may concern,

This variance application is based on an undue security and safety hardship that is being created by following the standard city process/ordinances.

Due to the property owner's unique involvement in the community, this ownership has drawn the lure of increased attention and focus, including but not limited to golf cart tours of their primary residences.

Various family members are the sole owners & neighbors, through various investments and partnerships, that are directly contingent to this property consolidation request. The duration of wait of the "standard process" is going to expose all family members to unique and longer-term security and safety risks.

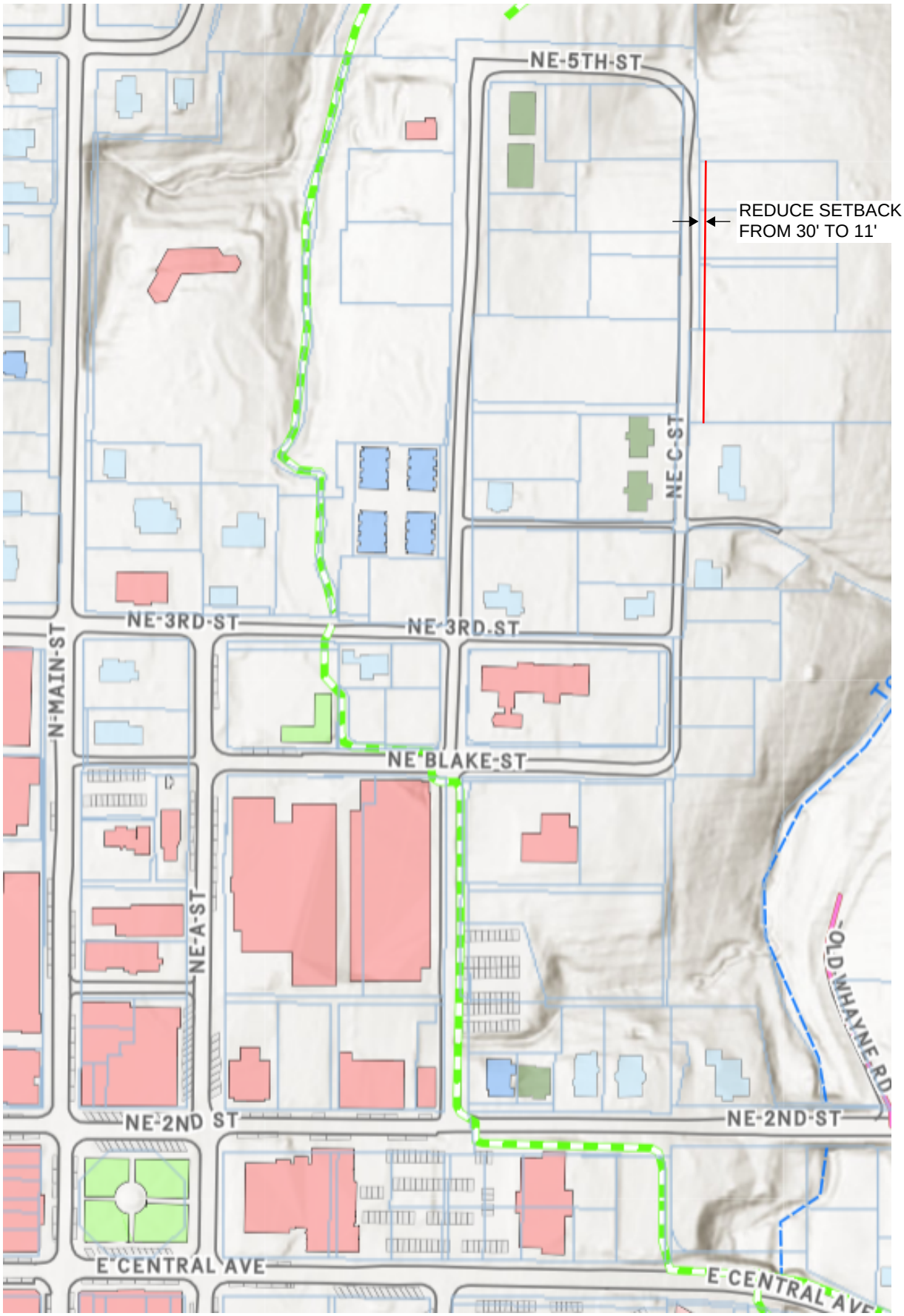
Access, knowledge, and visibility into security infrastructure improvements on the future private property could actually degrade its future benefit and effectiveness.

We appreciate your consideration.

Sincerely,

Garett G. Essl
Effectus Group
Owners Representative
SLW HoldCo, LLC

Exhibit A
Building Setback Variance Request
Crystal Lands, LLC
NE C Street



CEI
Solutions for Land and Life

Exhibit B
Building Setback Variance Request
Crystal Lands, LLC
NE C Street