



**Board of Adjustments
Meeting Agenda
August 14, 2024
Bentonville City Hall
Meeting Time: 4:00 PM**

Registration Link: <https://us06web.zoom.us/j/88943558986>

- I. Call to Order**
- II. Approval of Minutes**
 - 1. July 10th Meeting Minutes** **Approval of Meeting Minutes**
- III. New Business**
 - 1. Richardson** **Variance***
7306 Southwest Walnut Grove Avenue ([VAR24-0011](#))
Section 401.07 of the Zoning Code
 - 2. Stricklin** **Variance***
408 West Central Avenue ([VAR24-0013](#))
Section 401.07 of Zoning Code
 - 3. Brewer** **Variance***
North Main Street ([VAR24-0015](#))
Variance from Section 401.03 and 401.07 of the Zoning Code
 - 4. Haney** **Variance***
1003 Northwest A Street ([VAR24-0016](#))
Section 401.07-B of the Zoning Code
- IV. Old Business**
- V. Other Business**
 - 1. Variance Application Process** **Informational**
- VII. Adjournment**



**Board of Adjustments
Meeting Agenda
July 10, 2024
Bentonville City Hall
Meeting Time: 4:00 PM**

Meeting Recording: https://us06web.zoom.us/rec/share/lwYLrVq_q-Fcs5uITyiBXsd_uRIWFhwL8DceFz1WmYQ3bgOqlhNF5ugEhcnm1yna.p8k-0y7UvW6qYKEc?startTime=1719435449000

I. Call to Order

- Meeting called to order at 4:00 PM by Chairman Kruithof.
- Members present: BJ Phillips, Celia Swanson, Dean Kruithof, Joe Haynie
- Members absent: Sam Pearson
- Staff present: Keegan Stanton, Brittany Chue, Sophie McAdara, Tom Adler

II. Approval of Minutes

1. June 26th Meeting Minutes

Approval of Meeting Minutes

- Minutes are approved 3-0. Mrs. Swanson arrives after the vote to approve the minutes.

III. New Business

2. Bentonville School District

Variance*

500 Southeast 14th Street ([VAR24-0012](#))

Section 801.15 of the Zoning Code

- Mr. Stanton provides an overview of the staff report.
- Mike Jones, representing the applicant, is here for any questions and provides an overview of the variance request.
- Chairman Kruithof provides comments regarding a past church variance where a wall sign was granted in an A-1 district.
- Mr. Phillips requests that staff look at the A-1 zoning conditional uses regulations to allow for a broader range of sign types that correspond with the conditional use.
- Mr. Adler responds that the city is working with DPZ to develop a code update for this issue.
- Motion to approve variance by Phillips, second by Swanson.
- Variance is approved 4-0.

IV. Old Business

1. Haney

Variance*

1003 Northwest A Street ([VAR24-0009](#))

Sec. 401.07-B Downtown Neighborhood Districts Regulations (e) DN districts setback standards

- Mr. Stanton provides an overview of the staff report.
- Applicant Mark Haney is here for any questions and provided an overview of the variance request.
- Applicant provides an update on the fire department's comments on the site.
- Chairman Kruithof raises concern over not having anything on record regarding Building and Fire's updates.
- Applicant provides an update on the lot split process for the lot.
- The Board discusses their discomfort with approving an incomplete site plan and approving a 5-foot setback along the park.
- Chairman Kruithof states that he would be a no vote and gave the applicant an opportunity to table or withdraw and come back with a list of items the board would like to see with a second submission, including a final site plan, approved building permits, and permission from the fire department.
- Applicant requests to withdraw the variance.

V. Other Business

1. Board Discussion

Recommendation*

- Chairman Kruithof requests that staff looks into a way to ensure that future board members have a way of referencing past projects to provide consistency in the process.

VI. Adjournment

- Meeting Adjourned.



Richardson

7306 Southwest Walnut Grove Avenue

BOA Date: 8/14/2024

Staff Report Details

Project Number	VAR24-0011
Applicant / Current Owner	RLP INVESTMENTS, INC / Danielle Richardson
Site Area	+/- 0.18 Acres
Current Zoning	R-1, Low-Density Single-Family Residential
Variance Request	Rear building setback
Related projects	RES23-0550

Property Description

The subject property is located at 7306 Southwest Walnut Grove Avenue. The property is presently zoned R-1, Low Density Single Family Residential, with a future land use designation of Residential Estate.

Regulation

Article 401 Zoning District Regulations, Section 401.07 Residential (R) Districts Regulations, Sub-section (c) Residential (R) districts setback standards:
R-1, Low Density Single Family Residential allows a minimum rear setback of 25 feet.

Variance Request

One variance is requested:
Variance 1: A variance of 7 feet on the rear building setback to allow for a change from the 25-foot rear setback requirement to an 18-foot rear setback.

Background

Background

Background

The applicant is requesting a 7-foot variance to allow for an 18-foot rear building setback instead of the 25-foot rear building setback requirement for R-1, Low Density Single Family Residential. The applicant states in their narrative that due to an error and mistake by the sub-contractor that laid out the house, the structure was constructed 18 feet from the rear property line. Due to this error, the applicant is requesting a variance of 7 feet on the rear building setback.

This report will consider and analyze this request based upon the six conditions of approval from the Zoning Code. Said conditions of approval will be bolded to differentiate from staff commentary.

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;

The applicant states that Special Circumstances and conditions exist from the sub-contractor's mistake of placing the residential structure in the wrong spot on the subject property, which is not applicable to other lands, structures, 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;

The applicant states that literal interpretation of the provisions of the building setback requirement would deprive the applicant of rights commonly enjoyed by other properties in this district – namely the peaceful occupancy and enjoyment of their property.

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

The applicant states the layout in question was performed by sub-contractors and does not result from the actions of the applicant.

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.

The applicant states the home in question is constructed, existing on the lot, and is not capable of being moved without great expense, if at all. Granting this variance will not confer any special privilege upon the applicant that is denied to other lands in the same district – as they are built in conformity to the setback requirement.

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.

There are no nonconforming uses of neighboring lands, structures, or buildings in the same district.

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.

The applicant has provided a site plan demonstrating how the variance requested is on the rear

Background

building line of the property to the north side of the lot, which would be the minimum variance required for the reasonable use of the building.

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.

The variance requested would have little impact on the public space. The variance will not be injurious to the neighborhood or detrimental to 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.

The Board has the authority to attach any conditions to a variance request that it deems appropriate. Any conditions proposed with a variance approval should be clearly stated into the record in the approval motion.

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.

The applicant's request does not include a variance of use.

Conclusion

The owner, Danielle Richardson, is applying for a 7-foot variance on a rear building setback because the sub-contractor made a mistake in placing the building 7 feet past the required 25-foot rear building setback. Special circumstances and conditions exist from the sub-contractor's mistake on building placement, not caused by the actions of the applicant, which is not applicable to other lands, structures, or buildings in the same district. Literal interpretation of the provisions of the building setback requirement would deprive the applicant of rights commonly enjoyed by other properties in this district – peaceful occupancy and enjoyment of their property. There are no nonconforming uses of neighboring lands, structures, or buildings in the same district. The applicant has requested the minimum variance necessary for reasonable use of the building. The variance requested would have little impact on the public space. The variance will not be injurious to the neighborhood or detrimental to public welfare. The Board has the authority to attach any conditions to a variance request that it deems appropriate. The applicant's request does not include a variance of use.

Ultimately, the Board must find all six criteria to have been met for the approval of a variance request.

Public Comment

Has Staff received Public Comment at the time of this report?: **No**

Conditions of Approval

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, structures 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.



BOA Item

SW BARRON RD

Richardson

SW WALNUT GROVE AVE

SW SPINDLE ST

SW HIGH MEADOW BLVD

VAR24-0011

**Danielle Richardson
7306 SW WALNUT GROVE AVE**



Variance Request – Building Setback
7306 SW Walnut Grove
Walnut Grove Subdivision
Bentonville, AR 72713

Dear Board of Adjustments:

The applicant sub-contracted the layout and construction of the residential house located at the above referenced address.

Per Article 401 Zoning District Regulations, Section 401.07 Residential (R) Districts Regulations, Sub-section (c) Residential (R) districts setback standards, the Rear Setback, for R-1, Single Family Residential districts, is 25 feet.

Due to an error and mistake by the sub-contractor that layed out the house, the structure was constructed 18 feet from the rear property line. Due to this error, the applicant is requesting a Variance of 7 feet on the rear building setback.

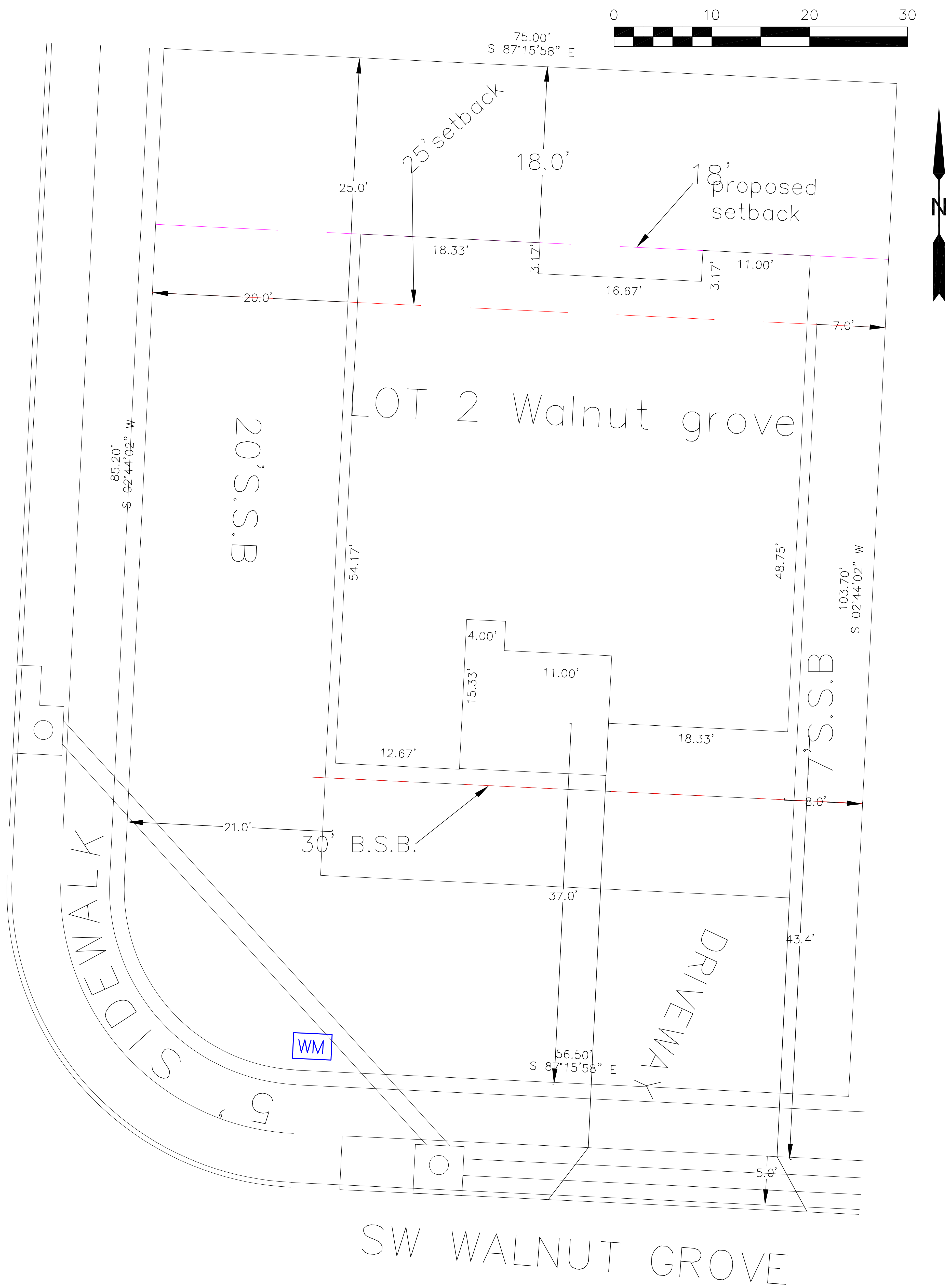
Grounds

The Special Circumstances and conditions are that this was a mistake in placing of the residential structure at the address in question. This request would NOT be applicable to other lands, structure or buildings in the same district.

Literal interpretation of the provisions of the building setback requirement would deprive the applicant of rights commonly enjoyed by other properties in this district – namely the peaceful occupancy and enjoyment of their property.

The layout in question was performed by sub-contractors and does not result from actions of the Applicant.

The home in question is constructed, existing on the lot, and is not capable of being moved without great expense, if at all. Granting this variance will not confer any special privilege upon the Applicant that is denied to other lands in the same district – as they are built in conformity to the setback requirement.



**Stricklin**

408 West Central Avenue

BOA Date: 8/14/2024**Staff Report Details**

Project Number	VAR24-0013
Applicant / Current Owner	Flintlock LTD Co / Adam Stricklin
Site Area	+/- 0.3 Acres
Current Zoning	R-3, Medium-High Density Multifamily Residential
Variance Request	Interior side building setback
Related projects	VAR24-0008

Property Description

The subject property is located at 408 West Central Avenue. The property is presently zoned R-3, Medium-High Density Multifamily Residential, with a future land use designation of Low-Density Residential.

Regulation

Article 401 Zoning District Regulations, Section 401.07 Residential (R) Districts Regulations, Sub-section (c) Residential (R) districts setback standards:
R-3, Medium-High Density Multifamily Residential allows a minimum interior side setback of 10 feet.

Variance Request

One variance is requested:
Variance 1: A variance of 7 feet on the interior side building setback to allow for a change from the 10-foot interior side setback requirement to a 3-foot interior side setback.

Background

Background

The applicant is requesting a 7-foot variance to allow for a 3-foot interior side building setback instead of the 10-foot interior side building setback requirement for R-3, Medium-High Density Multifamily Residential. The applicant originally applied for a variance (VAR24-0008) in May 2024, but the request was withdrawn by the applicant in June 2024. The applicant's previous site plan is included (last 12 pages of the packet), along with the new proposed site plan to provide more information on the history of the project and the square footage of the Accessory Dwelling Unit (ADU), which affects setbacks. The ADU is proposed to be 760 square feet (as shown in the previous site plan). Based on Article 601 Use Regulations, Section 601.01 Accessory Structures, a building that has a footprint greater than 720 square feet is required to have the same side setback as the zoning district in which it is located. Therefore, the ADU must have the same interior side setback as the R-3, Medium-High Density Multifamily Residential zoning district, which is a minimum of 10 feet.

The applicant states in their narrative that the carved-out area around the air-conditioning units on the property line to the east (see attached plot plan) represents a special circumstance that will have a unique and adversarial effect on the detached garage directly across from it. The applicant states if the eastern property line was a straight line, no variance would be needed to line the garage up with the rest of the house that goes with it.

This report will consider and analyze this request based upon the six conditions of approval from the Zoning Code. Said conditions of approval will be bolded to differentiate from staff commentary.

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;

The applicant states that the carved-out area around the air-conditioning units (see attached plot plan) represents a special circumstance that will have a unique and adversarial effect on the detached garage directly across from it. If the eastern property line was a straight line, no variance would be needed to line the garage up with the rest of the house that goes with it. The applicant states that as it stands currently, they will have to be approximately 13 feet away from most of the property line. This is causing a "jog" in the proposed lot lines (see attached plot plan).

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;

The applicant states that literally interpreted, they are being asked to be approximately 13 feet from the majority of their eastern line due to this special condition. Allowing their variance will not set any kind of precedent or violate the spirit of the zoning in any way.

However, the applicant will only need to be 10 feet from the eastern property line because 10 feet is the interior side minimum setback for R-3, Medium-High Density Multifamily Residential.

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

The applicant states this condition pre-dates their purchase of the property.

Background

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.

Granting the variance requested will confer on the applicant a special privilege of a 3-foot interior side setback denied to other 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.

There are no nonconforming uses of neighboring lands, structures, or buildings in the same district.

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.

This variance is not necessary for the applicant to enjoy the reasonable use of their ADU. The applicant could have a smaller size ADU of 720 square feet or less to have a 7-foot setback and make the ADU longer instead of wider to meet the required setbacks.

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.

The variance requested would have little impact on the public space. The variance will not be injurious to the neighborhood or detrimental to 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.

The Board has the authority to attach any conditions to a variance request that it deems appropriate. Any conditions proposed with a variance approval should be clearly stated into the record in the approval motion.

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.

The applicant's request does not include a variance of use.

Conclusion

The owner, Joseph Hayes, is applying for a 7-foot variance on an interior side building setback from the required 10 feet to 3 feet because he would like to line up the garage with the ADU in a straight line for the eastern lot. The applicant states that the carved-out area around the air-conditioning units (see attached plot plan) represents a special circumstance that will have a unique and adversarial effect on the detached garage directly across from it. If the eastern property line was a straight line, no variance would be needed to line the garage up with the rest of the house that goes with it. The applicant believes they will be deprived of rights commonly enjoyed by other properties in the same district. However, the applicant can still enjoy access to

Background

their ADU without this variance. Granting the variance requested will confer on the applicant a special privilege of a 3-foot interior side setback denied to other buildings in the same district. There are no nonconforming uses of neighboring lands, structures, or buildings in the same district. This variance is not necessary for the applicant to enjoy the reasonable use of their ADU because the square footage can be adjusted to meet the setback requirements. The variance requested would have little impact on the public space. The variance will not be injurious to the neighborhood or detrimental to public welfare. The Board has the authority to attach any conditions to a variance request that it deems appropriate. The applicant's request does not include a variance of use.

Ultimately, the Board must find all six criteria to have been met for the approval of a variance request.

Public Comment

Has Staff received Public Comment at the time of this report?: **No**

Conditions of Approval

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

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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.



Pending PC Items

NW 2ND ST

Stricklin

W CENTRAL AVE

SW D ST



VAR24-0013
Adam Stricklin
408 W. Central Ave



- **Narrative.** Written explanation of the appeal demonstrating each of the following criteria:
 - That special conditions and circumstances exist which are peculiar to the land, structure, or building involved and which are not applicable to other land structures or buildings in the same district.
 - The carved out area around the air-conditioning units (see attached plot plan) represents a special circumstance that will have a unique and adversarial effect on the detached garage directly across from it. If the eastern property line was a straight line, no variance would be needed to line the garage up with the rest of the house that goes with it. As it stands currently, we will have to be approximately 13 feet away from most of the property line (normal setback is 7 ft). This is causing a “jog” in the proposed lot lines (see attached plot plan).
 - That 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.
 - Literally interpreted, we are being asked to be approximately 13 feet from the majority of our eastern line due to this special condition. Allowing our variance will not set any kind of precedent or violate the spirit of the zoning in any way.
 - That the special conditions and circumstances do not result from the actions of the applicant.
 - This condition pre-dates our purchase of the property.



NOT FOR
CONSTRUCTION

408 W
CENTRAL AVE
Bentonville,
Arkansas

PERMIT PLANS

DRAWN BY:
CHECKED BY:

DRAWING TITLE

SITE PLAN

DATE: May 21, 2024
SCALE:

DRAWING NUMBER

L1.0

Notes:

- Except as specifically stated or shown on this plat, the survey does not purport to reflect any of the following which may be applicable to the subject real estate:

Easements, other than possible easements which were visible at the time of making of this survey; building setback lines; restrictive covenants; subdivision restrictions; zoning or other land-use regulations, or any other facts which an accurate and current title search may disclose.
- Every document of record reviewed and considered as a part of this survey is noted hereon. Only the documents noted hereon were supplied the surveyor.
- This plat represents a boundary survey of the parcel recorded in Deed Records, Book L202409034 at the Office of the Circuit Clerk Benton County, Arkansas.
- Basis of Bearings: Arkansas State Plane System North Zone (NAD83).
- This survey is valid only if the drawing includes the seal and signature of the surveyor.
- This survey meets current "Arkansas Minimum Standards for Property Boundary Surveys and Plats."
- Declaration is made to the original purchaser of the survey and is not transferable to any additional institutions or subsequent owners.
- Setbacks shall be per the current zoning district as stated in the most recent City of Bentonville Zoning Code. For more info visit <http://www.bentonvilleplanning.com/> or call the Planning Department @ 479-271-3122..
- No attempt was made to show building setback lines graphically on the survey.
- Subsurface and environmental conditions were not examined nor considered a part of this survey.
- No attempt has been made as a part of this boundary survey to obtain or show data concerning existence, size, depth, condition, capacity, or location of any utility or facilities.
- All access shall be from NW 2nd Street.
- There are no waivers, variances and/or conditional uses at the time of preparing this plat or plan.
- (BY GRAPHICAL PLOTTING ONLY)
This property is not located within any presently established 100-year flood plain as determined by the National Flood Insurance Program, flood insurance rate map for Benton County, Arkansas. Map Number 05007C0255K. Revised date 6/5/2012

PARENT SURVEY DESCRIPTION (TAKEN FROM DEED L202409034:

The W 1/2 of Lot 159 in the Original Town of Bentonville, Benton County, Arkansas, as shown in County Court Record "S" at Pages 75 and 76.

Less and Except: Commencing at the Southeast Corner of the W 1/2 of said Lot 159; thence North 01°37'51" East along the East line of said West half of Lot 159 for 129.52 feet to a set iron pin for the Point of Beginning; thence leaving said East line North 88°22'09" West 6.64 feet to a set iron pin; thence North 01°37'51" East 23.0 feet to a set iron pin; thence South 88°22'09" East 6.64 feet to a set iron pin on the said East line; thence South along said East line to the Point of Beginning.

NEW LOT 234 SURVEY DESCRIPTION:

A PART OF THE WEST HALF (W 1/2) OF LOT 159 IN THE ORIGINAL TOWN OF BENTONVILLE, BENTON COUNTY, ARKANSAS AS SHOWN IN COUNTY COURT RECORD "S" AT PAGES 75 AND 76, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT THE SOUTHWEST (SW) CORNER OF LOT 159 OF THE ORIGINAL TOWN OF BENTONVILLE BEING A FOUND PIPE: THENCE NORTH 01°39'29" EAST A DISTANCE OF 2.80 FEET TO A SET 5/8" REBAR PLS 1845 BEING THE POINT OF BEGINNING

THENCE NORTH 01°39'29" EAST A DISTANCE OF 162.20 FEET; THENCE SOUTH 88°26'23" EAST A DISTANCE OF 82.25 FEET TO A SET 5/8" REBAR PLS 1845; THENCE SOUTH 01°14'57" WEST A DISTANCE OF 12.38 FEET TO A MAGNETIC SOUNDING; THENCE NORTH 88°44'47" WEST A DISTANCE OF 6.58 FEET TO A FOUND 5/8" REBAR PLS 1286; THENCE SOUTH 01°56'48" WEST A DISTANCE OF 22.96 FEET TO A FOUND 5/8" REBAR PLS 1286; THENCE SOUTH 88°52'41" EAST A DISTANCE OF 6.64 FEET TO A FOUND 5/8" REBAR PLS 1286; THENCE SOUTH 01°13'11" WEST A DISTANCE OF 127.03 FEET TO A SET 5/8" REBAR PLS 1845; THENCE NORTH 88°20'06" WEST A DISTANCE OF 83.25 FEET TO THE POINT OF BEGINNING, CONTAINING 0.30 ACRES OR 13,263 SQUARE FEET MORE OR LESS. SUBJECT TO ANY EASEMENTS OR RIGHTS-OF WAY OF RECORD OR FACT.

Vicinity Map N.T.S.



OWNER INFORMATION:
408 W CENTRAL REVOCABLE TRUST NUMBER ONE & 408 W CENTRAL REVOCABLE TRUST NUMBER TWO -CURRY, ANDREW T CURRY, ANDREW T TRUSTEE
PO BOX 2006
BENTONVILLE AR 72712

CITY PROJECT: #PLA24-016

State Filing Code:
500-20N-30W-0-30-230-04-1845



Lot Split
Part of Lot 159 in the Original Town of Bentonville
Creating of Lot 234 in the Original Town of Bentonville

James Layout Services, LLC
P.O. Box 611
Farmington, Arkansas 72730
Telephone: (479) 439-9929
survey@jlsnwa.com



CITY NOTES:

- ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.
- BEUD'S STANDARD PRACTICE IS TO PLACE UNDERGROUND EQUIPMENT (TRANSFORMERS, SECONDARY PEDESTALS, JUNCTION BOXES, ETC) ON THE LOT LINE OF A DEVELOPMENT. ANY ADJUSTMENTS TO THE PROPERTY LINE THAT RESULT IN OUR EQUIPMENT NOT BEING ON THE LOT LINE WILL REQUIRE THE DEVELOPER TO PAY FOR THE COST OF BEUD TO RELOCATE THE EQUIPMENT TO THE LOT LINE.
- OWNER TO CONTACT NEW SERVICE COORDINATOR (271-3139) TO DISCUSS ELECTRIC SERVICE PRIOR TO BEGINNING ANY CONSTRUCTION. FAILURE TO CONTACT BEUD PRIOR TO CONSTRUCTION WILL RESULT IN DELAYS TO GET ELECTRIC SERVICE.
- BEFORE ANY WORK IN THE RIGHT-OF-WAY COMMENCES, CONTRACTOR AND OR OWNER IS TO OBTAIN RIGHT-OF-WAY PERMIT FROM THE CITY OF BENTONVILLE TRANSPORTATION DEPARTMENT.
- OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.
- THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.
- SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.
- IT IS THE RESPONSIBILITY OF THE DEVELOPER TO PAY FOR ANY COSTS ASSOCIATED WITH MOVING OF EQUIPMENT. THIS INCLUDES BUT IS NOT LIMITED TO ANY COSTS ASSOCIATED WITH LOSS OF EQUIPMENT (WIRE AND ELBOWS) AND LABOR AND MATERIAL TO MOVE THE EQUIPMENT TO THE NEW LOT LINE.

CERTIFICATE OF APPROVAL

PURSUANT TO THE BENTONVILLE SUBDIVISION REGULATION 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: _____

SIGNED _____
BENTONVILLE PLANNING COMMISSION
CHAIRMAN

SIGNED _____
MAYOR, CITY OF BENTONVILLE

SIGNED _____
CLERK, CITY OF BENTONVILLE

CERTIFICATE OF OWNERSHIP

I 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: _____

SIGNED: _____
ANDREW T. CURRY, TRUSTEE OF THE 408 W. CENTRAL REVOCABLE TRUST NUMBER ONE

CERTIFICATE OF SURVEYING ACCURACY

I, MATTHEW JAMES, HEREBY CERTIFY THAT THIS PLAT CORRECTLY REPRESENTS A BOUNDARY SURVEY MADE BY ME AND BOUNDARY MARKERS AND LOT CORNERS SHOWN HEREON ACTUALLY EXIST AND THEIR LOCATION, TYPE AND MATERIAL ARE CORRECTLY SHOWN AND ALL MINIMUM REQUIREMENTS OF THE ARKANSAS MINIMUM STANDARDS FOR LAND SURVEYORS HAVE BEEN MET.

DATE OF EXECUTION: _____

SIGNED: _____

REGISTERED LAND SURVEYOR

NO. 1845

STATE OF ARKANSAS

Recording Information
Job Number: 24-129 PLA
Field Work: A.S.
Drawn By: N.R.
Checked By: M.J.
Certificate of Authorization Arkansas Land Surveyor No. 2389
Date: 6/7/2024
Scale: 1"=30'
Basis of Bearings:(NAD83) Arkansas State Plane North Zone

LEGEND

● MONUMENT FOUND (AS NOTED)
○ MONUMENT SET (5/8" REBAR W/CAP)
▲ AHTD P-C-W MONUMENT
● BENCHMARK
● GUARD POST
● UTILITY POLE
● TELEPHONE RISER
● FIBER OPTIC TELEPHONE RISER
● ELECTRICAL RISER

RECORD DISTANCE
RECORD BEARING
SANITARY SEWER MANHOLE
DECIDUOUS TREE
EVERGREEN TREE

CABLE RISER
TRAFFIC SIGNAL
SIGN
WATER METER
WATER VALVE
FIRE HYDRANT
GAS METER
DRAINAGE MANHOLE

GAS LINE
TELEVISION CABLE
PROPERTY LINES
UTILITY EASEMENT
UTILITY POLE (WITH GUY WIRE)

TREE LINE
WOOD FENCE
CHAIN LINK FENCE
WIRE FENCE
PAINTED STRIPE
TELEPHONE LINE
EXISTING WATER LINE
OVERHEAD ELECTRIC LINE
UNDERGROUND ELECTRIC LINE

SHEET NO.
1 OF 1

GENERAL CONDITIONS NOTES

1. Work performed shall comply with the following:
 - A. These General Notes, and Construction Documents and Specifications.
 - B. All applicable local, state,and federal codes, ordinances and regulations. All codes listed in Specifications and Drawings shall be inclusive of all codes, regulations and requirements adopted by the State of Arkansas, including all Amendments.
2. Contractor shall ensure all work is in conformance with all applicable building codes. Work shall be completed in strict accordance with the latest editions of Uniform Fire Prevention and Building Code, Plumbing Code, National Electric Code, and all other federal, state and local agency regulations having jurisdiction over this project. In the event of any discrepancies between agency requirements, the contractor shall observe the more stringent of requirements.
3. Verify locations of pertinent site improvements installed under other contracts. If any part of this plan cannot be followed due to site conditions, contact Architect for instructions prior to commencing work.
4. Contact local underground utility services for utility location and identification, prior to commencing work.
5. Perform excavation in the vicinity of underground utilities with care and by hand, if necessary. The contractor bears full responsibility for this work and disruption of damage to utilities shall be repaired immediately and at no expense to the owner.
6. Contractor is responsible for fire sprinkler system shop drawings, framing plans, foundation design, power/lighting, mechanical design, and structural engineering.
7. Contractor shall file all applications, pay for all necessary permits and secure certificates of occupancy for the project.
8. Contractor (and his subcontractors) shall be licensed by the state in which the project is located and approved in advance by the owner.
9. All work is to be coordinated with the owner. The contractor is to meet with the owner prior to starting construction. The contractor will present the building permit and insurance certificates to the owner prior to starting construction.
10. Visit the site to verify existing conditions. Contractor shall make required adjustments to system components as necessitated by actual field conditions at no additional cost to owner or architect. Report any discrepancies between the drawings and actual field conditions to the architect before construction begins.
11. Contractor shall provide any necessary measures to protect the workers and other persons during construction.
12. Check with the owner for coordination of the work under this contract with work of other trades. Owner's regulations govern all aspects of outside contractors working on the property.
13. Contractor to obtain and provide owner with color samples for proper color selection and final approval of all finishes prior to installation.
14. Verify all rough-in dimensions for equipment noted in drawings, both contractor and owner provided.
15. Contractor shall keep the job free of debris and make final cleanup to the satisfaction of the owner. contractor shall be responsible for removal of all construction debris from project site and shall provide dumpsters etc. as required. Remove all debris on a daily basis.
16. Contractor shall be responsible for the protection of all existing buildings and other installations that are to remain intact while performing the specified work. provide and maintain fire extinguishers on project site during construction.
17. Unless indicated otherwise, all material furnished and incorporated into the work shall be new, unused and of quality standard to the industry for first class work of similar nature and character. install all materials to the manufacturer's recommendations and best standard of the trades involved.
18. All gypsum board work shall be done in accordance with the Drywall Constriction Handbook, latest edition, prepared by United States Gypsum Association. All joints and seams shall be taped and finished in accordance with manufacturer's installation recommendations.
19. Final punch to be scheduled by GC after final cleaning. Contractor to provide draft list of punch items three days prior to scheduled final punch.

GENERAL ELEVATION NOTES

1. Use joint sealant at inside corners and cladding changes; typical.
2. Coordinate locations of any and all wall penetrations with Architect.
3. Provide shop drawings for architects' approval for all window, door, and glazing packages and interior millwork.
4. Dimensions are typically referenced from rough framing elevation heights. coordinate finish materials and dimensions. re: plans, sections, elevations, details.
5. Provide self-adhering flashing tape or pre-finished metal flashing at head, jamb, and sill locations, typ.
6. Perform walk-through with owner prior to ordering windows and doors to verify sizes and locations.
7. Windows and doors to be installed per manufacturers recommendations. it is the contractor's responsibility to coordinate manufacturer's recommendations with architectural details and flashing requirements prior to ordering windows and doors.
8. Provide blocking as required for all interior glass installations, including mirrors and shower glass.
9. Per the international code council (ibc + irc): glazing in all fixed and operable panels of swinging, sliding, and bifold doors shall be considered hazardous location and tempered glass is required.
10. Per the international code council (ibc + irc): glazing in an individual fixed or operable panel adjacent to a door where the nearest vertical edge of the glazing is within a 24 inch arc of either vertical edge of the door in a closed position and where the bottom exposed edge of the glazing is less than 60 inches above the walking surface shall be considered a hazardous location and tempered glass is required, except where there is an intervening wall or other permanent barrier between the door and the glazing or if the glazing adjacent to the door is on the latch side of and perpendicular to the plane of the door in a closed position in one and two family dwellings or within dwelling units in group r-2.
11. Per the international code council (ibc + irc): glazing in an individual fixed or operable panel that meets all of the following conditions shall be considered a hazardous location and tempered glass is required:
 - 11.A. the exposed area of an individual pane is greater than 9 square feet.
 - 11.B. the bottom edge of the glazing is less than 18 inches above the floor.
 - 11.C. the top edge of the glazing is greater than 36 inches above the floor.
 - 11.D. one or more walking surfaces are within 36 inches, measured horizontally and in a straight line of the plane of the glazing.
 - 11.E. exception: safety glazing is not required if a protective bar 1-1/2 inches or more in height, capable of withstanding a horizontal load of 50 pounds plf without contacting the glass is installed on the accessible sides of the glazing between 34 and 38 inches above the floor.
12. Due to the possibility of field modifications of window openings and heights within the construction process, the general contractor, subcontractor, and window/glazing supplier are responsible for verifying and providing all windows that meet the above criteria and must provide shop drawings and order sheets to the architect prior to ordering the windows and prior to installation for consultation and confirmation of these requirements.

PLANS WERE PREPARED IN ACCORDANCE WITH AMERICANS WITH DISABILITIES ACT

I HEREBY CERTIFY THAT THESE PLANS AND SPECIFICATIONS HAVE BEEN PREPARED BY ME, OR UNDER MY SUPERVISION. I FURTHER CERTIFY THAT TO THE BEST OF MY KNOWLEDGE THESE PLANS AND SPECIFICATIONS ARE AS REQUIRED BY LAW AND IN COMPLIANCE WITH THE ARKANSAS FIRE PREVENTION CODE FOR THE STATE OF ARKANSAS.

ARCHITECT OF RECORD
ALLISON QUINLAN, AIA
528 N COLLEGE AVE, STE 3
FAYETTEVILLE, AR 72701
479.305.4807
ATQ@FLINTLOCKLAB.COM



408 WEST CENTRAL AVENUE

ROUGH CARPENTRY

1. SPECIFICATIONS AND STANDARDS:
 - 1.A. DESIGN AND DETAILING OF CONNECTIONS SHALL CONFORM TO THE NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION RECOMMENDED PRACTICE BY THE AMERICAN FOREST AND PAPER ASSOCIATION.
 2. MATERIALS:
 - 2.A. ONLY USE DIMENSIONAL LUMBER - SPRUCE-PINE-FIR #1/#2 OR BETTER: E = 1,400,000 PSI. FB = 875 PSI. FV = 135 PSI. FC = 1150 PSI. DIMENSIONAL LUMBER FOR PRESSURE TREATED AND FRT STRESSES – BEFORE TREATMENT – SOUTHERN PINE #1 OR BETTER. E = 1,600,000 PSI. FB = 1250 PSI (2X8). FY = 175 PSI. FC = 1500 PSI (2X8).
 - 2.B. LAMINATED VENEER LUMBER (LVL): PLANT MANUFACTURED OF 1/10" TO 1/8" DOUGLAS FIR OR SOUTHERN PINE VENEERS GLUED IN A CONTINUOUS PROCESS WITH ALL GRAIN PARALLEL TO THE LENGTH OF THE MEMBER. DESIGN IN ACCORDANCE WITH THE REFERENCE STANDARD IN 1A ABOVE.
 - 2.C. COMMON WIRE NAILS: ASTM F1667.
 - 2.D. STEEL CONNECTION MATERIALS: ASTM A36.
 - 2.E. BOLTS: ASTM A307 WITH 2 WASHERS.
 - 2.F. WOOD SCREWS: ASME B18.6.1.
 - 2.G. LAG BOLTS: ASME B18.2.1.
 - 2.H. METAL FRAMING ANCHORS AND CONNECTORS: 16 OR 18 GA. GALVANIZED STEEL (ASTM A653, G60) SIZED FOR FULL LOAD CARRYING CAPACITY OF SUPPORTED MEMBER. NOMENCLATURE BASED ON ANCHORS MANUFACTURED BY SIMPSON STRONG-TIE CO. INC.
 - 2.I. ALL SHEATHING TO HAVE EXTERIOR GLUE.
 - 2.J. PRESERVATIVE TREATMENT
 - 2.J.1. AWPA U1.
 - 2.J.2. PRESSURE-TREAT ABOVE-GROUND ITEMS WITH WATER-BORNE PRESERVATIVES, CATEGORY UC3B.
 - 2.J.3. PRESSURE-TREAT MEMBERS IN CONTACT WITH GROUND WITH WATER-BORNE PRESERVATIVES, CATEGORY UC4A.
 - 2.J.4. STEEL FASTENERS AND CONNECTION MATERIALS IN CONTACT WITH PRESERVATIVE TREATED MATERIAL SHALL BE HOT-DIPPED GALVANIZED PER ASTM A153.
3. 3.CONSTRUCTION REQUIREMENTS:
 - 3.A. MAKE ALL CUTS TRUE AND SQUARE FOR FULL BEARING AT STRUCTURAL JOINTS.
 - 3.B. SPLICE WALL TOP PLATES ONLY AT STUDS. STAGGER SPLICES AT LEAST TWO STUDS SPACES. OVERLAP DOUBLE TOP PLATES AT CORNERS AND INTERSECTIONS WITH BEARING PARTITIONS.
 - 3.C. CONNECT ALL FRAMING SECURELY TOGETHER WITH NAILS, SPIKES, OR FRAMING ANGLES.
 - 3.D. ANCHOR WALL SILL PLATES TO FOUNDATION PER WOOD WALL SCHEDULE. THERE SHALL BE A MINIMUM OF TWO ANCHORS PER SECTION OF PLATE WITH ONE ANCHOR LOCATED WITHIN TWELVE INCHES FROM THE ENDS OF EACH SECTION OF PLATE.
 - 3.E. DOUBLE TOP PLATE CONNECTIONS
 - 3.E.1. AT LAP JOINTS AT CORNERS AND WALL INTERSECTIONS: OVERLAP UPPER TOP PLATE OF INTERSECTING WALL OVER LOWER PLATE OF WALL INTERSECTED. SIMILAR OVERLAPPING OF TOP PLATE IS REQUIRED AT CORNERS. THE REQUIRED FASTENING IS (2) 16D NAILS.
 - 3.E.2. ATTACH UPPER TOP PLATE TO LOWER TOP PLATE WITH (1) 16D NAIL EVERY 16".
 - 3.E.3. TOP PLATE SPLICES: SPLICES OF DOUBLE TOP PLATES TO HAVE AT LEAST 24" OF OVERLAP ON EACH SIDE OF END JOINT, AND BE FASTENED WITH MINIMUM OF (8) 16D NAILS, ON EACH SIDE OF END JOINT. LOCATE SPLICES AT CENTER OF STUD.

BUILDING AREAS-

ATTACHED HOUSE, EACH SIDE -	
FIRST FLOOR:	1513 SQ.FT.
SECOND FLOOR:	1492 SQ.FT
TOTAL:	3005 SQ.FT.

DETACHED 2 CAR GARAGE/ ACCESSORY DWELLING UNIT, EACH -	
LOWER LEVEL FUTURE HEATED SPACE:	40 SQ.FT.
UPPER LEVEL FUTURE HEATED SPACE:	720 SQ.FT.
TOTAL HEATED FUTURE HEATED SPACE:	760 SQ.FT.

GARAGE AND STORAGE AREA::	687 SQ.FT.
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PROJECT INFORMATION

408 WEST CENTRAL AVENUE
BENTONVILLE, ARKANSAS

ADOPTED BUILDING CODES AND STANDARDS

2021 ARKANSAS FIRE PREVENTION CODE BASED
ON THE 2021 IBC, IRC & IFC
2021 ARKANSAS STATE MECHANICAL CODE
2020 NATIONAL ELECTRIC CODE
2018 ARKANSAS STATE PLUMBING CODE
2018 ARKANSAS STATE FUEL GAS CODE
2014 ARKANSAS ENERGY CODE

OCCUPANCY: SINGLE-FAMILY RESIDENTIAL
TYPE OF CONSTRUCTION: WOOD FRAMED TYPE V

ZONING: R-3 MEDIUM DENSITY RESIDENTIAL
MAXIMUM BUILDING HEIGHT ALLOWED: 36'
BUILDING HEIGHT PROVIDED:

SHOP-FABRICATED WOOD TRUSSES

1. DESIGN, DETAILING, FABRICATION AND ERECTION SHALL BE GOVERNED BY:
 - 1.A. TRUSS PLATE INSTITUTE – NATIONAL DESIGN STANDARD OR METAL PLATE CONNECTED WOOD TRUSS CONSTRUCTION.
 - 1.B. AMERICAN INSTITUTE OF TIMBER CONSTRUCTION OR APA OR EWS - TIMBER CONSTRUCTION STANDARDS.
 - 1.C. AMERICAN FOREST AND PAPER ASSOCIATION - NATIONAL DESIGN SPECIFICATION FOR WOOD CONSTRUCTION.
2. SUBMIT, FOR APPROVAL, DETAILED SHOP DRAWINGS. THE SHOP DRAWINGS SHALL SHOW ALL DESIGN CRITERIA, LAYOUT, MEMBER SIZES AND LUMBER GRADES, DESIGN STRESSES, CONNECTION DETAILS, REQUIRED BEARING LENGTHS AND BRACING REQUIREMENTS. THE SHOP DRAWINGS SHALL BEAR THE SEAL OF A PROFESSIONAL ENGINEER REGISTERED IN THE STATE OF THE PROJECT.
3. MATERIALS:
 - 3.A. LUMBER - SOUTHERN PINE, DOUGLAS FIR-LARCH, SPRUCE-PINE-FIR, OR BETTER. REFER TO SPECS FOR GRADE REQUIREMENTS.
 - 3.B. BOLTS - ASTM A307.
 - 3.C. CONNECTORS-TRUSS MEMBER CONNECTOR PLATES SHALL BE NOT LESS THAN 20 GAGE GALVANIZED STEEL PLATES.
 - 3.D. LIGHT-GAGE JOIST HANGERS AND FRAMING ANCHORS - GALVANIZED STEEL FOR THE FULL LOAD CARRYING CAPACITY OF THE SUPPORTED MEMBER. PROVIDE SIMPSON "STRONG-TIE" OR BETTER.
4. FABRICATION:
 - 4.A. ALL MEMBERS SHALL BE CUT TO BEAR FROM STRAIGHT LUMBER AND BUTTED TIGHT.
 - 4.B. ALL MEMBERS AND CONNECTOR PLATES SHALL BE PROPERLY PLACED IN JIGS UNTIL THE CONNECTOR PLATES HAVE BEEN PRESSED INTO PLACE.
5. ERECTION:
 - 5.A. ALL TRUSSES SHALL BE BRACED DURING ERECTION. ERECTION BRACING SHALL HOLD TRUSSES STRAIGHT AND PLUMB UNTIL DECKING AND PERMANENT BRACING HAVE BEEN FASTENED. PROPER HANDLING AND ERECTION BRACING SHALL BE SOLELY THE RESPONSIBILITY OF THE CONTRACTOR.
 - 5.B. PROVIDE AND INSTALL PERMANENT TRUSS BRACING IN ACCORDANCE WITH THE REFERENCED STANDARDS AND THE APPROVED SHOP DRAWINGS.
 - 5.B.1. WEB MEMBER HORIZONTAL BRACING SHALL BE CONTINUOUS ALONG THE LENGTH OF THE ROOF. PROVIDE DIAGONAL WEB MEMBER BRACING BETWEEN EACH HORIZONTAL LINE OF BRACING AND THE SHEATHED TRUSS TOP CHORD AT 20'-0" INTERVALS ALONG THE LENGTH OF THE ROOF, AND AT EACH END.
 - 5.B.2. IF THE TOP OR BOTTOM CHORDS OF THE TRUSSES ARE NOT PERMANENTLY BRACED BY SHEATHING, PROVIDE CONTINUOUS HORIZONTAL BRACING FOR THE UN-BRACED CHORDS AT A MINIMUM OF 5'-0" ON CENTER ALONG THE LENGTH OF THE TRUSS, AND PROVIDE DIAGONAL BRACING AT THESE LOCATIONS, BETWEEN THE TOP AND BOTTOM TRUSS CHORDS, AT 20'-0" ON CENTER ALONG THE LENGTH OF THE ROOF, AND AT EACH END.
6. MISCELLANEOUS
 - 6.A. DESIGN AND SUPPLY CONNECTIONS FOR TRUSSES TO GIRDER TRUSSES, TRUSS PLY TO PLY AND TRUSS FIELD SPLICES.
 - 6.B. GIRDER TRUSSES - MINIMUM TWO PLYS AND FASTENED TOGETHER PER MANUFACTURER'S RECOMMENDATIONS.
 - 6.C. TRUSS PROFILES SHOWN ARE FOR SCHEMATIC PURPOSES ONLY. THE TRUSS DESIGNER IS RESPONSIBLE FOR CALCULATING THE TRUSS GEOMETRIES AND LOADING.
 - 6.D. ADJACENT TRUSSES OF THE SAME PROFILE SHALL HAVE WEB MEMBERS IN LINE TO PERMIT PASSAGE OF MECHANICAL DUCTS.
7. E.TRUSS ANCHORAGES AND HOLD-DOWNS ARE BASED ON TRUSS LAYOUT SHOWN. COORDINATE FINAL LOCATION OF MULTI-PLY STUDS UNDER GIRDER TRUSSES WITH TRUSS SHOP DRAWINGS.
8. F.NO STRUCTURAL ELEMENTS ARE TO BE CUT UNLESS SPECIFICALLY APPROVED BY THE TRUSS ENGINEER.

SHEET INDEX

A0.0	COVER SHEET	A4.1	INTERIOR ELEVATIONS
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		A4.4	INTERIOR ELEVATIONS
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A1.2	FLOOR PLAN	A4.6	INTERIOR ELEVATIONS
A1.3	ROOF PLAN	A4.7	INTERIOR ELEVATIONS
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A1.5	POWER & LIGHTING PLAN		
A1.6	PLANS - GARAGE		
A1.7	POWER & LIGHTING PLANS - GARAGE		
A2.1	EXTERIOR ELEVATIONS		
A2.2	EXTERIOR ELEVATIONS		
A2.3	EXTERIOR ELEVATIONS - GARAGE		
A3.1	SECTIONS		

flintlock
ARCHITECTURE & LANDSCAPE

528 N College Ave
Fayetteville
AR 72701

T 479.305.4807
www.flintlocklab.com

NO. Date Issues/Revisions

STAMP

NOT FOR
CONSTRUCTION

PROJECT NAME

408 W
CENTRAL AVE
Bentonville,
Arkansas

SCHEMATIC DESIGN

DRAWN BY:
CHECKED BY:

DRAWING TITLE

COVER SHEET

DATE: May 13, 2024
SCALE:

DRAWING NUMBER

A0.0



NORTH

NO.	Date	Issues/Revisions
-----	------	------------------

STAMM

NOT FOR
CONSTRUCTION

PROJECT NAME

408 W
CENTRAL AVE
Bentonville,
Arkansas

PERMIT PLANS

DRAWN BY:
CHECKED BY:

DRAWING TITLE

SITE PLAN

DATE: May 21, 2024
SCALE:

DRAWING NUMBER

L1.0

NO. Date Issues/Revisions

STAMP

NOT FOR
CONSTRUCTION

PROJECT NAME

408 W
CENTRAL AVE
Bentonville,
Arkansas

SCHEMATIC DESIGN

DRAWN BY:
CHECKED BY:

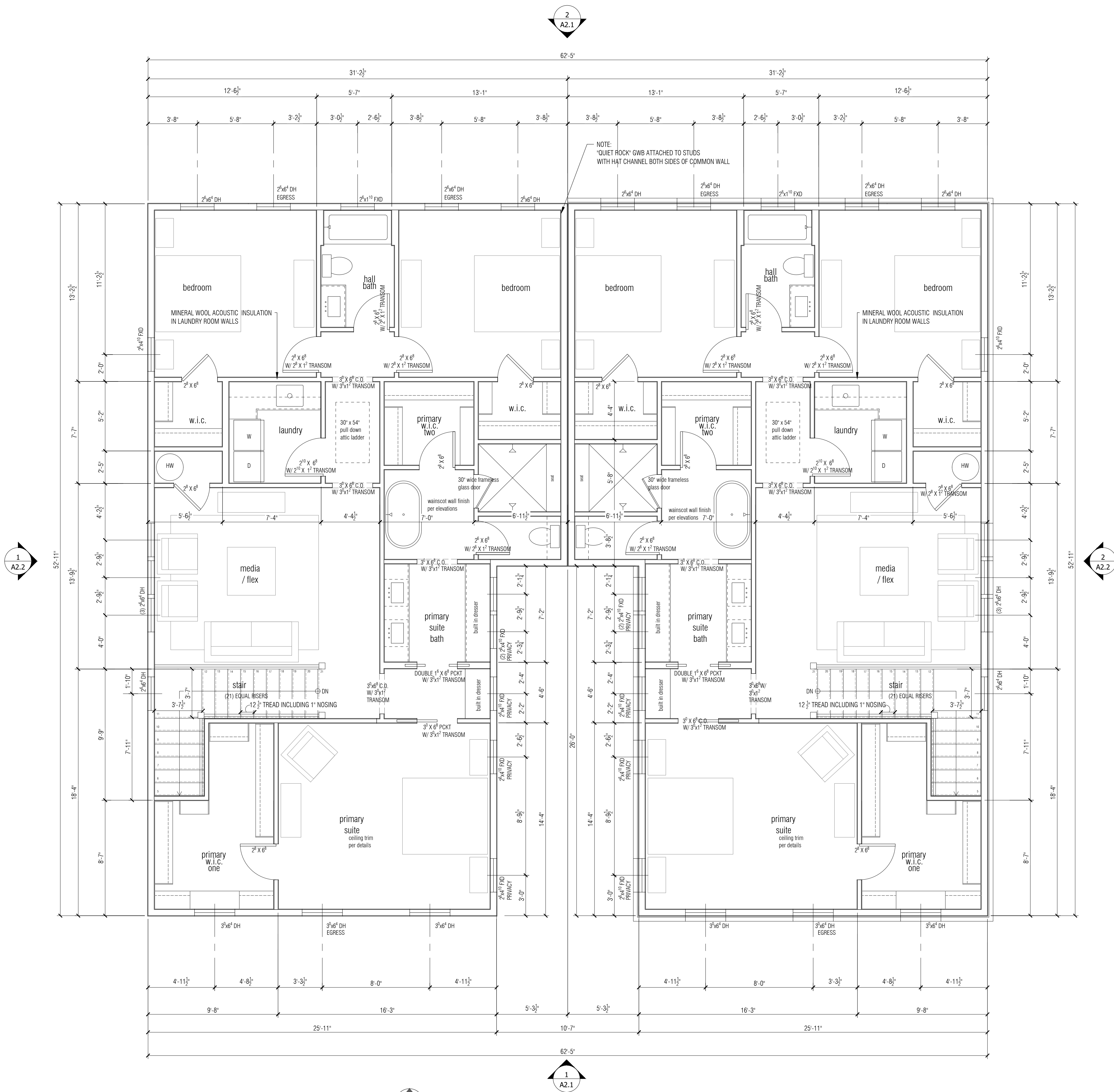
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FLOOR PLAN

DATE: May 13, 2024
SCALE:

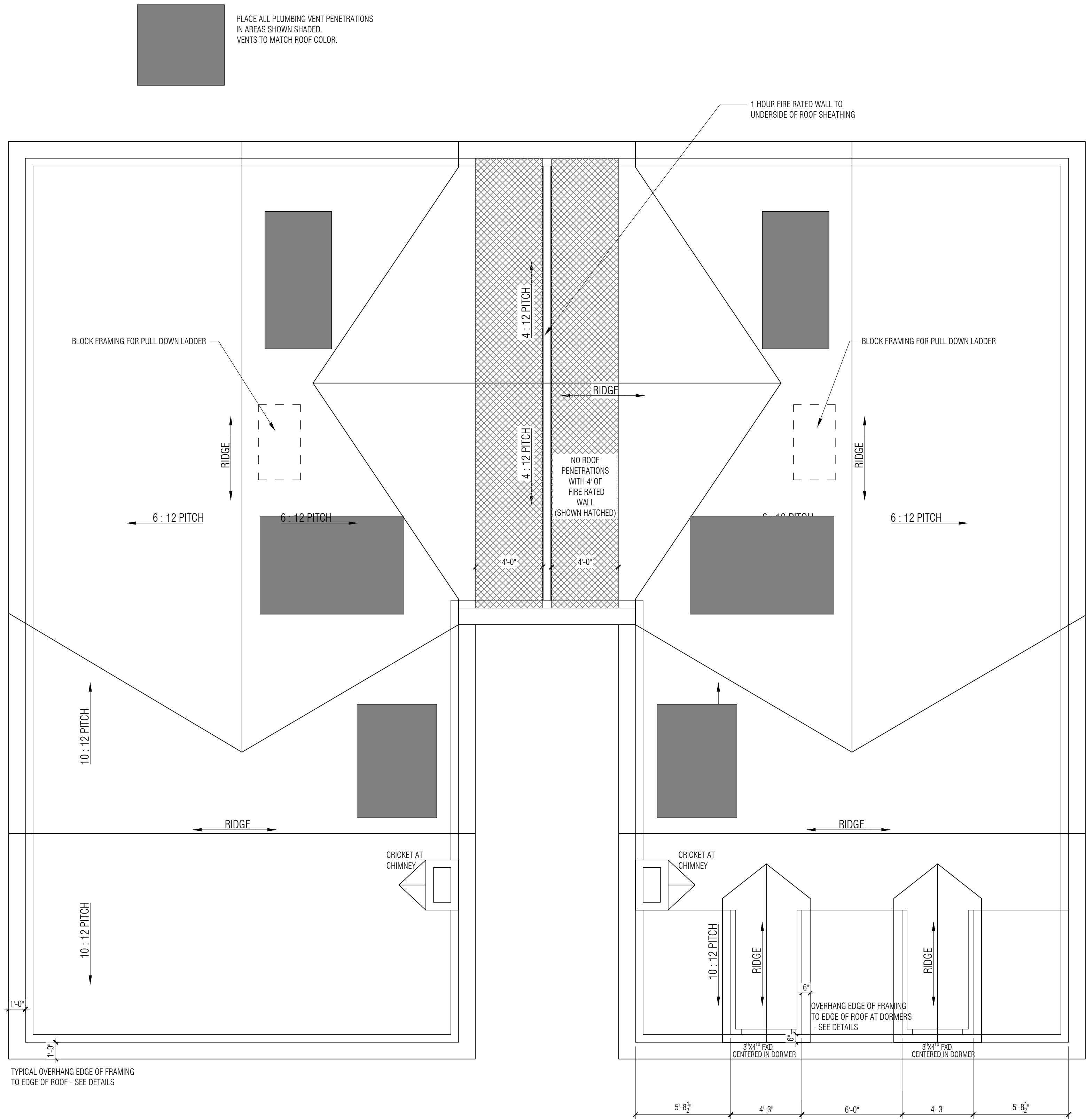
DRAWING NUMBER

A1.2



1
A1.2
2ND FLOOR PLAN
SCALE: 1/4" = 1'-0"
EACH SIDE 1492 SQ.FT.





1
A1.3 ROOF PLAN
SCALE: 1/4" = 1'-0"



NO. Date Issues/Revisions

STAMP

NOT FOR
CONSTRUCTION

PROJECT NAME

408 W
CENTRAL AVE
Bentonville,
Arkansas

SCHEMATIC DESIGN

DRAWN BY:
CHECKED BY:

DRAWING TITLE

ROOF PLAN

DATE: May 13, 2024
SCALE:

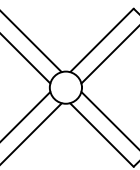
DRAWING NUMBER

A1.3

LIGHTING AND POWER LEGEND

UNDERCOUNTER STRIP LIGHT
UTILITY FIXTURE

CAN LIGHT
CEILING MOUNT
PENDANT LIGHT
WALL MOUNT
TV
SWITCH
SWITCH WITH DIMMER
3 WAY SWITCH



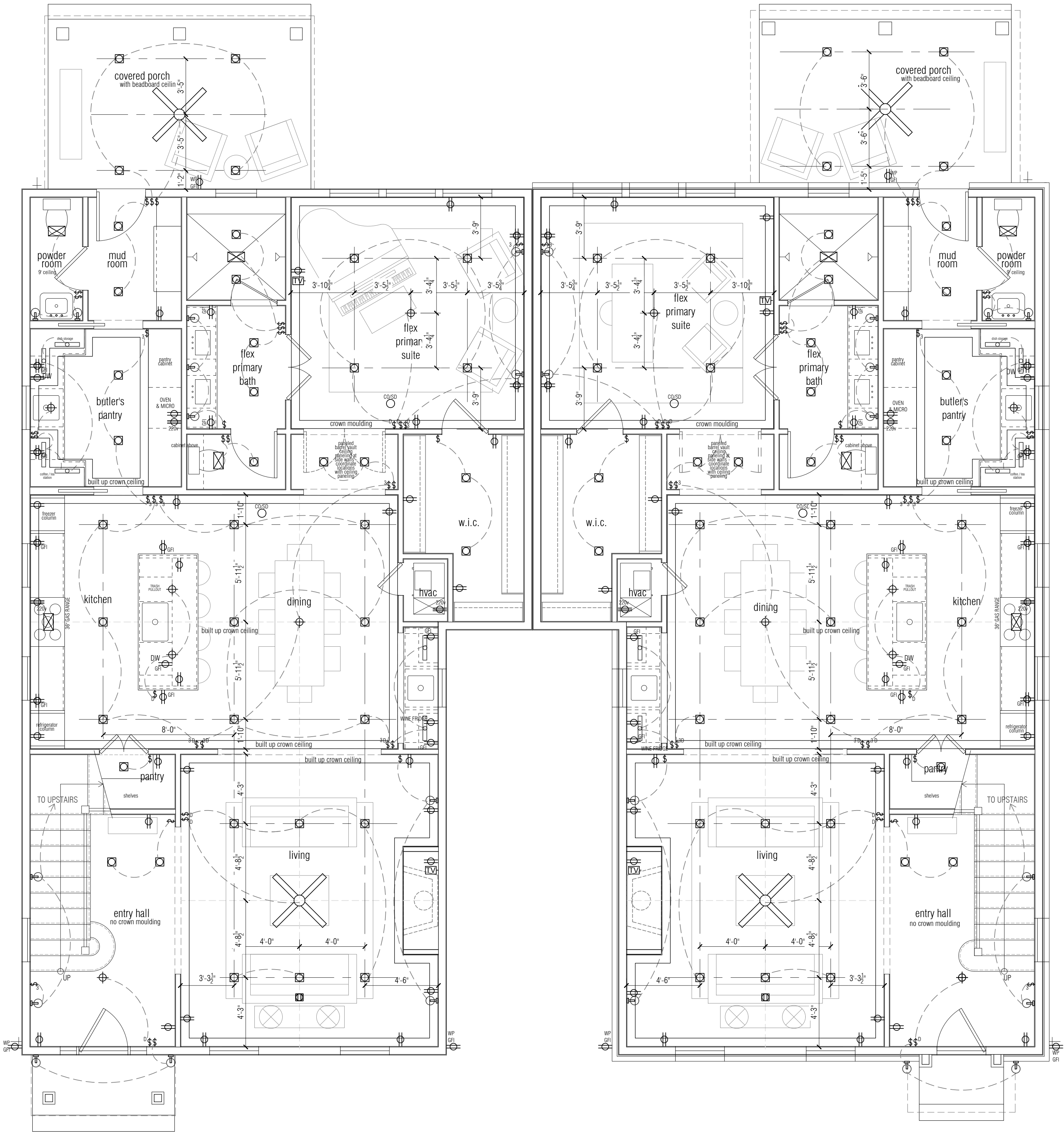
COMBINATION SMOKE AND CARBON
MONOXIDE DETECTOR

DISCONNECT
PANEL

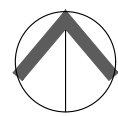
QUAD RECEPTACLE
220V RECEPTACLE
RECEPTACLE
FLOOR OUTLET
GFI
WATER PROOF RECEPTACLE
CABLE/MEDIA OUTLET
EXHAUST FAN



CONDENSING UNIT



1 1ST FLOOR ELECTRICAL PLAN
SCALE: 1/4" = 1'-0"



NO. Date Issues/Revisions

STAMP

NOT FOR
CONSTRUCTION

PROJECT NAME

408 W
CENTRAL AVE
Bentonville,
Arkansas

SCHEMATIC DESIGN

DRAWN BY:
CHECKED BY:

DRAWING TITLE

POWER &
LIGHTING PLAN

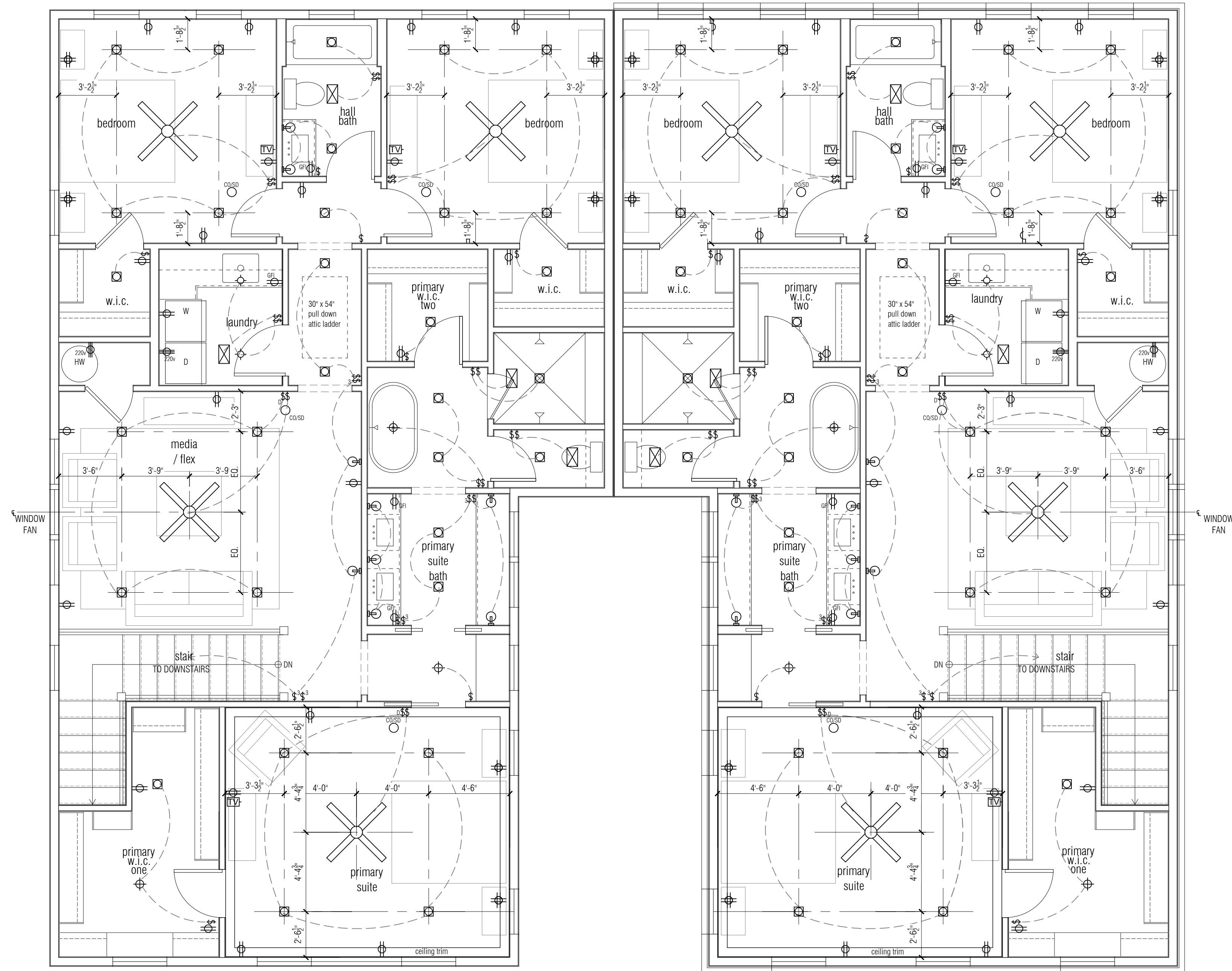
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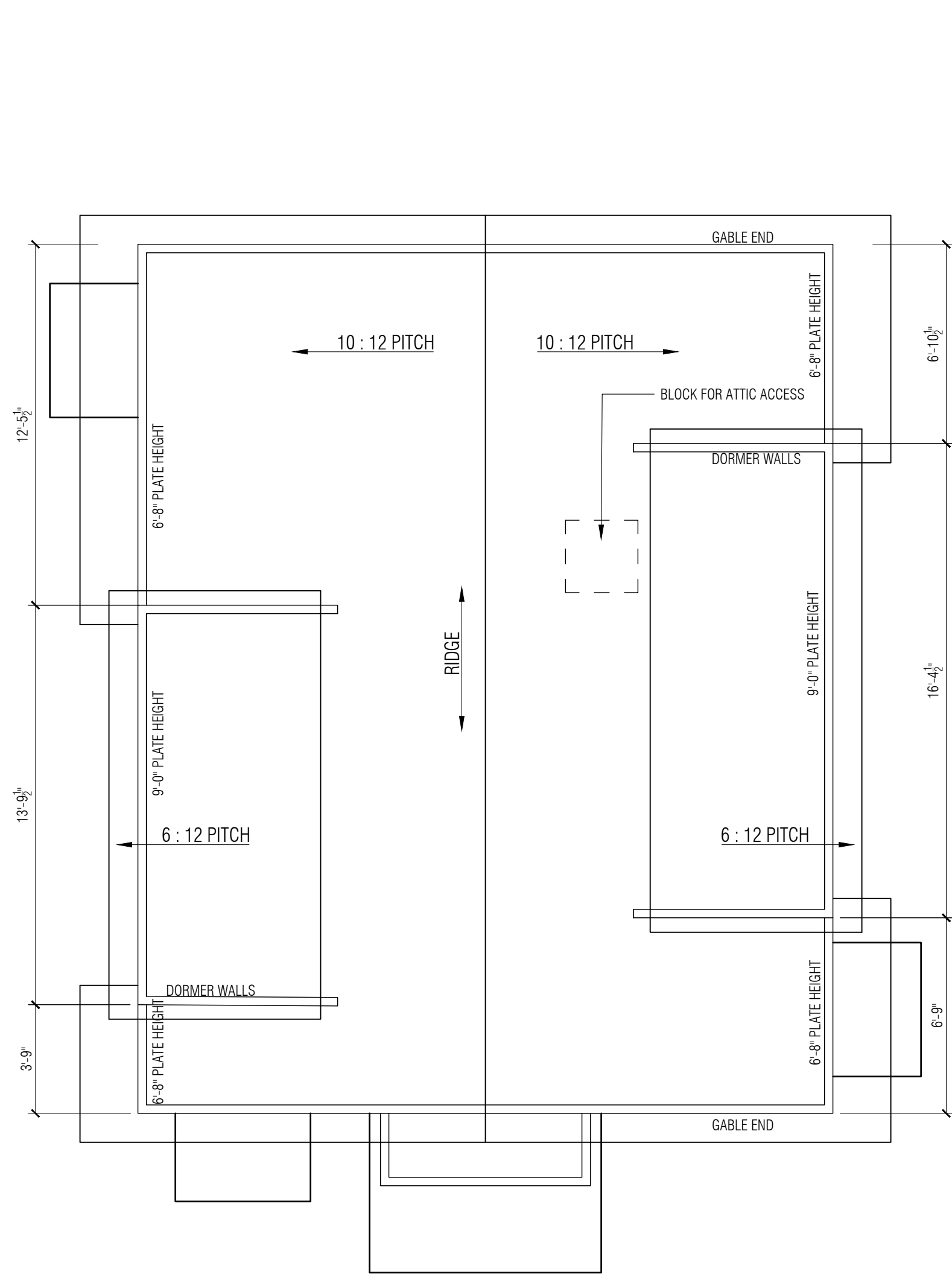
DRAWING NUMBER

A1.4

LIGHTING AND POWER LEGEND

	UNDERCOUNTER STRIP LIGHT		DISCONNECT
	UTILITY FIXTURE		PANEL
	CAN LIGHT		QUAD RECEPTACLE
	CEILING MOUNT		220v RECEPTACLE
	PENDANT LIGHT		RECEPTACLE
	WALL MOUNT		FLOOR OUTLET
	TV		GR
	SWITCH		WATER PROOF RECEPTACLE
	SWITCH WITH DIMMER		CABLE/MEDIA OUTLET
	3 WAY SWITCH		EXHAUST FAN
	CEILING FAN		CONDENSING UNIT
	COMBINATION SMOKE AND CARBON MONOXIDE DETECTOR		



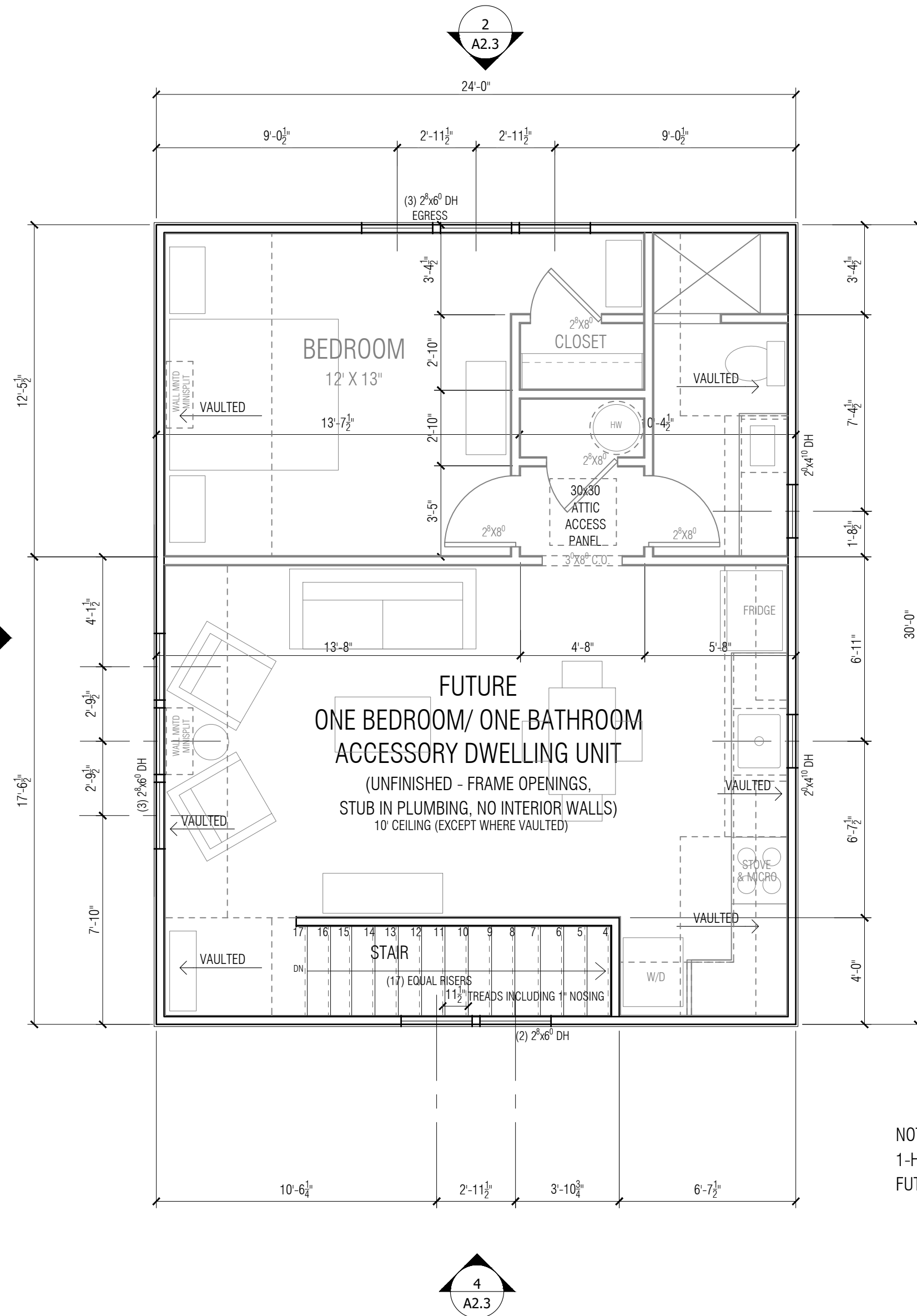


3
A1.6

ROOF PLAN - DETACHED GARAGE

SCALE: 1/4" = 1'-0" FUTURE HEATED 40 SQ. FT. GARAGE & STORAGE: 687 SQ. FT.

NORTH

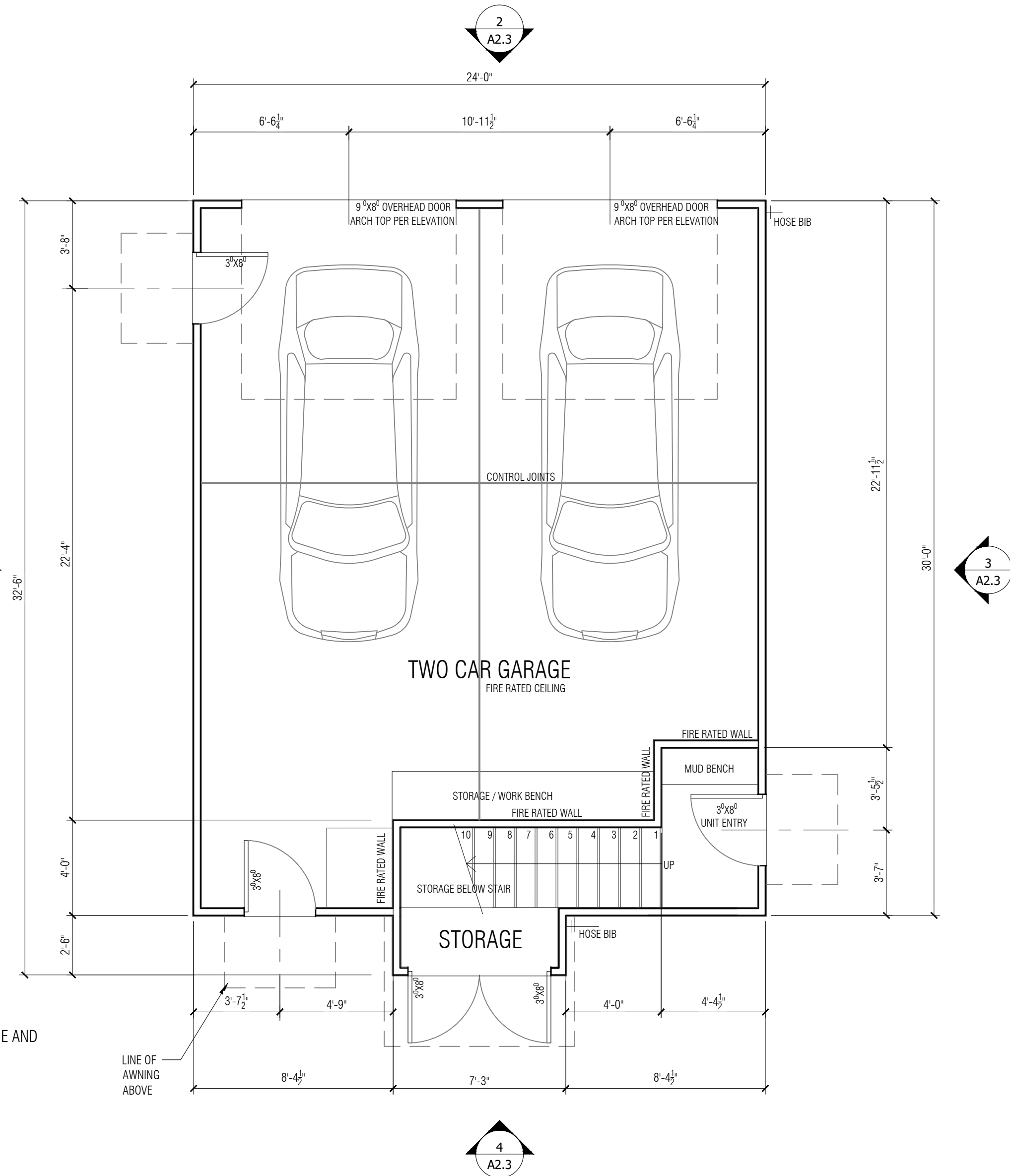


2
A1.6

UPPER FLOOR PLAN - DETACHED GARAGE

SCALE: 1/4" = 1'-0" FUTURE HEATED SPACE 720 SQ. FT.

NORTH



1
A1.6

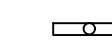
GROUND FLOOR PLAN - DETACHED GARAGE

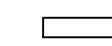
SCALE: 1/4" = 1'-0"

NORTH

NOTE:
1-HR FIRE SEPARATION BETWEEN GARAGE AND
FUTURE ACCESSORY DWELLING UNIT

LIGHTING AND POWER LEGEND

-  UNDERCOUNTER STRIP LIGHT

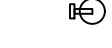
 UTILITY FIXTURE

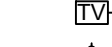
 CAN LIGHT

 CEILING MOUNT

 PENDANT LIGHT

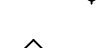
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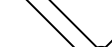
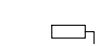
 TV

 SWITCH

 SWITCH WITH DIMMER

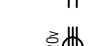
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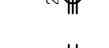
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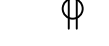
 COMBINATION SMOKE AND CARBON MONOXIDE DETECTOR
-  DISCONNECT

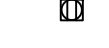
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 QUAD RECEPTACLE

 220v RECEPTACLE

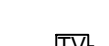
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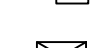
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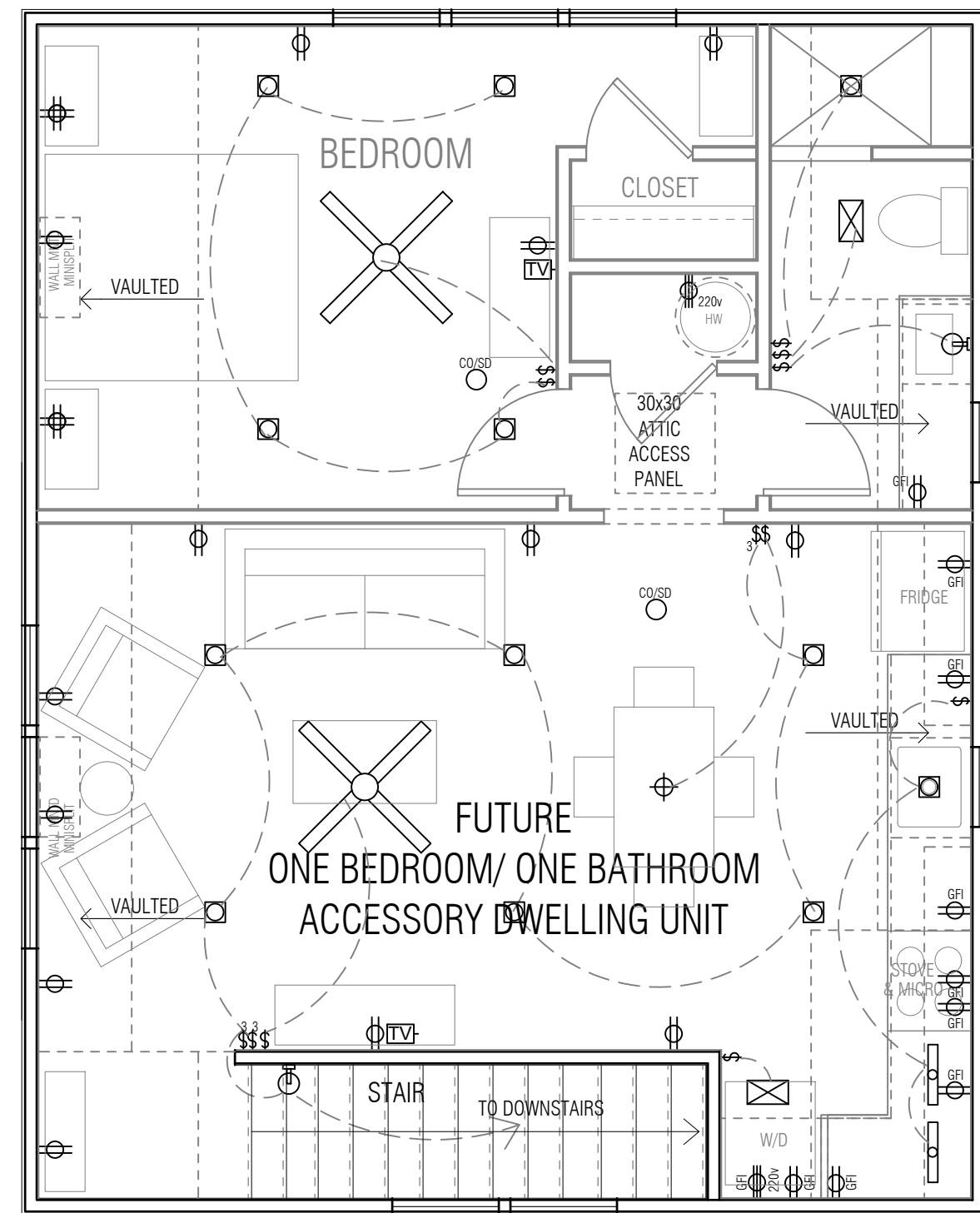
 GFI

 WATER PROOF RECEPTACLE

 CABLE/MEDIA OUTLET

 EXHAUST FAN

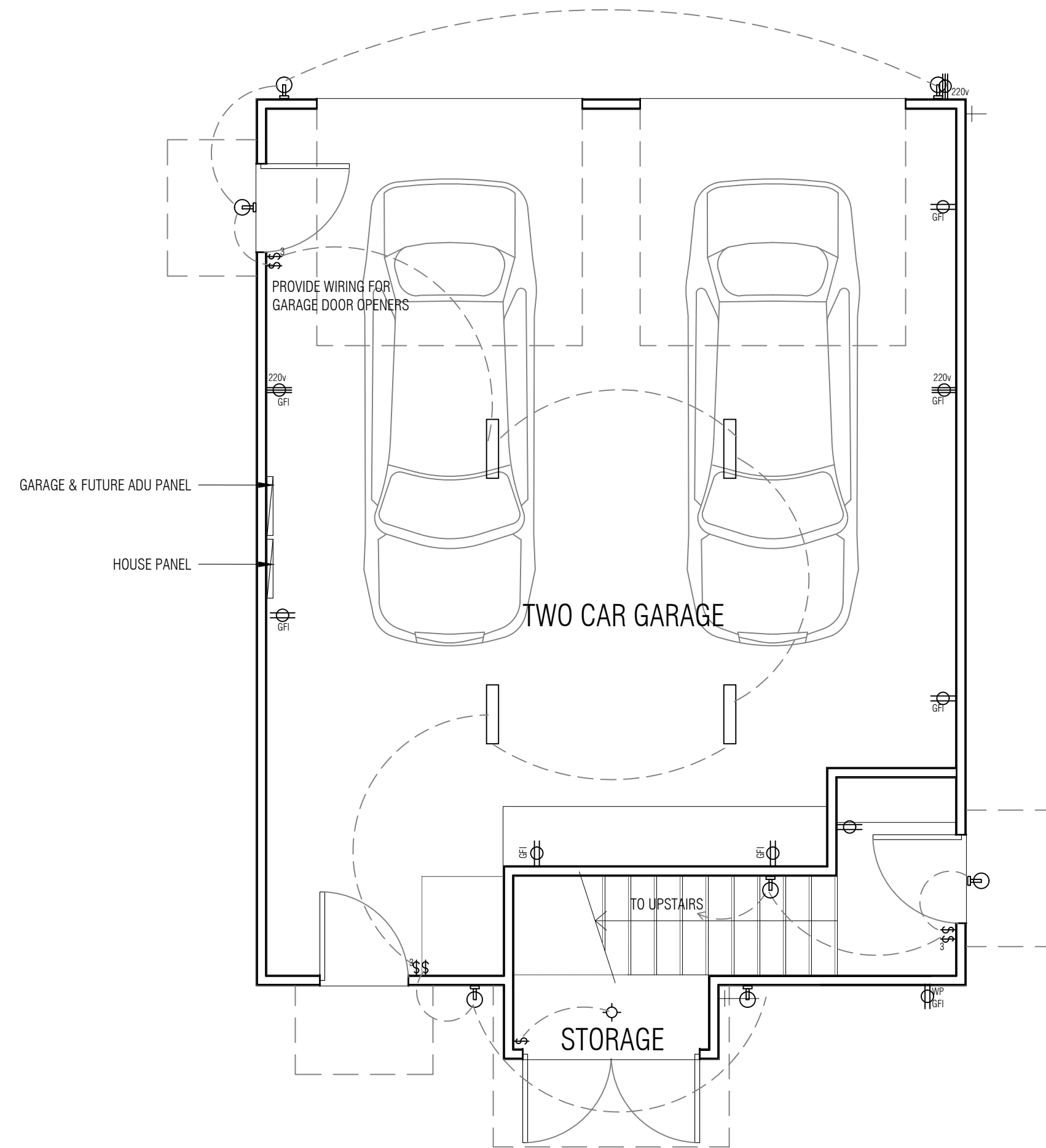
 CONDENSING UNIT



2
A1.7

UPPER FLOOR - DETACHED GARAGE

SCALE: 1/4" = 1'-0"

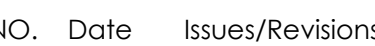


1
A1.7

GROUND FLOOR - DETACHED GARAGE

SCALE: 1/4" = 1'-0"





PROJECT NAME:

408 W
CENTRAL AVE
Bentonville,
Arkansas

SCHEMATIC DESIGN

DRAWN BY:
CHECKED BY:

DRAWING TITLE

EXTERIOR ELEVATIONS

DATE: May 13, 2024
SCALE:

DRAWING NUMBER

A2.1



1
A2.2

WEST ELEVATION
SCALE: 1/4" = 1'-0"



2
A2.2

EAST ELEVATION
SCALE: 1/4" = 1'-0"

flintlock
ARCHITECTURE & LANDSCAPE

528 N College Ave
Fayetteville
AR 72701

T 479.305.4807
www.flintlocklab.com

NO. Date Issues/Revisions

STAMP

NOT FOR
CONSTRUCTION

PROJECT NAME

408 W
CENTRAL AVE
Bentonville,
Arkansas

SCHEMATIC DESIGN

DRAWN BY:
CHECKED BY:

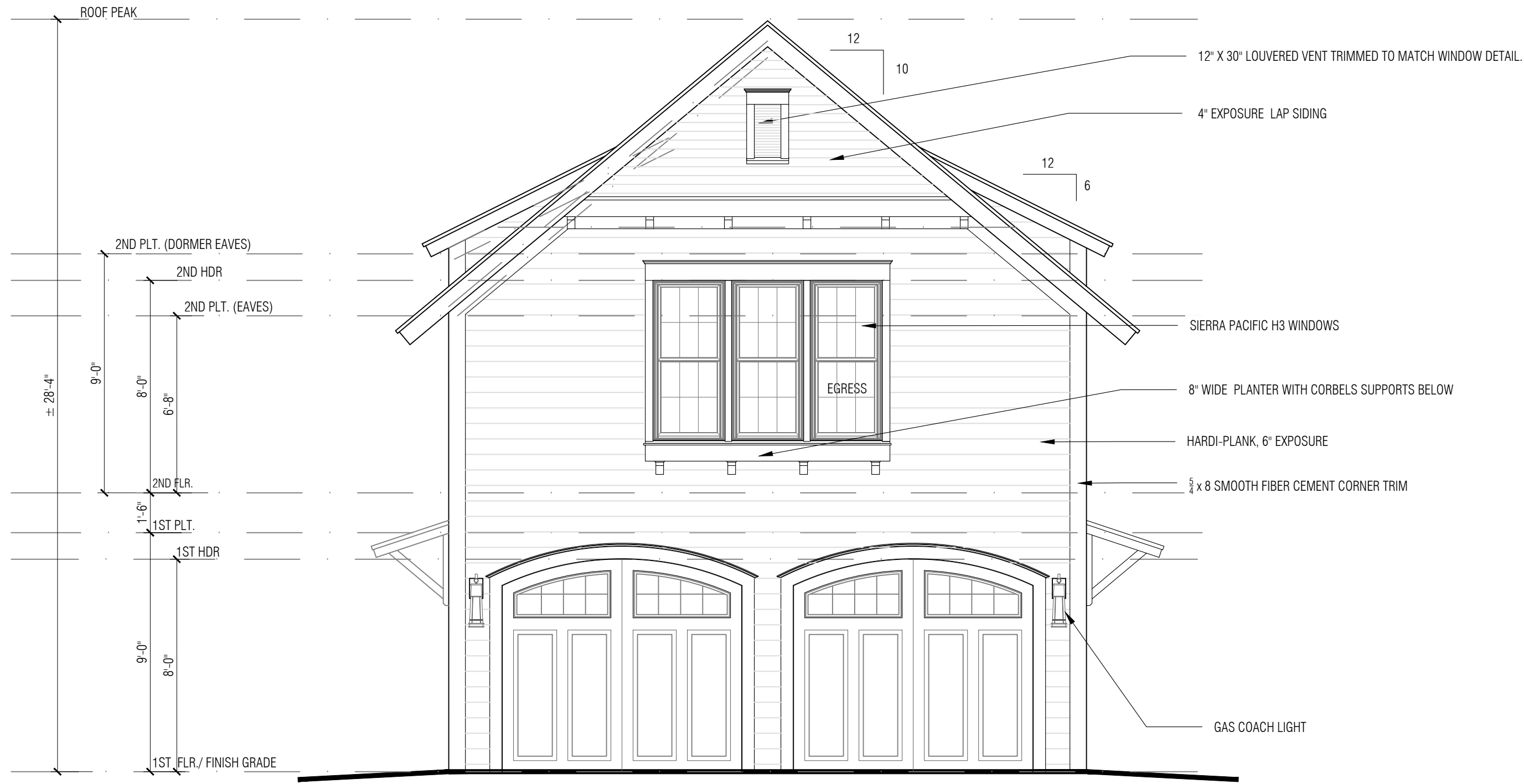
DRAWING TITLE

EXTERIOR
ELEVATIONS

DATE: May 13, 2024
SCALE:

DRAWING NUMBER

A2.2



2 NORTH ELEVATION
A2.3 SCALE: 1/4" = 1'-0"



1 WEST ELEVATION
A2.3 SCALE: 1/4" = 1'-0"



4 SOUTH ELEVATION
A2.3 SCALE: 1/4" = 1'-0"



3 EAST ELEVATION
A2.3 SCALE: 1/4" = 1'-0"



Brewer

North Main Street

BOA Date: 8/14/2024

Staff Report Details

Project Number	[VAR24-0015]
Applicant / Current Owner	Bryan and Laura Brewer
Site Area	+/- [0.17] Acres
Current Zoning	DN-2, Downtown Neighborhood Medium Density
Variance Request	Variance from Sec 401.03 and 401.07
Related projects	

Property Description

The subject property is located on North Main Street. The property is presently zoned DN-2, Downtown Medium Density with a future land use designation of Medium-Density Residential.

Regulation

Sec. 401.07 Downtown Neighborhood Districts Regulations (e) DN districts Height Standards: DN-2, Downtown Medium Density, allows for a maximum height of 36'.

Sec. 401.03 Calculations and Measurements

This section defines how to measure the height of a building on a sloped lot by averaging the lowest finish grade to the highest finish grade, then measuring to the highest point of the structure.

Variance Request

One variance is requested:

Variance 1: A variance from the allowed maximum building height of 36' to allow for a building height of 40' due to the measurement standards in sec. 401.03.

Background

The applicant states in their narrative that they are seeking a variance request from DN-2, Downtown Medium Density Residential, building height requirements and measurement standards, due to a topographically challenging lot. From the finished grade at the street level, the home conforms to the maximum 36' height standards as prescribed in Sec. 401.07. However, this lot is narrow and long, with a slope that drops 11 feet. The design takes advantage of the alley and the slope to locate the garage in a downtown friendly position in the rear of the property. The roofline in the rear also drops down to match the change in slope. However, due to measurement standards outlined in sec 401.03 regarding sloped lots, this causes the overall height of the structure to measure at 40'.

This report will consider and analyze this request based upon the six conditions of approval from the Zoning Code. Said conditions of approval will be bolded to differentiate from staff commentary.

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;

The applicant identifies the slope of the lot as a special condition that prevents the applicant from following the traditional height requirements as defined by the code.

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;

The literal interpretation of the provision would prohibit the applicant from building a two-story home due to the topographical features of the lot.

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

The applicant did not cause the topographical characteristics of the lot.

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.

The applicant is seeking a variance that would allow for a two-story home that drops down in height as the lowest finished grade also drops down in height. Without a variance, building a two-story home at the street level would not be possible.

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.

The applicant makes no reference to any nonconformities or properties in neighboring lands or zoning districts.

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.

The applicant has provided a site plan showing a proposed site layout for the subject property and the reasoning for the requested variance.

Background

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.

The variance to the height requirements would allow the applicant to construct a 2 story home on the street, in line with surrounding properties and the character of the neighborhood.

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.

The Board has the authority to attach any conditions to a variance request that it deems appropriate. Any conditions proposed with a variance approval should be clearly stated into the record in the approval motion.

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.

The applicant's request does not include a variance to use.

Conclusion

The applicant's variance request comes from Sec. 401.07 and Sec 401.03 of the Zoning Code, which houses the regulations for Downtown Neighborhood Districts and the Calculations and Measurement Standards. In DN-2, the maximum height is 36'. The applicant is seeking a variance to change the maximum height to 40'.

This variance request seems to indicate a number of unique features affecting this property. First, the lot in question has a considerable slope.

Ultimately, all six standards of approval in the Zoning Code must be met in order for the Board to grant approval of the variance. This request appears to affirm several of the standards of approval.

Public Comment

Has Staff received Public Comment at the time of this report?: **No**

Conditions of Approval

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, structures 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.

 **PENDING PC Items**

NW PARK ST

NE PARK ST

N MAIN ST

**Brewer Lot
9 Blk 5 WA
Burk Add**



VAR24-0015
Brewer Lot 9 Blk 5 WA Burk Add
Variance



Property Owner Consent Form

City of Bentonville Planning Department

305 SW A Street

Bentonville, AR 72712

479-271-3122

I, Laura Brewer ~~XXXXXXXXXXXX~~ am the legal owner of the
(Owner's name, printed)

property located at 964 N. Main Street, identified as Parcel
(Address or Street Name)

Identification Number #01-04540-000, located in
(Parcel ID)

Benton County, Arkansas.

I certify that I am the owner of the property above and that I have read the application and consent to its filing.

Laura Brewer
(Property Owner Signature)

7/18/2024
(Date)

****If one property has multiple owners, a separate signed Property Owner Consent Form is required for each owner.**



Burris Architecture

820 Tiger Blvd Suite 4 Bentonville, AR 72712
479.319.6045

Date: JULY 11 2024

Bentonville BOA

Re: Brewer Home – Height Variance

Burris Architecture has designed a home for the Brewer Family. This is a 2 story home with a reading loft on a third floor. The home site slopes from front to the rear. The garage is accessed from the rear via alley.

Per 401.07 the maximum height of DN-2 is 36'

Section 401.03 Calculations and measurements defines how to measure the height of a building on a sloped lot. By averaging the lowest finish grade to the highest finish grade, then measuring to the highest point of the structure.

By taking this measurement, the home is 40' in height

The home appears to be a 2 story home with attic from the street and sides. As the site slopes down to the rear, the homes height steps down. The home is scale with in the neighborhood context.

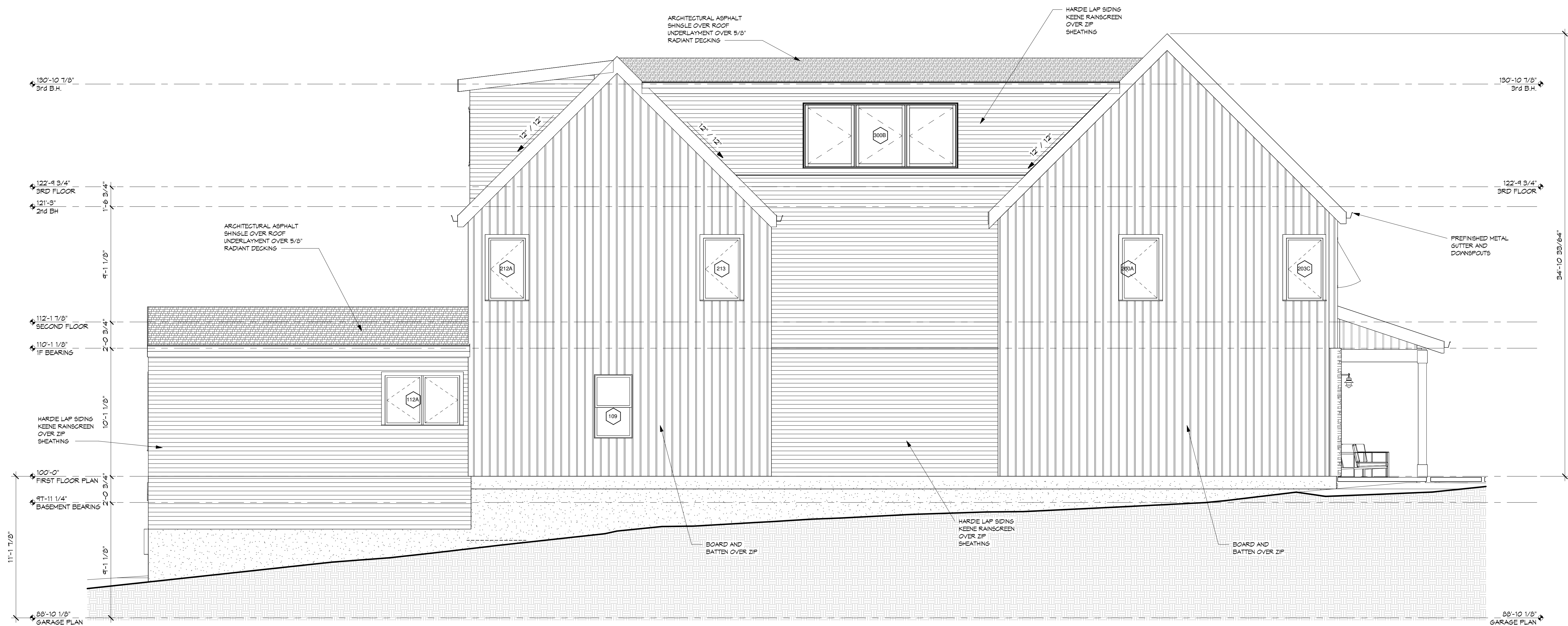
Unique Circumstance.

The Lot is narrow and long and slopes to the rear by approximately 11'. The design takes advantage of the alley and the slope to locate the garage in a downtown friendly position. The design beyond this is a typical 2 story home with occupied attic.

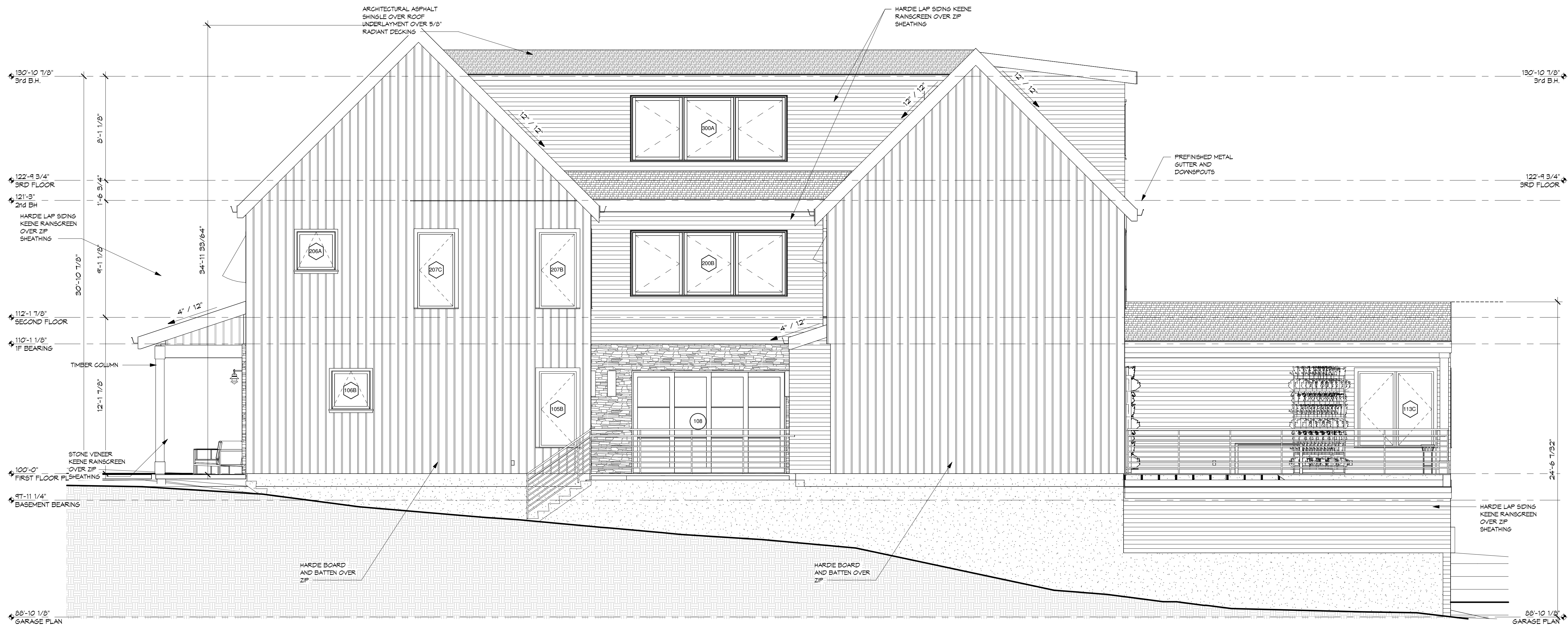
Dave P. Burris, AIA, NCARB

479-586-9400

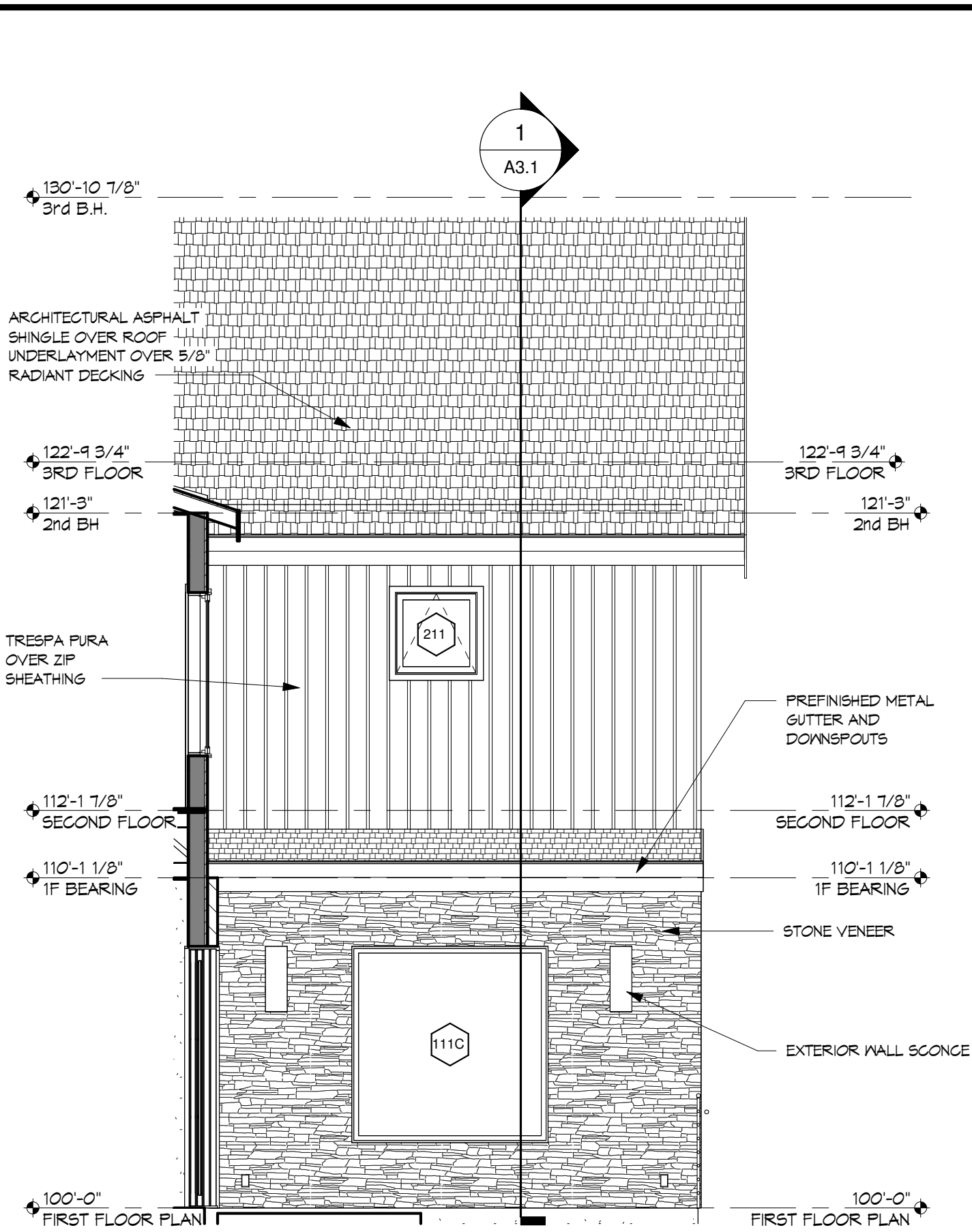
dave@burrisarch.com



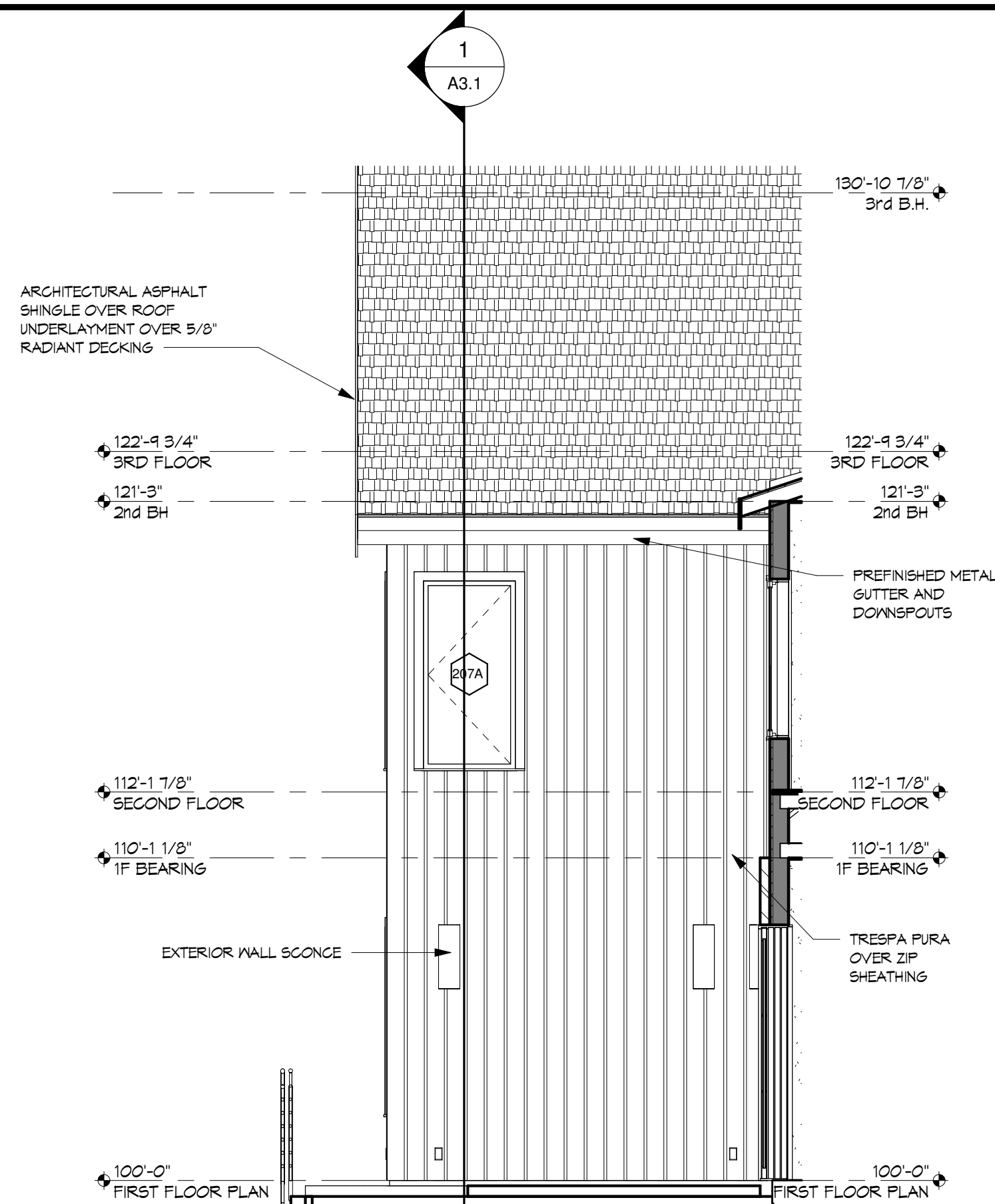
1 NORTH ELEVATION
1/4" = 1'-0"



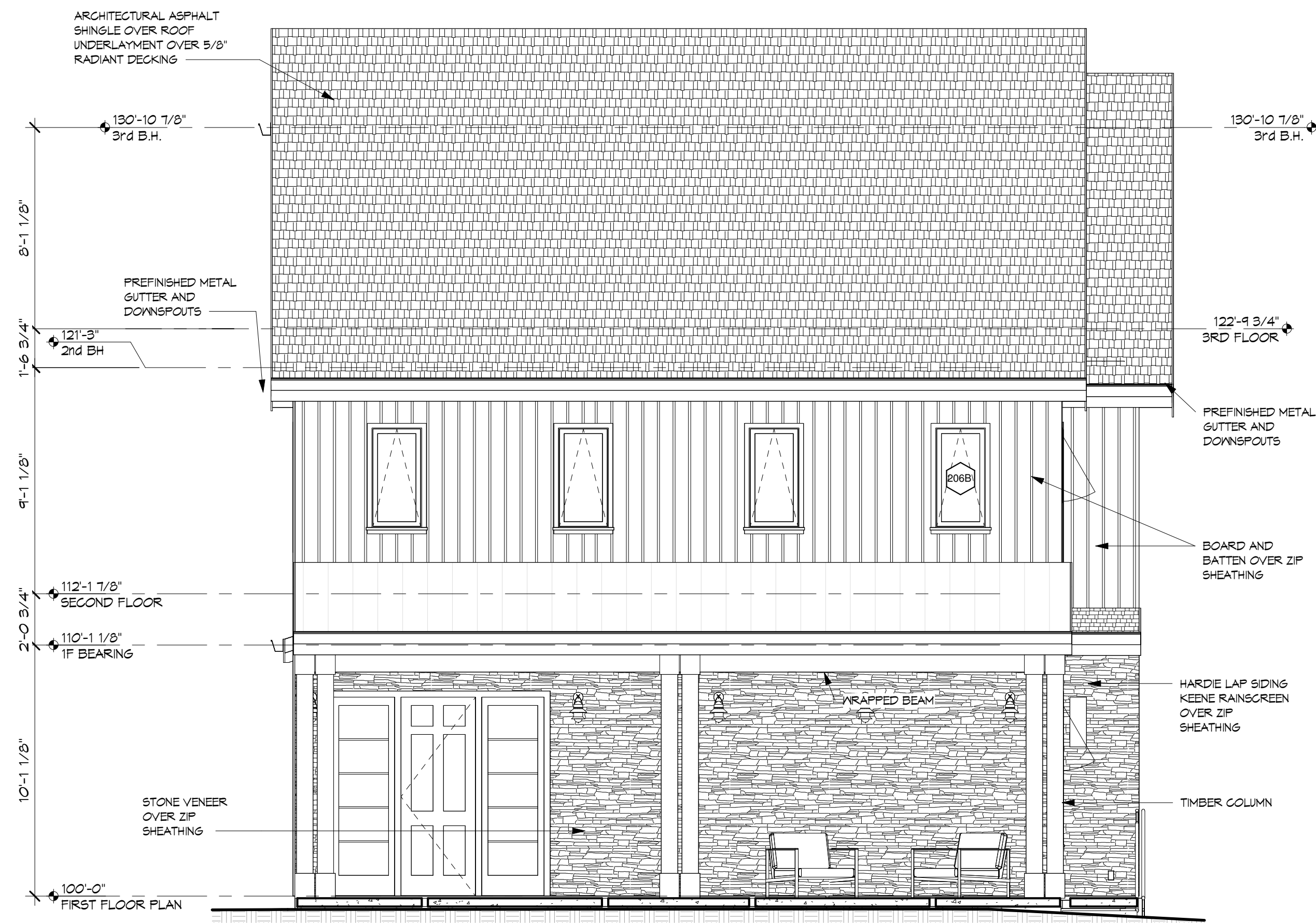
1 SOUTH ELEVATION
1/4" = 1'-0"



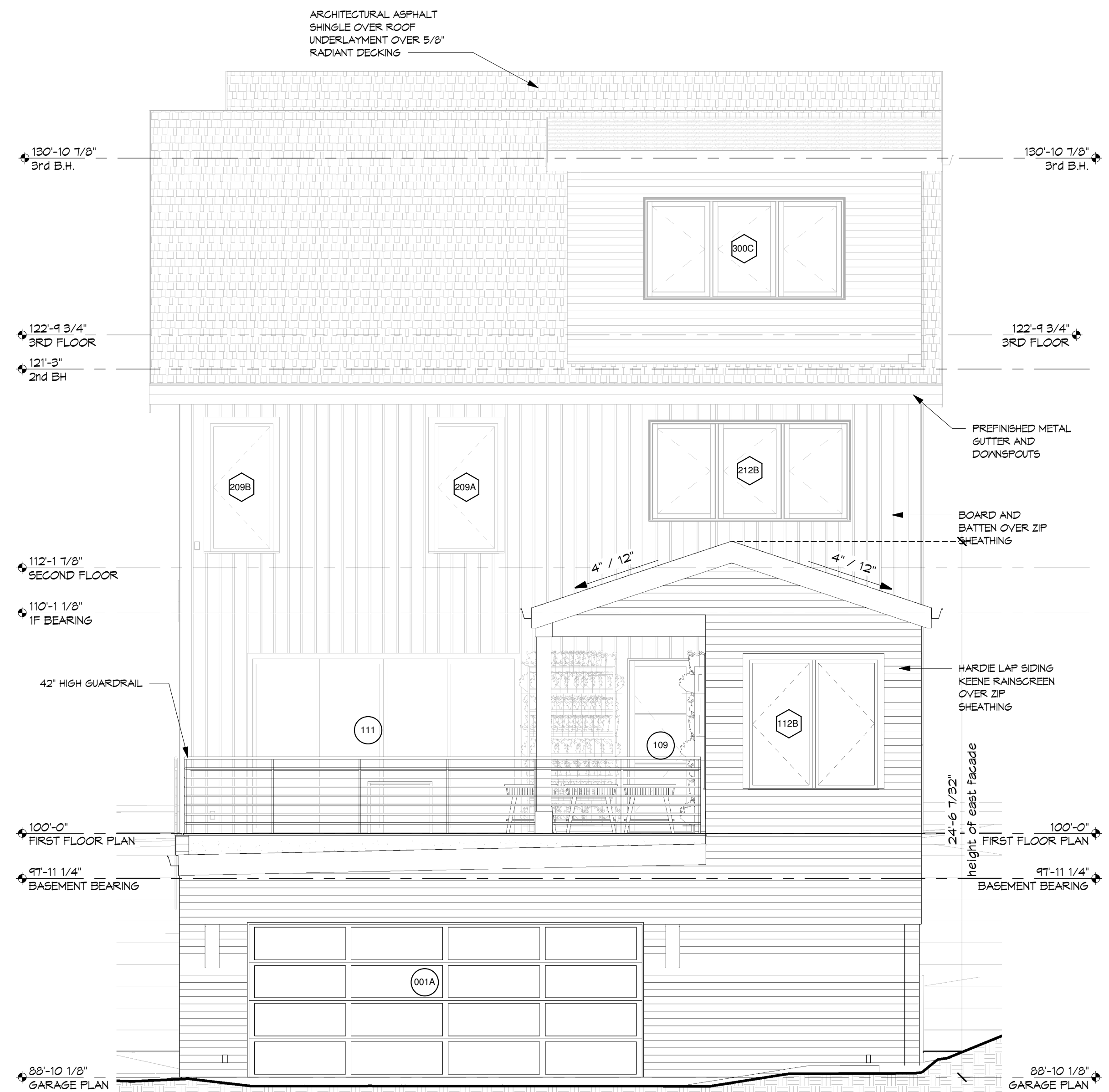
① WEST INT ELEV
1/4" = 1'-0"



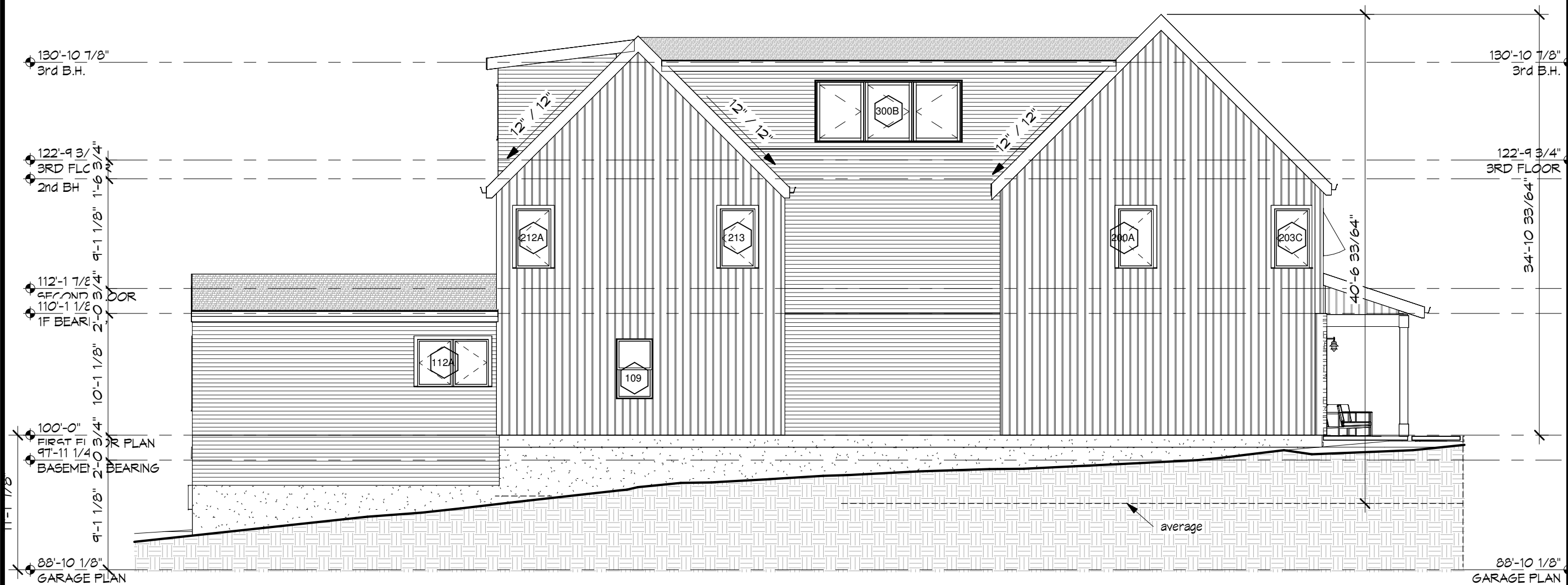
③ EAST INT ELEV
1/4" = 1'-0"



② WEST ELEVATION
1/4" = 1'-0"



① EAST ELEVATION
1/4" = 1'-0"



1 NORTH ELEVATION Copy 1
1/8" = 1'-0"

BREWER HOME
972 N. MAIN STREET
BENTONVILLE, AR

**Burris
Architecture**
820 Tiger Blvd, Suite 4, Bentonville, AR 72712
479-319-6045

DATE
07/11/24
JOB NO.
22186

EX1
HEIGHT DIAGRAM









Haney

1003 Northwest A Street

BOA Date: 6/26/2024

Staff Report Details

Project Number	[VAR24-0016]
Applicant / Current Owner	Mark Haney
Site Area	+/- [0.68] Acres
Current Zoning	DN-2 Downtown Medium Density Residential
Variance Request	Rear Setback
Related projects	

Property Description

The subject property is located on 1003 Northwest A Street. The property is presently zoned DN-2, Downtown Medium Density with a future land use designation of Medium-Density Residential.

Regulation

Sec. 401.07-B Downtown Neighborhood Districts Regulations (e) DN districts setback standards: DN-2, Downtown Medium Density, allows for a minimum 25' rear setback.

Variance Request

One variance is requested:
Variance 1: A variance to allow for a change from the 25' rear setback requirement to a 5' rear setback.

Background

The applicant has provided their building permit application and communication with the fire

Background

department with this variance request for review. The building permit is on-hold pending a decision on this variance and the Lot Split LS24-0022, which was approved at the August 6th, 2024 Planning Commission Meeting.

The applicant states in their narrative that they are seeking a variance request from DN-2, Downtown Medium Density Residential, rear setback requirements, due to a topographically challenging lot. By the applicant's calculations, if full conformance of setbacks were followed, then the buildable area would be too small to develop the land due to the 20-25' deep ravine that spans 80' across the lot, leaving 20' of buildable lot length after calculating in the required 25' rear setback along the Park Springs Park property line. The applicant requests a change in rear setback requirements from 25' to 5' to have the option to construct an 18x40' home and an accessory dwelling unit (ADU) out of the naturally occurring ravine.

It should be noted, however, that the material provided by the applicant incorrectly labels the front and rear setback labels on the site plan. The proposed change in setback is currently labeled as a "Requested 5' *Front* B.S.B", where that setback should be labeled as the "Requested 5' *Rear* B.S.B". The labeled "25' "rear" setback line should be labeled as the "front" setback line and is only required to be 12' minimum. It should also be noted that the site plan is only an exhibit and approval of the variance does not constitute approval of the site plan.

Additionally, it should be noted that Fire has informed the Planning Department that they will not be responding to any emergency at the property from B Street.

This report will consider and analyze this request based upon the six conditions of approval from the Zoning Code. Said conditions of approval will be bolded to differentiate from staff commentary.

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;

The applicant identifies the ravine and contours of the lot as a special condition that prevents the applicant from following the traditional setback requirements as outlined in the code.

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;

While adjacent lots do also showcase topographical challenges, the topographical features of the site do mean there is less challenging buildable area on the park-facing section of the lot than the lots surrounding the property.

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

The applicant did not cause the topographical characteristics of the lot.

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.

The applicant is seeking a variance that would allow for a larger buildable area not affected by the topographical challenges, which would allow this area to have a buildable area similar to

Background

neighboring properties.

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.

The applicant makes no reference to any nonconformities or properties in neighboring lands or zoning districts.

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.

The applicant has provided a site plan showing a proposed site layout for the subject property and the reasoning for the requested variance.

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.

The variance to the rear setback would allow for the home to front the park, which could change the built environment of the surrounding area. Having a 5' setback would make it the closest home to a park in the neighborhood, as the closest a home could be currently is 7' if a side of a lot abuts the park.

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.

The Board has the authority to attach any conditions to a variance request that it deems appropriate. Any conditions proposed with a variance approval should be clearly stated into the record in the approval motion.

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.

The applicant's request does not include a variance to use.

Conclusion

The applicant's variance request comes from Sec. 401.07-B of the Zoning Code, which houses the lot regulations for Downtown Neighborhood Districts. In DN-2, the minimum rear setback is 25'. The applicant is seeking a variance to change the minimum rear setback of 25' to 5'. As previously mentioned, the site plan is not included in the approval of this variance.

This variance request seems to indicate a number of unique features affecting this property. First, the lot in question is covered by a fair amount of ravine topography. This is exacerbated by the lot having no street frontage, and the orientation of the lot requiring the larger, rear setbacks along the flatter, Park Springs Park side of the lot.

Ultimately, all six standards of approval in the Zoning Code must be met in order for the Board to

Background
grant approval of the variance. This request appears to affirm several of the standards of approval.

Public Comment
Has Staff received Public Comment at the time of this report?: No

Conditions of Approval

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, structures 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.



Pending BOA Item



Haney

NW 10TH ST

NW B ST

NW A ST

NW PARK ST



VAR24-0016
Mark Haney
1003 NW A St



Property Owner Consent Form

City of Bentonville Planning Department

305 SW A Street

Bentonville, AR 72712

479-271-3122

I, Mark Haney am the legal owner of the
(Owner's name, printed)

property located at 1003 NW A St, identified as Parcel
(Address or Street Name)

Identification Number 01-02752-000, located in
(Parcel ID)

Benton County, Arkansas.

I certify that I am the owner of the property above and that I have read the application and consent to its filing.

Mark Haney
(Property Owner Signature)

May 24, 2024
(Date)

****If one property has multiple owners, a separate signed Property Owner Consent Form is required for each owner.**



July 26, 2024

Dear Bentonville Board of Adjustments,

Thank you for your thoughtful discussion of the 1003 NW A variance request in June. We have now submitted a building permit for this site per the Board's request, and the permit is on hold pending the action of this Board regarding this variance, and pending the action of Planning Commission and City Council regarding the lot split, which will likely be completed by the time this returns to the BOA agenda. The Lot Split has been administratively approved by all staff departments on Etrakit and is scheduled for Planning Commission approval in August. The building permit application is included in this application for reference, along with our original variance application letter from May 2024 including the contextual details of the request which have not changed. I am sharing this variance request application directly with the fire department, and will include their correspondence regarding preliminary approval as an additional exhibit on the application after they have reviewed. Thank you for your time in reviewing and I look forward to discussing with you in person soon.

Respectfully,
Mark Haney



May 10, 2024

Dear Bentonville Board of Adjustments,

We are requesting a rear setback variance for 1003 NW A St in order to construct a single family home and ADU on a topographically challenging site. There are currently two platted lots at this address, one with a home facing NW A St, and one with no home or access to a public street. This "Park Lot" was platted in 1978 without street frontage, and it appears that they intention may have been for a future home to front Park Springs Park, as the other three sides are surrounded by private property. The Park Springs Park frontage, in particular the Southwest corner of the lot, is also the only buildable area that falls outside of a 20-25' deep, forested ravine across the majority of the land area.

Although Bentonville code allows for a home to be constructed on this "nonconforming lot of record" as-is, we are proposing to bring this lot into compliance with current code by filing a property line adjustment/lot split flag out to NW A St, allowing for utility and vehicular access to the back of the lot via a shared drive, shared carport, and pedestrian footpath across the ravine. By bringing the lot into conformance, the "front setback" would then be measured by the NW A St frontage, and the "rear setback" would be the Park Springs Park frontage. Our variance request is for a rear setback of 5' instead of 25' to be able to construct the home outside of the natural ravine. This design scheme will also preserve as much tree canopy as possible, and will add both architectural interest to the area around the park and increased safety for the park and neighborhood with additional "eyes on the park," generally considered a positive from a city planning perspective.

Considering the site's unique topographical constraints, our desire to bring the lot into conformance, and our desire to construct a new home in a thoughtful and site-sensitive way, we request a rear setback of 5' on the west lot line. This would allow us to use the only buildable area on the lot and add an attractive home to the neighborhood. Thank you for your thoughtful consideration.

Respectfully,
Mark Haney

1003 NW A variance request - fire department review

3 messages

Mark Haney <markhaneynwa@gmail.com>

Fri, Jul 26, 2024 at 9:38 PM

To: Brad Arnold <barnold@bentonvillear.com>, Tyler Overstreet <toverstreet@bentonvillear.com>

Cc: Thomas Adler <tadler@bentonvillear.com>, Keegan Stanton <kstanton@bentonvillear.com>, Jennifer Coffman <jcoffman@bentonvillear.com>, planning <planning@bentonvillear.com>

Hi Brad,

Thank you for your help in some additional review of this variance request. I'm attaching our variance request application here, along with the building permit application which is on hold. Please let me know if you have any questions or feedback on the plan or if the plan we've discussed looks good. We still plan to construct a shared driveway off of NW A, and a wood footbridge to access the "Park Lot" home that we are applying for a variance on. The footbridge will provide access for future residents, and for all emergency services including fire. Thank you again for your time and patience in reviewing this.

Thank you,
Mark Haney

2 attachments



1003 NW A St variance request 2.pdf
1632K



1003 NW A St Park Lot building permit.pdf
10856K

Brad Arnold <barnold@bentonvillear.com>

Fri, Aug 2, 2024 at 3:29 PM

To: Mark Haney <markhaneynwa@gmail.com>, Tyler Overstreet <toverstreet@bentonvillear.com>

Cc: Thomas Adler <tadler@bentonvillear.com>, Keegan Stanton <kstanton@bentonvillear.com>, Jennifer Coffman <jcoffman@bentonvillear.com>, planning <planning@bentonvillear.com>

Mark, sorry for the delay in response. The fire department is okay with the access that we have been working through. The access drive between the buildings, and the foot bridge off of NW A street should suffice for the FD to access those western most structures. If there are any concerns brought up at the Board of Adjustments or Planning Commission meeting please tell them that we are okay with the access. If they need anything else from me don't hesitate to ask.

Thank you,

Brad Arnold, CFM, CBO, CSHO, CVFEI

Division Chief / Fire Marshal

Building & Fire Safety Division

Bentonville Fire Department

Office: (479)271-3108

<https://www.bentonvillear.com/214/Fire-Department>

[Quoted text hidden]

Mark Haney <markhaneynwa@gmail.com>

Fri, Aug 2, 2024 at 3:32 PM

To: Brad Arnold <barnold@bentonvillear.com>

Cc: Tyler Overstreet <toverstreet@bentonvillear.com>, Thomas Adler <tadler@bentonvillear.com>, Keegan Stanton <kstanton@bentonvillear.com>, Jennifer Coffman <jcoffman@bentonvillear.com>, planning <planning@bentonvillear.com>

Thank you Brad!

Mark
[Quoted text hidden]

BOUNDARY, TOPOGRAPHIC & TREE LOCATION SURVEY

TREE LIST:	
1) 14" OAK	- 60' CANOPY
2) 16" OAK	- 30' CANOPY
3) 12" OAK	- 30' CANOPY
4) 30" DEAD	
5) 12" OAK	- 30' CANOPY
6) 12" DOUBLE OAK	- 30' CANOPY
7) 16" DEAD	
8) 12" DOUBLE OAK	- 30' CANOPY
9) 16" DOUBLE OAK	- 50' CANOPY
10) 18" OAK	- 30' CANOPY
11) 14" OAK	- 50' CANOPY
12) 12" OAK	- 40' CANOPY
13) 14" OAK	- 40' CANOPY
14) 12" OAK	- 20' CANOPY
15) 12" OAK	- 25' CANOPY
16) 16" OAK	- 50' CANOPY
17) 12" OAK	- 30' CANOPY
18) 16" OAK	- 50' CANOPY
19) 12" DEAD	
20) 12" OAK	- 30' CANOPY
21) 14" OAK	- 40' CANOPY
22) 28" OAK	- 60' CANOPY
23) 32" OAK	- 70' CANOPY
24) 14" OAK	- 40' CANOPY
25) 14" OAK	- 40' CANOPY
26) 20" OAK	- 50' CANOPY
27) 12" TRIPLE OAK	- 40' CANOPY
28) 20" OAK	- 40' CANOPY
29) 18" OAK	- 50' CANOPY
30) 20" SYCAMORE	- 60' CANOPY
31) 24" OAK	- 50' CANOPY
32) 14" OAK	- 40' CANOPY

FIELD WORK:
FEBRUARY 26, 27 & 28, 2024

BASIS OF BEARING:
GPS OBSERVATION - AR NORTH ZONE
NAD83(2011) HORIZONTAL DATUM

BASIS OF ELEVATION:
ON-SITE NETWORK GPS OBSERVATION
NAVD88 VERTICAL DATUM

CONTOUR INTERVAL:
1 FOOT

REFERENCE DOCUMENTS:

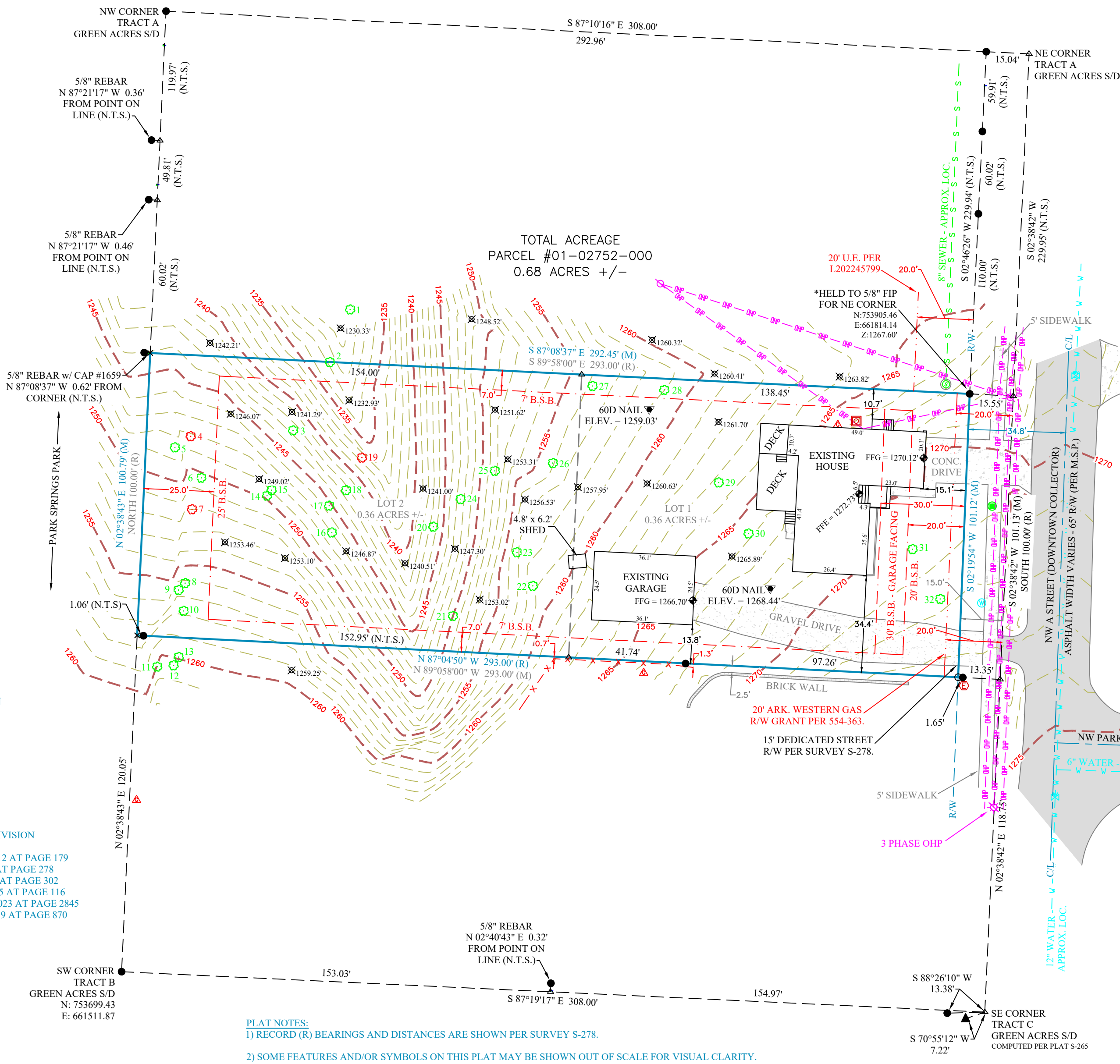
- 1) FINAL PLAT OF GREEN ACRES SUBDIVISION
FILED IN BOOK S AT PAGE 265
- 2) PLAT OF SURVEY FILED IN BOOK 2012 AT PAGE 179
- 3) PLAT OF SURVEY FILED IN BOOK S AT PAGE 278
- 4) PLAT OF SURVEY FILED IN BOOK 13 AT PAGE 302
- 5) PLAT OF SURVEY FILED IN BOOK A15 AT PAGE 116
- 6) PLAT OF SURVEY FILED IN BOOK L2023 AT PAGE 2845
- 7) WARRANTY DEED FILED IN BOOK 719 AT PAGE 870

EXISTING WARRANTY DEED DESCRIPTION (B. 719, P. 870):

LOTS 1 & 2, TRACT B IN GREEN ACRES SUBDIVISION TO THE CITY OF BENTONVILLE, BENTON COUNTY, ARKANSAS. SUBJECT TO ALL EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

FLOOD CERTIFICATION:

NO PORTION OF THIS PROPERTY IS LOCATED WITHIN FLOOD ZONE "A" OR "AE" AS DETERMINED BY THE NATIONAL FLOOD INSURANCE PROGRAM FLOOD INSURANCE RATE MAP FOR BENTON COUNTY, ARKANSAS.
(FIRM PANEL #05007C0090J. DATED 09/ 28/ 2007)



PLAT NOTES:

- 1) RECORD (R) BEARINGS AND DISTANCES ARE SHOWN PER SURVEY S-278.
- 2) SOME FEATURES AND/OR SYMBOLS ON THIS PLAT MAY BE SHOWN OUT OF SCALE FOR VISUAL CLARITY.
- 3) THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED EVIDENCE OF ABOVE GROUND APPURTENANCES, GIS, AND/OR UTILITY MAPS PROVIDED BY LOCAL UTILITY COMPANIES. NOT ALL UTILITY COMPANIES MAY HAVE RESPONDED TO OUR REQUEST FOR MAPS AND/OR INFORMATION. ALL UTILITY LINES APPEARING ON THIS PLAT, AS WELL AS THOSE THAT MAY EXIST UNDERGROUND NEED TO BE VERIFIED PRIOR TO DOING ANY TYPE OF EXCAVATION OR DESIGN. SOME UTILITY LINES MAY ALSO EXIST THAT WERE NOT SHOWN ON THIS PLAT.
- 4) THE TREE SPECIES LISTED ON THIS PLAT WERE DETERMINED TO THE BEST OF OUR KNOWLEDGE AND ABILITY. SOME TREES ON THIS PLAT MAY NOT BE THE EXACT SPECIES LISTED. PLEASE CONSULT A LICENSED ARBORIST IF EXACT TREE SPECIES ARE NEEDED.

BEUD NOTE:

ALL STRUCTURES MUST MAINTAIN MINIMUM OF 20' CLEARANCES FROM ALL ELECTRIC LINES.

PROPERTY ZONED:

R-1
*ANY HOUSE ADDITION, GARAGE ADDITION, NEW STRUCTURE, OR LOT SPLITS ON THIS LOT MAY CAUSE THE BUILDING SETBACK LOCATIONS DEPICTED ON THIS SURVEY TO VARY.

BUILDING SETBACKS:

FRONT 20ft
SIDE 07ft (INTERIOR)
SIDE 20ft (EXTERIOR)
REAR 25ft

*WHERE A UTILITY EASEMENT EXTENDS BEYOND THE REQUIRED SETBACK, THE EDGE OF THE UTILITY EASEMENT SHALL BE THE SETBACK

GARAGE SETBACK STANDARDS:

(APPLICABLE TO ATTACHED AND DETACHED GARAGES)

GARAGE, STREET FACING:

30ft FROM THE PROPERTY LINE THE GARAGE FACES

GARAGE, SIDE OR REAR LOADING:

20ft FROM THE FACING PROPERTY LINE

GARAGE, ALLEY FACING:

20ft FROM PROPERTY LINE AT ALLEY

ACCESSORY STRUCTURES (I.E. GARAGES, STORAGE SHEDS, SEPARATE DWELLING UNITS):

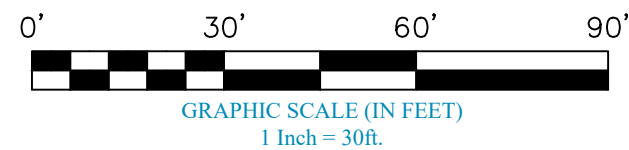
DETACHED NON-RESIDENTIAL & DETACHED ACCESSORY DWELLING:

FRONT AS REQUIRED BY DISTRICT
SIDE 07ft
REAR 07ft - SHOWN

ATTACHED ACCESSORY DWELLING:

FRONT AS REQUIRED BY DISTRICT
SIDE AS REQUIRED BY DISTRICT
REAR AS REQUIRED BY DISTRICT

*ON CORNER LOTS: STRUCTURE SHALL NOT PROJECT BEYOND THE BUILDING LINE OF THE PRIMARY STRUCTURE ON THE ADJACENT LOT

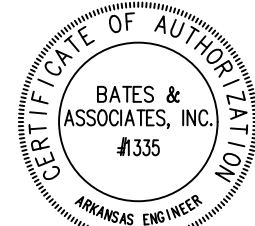
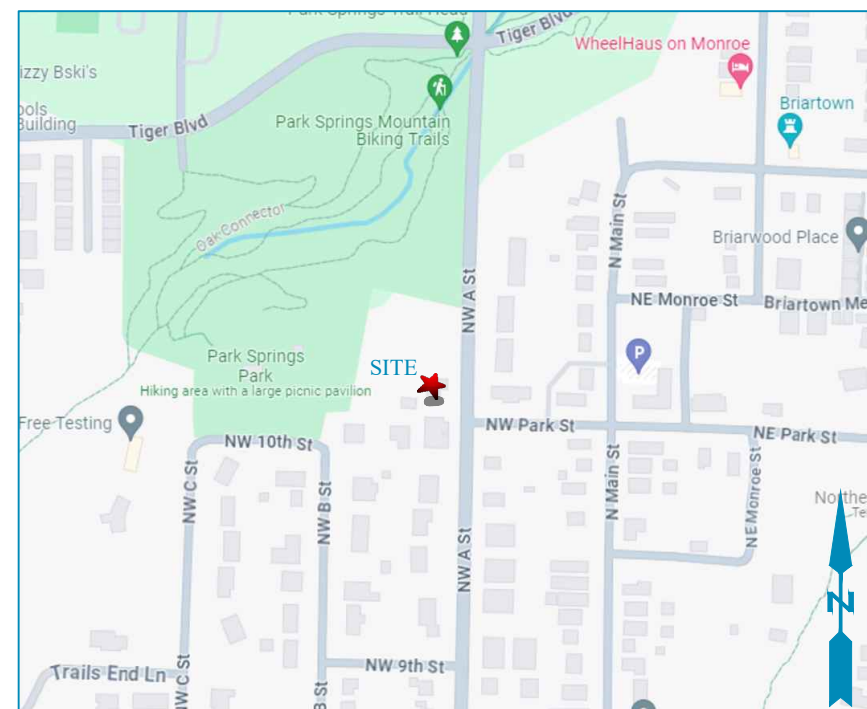


I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 28TH DAY OF FEBRUARY, 2024.

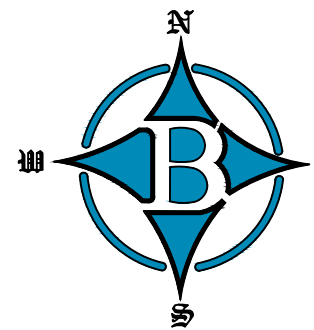


IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

VICINITY MAP



RECORDING NUMBER/DATE



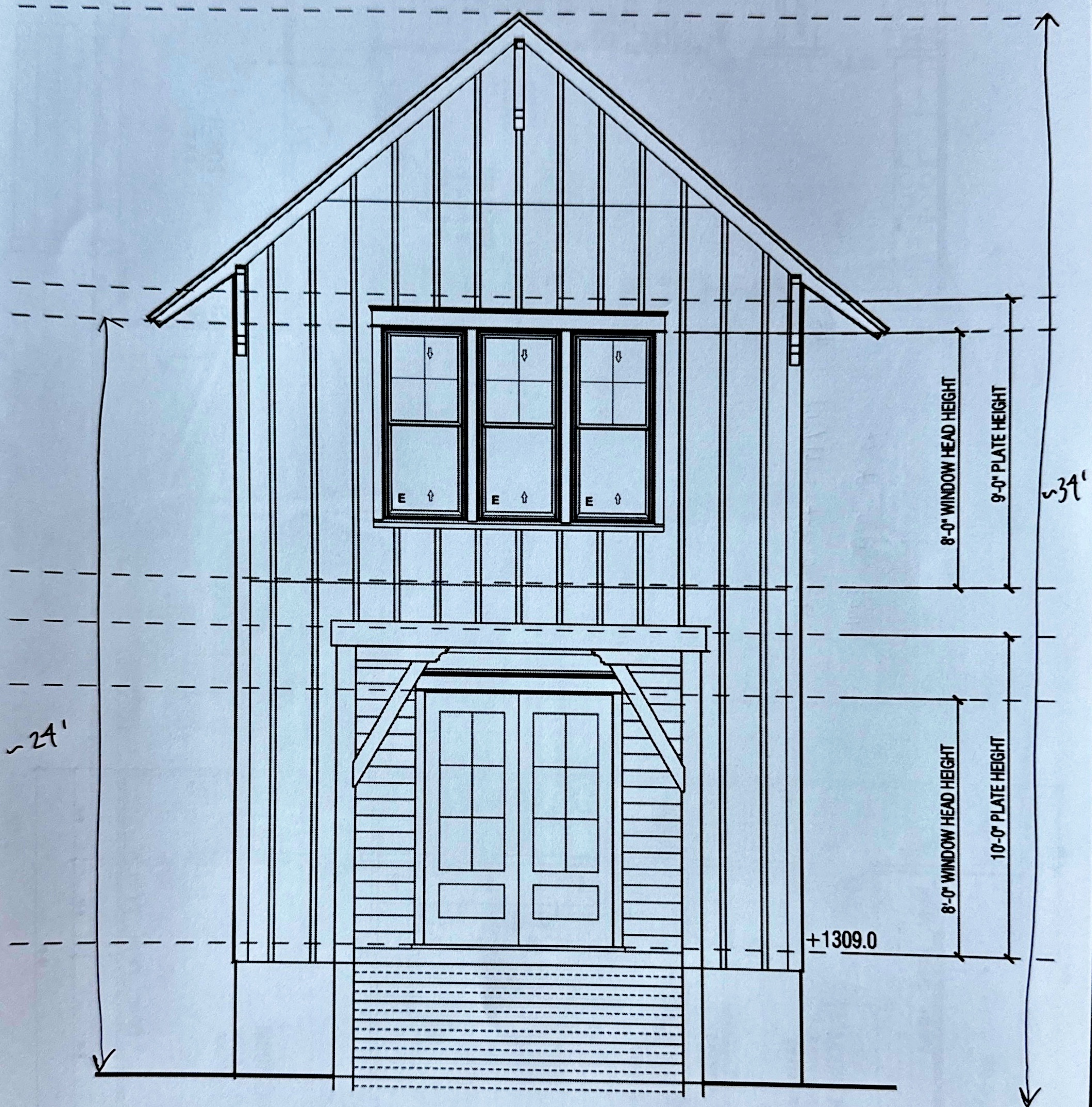
LEGEND:	
BOUNDARY LINE (MEASURED)	---
LOT LINE	---
LOT LINE/TIE LINE	---
CENTERLINE OF ROAD	---
RIGHT-OF-WAY	---
OVERHEAD POWER LINE	---
SEWER LINE	---
WATER LINE	---
FENCE	---
BUILDING SETBACK	---
UTILITY EASEMENT	---

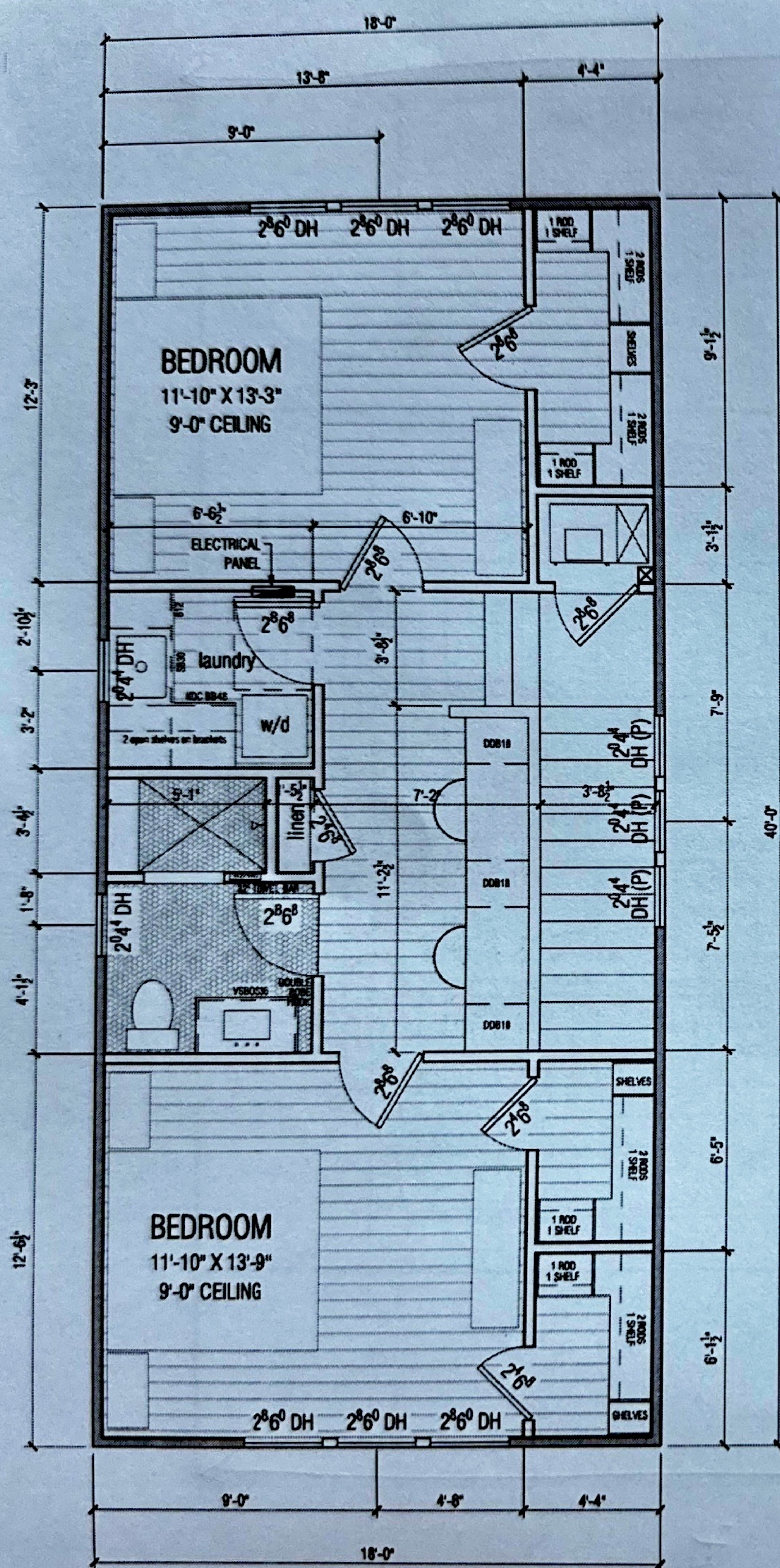
LEGEND:	
WATER VALVE	⊕
CLEANOUT	⊙
SANITARY SEWER MH	⊗
ELECTRIC PEDESTAL	⊕
AC CONDENSER UNIT	⊕
GAS METER	⊕
FOUND 5/8" REBAR	⬮
FOUND 5/8" RAILROAD SPIKE	⬮
COMPUTED POINT	⊕
SET STAKE	⊕
FINISHED FLOOR ELEVATION (FFE)	⊕
SPOT ELEVATION	⊕

BATES
Engineers - Surveyors
7230 S. Pleasant Ridge Dr. • Fayetteville, Arkansas 72704 • 479.442.9550
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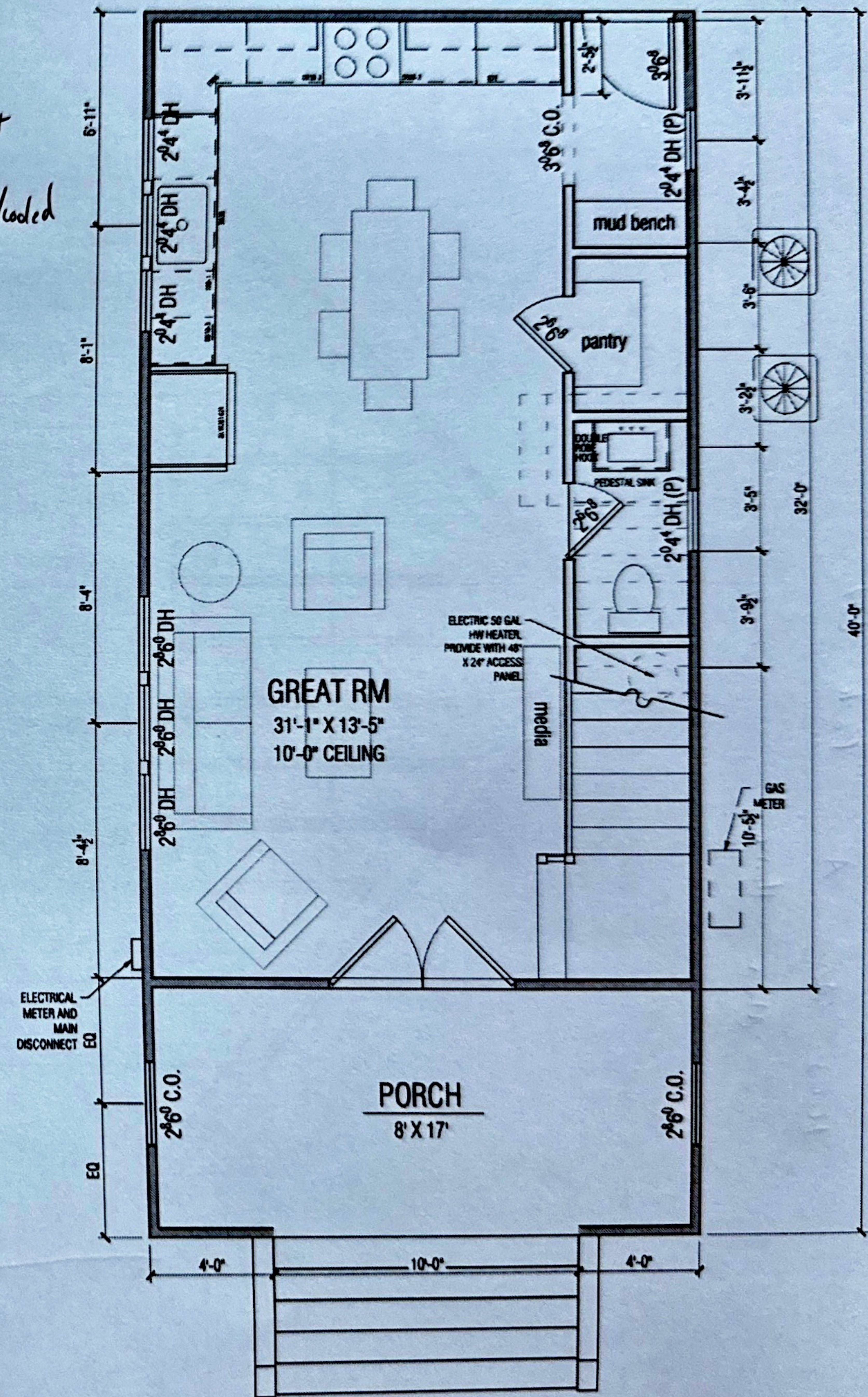
FOR USE AND BENEFIT OF:	
MARK HANEY	
ADDRESS: 1005 NORTHWEST A STREET BENTONVILLE, ARKANSAS	
DATE: 03/20/24	SCALE: 1"=90'
SURVEYED: 03/20/24	DRAFTED: 03/20/24
BY: BATES & ASSOCIATES, INC.	BY: BATES & ASSOCIATES, INC.
TRACT B BATES SUBDIVISION	DRAFT DATE: 3/19/24
	REVIEWED: DT
	COA: #1335
DRAWING #24-029	

1003 NW A "Park Lot"
Main Home

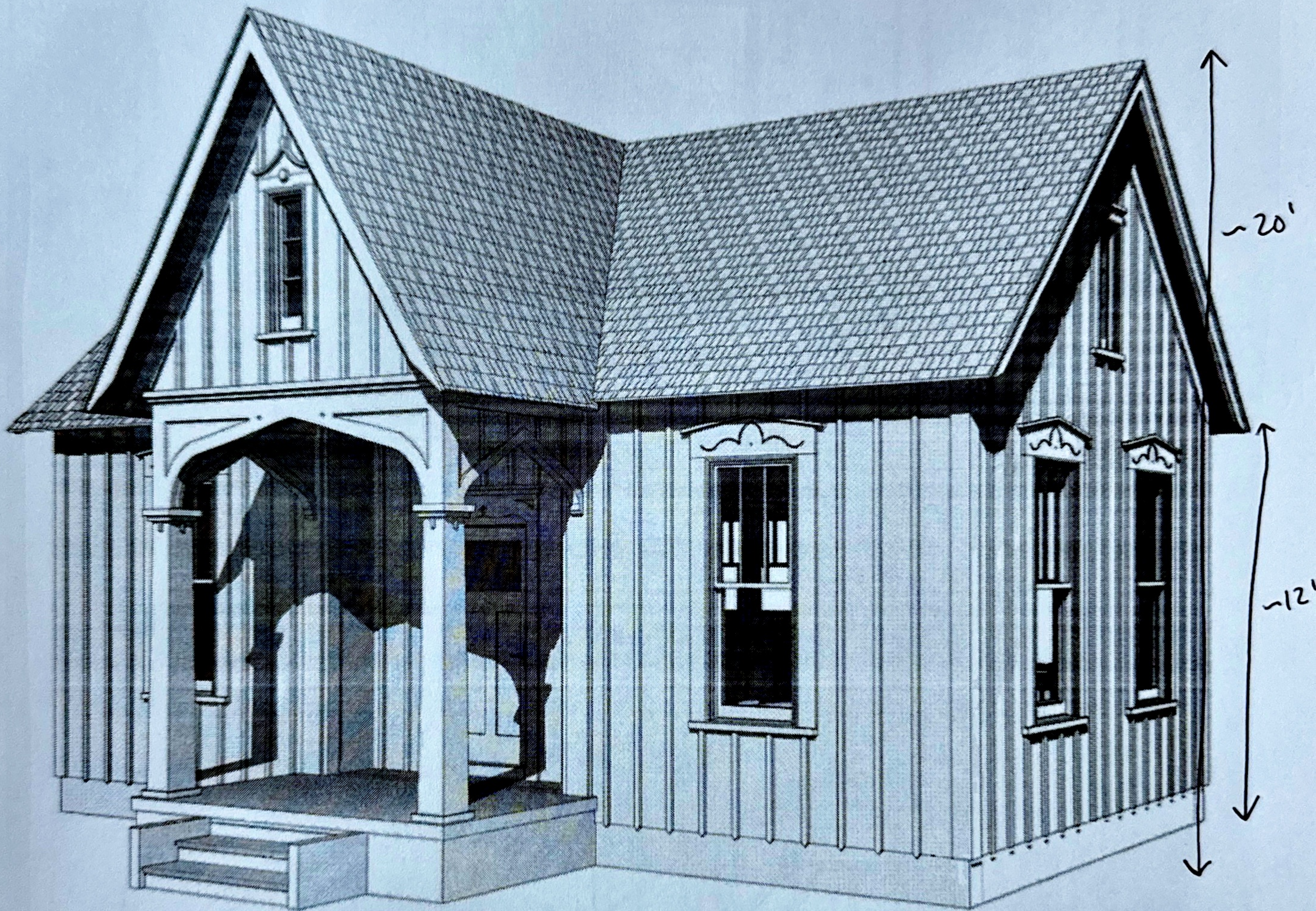




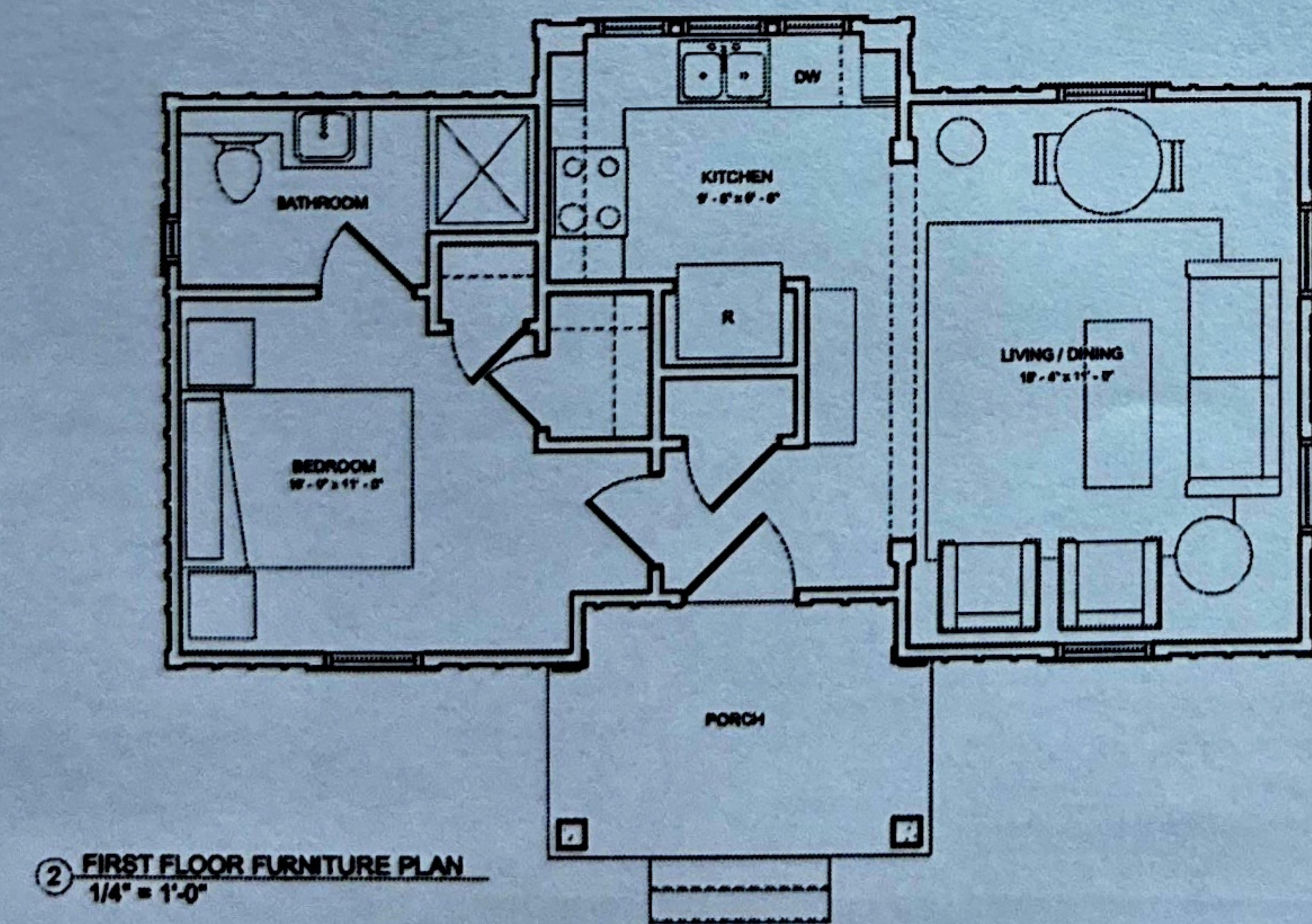
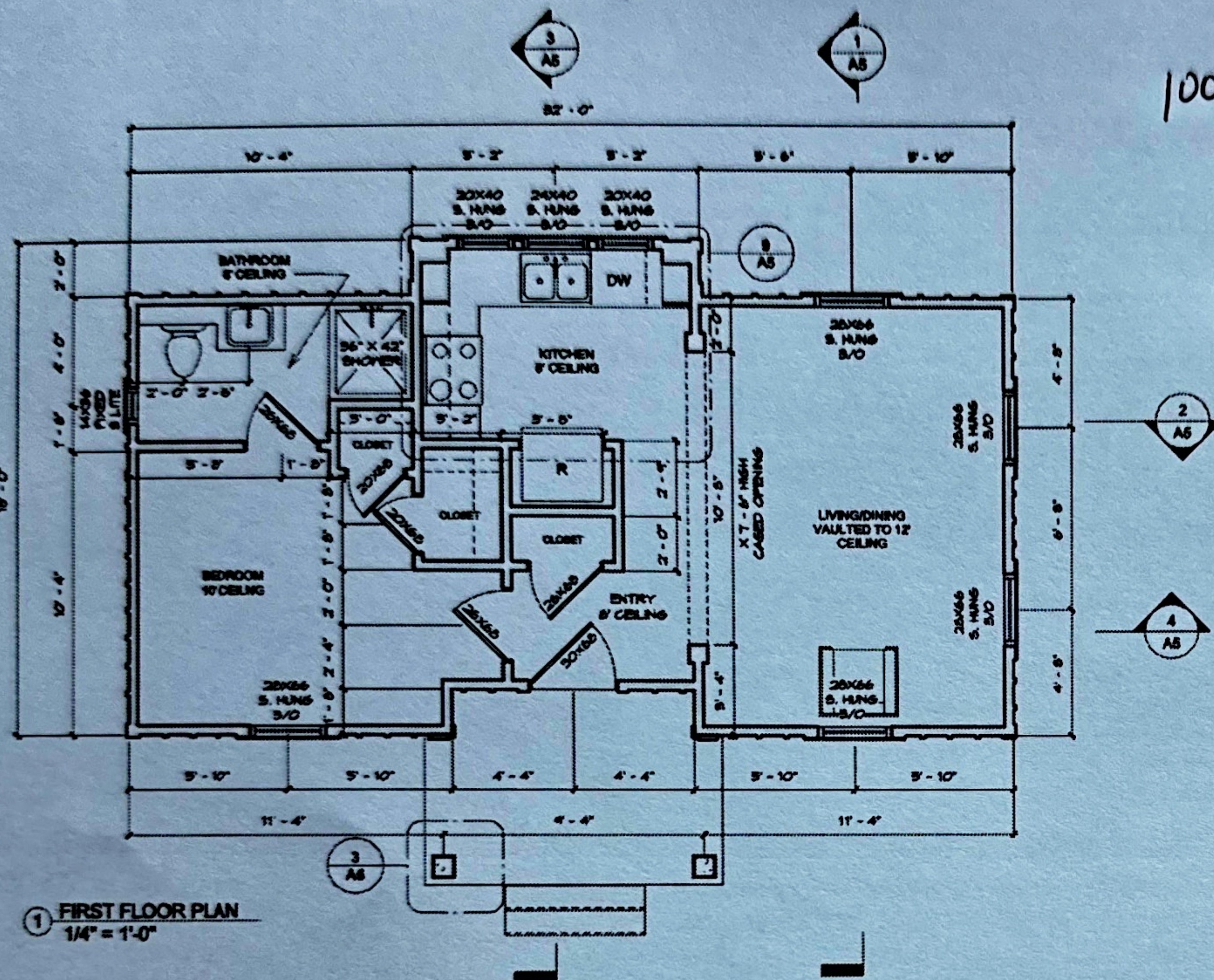
1003 NW A ST
1,296 sqft heated/loaded



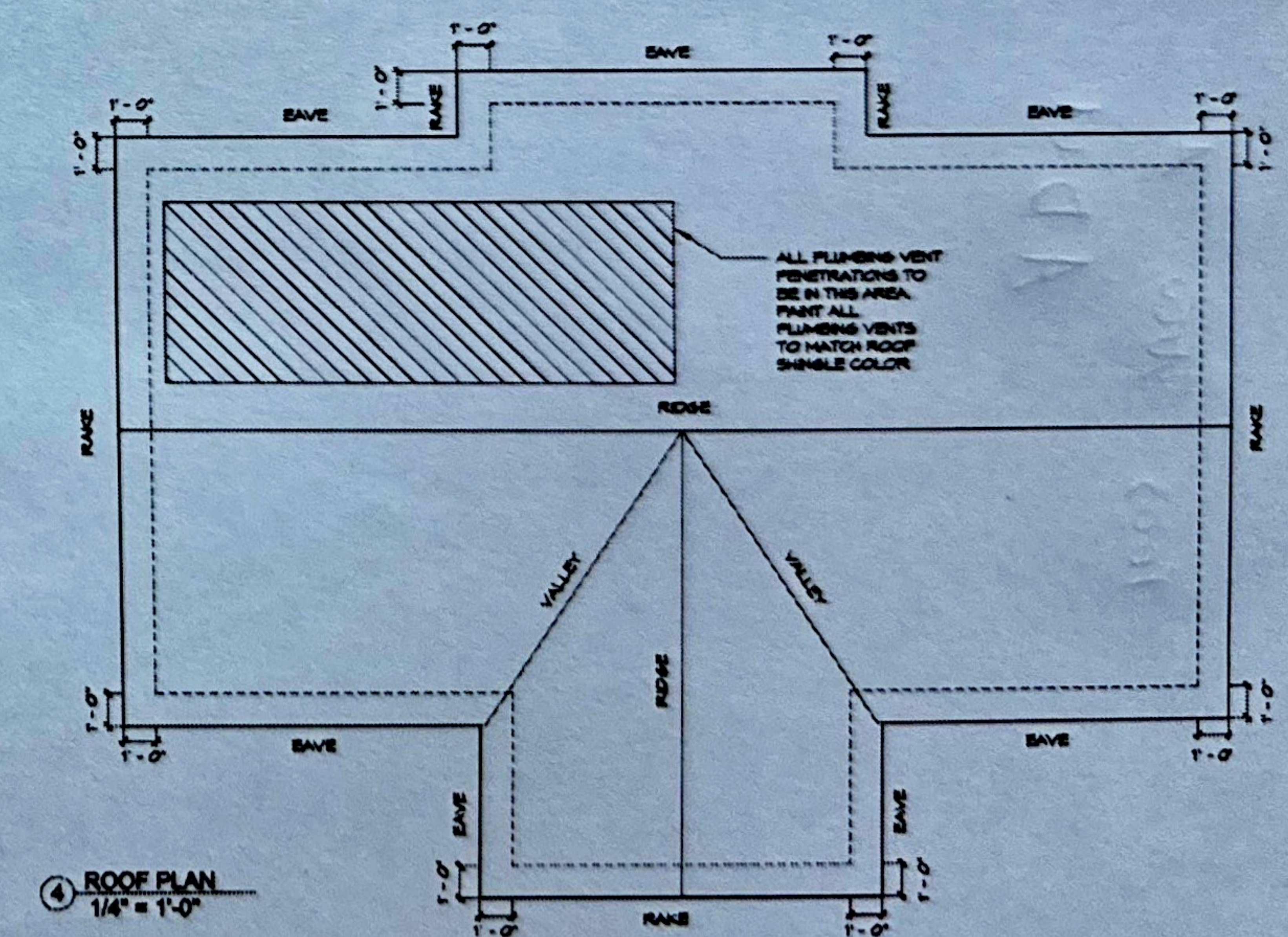
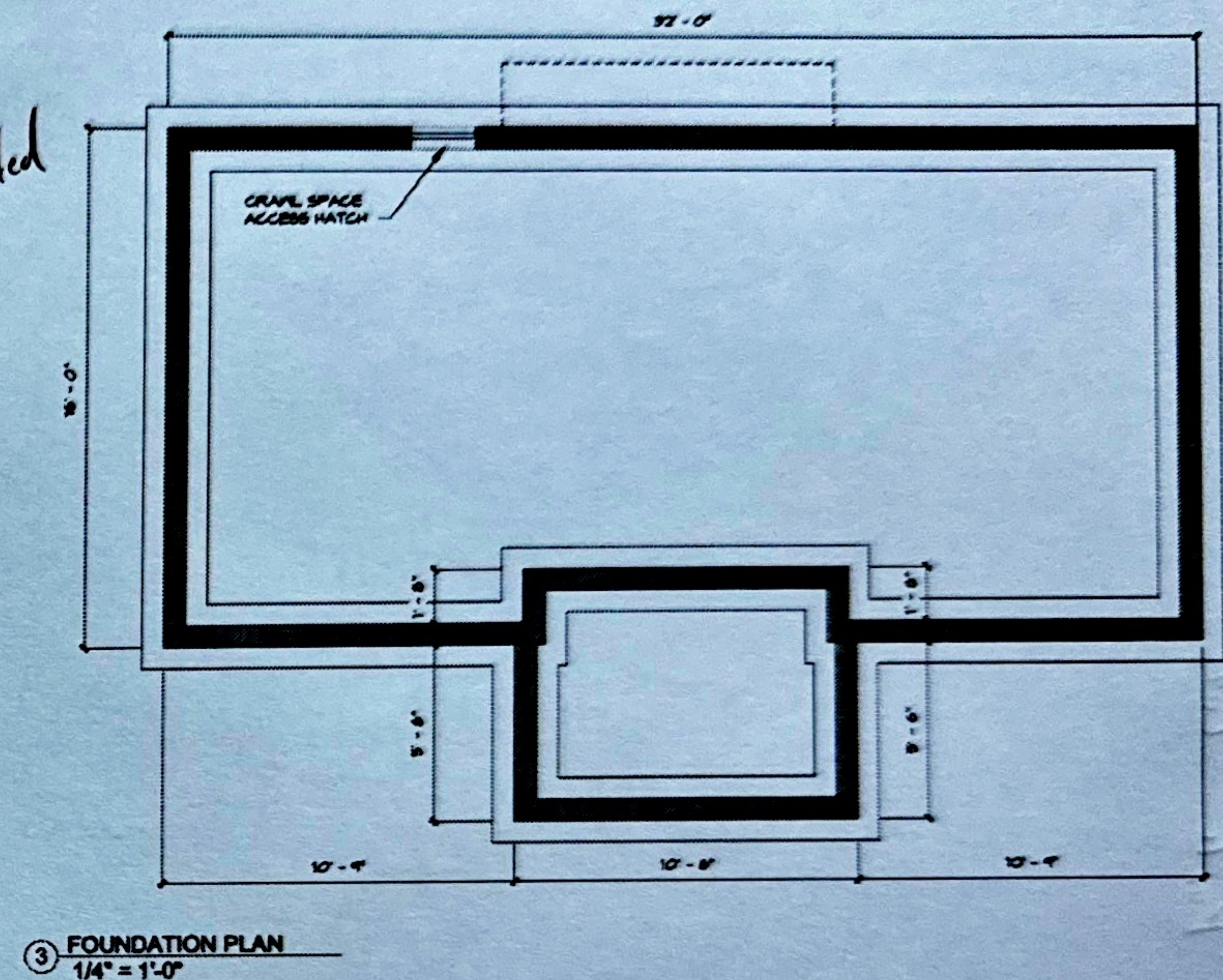
1003 NW A "Park Lot"
ADU



1003 NW A
ADU
512 sq ft heated/cooled

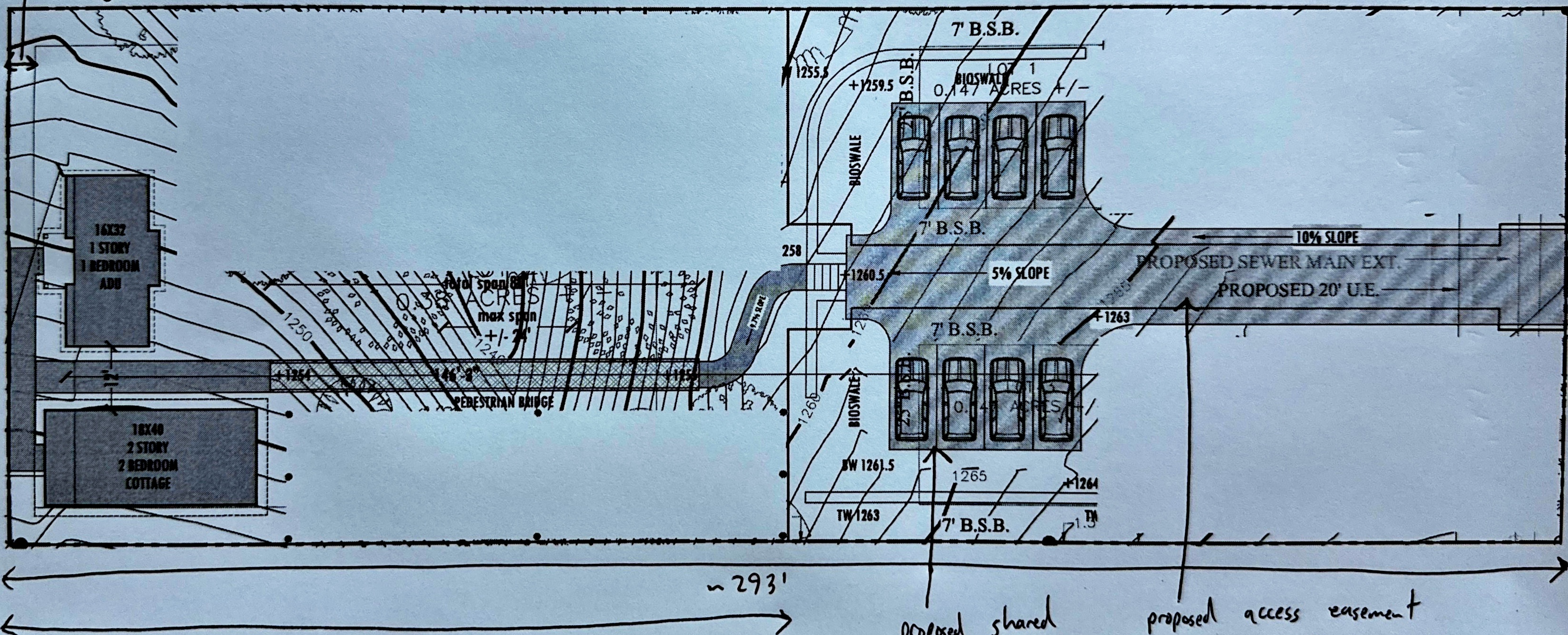


FOUNDATION LAYOUT NOTES:
1. REFER TO SITE PLAN FOR FINISH FLOOR ELEVATION OF HOUSE
2. PROVIDE FOUNDATION SYSTEM AS PER GEOTECHNICAL ENGINEER'S RECOMMENDATION



1003 NW A "Park Lot"
site Plan

5' setback,
contingent on
variance request



proposed shared
carport + parking
w/ green roofs

proposed access easement
for "Park Lot" home
and additional homes
on NW A frontage
via separate building permits