



**Board of Adjustments  
Meeting Agenda  
August 28, 2024  
Bentonville City Hall  
Meeting Time: 4:00 PM**

**Registration Link:** <https://us06web.zoom.us/j/83180223818>

**I. Call to Order**

**II. Approval of Minutes**

**1. August 14th Meeting Minutes**

**Approval of Meeting Minutes**

**III. New Business**

**IV. Old Business**

**1. Haney**

**Variance\***

1003 Northwest A Street ([VAR24-0016](#))  
Section 401.07-B of the Zoning Code

**V. Other Business**

**VI. Adjournment**



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

**Meeting Recording:** [https://us06web.zoom.us/rec/share/-SxR1O-gM85ikVdn6BOtbrn7W3bz2QW1fR-naV1Tyc0q\\_vVxqoMnWm8KIMCp9K3g.Pu65Hoyo59N18-je?startTime=1723669037000](https://us06web.zoom.us/rec/share/-SxR1O-gM85ikVdn6BOtbrn7W3bz2QW1fR-naV1Tyc0q_vVxqoMnWm8KIMCp9K3g.Pu65Hoyo59N18-je?startTime=1723669037000)

**I. Call to Order**

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

**II. Approval of Minutes**

**1. July 10th Meeting Minutes**

**Approval of Meeting Minutes**

- Motion to approve by Phillips, second by Swanson.
- Minutes are approved 4-0.

**III. New Business**

**1. Richardson**

**Variance\***

7306 Southwest Walnut Grove Avenue (VAR24-0011)

*Request for a 7' variance for the rear building setback to be 18' instead of the 25' rear setback required by Article 401 Zoning District Regulations, Section 401.07 Residential (R) Districts Regulations, Sub-section (c) Residential (R) districts setback standards.*

- Ms. McAdara provides an overview of the staff report.
- Stephanie Perez, representing the applicant, is on Zoom for any questions.
- Discussion on pre-footing housing inspections, the contractor's mistake in laying out the foundation, and the difficulties of moving an existing house to meet setbacks.
- Motion to approve variance by Phillips, second by Pearson.
- Variance is approved 4-0.

**2. Stricklin**

**Variance\***

408 West Central Avenue (VAR24-0013)

*Request for a 7' variance on the interior side building setback to be 3' instead of the 10' interior side setback required by Article 401 Zoning District Regulations, Section 401.07 Residential (R) Districts Regulations, Sub-section (c) Residential (R) districts setback standards.*

- Ms. McAdara provides an overview of the staff report.
- Alli Quinlan, representing the applicant, is here for any questions.
- Discussion on fire code and the air conditioning units to the south of the property resulting in a jagged lot line between the subject property and the church.
- Swanson abstains because of conflict of interests.

- Motion to approve variance by Pearson, second by Phillips.
- Variance is approved 3-0.

### **3. Brewer**

**Variance\***

408 West Central Avenue (VAR24-0013)

*Request for a 4' variance to allow for a maximum building height of 40' instead of the 36' required by Section 401.07 Downtown Neighborhood Districts Regulations (e) DN districts Height Standards and Section 401.03 Calculations and Measurements.*

- Ms. McAdara provides an overview of the staff report.
- Dave Burris, representing the applicant, states how the house is on a sloped lot and is not taller than adjacent homes. Mr. Burris believes the city should change its Municipal Code to allow for height encroachments based on the streetscape.
- Chairman Kruithof asks staff to consider changes to height requirements of the Code.
- Phillips abstains because of conflict of interests.
- Motion to approve variance by Pearson, second by Swanson.
- Variance is approved 3-0.

## **IV. Old Business**

## **V. Other Business**

### **1. Variance Application Process**

**Recommendation\***

- Mr. Overstreet would like direction from the Board on variance application requirements.
- Chairman Kruithof states that 1) he would like to see more documentation, such as assurances from the Fire Department, if it is relevant to the project, and 2) the Board should be the last stop: staff should know exactly what the applicant wants to do.
- Chairman Kruithof does not want to approve conceptual plans or variances without documentation. He would prefer to review plans that are concrete and documented.
- Mr. Overstreet states how previous staff reports used to have standard conditions of approval stating if a project is substantially altered, the variance no longer applies.
- Discussion on how "significant changes" is defined, the extent of those modifications, and whether staff would review changes to projects or the Board.
- Mr. Overstreet will work on drafting language for variance conditions of approval.

### **2. Haney**

**Variance\***

1003 Northwest A Street (VAR24-0016)

*Request for a 20' variance to allow for a 5' rear setback instead of the 25' required from Section 401.07-B Downtown Neighborhood Districts Regulations (e) DN districts setback standards.*

- Ms. McAdara provides an overview of the staff report.
- Mark Haney, the applicant, and Alli Quinlan, the architect, are present.
- Discussion on the hardship and where the front of the lot is, alternatives to develop the lot without a variance, minor vs. major setbacks, and variances based on topography.
- Board members believe buying the unbuildable lot is a self-imposed hardship, the setbacks requested should be the minimum needed to develop the lot, and there are other options to develop the property that would not require coming to the BOA.
- The applicants request to table the item to the next meeting, August 28<sup>th</sup>.
- Motion to table variance by Phillips, second by Pearson.
- Variance is tabled 4-0.

## **VI. Adjournment**

- Meeting Adjourned.



**Haney**

1003 Northwest A Street

**BOA Date:** 6/26/2024

### Staff Report Details

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

### Property Description

The applicant has requested to table this item due to newly discovered utility easements and infrastructure.

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 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

## Background

the topographical challenges, which would allow this area to have a buildable area similar to 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.

### Background

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

The following conditions of the approval are below.

1. The approved variance shall be for the proposed layout and setbacks, as provided by the applicant within this application.
2. The applicant shall be required to obtain an approved building permit for the structure.

### 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.

**From:** Hunter Adkisson <ha@flintlocklab.com>  
**Sent:** Friday, August 23, 2024 2:55 PM  
**To:** Bradley Gavrielides  
**Cc:** Mark Haney; Allison Thurmond Quinlan  
**Subject:** 1003 NW A - BOA Variance

Hi Bradley,

Thanks again for reaching out regarding this variance resubmission earlier.

With the recent discovery of a previously identified gas easement on the property, we would like to voluntarily table this request until the site plan can be updated to accommodate required changes since, as you kindly noted, whatever site plan is shown that the BOA approves would be required moving forward.

Please keep us (Mark and either Alli or me) on the attendee list for the BOA meeting, and we can explain that to the board via Zoom to hopefully avoid another variance submission fee.

Hope you have a good weekend!

Gratefully,

**Hunter Adkisson**

[www.flintlocklab.com](http://www.flintlocklab.com)

**O:** 479.305.4807

**A:** 528 N College Ave, Fayetteville AR



*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.**



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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



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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 &lt;barnold@bentonvillear.com&gt;, Tyler Overstreet &lt;toverstreet@bentonvillear.com&gt;

Cc: Thomas Adler &lt;tadler@bentonvillear.com&gt;, Keegan Stanton &lt;kstanton@bentonvillear.com&gt;, Jennifer Coffman &lt;jcoffman@bentonvillear.com&gt;, planning &lt;planning@bentonvillear.com&gt;

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 &lt;markhaneynwa@gmail.com&gt;, Tyler Overstreet &lt;toverstreet@bentonvillear.com&gt;

Cc: Thomas Adler &lt;tadler@bentonvillear.com&gt;, Keegan Stanton &lt;kstanton@bentonvillear.com&gt;, Jennifer Coffman &lt;jcoffman@bentonvillear.com&gt;, planning &lt;planning@bentonvillear.com&gt;

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 &lt;barnold@bentonvillear.com&gt;

Cc: Tyler Overstreet &lt;toverstreet@bentonvillear.com&gt;, Thomas Adler &lt;tadler@bentonvillear.com&gt;, Keegan Stanton &lt;kstanton@bentonvillear.com&gt;, Jennifer Coffman &lt;jcoffman@bentonvillear.com&gt;, planning &lt;planning@bentonvillear.com&gt;

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:**

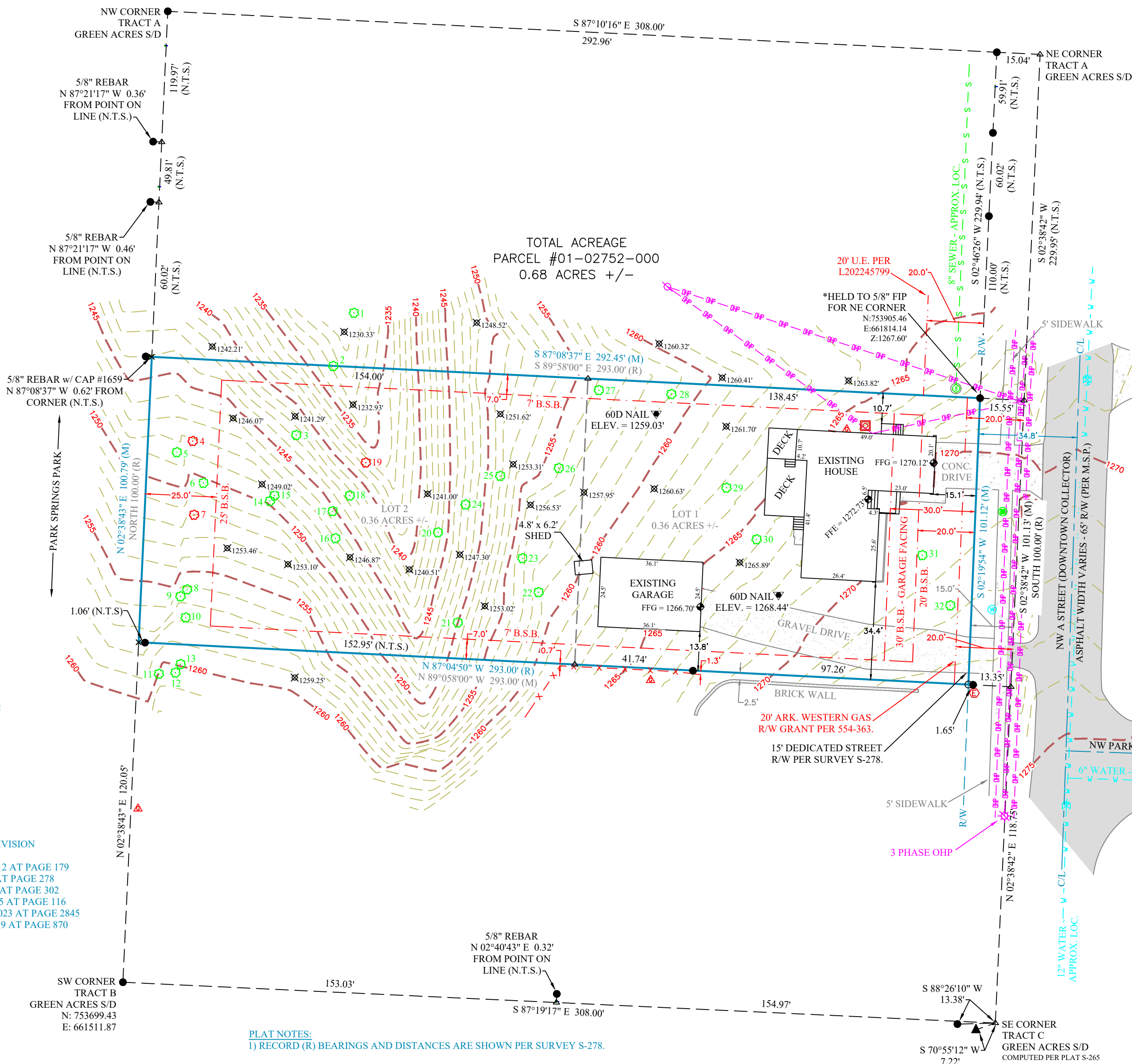
- 1) FINAL PLAT OF GREEN ACRES SUBDIVISION  
FILED IN BOOK S AT PAGE 265
- 2) PLAT OF SURVEY FILED IN BOOK 2012 AT PAGE 179
- 3) PLAT OF SURVEY FILED IN BOOK S AT PAGE 278
- 4) PLAT OF SURVEY FILED IN BOOK 13 AT PAGE 302
- 5) PLAT OF SURVEY FILED IN BOOK A15 AT PAGE 116
- 6) PLAT OF SURVEY FILED IN BOOK 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):**

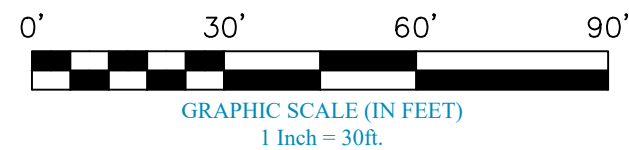
**DETACHED NON-RESIDENTIAL & DETACHED ACCESSORY DWELLING:**

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

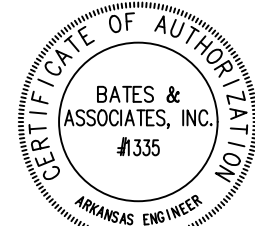
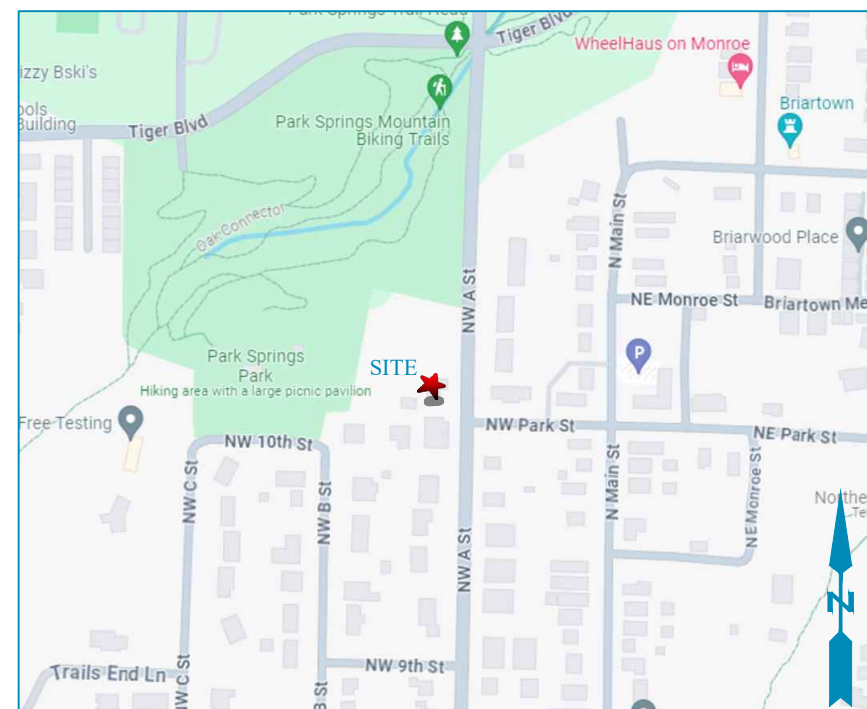


I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 28TH DAY OF FEBRUARY, 2024.

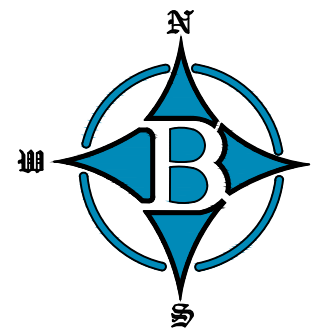


IF THE SIGNATURE ON THIS SEAL IS NOT AN ORIGINAL AND NOT BLUE IN COLOR THEN IT SHOULD BE ASSUMED THAT THIS PLAT MAY HAVE BEEN ALTERED. THE ABOVE CERTIFICATION SHALL NOT APPLY TO ANY COPY THAT DOES NOT BEAR AN ORIGINAL SEAL AND SIGNATURE.

**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       | WATER METER                    |
| CLEANOUT          | SANITARY SEWER MH              |
| ELECTRIC PEDESTAL | AC CONDENSER UNIT              |
| GAS METER         | FOUND 5/8" REBAR               |
| FOUND 5/8" REBAR  | COMPUTED POINT                 |
| SET STAKE         | FINISHED FLOOR ELEVATION (FFE) |
| SPOT ELEVATION    |                                |

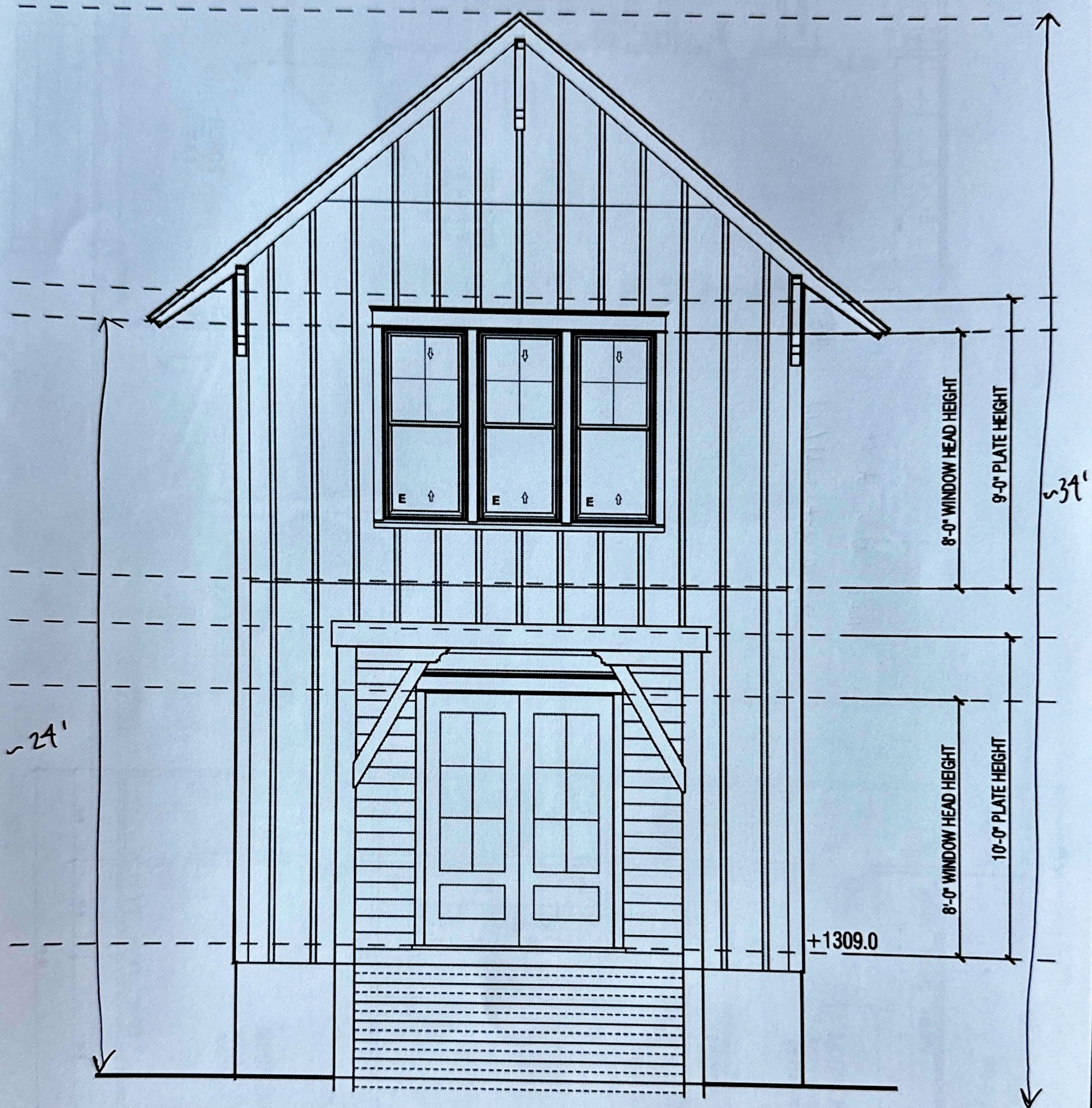
**BATES**  
Engineers - Surveyors  
7230 S. Pleasant Ridge Dr. • Fayetteville, Arkansas 72704 • 479.442.9550  
BATES & ASSOCIATES, INC. (for the State of Arkansas) is a professional land surveying firm. This plat is prepared by a professional land surveyor and is subject to the rules and regulations of the Arkansas Board of Land Surveyors. No portion of this plat is to be used for any purpose other than that for which it was prepared. Bates & Associates, Inc. is not responsible for any errors or omissions in this plat, nor for any consequences of its use. Bates & Associates, Inc. is not responsible for any consequences of its use. Bates & Associates, Inc. is not responsible for any consequences of its use.

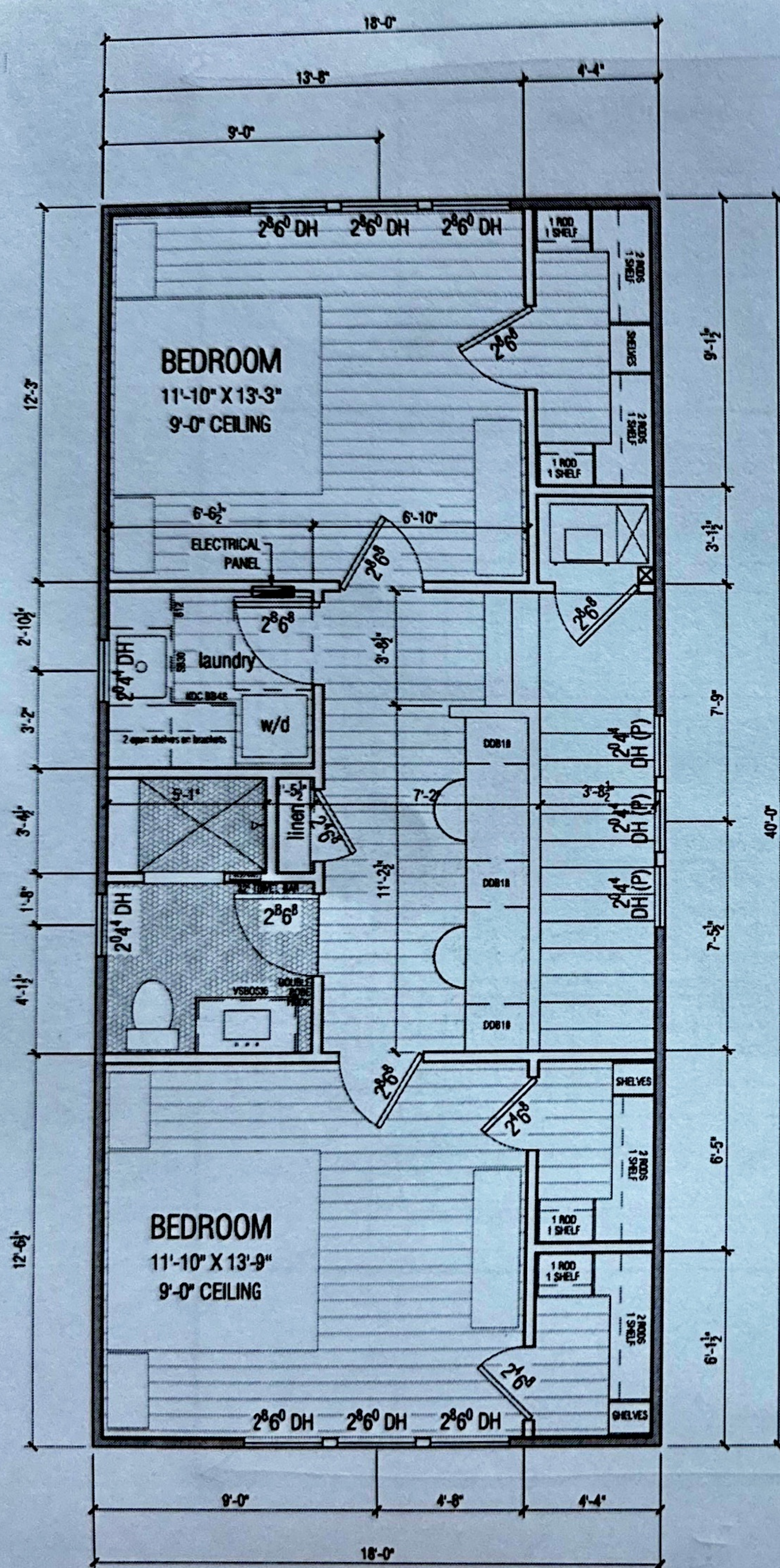
**FOR USE AND BENEFIT OF:**

|                                                         |                              |                   |
|---------------------------------------------------------|------------------------------|-------------------|
| MARK HANEY                                              | DATE: 03/20/24               | SCALE: 1"=30'     |
| ADDRESS: 1005 NORTHWEST A STREET, BENTONVILLE, ARKANSAS | SURVEYED: 03/20/24           | DRAFTED: 03/20/24 |
|                                                         | BY: BATES & ASSOCIATES, INC. | DATE: 3/19/24     |
|                                                         | REVIEWED: DT                 | COA: #1335        |

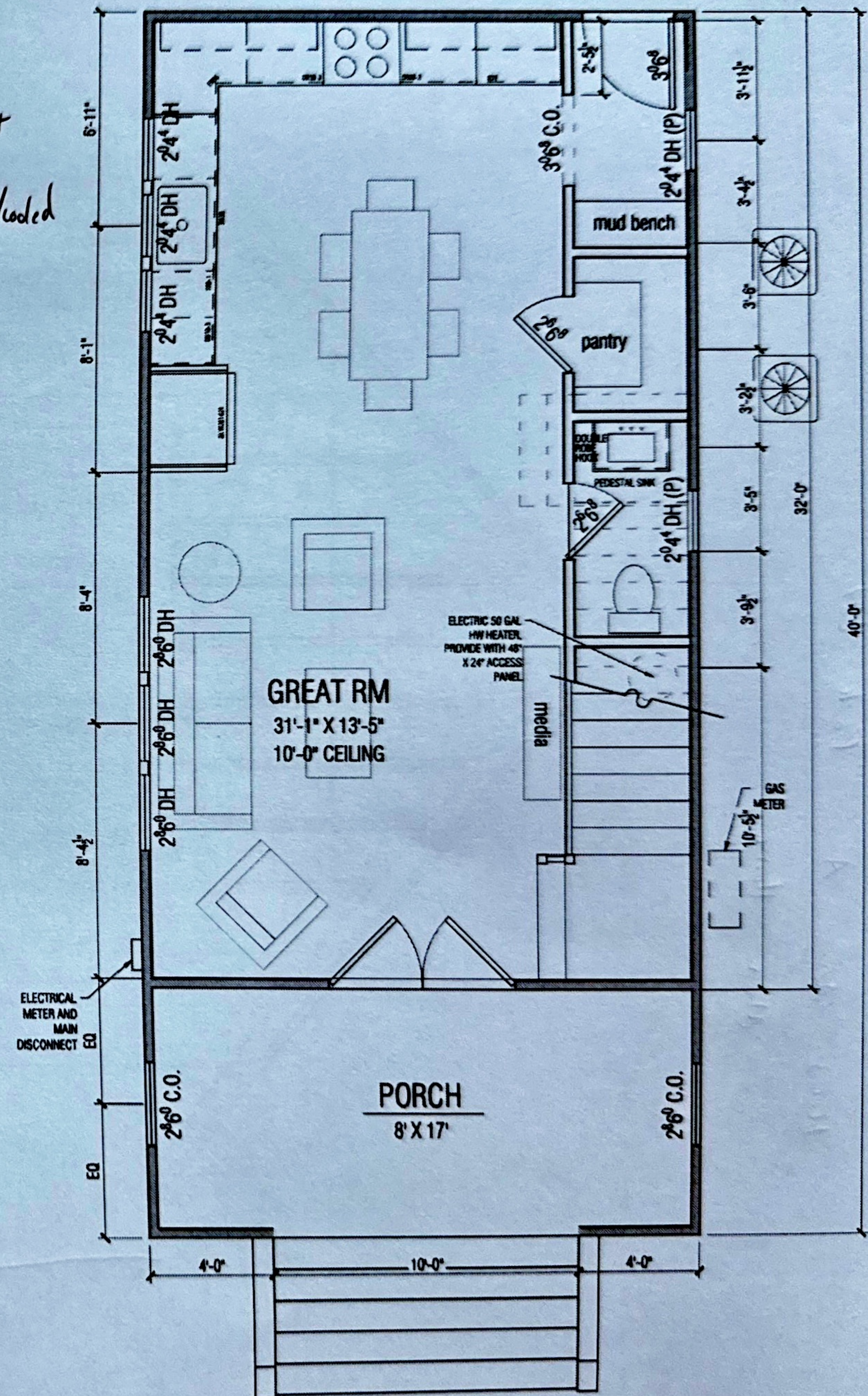
DRAWING #24-029

1003 NW A "Park Lot"  
Main Home

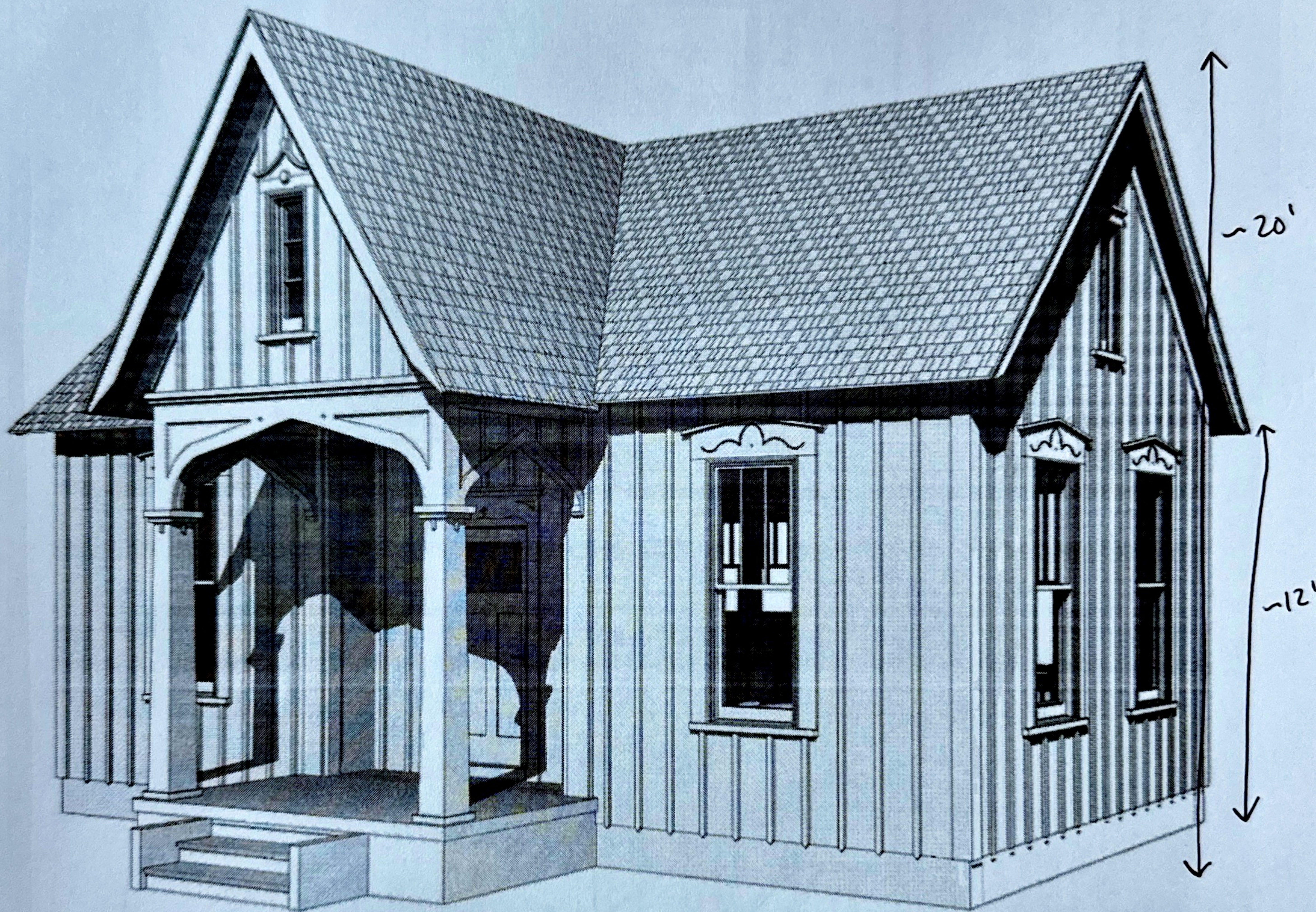




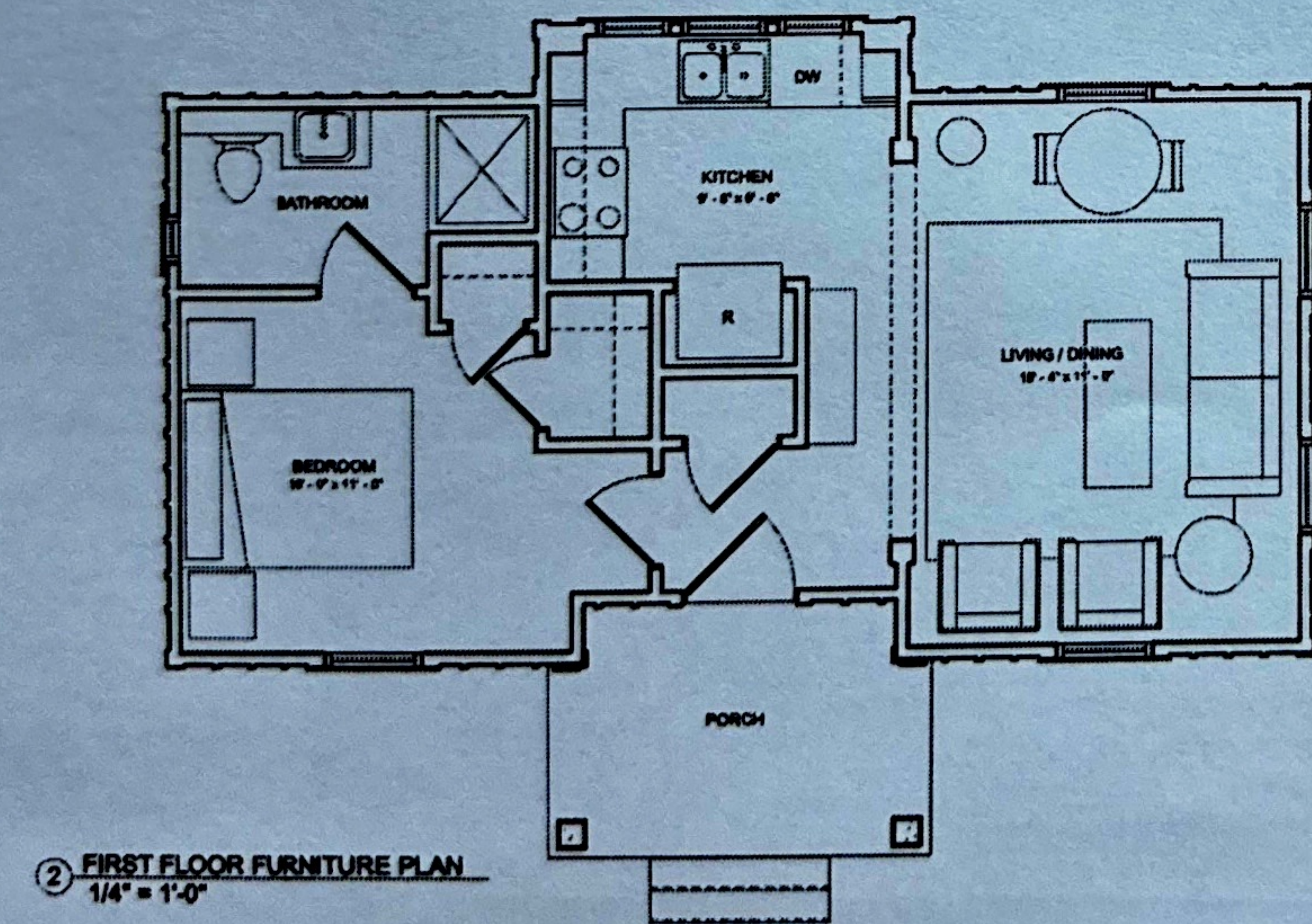
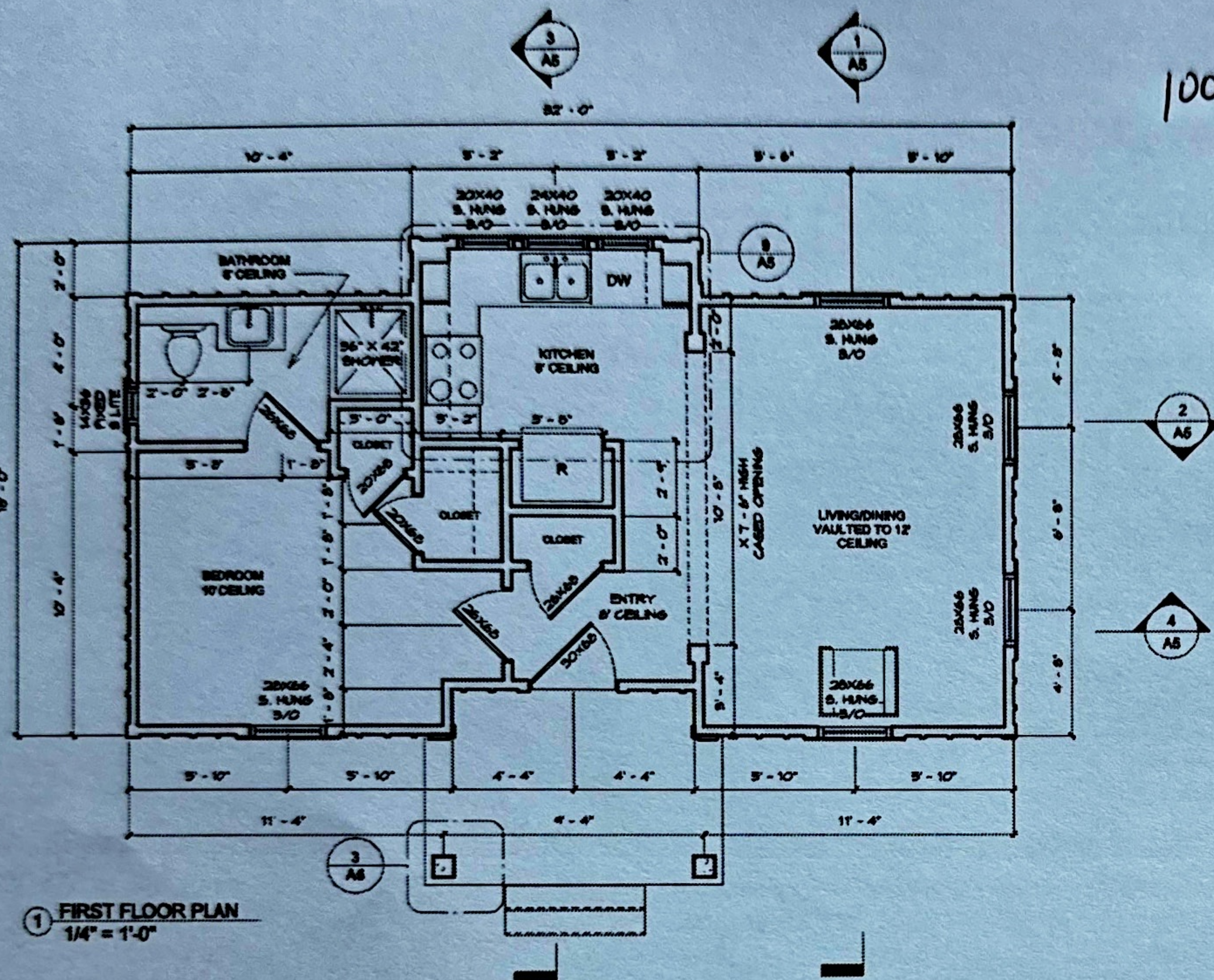
1003 NW A ST  
1,296 sqft heated/loaded



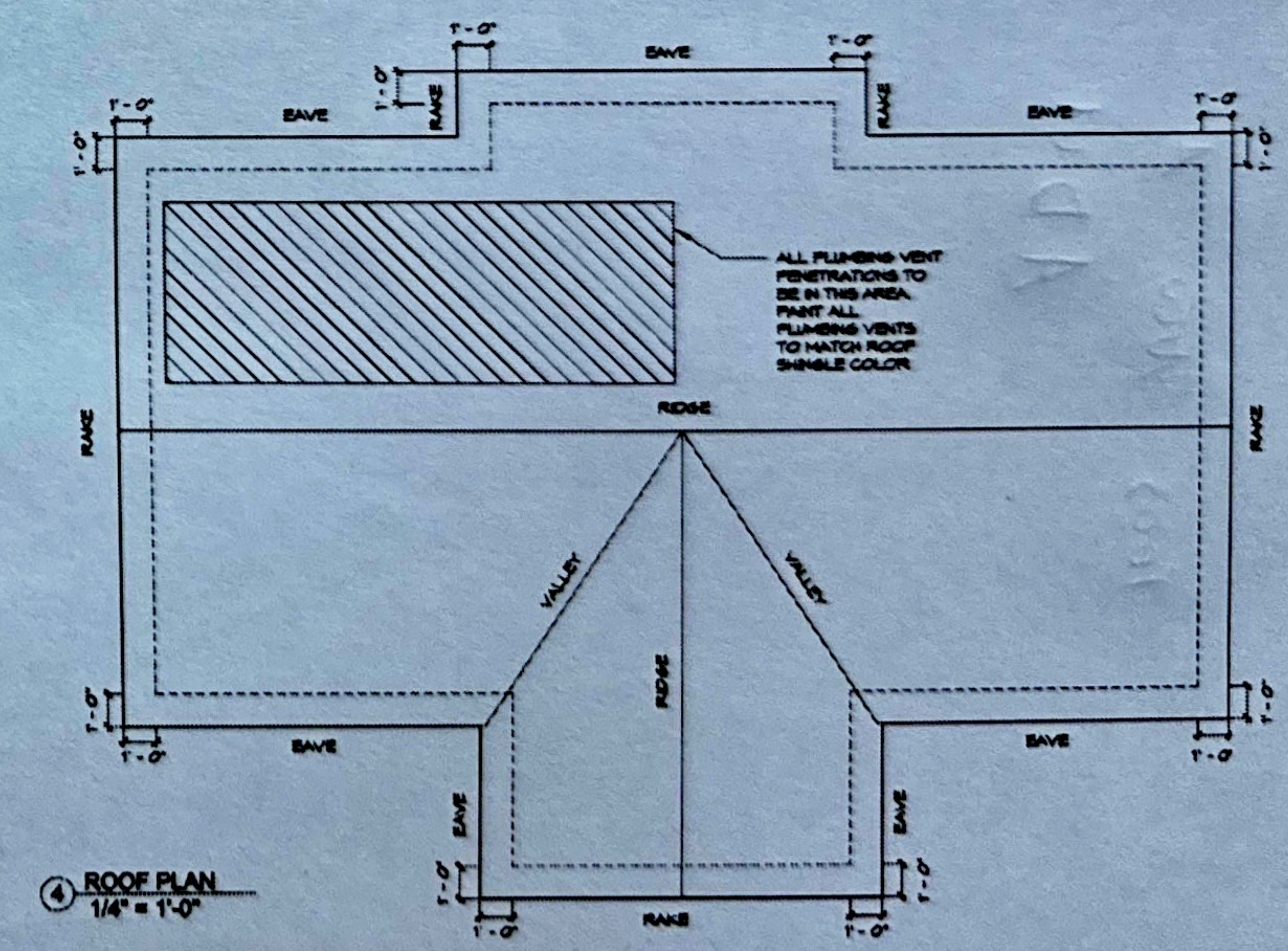
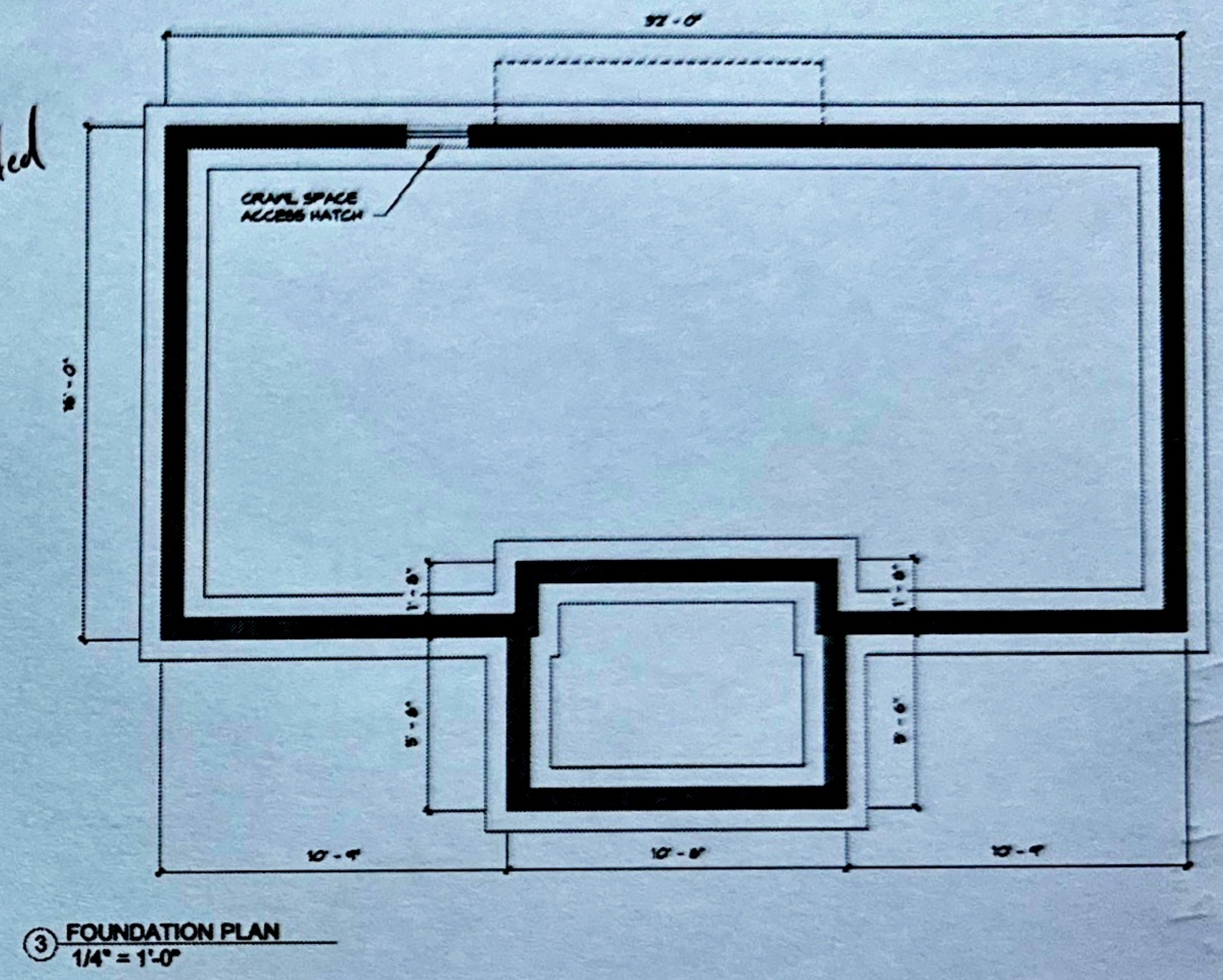
1003 NW A "Park Lot"  
ADU



1003 NW A  
ADU  
512 sq ft heated/cooled

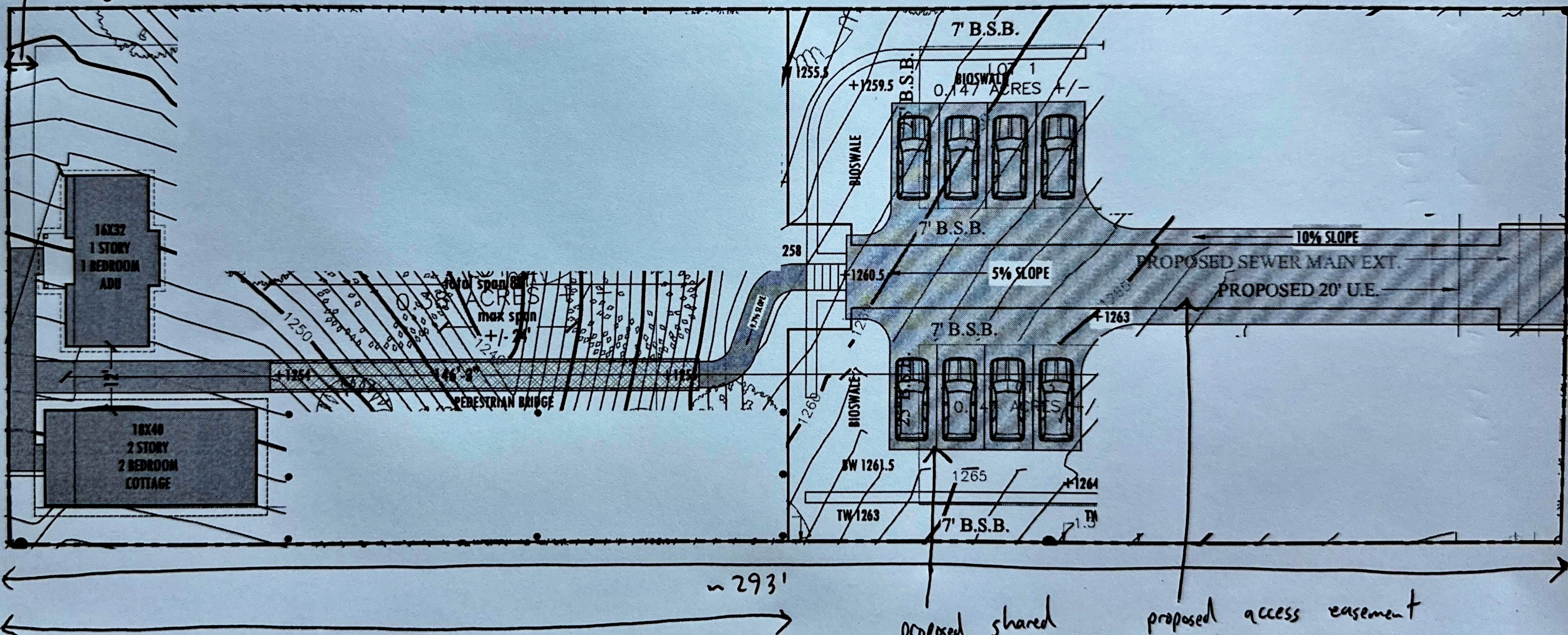


**FOUNDATION LAYOUT NOTES:**  
1. REFER TO SITE PLAN FOR FINISH FLOOR ELEVATION OF HOUSE  
2. PROVIDE FOUNDATION SYSTEM AS PER GEOTECHNICAL ENGINEER'S RECOMMENDATION



# 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