



**Board of Adjustments
Meeting Agenda
October 9, 2024
Bentonville City Hall
Meeting Time: 4:00 PM**

Registration Link: <https://us06web.zoom.us/j/89664692566>

I. Call to Order

II. Approval of Minutes

1. **August 28th Meeting Minutes** **Approval of Meeting Minutes**

III. New Business

1. **Graham** **Variance***
606 Lyndal Lane ([VAR24-0017](#))
Section 1100.06 Fence and Wall Requirements of the Zoning Code
2. **Adams** **Variance***
504 Northwest B Street ([VAR24-0022](#))
Sec 401.07-B (d), Downtown Neighborhood Districts Regulations, DN districts Lot
Area Standards

IV. Old Business

V. Other Business

1. **Summary of Admin Approvals for
Fence Variances** **Informational**
2801 Walker Street
VAR24-0014 Boys and Girls Club
- 2 ft variance in fence height to allow 8ft rear fence.

VI. Adjournment



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

Meeting Recording:

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, Danny Bennett
- Members absent:
- Staff present: Tom Adler, Sophie McAdara, Bradley Gavrielides

II. Approval of Minutes

1. August 14th Meeting Minutes

Approval of Meeting Minutes

- Ms. Swanson requests an amendment of the minutes to remove Mr. Bennett's name from the "members absent" section as Mr. Bennett had not been sworn in yet.
- Motion to approve by Phillips, second by Swanson.
- Minutes are approved 4-0, with Bennett abstaining.

III. New Business

IV. Old Business

1. 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.

- Mr. Gavrielides provides an overview of the staff report.
- Mark Haney, the applicant, is present.
- The Board discusses what, if anything is different about the request this week than it was the previous times this variance came before the board.
- The applicant provided an overview of the recent discovery of a gas line that was not on the survey, and how that has the potential to completely change the site design, thus, the applicant was delayed in redesigning the site. The applicant is also considering a cottage court design to forgo the need for a variance.
- The board discusses the benefit of tabling this variance indefinitely or denying it so that Mr. Haney may pursue another angle to accomplish this development.
- Motion to table variance indefinitely by Phillips, second by Bennett.
- Variance is tabled 3-2.

V. Other Business

VI. Adjournment

- Meeting Adjourned.



Graham

606 Lyndal Lane

BOA Date: 10/9/2024

Staff Report Details

Project Number	VAR24-0017
Applicant / Current Owner	Jean Graham
Site Area	+/- 0.24 Acres
Current Zoning	R-1, Low-Density Single-Family Residential
Variance Request	3' 2" variance from maximum rear fence height.
Related projects	RFNC24-0134

Property Description

The subject property is located on 606 Lyndal Lane. The property is presently zoned R-1, Low-Density Single-Family Residential DN-2, Downtown Medium Density with a future land use designation of Low Density Residential (LDR). The lot is relatively flat, sloping from east to west with approximately 3-4 feet of drop across the entire lot.

Regulation

Sec 1100.06 Fence And Wall Requirements (h) Fence design standards (1) Fence Height: The maximum fence height shall be six (6) feet above grade.

Variance Request

One variance is requested:
Variance 1: A variance to allow for a change from the 6' maximum height of a fence to allow a 9' 2" tall fence.

Background

Background

The applicant states that the height of the fence that is currently built was not a direct result of their actions, but instead from the actions and negligence of the pool contractor that was hired to construct the pool. The applicant states in their narrative that all neighbors approved/consented to build the fence.

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 fails to identify any circumstance with the land or lot that creates this hardship.

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;

There are no other lots in the near vicinity that currently have a fence exceeding the 6' maximum height.

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

The applicant has constructed a fence that exceeds the maximum height allowed in the R-1 zoning district.

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 taller than allowable fence in their rear yard with no topographical difficulties and would create a special privilege.

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 stated in their narrative that they are currently in a lawsuit regarding the pool and fence.

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 fence that is currently constructed at 9' 2" has been a point of contention between neighbors. The planning staff has received negative feedback from neighbors regarding the

Background

height of the fence.

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. 1100.06 of the Zoning Code, which houses the fence and wall requirements. The maximum height of a fence is 6 feet. The applicant is seeking a variance to change the maximum rear fence height to 9' 2" to allow the incorrectly built fence to remain.

Public Comment

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

Conditions of Approval

If approved, the following conditions of approval are offered:

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.



Pending BOA Item

SE CAMBRIDGE PL

SE 6TH ST

LYNDAL LN

INTERSTATE 49 HWY

INTERSTATE 49 HWY

INTERSTATE 49 HWY

INTERSTATE 49 HWY

SE 7TH ST



VAR24-0017
JEAN GRAHAM
606 LYNDAL LN



The conditions here were not created by the applicant.

The pool contractor created issues (*currently in lawsuit regarding said project regarding multiple issues created & also flagged by the state*) failed to follow proper guidelines and delivered a shoddy work inconsistent with sound practices. Pool contractor should have dug the pool an approximate 3' deeper/lower and failed to do so in what is now apparent cutting corners and negligence. As a result of this negligence the pool deck is now approximately 3' higher than it should have been. This also resulted in what was a 6 ft existing fence, now being almost 4' – 4' -6" high when standing on pool deck; further creating safety & security issues, privacy issues, animal safety, removing rights to enjoy etc and several more.

All neighbors approved/ consented to build the current fence and was present throughout the construction and was happy with the installation.

Re: Variance_Fence Approved



Louie Graham <Graham.Louis@outlook.com>

To: Keegan Stanton

Cc: Emily Neal; Jason Renfrow

Reply

Reply All

Forward

Wed 9/25/2024 3:03 PM

Start your reply all with:

Yes, that is correct.

That is correct. Thank you!

Thank you for your confirmation.

Feedback

Hey Keegan,

Thank you. Confirming at the lowest point of property where is sloped/ water runs off the fence height is 9'-2" (this comprises of the fence height 8' w/ base board accounting for difference). Note: Neighbor preferred fence flat across at back.

Have a great day!
Louie

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From: Keegan Stanton <kstanton@bentonvillear.com>
Sent: Tuesday, September 24, 2024 8:14:35 AM
To: Louie Graham <Graham.Louis@outlook.com>
Cc: Emily Neal <emily@eldridgebrooks.com>; Jason Renfrow <JRenfrow@bentonvillear.com>
Subject: RE: Variance_Fence Approved

Good morning,

I wanted to follow up to let you know we have received the documents in eTrakit for your variance request.

The last item I need is to know exactly the measurement from the ground to the highest point, and I want to confirm that with you. You'd previously sent me photos of the measurement that appeared to show 9'. This measurement was not listed in the materials provided, only from the pool deck, but our code measures fence height from the adjacent grade. Variances are specific, not general, so we will need the specific measurement before we can proceed. **Please confirm the maximum height of the fence no later than end of day tomorrow, Wednesday, September 25th.**

Thanks,



KEEGAN STANTON

Senior Planner, AICP



Adams

504 Northwest B Street

BOA Date: 10/9/2024

Staff Report Details

Project Number	VAR24-0022
Applicant / Current Owner	Mason Adams
Site Area	+/- 0.08 Acres
Current Zoning	R-1, Single Family Residential
Variance Request	Lot size standards
Related projects	LS24-0026

Property Description

The subject property is located on 504 Northwest B Street. The property is presently zoned R-1, Single-family Residential with a future land use designation of Medium-Density Residential.

Regulation

Sec. 401.07-B Downtown Neighborhood Districts Regulations (d) DN districts lot and area standards

DN-2, Downtown Medium Density, requires a 2,000 square foot lot size minimum for a single-family attached unit.

The applicant is seeking a 578 square foot variance from the 2000 square foot minimum lot size standard for one of the two presently nonconforming lots.

Variance Request

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.

Variance Request

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;

There are no other lots within the district that have the same circumstance regarding lot size and buildable area. Currently, Lot 7 and Lot 8 have a combined square footage of 3,422 square feet which does not meet any zoning district lot size standards that align with low or medium density residential land use.

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 identifies that the nonconforming lots in question were platted in a way that renders them virtually unbuildable. While the code allows any property owner to build a single-family home on a non-conforming lot of record, the setbacks in R-1, Single Family Residential, would not allow anyone to build a livable home, as the buildable area would be approximately 5' deep and 31 feet wide at a maximum. In order to build on these lots, a property line adjustment and rezoning is required. However, the Planning Commission cannot approve a property line adjustment that creates a nonconforming lot, and City Council cannot rezone a nonconforming lot. Thus, it is necessary to obtain a variance in order for the applicant to receive the same rights commonly enjoyed by other properties in the same district.

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

The applicant did not originally plat these lots or create this circumstance.

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 granting of this variance does not confer any special privileges onto this applicant.

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 is seeking a 578 square foot variance from the DN-2 lot size standards, the minimum variance required to bring these lots into compliance with current city standards.

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.

Granting this variance would not be injurious to the neighborhood, as the applicant will still be required to follow setback and other development standards as per the code.

Variance Request

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 (d) of the Zoning Code, which houses the lot size regulations for Downtown Neighborhood Districts. In DN-2, the minimum lot size is 2000 square feet for a single-family attached unit. The minimum lot size for the two-family structure is 4,000 square feet. Presently, the applicant has a total of 3,422 square feet available between lots 7 and 8. The applicant is seeking the variance of 578 square feet in order to complete a property line adjustment to orient the lot lines West/East facing along Northwest B Street. These changes would allow the applicants to bring the two nonconforming lots to one conforming lot at 2,000 sqft for single family attached, and one still nonconforming, but buildable lot, at 1,422sqft.

These lots will be served by an alley, which eliminates the need for a private drive within the property lines. The alley is 14' wide by 75' deep running east/west along the north property line.

This variance request seems to indicate a number of unique features affecting this property. First, the lots in question have almost no buildable area when setback standards are taken into account for the R-1 zoning district. Second, there is no path to adjusting the lot lines as the applicant is unable to meet the minimum lot size standards. Third, the applicant is unable to rezone to better meet lot size standards at this time as City Council may not rezone a non-conforming lot. The applicant has started the rezoning application process and formally submitted a rezone application to the Planning Department, but is waiting to continue with the public hearing process until this variance request is heard.

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.

Background

Public Comment

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

Conditions of Approval

Staff recommends the following conditions of approval:

1. The approved variance is contingent on the rezoning of Parcel 01-02210-000 to DN-2.
2. The applicant shall be required to obtain an approved building permit for the structure.
3. The applicant may only build an Accessory Dwelling unit on the 2,000 square foot lot so long as it meets development requirements.

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

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(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

NW 6TH ST

NW B ST

NW A ST

NW 5TH ST



VAR24-0022
HANEY
504 NW B ST





Sep 20, 2024

Dear Bentonville Board of Adjustments,

We are requesting a lot size variance of 578sqft for 504 NW B St to construct a single family attached two homes and ADU on two platted lots that are nonconforming to current zoning code. This is the minimum variance that would allow for any development on the lot. There are currently two platted lots at this address, with the lot lines oriented North/South in a way that makes both lots unbuildable at their current size and R-1 zoning. The hardship is simply that these old platted lots do not allow for any homes to be constructed under our current zoning and land development codes.

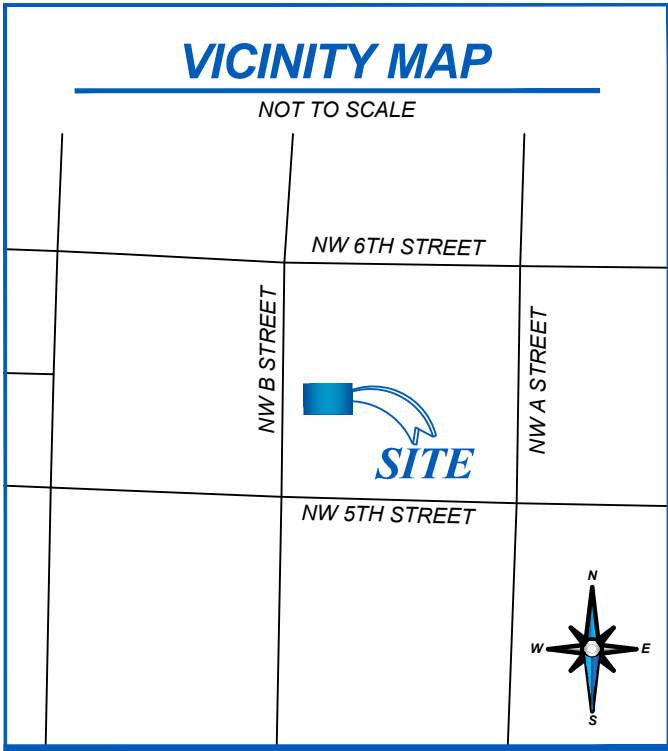
A minimum variance of 578sqft along with a property line adjustment to orient the lot lines West/East facing NW B would allow us to bring two nonconforming lots to one conforming at 2,000sqft for single family attached, and one still nonconforming, but buildable, at 1,422sqft. The adjacent alleyway helps from both a city and developer perspective, in the sense that these homes can be served by the alley, rather than a private driveway, and the alley at 14' wide by 75' deep along this property effectively gives an additional 1,050sqft that otherwise could have been included in a platted lot conforming to today's code with a private drive.

Although Bentonville code allows for a home to be constructed on any "nonconforming lot of record", there is no way to secure a building permit or rezoning with the current zoning and size of the platted lots. City staff have advised that a variance must be secured first for any re-platting or re-zoning of this site. We have submitted a re-platting and a re-zoning request to the planning commission with a DN-2 request, but those requests can not be approved without a variance due to the existing condition of two lots platted below the minimum lot size standards of today's code.

These uniquely small platted lots are not the result of the applicant or the owner. By my rough math according to R-1 setbacks, the buildable area is only 5' deep by 31' wide as-is, thus literal interpretation of the code would not allow anyone the right to build a livable home of any kind without a variance.

Considering the site's uniquely small platted land area, our desire to bring the lot into conformance to the extent that we are able, and our desire to construct new homes in a thoughtful and site-sensitive way, we request a lot size variance of 578sqft. This would allow us to use the land area efficiently, in line with our land use plan, and build attractive new homes in the neighborhood. Thank you for your thoughtful consideration.

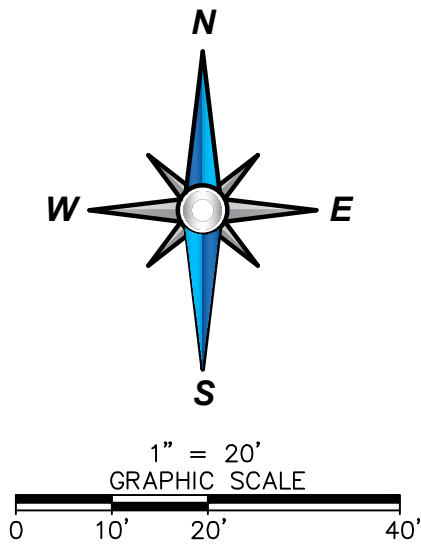
Respectfully,
Mark Haney



PROPERTY LINE ADJUSTMENT

LOCATED IN: SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST, 5TH P.M.

504 NW B STREET, BENTONVILLE, BENTON COUNTY, ARKANSAS 72712



RECORD DESCRIPTION

DEED BOOK 1992 AT PAGE 9225
NORTH 45 FEET OF LOT 7, AND THE NORTH 45 FEET OF THE WEST ONE-HALF OF LOT 8, BLOCK 15, DEMING 2ND ADDITION TO THE CITY OF BENTONVILLE, ARKANSAS.
SUBJECT TO ANY OUTSTANDING MORTGAGES, EASEMENTS, RIGHTS-OF-WAY, AND ANY OTHER OTHER ENCUMBRANCES OF RECORD.

SURVEY DESCRIPTION

PART OF LOTS 7 & 8, BLOCK 15, DEMING 2ND ADDITION, AND A PART OF SECTION 30, TOWNSHIP 20 NORTH, RANGE 30 WEST, BENTON COUNTY, ARKANSAS, BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT A FOUND 5/8" REBAR WITH A CAP STAMPED "WINCHESTER AR 1808" LOCATED ON THE EAST RIGHT-OF-WAY LINE OF NORTHWEST B STREET AND MARKING THE NORTHWEST CORNER OF SAID LOT 7; THENCE S87°02'40"E 74.77 FEET TO A FOUND 1/2" REBAR, THENCE S02°39'43"W 46.22 FEET, THENCE N86°18'57"W 74.85 FEET TO THE EAST RIGHT-OF-WAY LINE OF NORTHWEST B STREET, THENCE ALONG SAID RIGHT-OF-WAY LINE N02°45'40"E 45.26 FEET TO THE POINT OF BEGINNING, CONTAINING 0.079 ACRES, MORE OR LESS. SUBJECT TO EASEMENTS AND RIGHTS-OF-WAY OF RECORD.

MISCELLANEOUS NOTES

STATE RECORDING NUMBER:
500-20N-30W-0-30-140-04-1808

COMPLETED FIELD WORK:
FEBRUARY 20, 2024

REFERENCE DOCUMENTS:
1. WARRANTY DEED FILED IN DEED BOOK 1992 AT PAGE 9225.
2. SURVEY PLAT FILED IN PLAT BOOK 2014 AT PAGE 15.
3. SURVEY PLAT FILED IN PLAT L201905249.
4. SURVEY PLAT FILED IN PLAT 3202020046.

BASIS OF BEARING:
THE BASIS OF BEARING OF THIS SURVEY IS GRID NORTH, BASED ON ARKANSAS STATE PLANE COORDINATE SYSTEM, NORTH ZONE NAD83.

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

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

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

THE TERM "CERTIFY" OR "CERTIFICATION" AND "CORRECT" AS NOTED HEREON AND AS IT PERTAINS TO LAND SURVEYING SERVICES AS SHOWN ON THIS DOCUMENT SHALL MEAN, "A STATEMENT SIGNED BY THE PROFESSIONAL LAND SURVEYOR BASED ON THE FACTS AND KNOWLEDGE KNOWN TO THE PROFESSIONAL LAND SURVEYOR AT THE TIME OF THE SURVEY AND IS NOT A GUARANTEE OR WARRANTY, EITHER IMPLIED OR EXPRESSED."

THERE ARE NO WAIVERS, VARIANCES AND/OR CONDITIONAL USES AT THE TIME OF PREPARING THIS PLAT OR PLAN.

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.

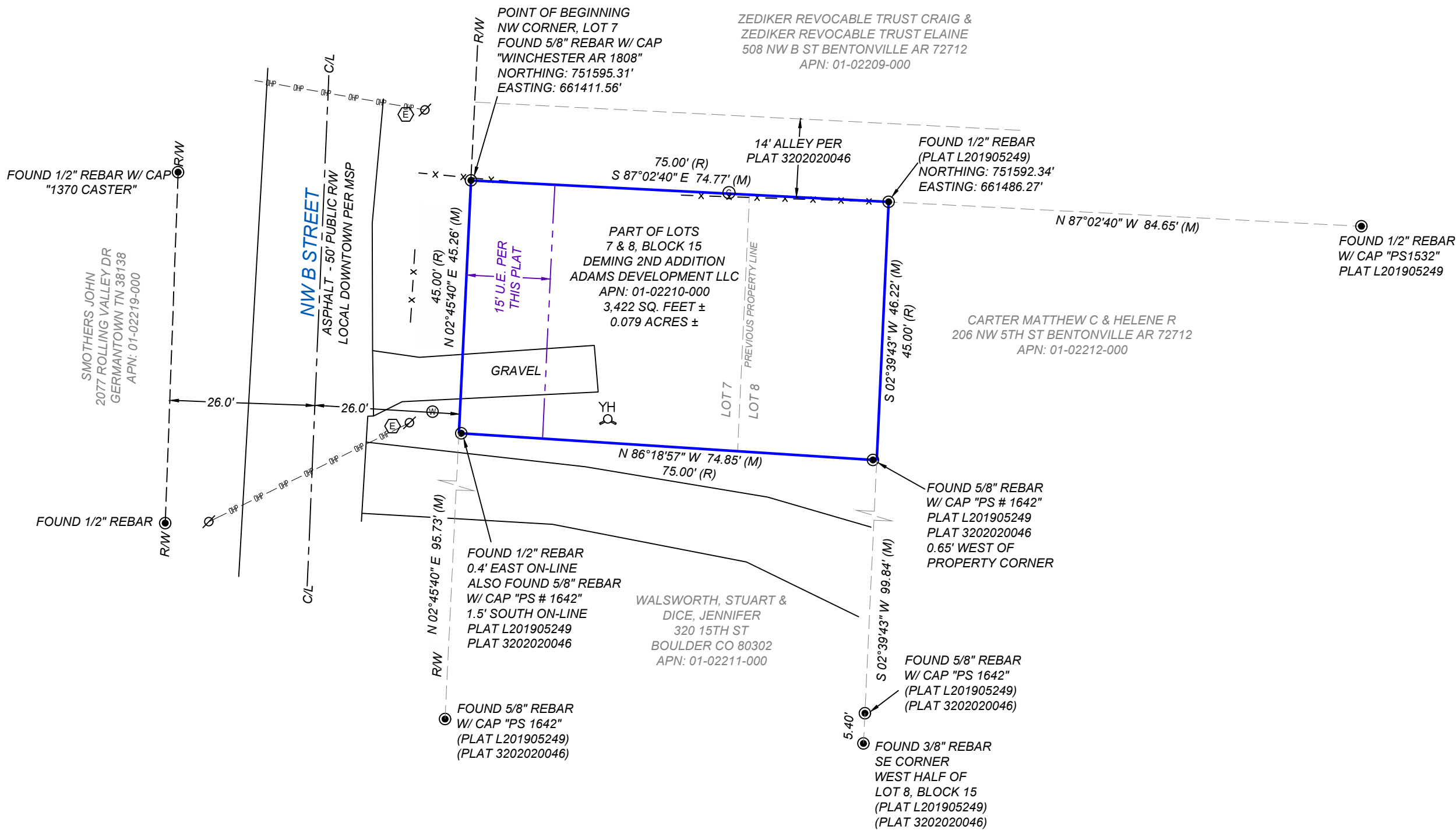
NO RESIDENTIAL LOT SHALL BE PERMITTED DIRECT ACCESS TO A COLLECTOR OR ARTERIAL STREET. ALL RESIDENTIAL SUBDIVISION DEVELOPMENT CONTIGUOUS TO A COLLECTOR OR ARTERIAL STREET SHALL ORIENT FRONTAGE TO A LOCAL STREET, AND BACK OF THE PROJECT, WITHOUT ACCESS TO THE SAID MAJOR STREETS.

OWNER/DEVELOPER SHALL COORDINATE WITH ALL LOCAL UTILITIES TO ENSURE THAT EACH LOT HAS WATER, SEWER AND ELECTRIC SERVICE.

SIDEWALKS SHALL BE THE RESPONSIBILITY OF THE BUILDER/OWNER AT TIME OF BUILDING PERMIT ISSUANCE.

THERE MAY NOT BE FENCES OR ANY OTHER STRUCTURES BUILT IN ANY DRAINAGE EASEMENTS.

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



LAND AREA

3,422 ± SQUARE FEET
0.079 ± ACRES

OWNER/DEVELOPER

PARCEL: 01-02210-000
OWNER: ADAMS DEVELOPMENT LLC
MAILING: 2979 N APATITE DR FAYETTEVILLE AR 72704
EMAIL: MASON.ADAMS@DALLASRES.COM

FLOOD ZONE INFORMATION

BY GRAPHIC PLOTTING ONLY. NO PORTION OF THIS PROPERTY IS IN ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 05007C0090J, WHICH BEARS AN EFFECTIVE DATE OF 9/28/2007 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

ZONE "X" - AREA OF MINIMAL FLOOD HAZARD, USUALLY DEPICTED ON FIRMS AS ABOVE THE 500-YEAR FLOOD LEVEL. ZONE "X" IS THE AREA DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD AND PROTECTED BY LEVEE FROM 100-YEAR FLOOD.

UTILITY INFORMATION

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

ZONING INFORMATION

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/](http://WWW.BENTONVILLEPLANNING.COM/) OR CALL THE PLANNING DEPARTMENT @ 479-271-3122

LEGEND & SYMBOLS

●	FOUND MONUMENT (AS NOTED)
⊕	COMPUTED POINT
⊙	GAS METER
⊗	POWER POLE
⊙	WATER METER
⊕	YARD HYDRANT
⊕	ELECTRIC VAULT
(M)	MEASURED/CALCULATED DIMENSION
(R)	RECORD DIMENSION
MSP	MASTER STREET PLAN
—	BOUNDARY LINE
— — —	CENTERLINE (C/L)
— — — — —	RIGHT-OF-WAY (R/W)
— x — x — x —	FENCE LINE
— DP — DP — DP —	OVERHEAD POWER LINE
— — — — —	ADJACENT/TIE LINE
— — — — —	UTILITY EASEMENT (U.E.)

SHEET 1 OF 1

DATE	REVISION HISTORY	BY
8/1/2024	PLANNING COMMENTS	JDC

SIGNATURE BLOCKS

BENTON COUNTY CERTIFICATE OF DEDICATION:
WE, THE UNDERSIGNED, DO HEREBY SWEAR THAT WE ARE THE SOLE OWNERS OF THE HEREON PLATTED PROPERTY AND DO HEREBY DEDICATE ALL STREET AND EASEMENTS FOR USE BY THE GENERAL PUBLIC AND FOR THE INSTALLATION OF UTILITIES.

OWNER _____ DATE _____
OWNER _____ DATE _____

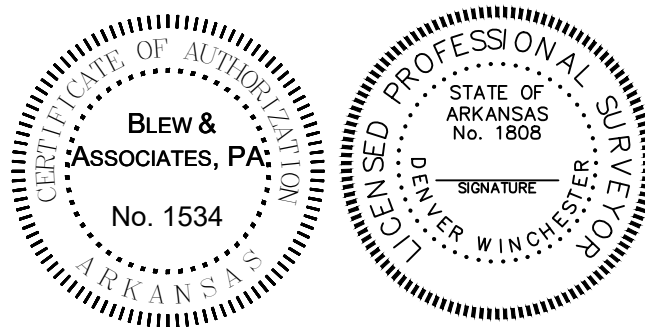
STATE OF ARKANSAS
COUNTY OF _____
SUBSCRIBED AND SWORN BEFORE ME THIS _____ DAY OF _____, 2024.

NOTARY PUBLIC _____
MY COMMISSION EXPIRES _____

PLANNING BOARD ACCEPTANCE:
THE PLANNING BOARD, BASED ON AN APPROVAL GRANTED TO THE APPLICANT ON _____, 2024, HEREBY ENDORSES THIS PLAN AS MEETING ALL OF THE REQUIREMENTS OF A PROPERTY LINE ADJUSTMENT.

PLANNING REPRESENTATIVE _____

I HEREBY CERTIFY THIS TO BE TRUE AND CORRECT
TO THE BEST OF MY KNOWLEDGE AND BELIEF
ON THIS THE 5TH DAY OF AUGUST, 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.

BLEW & ASSOCIATES, P.A.

3825 N. SHILOH DRIVE - FAYETTEVILLE, AR 72703
OFFICE: 479.443.4506 · FAX: 479.582.1883
SURVEY@BLEWINC.COM
WWW.BLEWINC.COM

Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 24-0958	SURVEY DRAWN BY: JDC - 7/8/2024
SURVEY REVIEWED BY: MB	SCALE: 1" = 20'
FOR THE USE AND BENEFIT OF: MASON ADAMS	CITY OF BENTONVILLE PROJECT NO. LS24-0026