



**Board of Adjustments
Meeting Agenda
January 8, 2025
Bentonville City Hall
Meeting Time: 4:00 PM**

Registration Link: <https://us02web.zoom.us/j/86909015094>

I. Call to Order

II. Approval of Minutes

1. **November 27th Meeting Minutes** **Approval of Meeting Minutes**

III. New Business

1. **Mathews** **Variance***
406 Southeast 6th Street ([VAR24-0025](#))
Section 401.8-B (d)(4) of the Zoning Code - Downtown (D) Districts Regulations

IV. Old Business

V. Other Business

VI. Adjournment



**Board of Adjustments
Meeting Agenda
November 27, 2024
Bentonville City Hall
Meeting Time: 4:00 PM**

Registration Link: https://us06web.zoom.us/rec/share/X9eB214PUIZ_4lhxZsurXnpTfP7-tKjltDhjDJIPiO6O3T01FaG1hVJVUp6uGyKJ.oaPbUIFVnd_7fLdS

I. Call to Order

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

II. Approval of Minutes

1. October 23rd Meeting Minutes

Approval of Meeting Minutes

- Motion to approve by Phillips, second by Bennett.
- Minutes are approved 3-0.
- Chairman Kruithof gives a brief overview of the public hearing process and flow of the meeting.

III. New Business

1. Stuart Walsworth and Jennifer Dice

Variance*

208 Northwest 5th Street ([VAR24-0024](#))

Section 601.01(d)(4) of the Zoning Code - Accessory Structure Setbacks

- Ms. Chue provides an overview of the staff report.
- Chairman Kruithof opens the public hearing.
- Chairman Kruithof closes the public hearing
- Chase Humfry, the applicants architect, gives an overview of the request.
- The board discusses setbacks and location of the structures on the lot.
- Mr. Phillips says that if a carport is allowed to be here then an enclosed structure should be allowed as well.
- Discussion on future owners and using the garage as dwelling space.
- Staff confirms that with a rezoning to DN-2, there will not be a variance required.
- Mr. Humfry states that the front porch would not be possible with a rezone and moving the home south.
- Mr. Phillips motions to approve with the conditions that the structure will always be a garage and cannot become an accessory dwelling unit.
- Chairman Kruithof asks staff to look at this part of the code.
- Mr. Bennett seconds the motion.
- Request is approved 3-0.

IV. Old Business

V. Other Business

1. **Summary of Admin Approval**

Informational

VAR24-0023 Paws N Rec - 8 ft. dog run fence permitted at 8200 SW Regional Airport Boulevard, Ste #14

- Mr. Adler gives a summary of the administratively approved variance from the past quarter.

2. **Social Media update**

Informational

- Ms. Chue gives an update on the social media effort.
- Chairman Kruithof recommends having a withdrawal notice stating how the project will come back, whether it will come back the following meeting or new notifications will be sent out. Chairman Kruithof recommends adding information on tabled items and the timeline of when the project will be back to inform the public.
- Mr. Bennett asks about comments that are made on a public post and if they are considered public comment for the meeting.

3. **Bylaws / 2025 Calendar**

Informational

- Mr. Adler gives an update on the Bylaws and 2025 Calendar.

VI. Adjournment

**Mathews**

406 Southeast 6th Street

BOA Date: 1/8/2025**Staff Report Details**

Project Number	VAR24-0025
Applicant / Current Owner	Mathews
Site Area	+/- [Site_Area] Acres
Current Zoning	DE, Downtown Edge
Variance Request	Setback
Related projects	PLA24-0019

Property Description

The subject property is located on 406 Southeast 6th Street. The property is presently zoned D-E, Downtown Edge with a future land use designation of Downtown commercial.

Regulation**Section 401.8-B (d)(4) of the Zoning Code - Downtown (D) Districts Regulations**

D-E, Downtown Edge, requires a 7' side setback for residential properties within the district. The applicant is seeking a 8-9" variance from the 7' side setback requirement on the east side of the property to bring an existing home into conformance and to adjust the property lines so that the wall between 406 SE 6th Street and 414 SE 6th Street will be completely within the property lines of 414 SE 6th Street, the eastern neighbors and owners of the masonry wall. Additionally, there exists only 6.5 feet of setback on the western property line, but that property line will not be moving with the granting of this variance and the forthcoming property line adjustment.

Variance Request

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.

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;

This home and wall were built in such a way that prior to the Matthews' attempt to draw a property line adjustment there only existed 6.5' of setback between the foundation and the masonry wall/property line. Additionally, there exists only 6.5 feet of setback on the western property line, but that property line will not be moving with the granting of this variance and the forthcoming property line adjustment.

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;

In order to replat this lot, it is necessary to have a setback that is conforming to the zoning code or be granted a variance. In order to move the property line so that the wall is entirely on 414 SE 6th, this variance is required.

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

The applicants did not construct the home.

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.

This variance would grant the applicant a special privilege as no other homes in the district may be built closer than 7' to the property line. However, the home currently exists closer than 7' to the property line.

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 variance is the minimum variance that the applicant could request to accomplish their request to adjust the east property line and bring their home into conformance. There is approximately a 2 to 3.5-inch difference from what is currently surveyed and what the new survey would create if the Board grants this variance and the Property Line Adjustment is consequently approved by the Planning Commission.

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

Variance Request

will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The granting of this variance is not injurious to 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. 401.8-B (d)(4) of the Zoning Code -which houses the setback regulations for Downtown (D) Districts. In D-E the minimum side setback is 7'. Presently, the existing building has a side setback of 6.5'. The applicant wishes to adjust the property line 2-3.5 inches further to the west to create a setback of approximately 6.2'-6.3'.

Background

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.

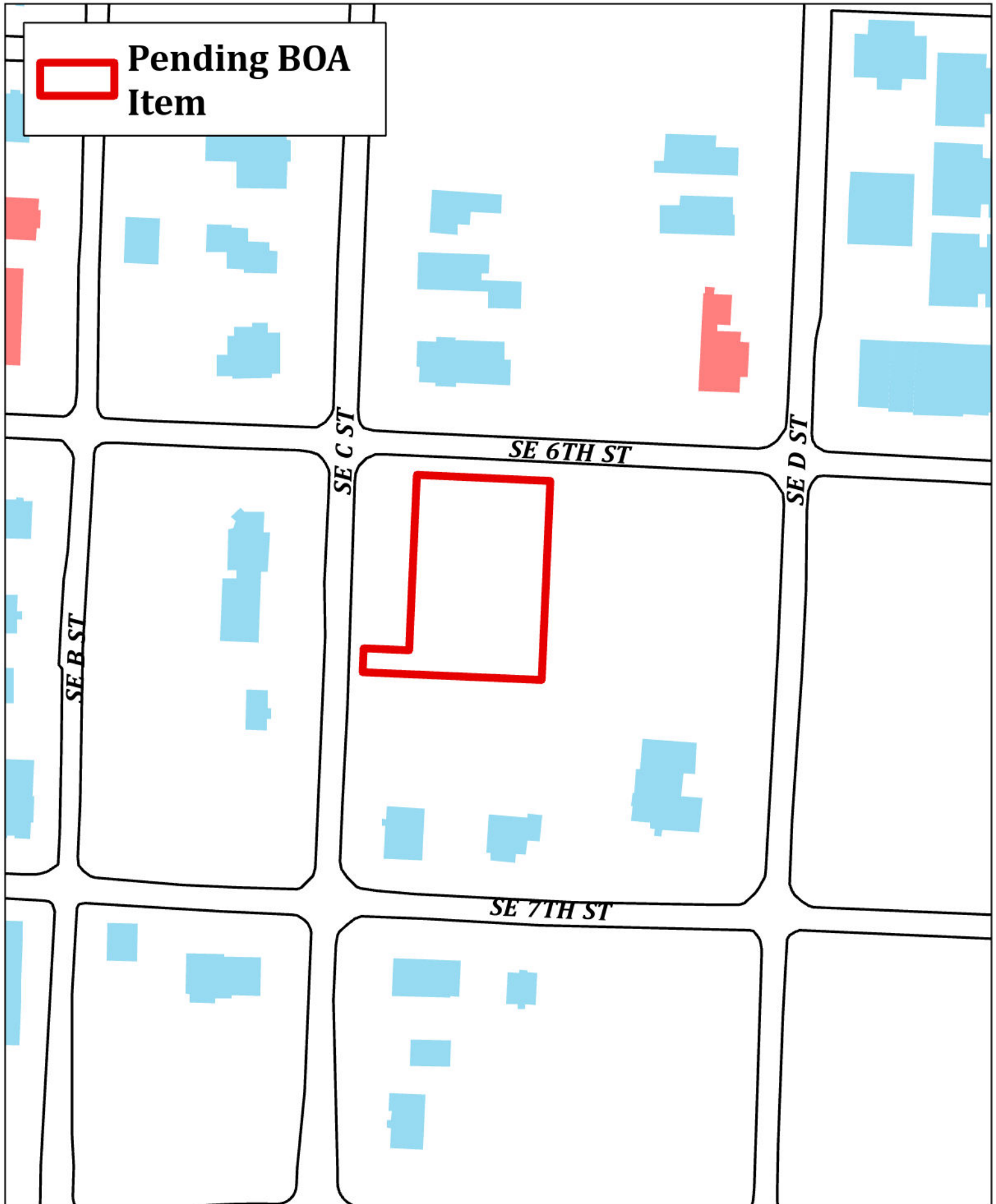
(4) The board of adjustment shall further make a finding that the granting of the variance will be in harmony with the general purpose and intent of this chapter, and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

(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.



**Pending BOA
Item**



VAR24-0025
Variance for Property Line Adjustment
406 SE 6TH ST



AMENDED NARRATIVE FOR VAR 24-0025
Submitted on request for Bentonville Planning Office

TO THE CITY OF BENTONVILLE BOARD OF ADJUSTMENTS

AMENDED APPLICATION FOR VARIANCE

This is an Application presented on behalf of William Cody Mathews and Emily Mathews (“Applicants”) by their attorneys, Crouch, Harwell, Fryar and Ferner, PLLC. The Applicants state as follows:

1. Applicants are the owners of 406 SE 6th Street, Bentonville, AR (“Subject Property”) . See the deed attached as Exhibit A. The Subject Property is parcel # 01-03565-001.

2. The Subject Property consist of a single family residence in the Downtown Edge zoning district, which under 401.8B(d) of the Bentonville Zoning Code requires 7 feet sideyard setbacks (“Setbacks”)

3. Applicants entered into a contract to purchase the Subject Property from the builder, Lamplighter Restoration, LLC (“Builder”) after the residence was constructed, and the closing of the sale of the Subject Property was on or about June 2, 2023. At the time of purchase, the Builder was constructing a masonry wall on the East boundary of the Subject Property (“Wall”) , which wall was being constructed by Builder for and by Applicant’s neighbors to the East, Brian Dorgan and Katherine A. Sbarra (“Neighbors”) who own 414 SE 6th Street, which is parcel # 01-03564-000. See their deed attached as Exhibit B.

4. Subsequent to becoming the owners of the Subject Property, Applicants engaged a surveyor to survey the Subject Property with the notion of adding an improvement which would require the City’s approval. See the completed survey attached as Exhibit C dated April 4, 2024 (“Survey”). The Survey revealed that the Wall encroached on the Subject Property and also revealed that the improvements on the Subject Property did not comply with the Setbacks in that there was approximately 6.5 feet of sideyard setback instead of the required 7 feet. The Survey further revealed that the Wall was not actually on the East boundary line between Applicants and Neighbors in that the Wall encroached on Applicants’ Subject Property as depicted on the Survey. Applicants did not know at that time of the 7 feet Setbacks.

5. As a result of the encroachment Applicants sought an administrative Property Line Adjustment (PLA) from the Bentonville Planning Office which would adjust the property line between the Subject Property and the property owned by Neighbors. See the PLA plat created by Blew & Associates, PA attached hereto as Exhibit D. It is Applicants’ understanding that such PLA can be approved by the Planning Office without the approval of the Planning Commission. However, when it was determined by the Planning Office that Applicants’ did not comply with the Setbacks (“Non-Conforming Use”), Applicants were advised that they would have to seek a variance. The Wall encroaches in such a manner to leave from 6.3 to 6.2 feet of distance between the improvements (their residence) and the Wall on the East side.

6. As explained above, the Subject Property is an existing Non-Conforming Use. Accordingly, Applicants seek a variance from this Board of Adjustment. If the Applicants are granted a variance, then the Applicants will continue to seek a PLA from the Bentonville Planning Commission.

7. Applicants were unaware of the Non-Conforming Use until it was pointed out to them by the Planning Office. Applicants did not create the Non-Conforming Use and are wholly without fault or blame for such and did not create the hardship that they not suffer. In support of this assertion, the Applicants offer the following facts:

a. The Builder, not Applicants, applied for the building permit on or about 9/24/2021. See drawing submitted as part of the application attached hereto as Exhibit E, which shows the intention to have 7' setbacks.

b. Applicant had nothing to do with the construction of the residence on the Subject Property or the Wall constructed for Neighbors, which was totally under the control and supervision of the Builder.

c. It is Applicants' belief and understanding that during construction of the residence on the Subject Property the Bentonville Building Inspection office inspected and approved the construction.

See attached hereto Exhibit F, which is the approval of the footings on 12/10/2021.

See attached hereto Exhibit G dated 1/6/2022, which was to check under slab and verify setbacks, which is marked "APPROVED".

See attached hereto Exhibit H, which is the approval of the slab on 1/7/2022.

See attached hereto Exhibit I, which is the final approval of construction on 5/26/23 and allowed the issuance of a certificate of occupancy.

Applicants had no supervision or knowledge of the steps of construction. To the best of Applicants knowledge the location of the improvements on the Subject Property remained the same during and after these inspection approvals. Accordingly, the City of Bentonville approved the construction with the Non-Conforming Use in existence at the time of such various approvals. Applicants would not have purchased and occupied the Subject Property without a certificate of occupancy issued by the City.

8. The existence of the Non-Conforming Use constitutes a significant hardship upon Applicants in that they cannot, in good conscience and good faith, sell the Subject Property without disclosing such Non-Conforming Use to potential buyers. Furthermore, the Applicants have a substantial investment in their home, and in that the Non-Conforming Use cannot be easily corrected, it would be an economic waste and a severe financial hardship to tear down their residence, not only to the Applicants but to the community as a whole.

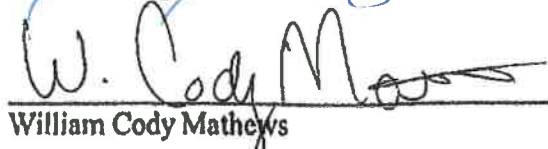
9. Although the Neighbors are not represented by the Applicants' attorneys, the Neighbors have consented to and have requested approval of this Application by their Consent attached hereto as Exhibit J.

WHEREFORE, Applicants, by and through their attorneys, Crouch, Harwell, Fryar and Ferner, PLLC request that this Board grant the variance requested as depicted on Exhibit D (Blew & Associates PA, plat).

CROUCH, HARWELL, FRYAR & FERNER, PLLC
Their Attorneys
111 Holcomb Street
P.O. Box 1400
Springdale, AR 72765-1400
(479) 751-5222
(479) 751-5777 Facsimile



Steven S. Zega, ABA #93234



William Cody Mathews

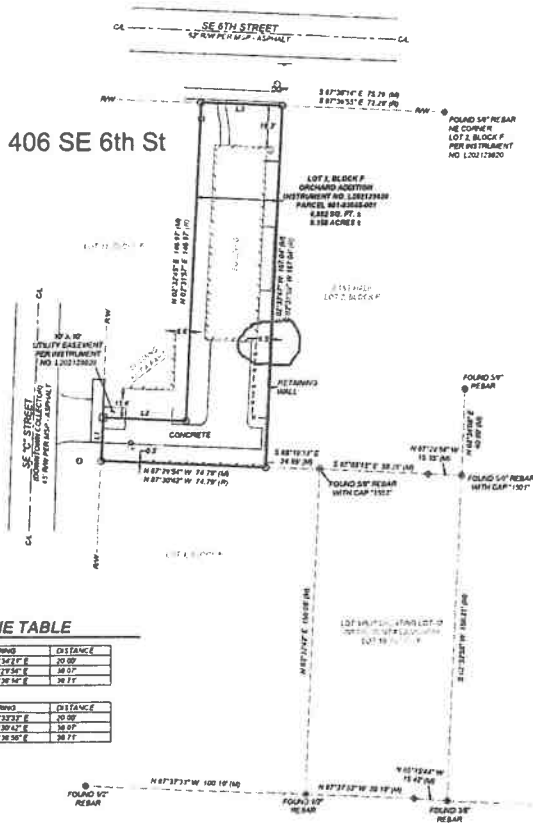
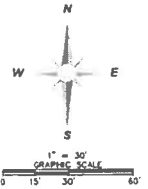


Emily Mathews

LOT SURVEY

LOCATED IN: SECTION 32, TOWNSHIP 20 NORTH, RANGE 30 WEST
406 SE 6TH STREET, BENTON COUNTY, BENTONVILLE, ARKANSAS, 72712

Doc #6



SURVEY DESCRIPTION

LOT 12, BLOCK F, OF ORCHARD ADDITION, CITY OF BENTONVILLE, ARKANSAS. SEE SHOWN IN INSTRUMENT NO. L201212602.

ZONING INFORMATION

CURRENT ZONING: D-2, DOWNTOWN EDGE

SETBACK REQUIREMENTS:
FRONT - 20'
SIDE - 7'
REAR - 10' (ADJACENT TO NE CORNER)
7' (ADJACENT TO HOME CORNER)

MISCELLANEOUS NOTES

STATE RECORDING NUMBER:
200-009-0000-00000-15-15

COMPLETED FIELD WORK:
APRIL 01, 2024

REFERENCE DOCUMENTS:
1. INSTRUMENT NO. L201212602 AS INSTRUMENT NO. L201212602
2. SURVEY PLAT FILED AS INSTRUMENT NO. L201212602
3. SURVEY PLAT FILED AS INSTRUMENT NO. L201212602

DATE OF SURVEY:
THE DATE OF SURVEY 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. DIMENSIONS WERE FOUND AT
POINTS WHERE INDICATED.

EXCEPT AS SPECIFICALLY STATED OR SHOWN ON THIS PLAT, THIS
SURVEY DOES NOT PURPORT TO REFLECT OR 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 MAY
AFFECT TITLE SEARCH MAY DISCLOSE.

THE TERM "CERTIFY" OR "CERTIFICATION" AND "CORRECT" IS NOT USED
HEREIN UNLESS 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
ACQUAINT TO THE PROFESSIONAL LAND SURVEYOR AT THE TIME OF THE
SURVEY. THIS DOES NOT A GUARANTEE OR WARRANTY, EITHER IMPLIED OR
EXPRESSED."

LAND AREA

4.882 ± SQUARE FEET
0.116 ± ACRES

FLOOD ZONE INFORMATION

BY GRAPHIC PLATTING ONLY. NO PORTION OF THIS PROPERTY IS IN
ZONE "A" OR "AE" OF THE FLOOD INSURANCE RATE MAP, COMMUNITY
FLOOD AND ZONING MAP, WHICH BEARS AN EFFECTIVE DATE OF
DECEMBER 1, 2015. THIS IS NOT A SPECIAL FLOOD HAZARD AREA.

UTILITY INFORMATION

THE LOCATION OF UTILITIES SHOWN HEREON ARE FROM OBSERVED
EVIDENCE OF ABOVE GROUND APPEARANCES ONLY. THE SURVEYOR
WAS NOT PROVIDED WITH UNDERGROUND PLANS OR SURFACE CIRCUM-
STANCES TO DETERMINE THE LOCATION OF ANY SUBSURFACE UTILITIES.

LEGEND & SYMBOLS

- FOUND MONUMENT (AS NOTED)
- SET 5" REBAR WITH CAP "W/11" ELVN PT. 142"
- COMPUTED POINT
- SET CHISELED "X"
- WATER METER
- WATER VALVE
- CLEAN OUT
- FIBER OPTIC VALVE
- GAS METER
- GAS UTILITY MON
- ELECTRIC BOX
- BOUNDARY LINE
- EASEMENT LINE
- RIGHT-OF-WAY LINE (R/W)
- CENTERLINE (CAL)
- FENCE LINE
- MEASURED/CALCULATED DIMENSION
- (N) RECORD DIMENSION



BLEW & ASSOCIATES, P.A.

3421 N. JELSON DRIVE, FAYETTEVILLE, AR 72713
OFFICE: 479.641.5008 • FAX: 479.542.1883
SURVEY@BLEWPA.COM
WWW.BLEWPA.COM

Surveying
Engineering
Mapping

SURVEYOR JOB NUMBER: 24-1743	SURVEY DRAWN BY: TPW - 0403.0024
SURVEY REVIEWED BY: CM	SCALE: 1" = 30'

FOR THE USE AND SIGNATURE OF:
JOHN STARRIS

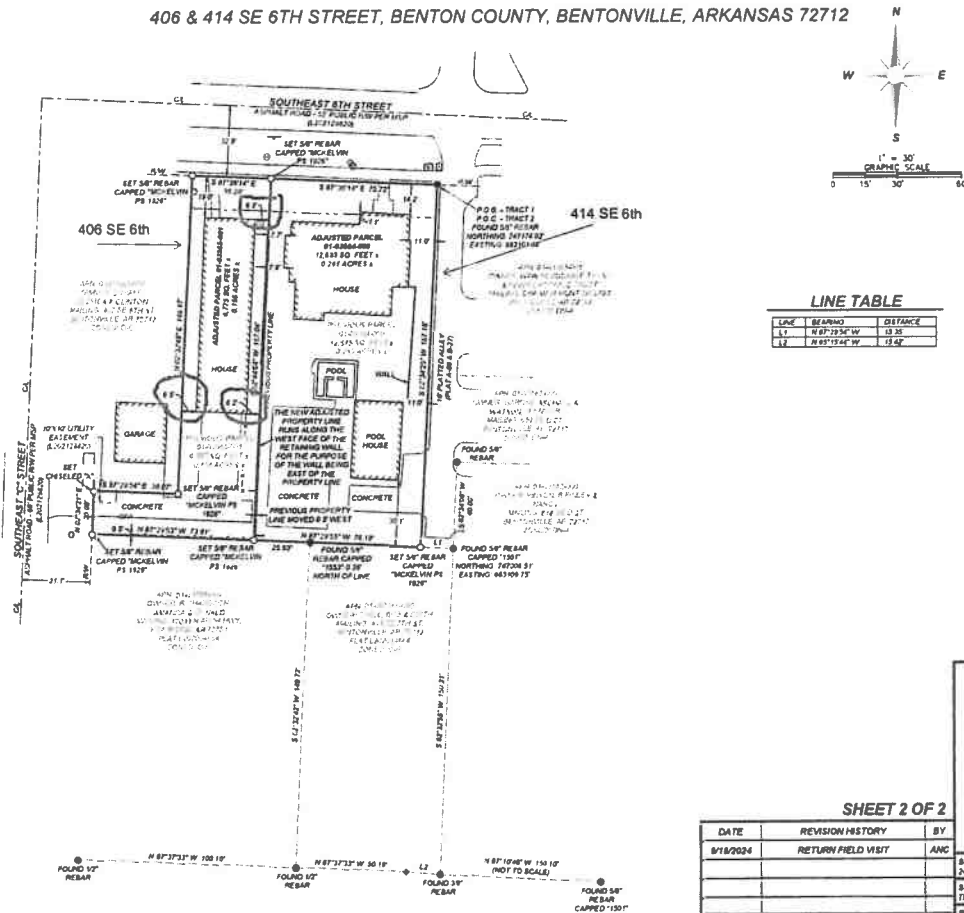
SHEET 1 OF 1



PROPERTY LINE ADJUSTMENT OF EXISTING LOT 2 AND 12, BLOCK F, CREATING NEW LOTS 13 AND 14, BLOCK F OF ORCHARD ADDITION

LOCATED IN: SECTION 32, TOWNSHIP 20 NORTH, RANGE 30 WEST
406 & 414 SE 6TH STREET, BENTON COUNTY, BENTONVILLE, ARKANSAS 72712

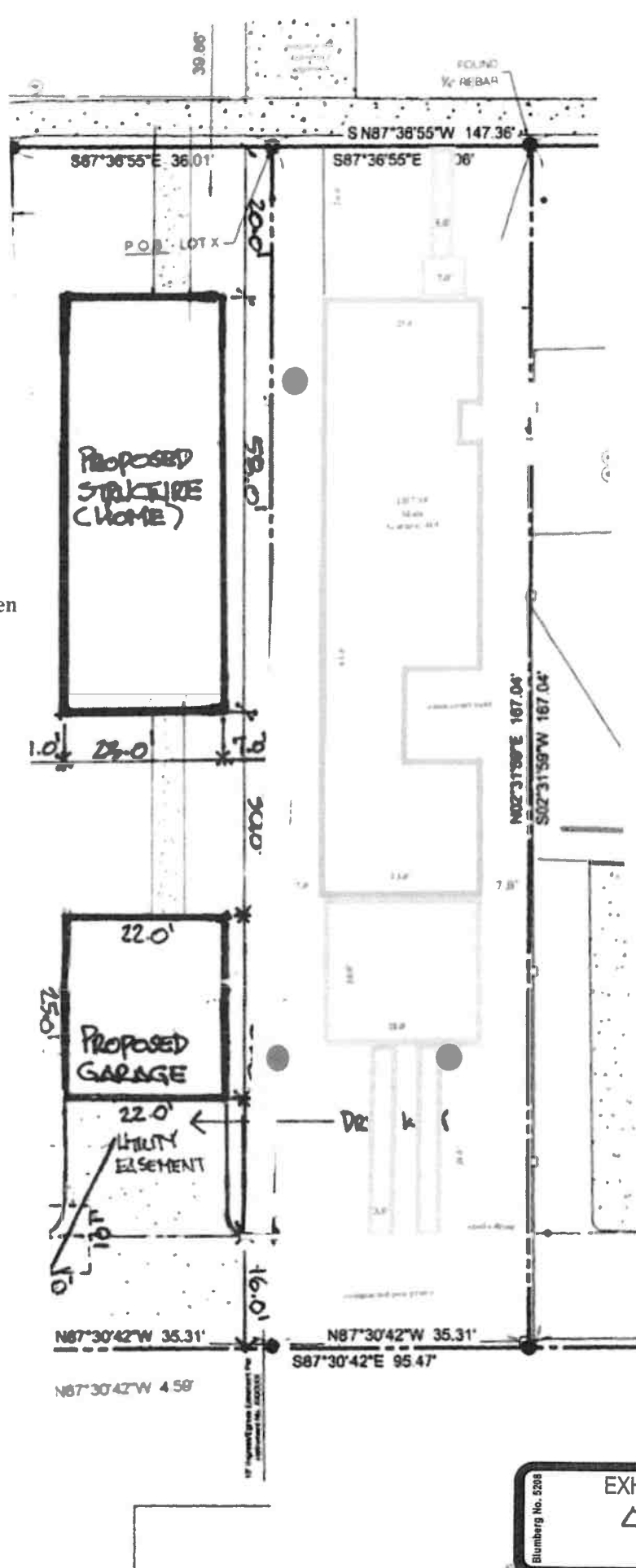
Blumberg No. 5208
EXHIBIT
D



RES 21-0414
9/24/21
Permit

terraced Rain Garden

rain barrels



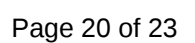
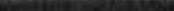
Blumberg No. 5288
EXHIBIT
7

24546969-35









APPROVAL OF AND CONCURRENCE IN VARIANCE AND PROPERTY LINE
ADJUSTMENT APPLICATION

The undersigned do hereby state and affirm as follows:

We are Brian Dorgan and Katherine A. Sbarra owners of property at 414 SE 6th Street, Bentonville, AR, which is parcel #01-03564-000. We are aware of and have seen the Application for Variance and Property Line Adjustment filed or to be filed by William Cody Mathews and Emily Mathews, owners of 406 SE 6th Street, Bentonville, with the Bentonville Board of Adjustments. We are referred to as "Neighbors" in such Application.

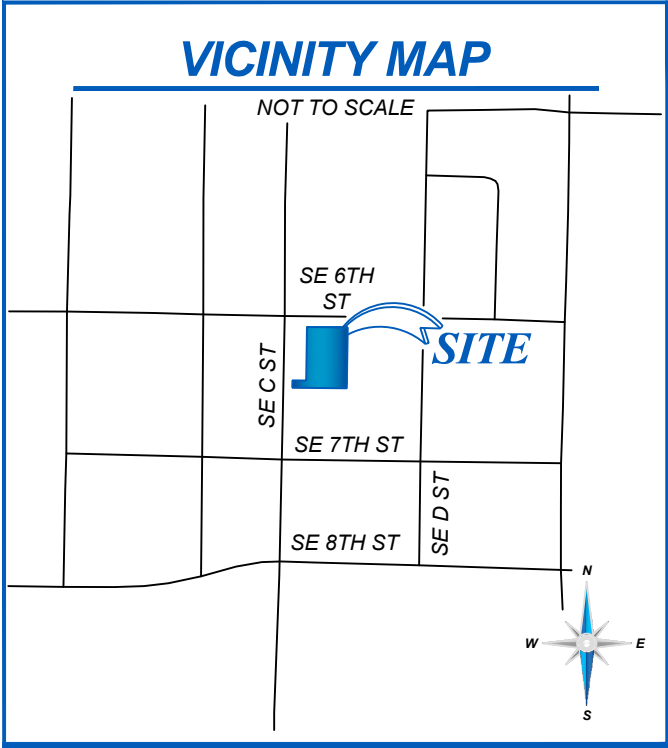
We hereby state that we wholeheartedly support, approve and concur with such Application and the facts stated therein and ask this Board to approve what is requested.

Signed this 19th day of November, 2024.


Brian Dorgan


Katherine A. Sbarra





PROPERTY LINE ADJUSTMENT

LOCATED IN: SECTION 32, TOWNSHIP 20 NORTH, RANGE 30 WEST

406 & 414 SE 6TH STREET, BENTON COUNTY, BENTONVILLE, ARKANSAS 72712

MISCELLANEOUS NOTES

STATE RECORDING NUMBER:
500-20N-30W-0-32-430-04-1926

COMPLETED FIELD WORK:
JULY 25, 2024

REFERENCE DOCUMENTS:
1. WARRANTY DEED FILED IN DEED L202159763.
2. SURVEY PLAT FILED IN PLAT L202129820.
3. SURVEY PLAT FILED IN PLAT L202034664.

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."

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.

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

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

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

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. 05007C025K, WHICH BEARS AN EFFECTIVE DATE OF 06/05/2012 AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.

OWNER/DEVELOPER

APN: 01-03564-000
OWNER (N/F): DORGAN, BRIAN & SBARRA
MAILING: 1825A 9TH AVE N, NASHVILLE, TN 37208

APN: 01-03565-001
OWNER (N/F): MATHEWS, WILLIAM & EMILY
MAILING: 406 SE 6TH ST, BENTONVILLE, AR 72712

LAND AREA

PREVIOUS PARCEL 01-03564-000
12,575 ± SQUARE FEET
0.289 ± ACRES

ADJUSTED PARCEL 01-03564-000
12,693 ± SQUARE FEET
0.291 ± ACRES

PREVIOUS PARCEL 01-03565-001
6,892 ± SQUARE FEET
0.158 ± ACRES

ADJUSTED PARCEL 01-03565-001
6,775 ± SQUARE FEET
0.156 ± ACRES

ZONING INFORMATION

SETBACK SHALL BE PER THE CURRENT ZONING DISTRICT AS STATE IN THE MOST RECENT CITY OF BENTONVILLE ZONING CODE. FOR MORE INFO VISIT WWW.BENTONVILLEPLANNING.COM OR CALL THE PLANNING DEPARTMENT AT 479-271-3122.

CERTIFICATE OF OWNERSHIP:

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

DATE OF EXECUTION: _____

SIGNED: _____

NAME AND ADDRESS: _____

PRINT NAME: _____

SOURCE OF TITLE: D.R. _____

PAGE _____

CERTIFICATE OF APPROVAL:

PURSUANT TO THE BENTONVILLE LAND DEVELOPMENT CODE 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: _____
CITY CLERK, CITY OF BENTONVILLE

CERTIFICATE OF SURVEYING ACCURACY:

I, CLAYTON M. MCKELVIN, 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

CLAYTON M. MCKELVIN
REGISTERED PROFESSIONAL SURVEYOR
NO. AR 1926
STATE OF ARKANSAS

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.

I, CLAYTON M. MCKELVIN, PROFESSIONAL SURVEYOR NO. 1926, IN THE STATE OF ARKANSAS, HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 30TH DAY OF JULY, 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.

Surveying
Engineering
Mapping

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

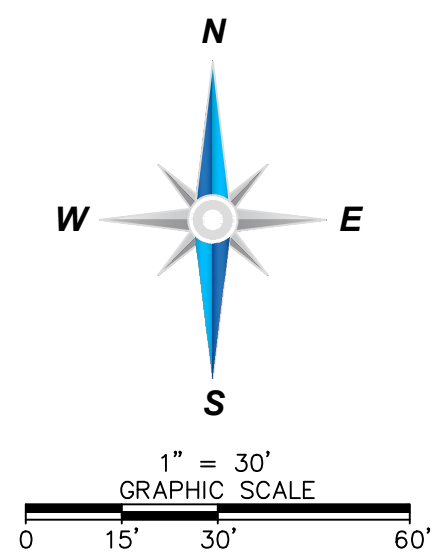
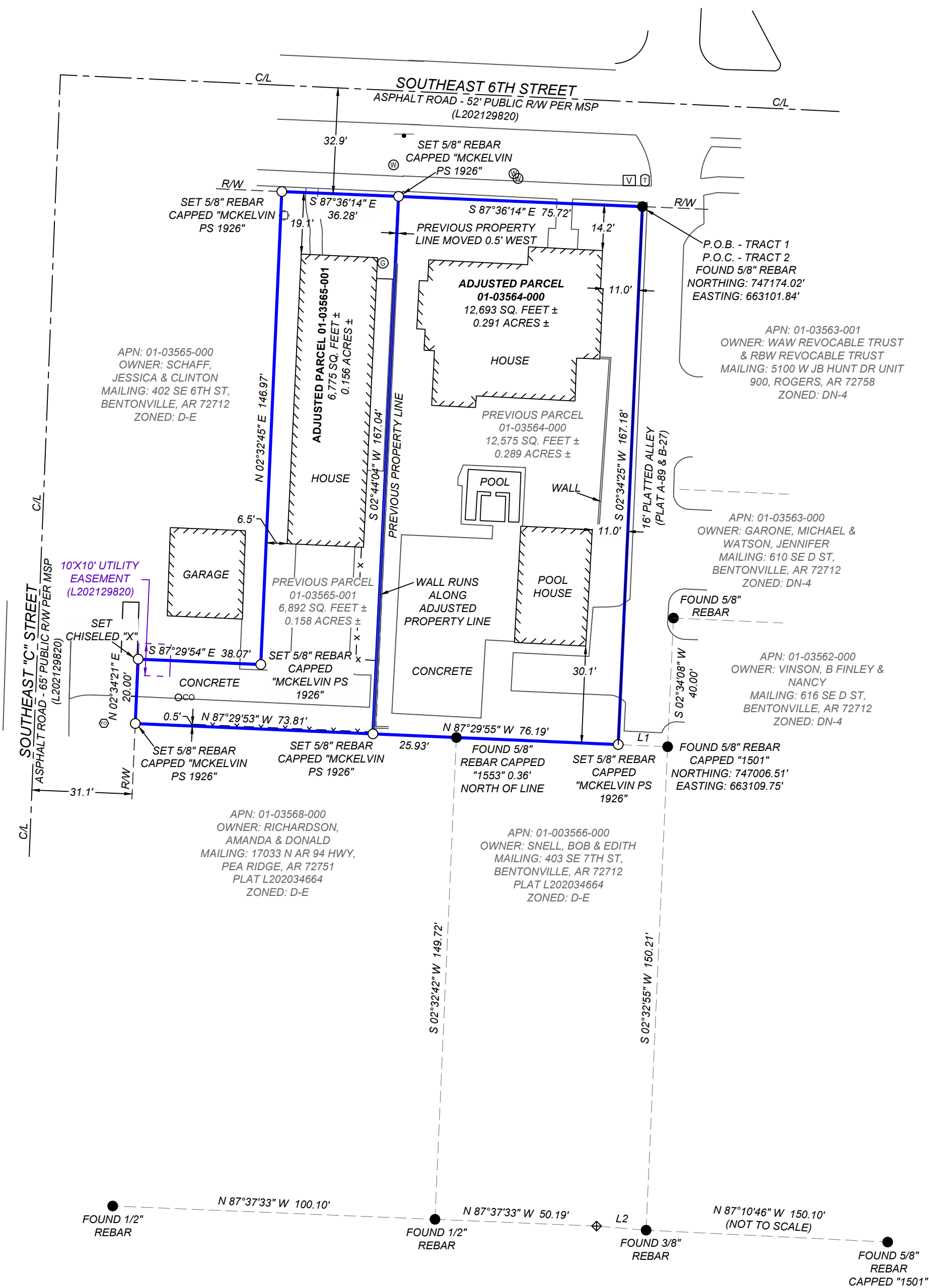
SHEET 1 OF 2

DATE	REVISION HISTORY	BY

SURVEYOR JOB NUMBER: 24-4604	SURVEY DRAWN BY: ANC - 07/30/2024
SURVEY REVIEWED BY: TPN	SCALE: 1" = 30'
FOR THE USE AND BENEFIT OF: KATE SBARRA	CITY OF BENTONVILLE PROJECT NO.: TBD

PROPERTY LINE ADJUSTMENT

LOCATED IN: SECTION 32, TOWNSHIP 20 NORTH, RANGE 30 WEST
406 & 414 SE 6TH STREET, BENTON COUNTY, BENTONVILLE, ARKANSAS 72712



LEGEND & SYMBOLS

- FOUND MONUMENT (AS NOTED)
- SET MONUMENT (AS NOTED)
- ⬢ COMPUTED POINT
- ⊕ ELECTRIC BOX
- ⊗ FIBER OPTIC VAULT
- ⊙ WATER METER
- ⊞ UTILITY VAULT
- SIGN
- ⊞ TELEPHONE PEDESTAL
- ⊙ GAS METER
- CLEANOUT
- P.O.C. POINT OF COMMENCEMENT
- P.O.B. POINT OF BEGINNING
- BOUNDARY LINE
- - - EASEMENT LINE
- - - RIGHT-OF-WAY LINE (R/W)
- CENTERLINE (C/L)
- x - x - x - FENCE LINE

LINE TABLE

LINE	BEARING	DISTANCE
L1	N 87°29'54" W	15.35'
L2	N 85°15'44" W	15.42'

I, CLAYTON M. MCKELVIN, PROFESSIONAL SURVEYOR NO. 1926, IN THE STATE OF ARKANSAS, HEREBY CERTIFY THIS TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF ON THIS THE 30TH DAY OF JULY, 2024.

CERTIFICATE OF AUTHORIZATION

BLEW & ASSOCIATES, P.A.

No. 1534

LICENSED PROFESSIONAL SURVEYOR

STATE OF ARKANSAS

No. 1926

SIGNATURE

CLAYTON M. MCKELVIN

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BLEW & ASSOCIATES, P.A.

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Surveying

Engineering

Mapping

SHEET 2 OF 2

DATE	REVISION HISTORY	BY

SURVEYOR JOB NUMBER: 24-4604	SURVEY DRAWN BY: ANC - 07/30/2024
SURVEY REVIEWED BY: TPN	SCALE: 1" = 30'
FOR THE USE AND BENEFIT OF: KATE SBARRA	CITY OF BENTONVILLE PROJECT NO.: TBD