#### ORDINANCE NO. 11 OF 2025

AN ORDINANCE REZONING 1205 AND 1207 HIGHWAY 35 IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS, FROM AG AGRICULTURAL TO R5 MULTI FAMILY DISTRICT; AND FOR OTHER PURPOSES

**WHEREAS**, an application for rezoning was filed with the Planning Commission of the City of Benton, Arkansas, requesting that the property located at 1205 and 1207 Highway 35 in the City of Benton be rezoned from AG to R5; and

WHEREAS, the Planning Commission ordered a public hearing be held on February 4<sup>th</sup>, 2025, at 6:00 p.m., for the purpose of hearing said application; the notice of such hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas, with evidence having been submitted that all property owners or lessees within 300 feet of the property having been notified of said hearing; and at said hearing, the Planning Commission recommended to the City Council that such request be granted; and

**WHEREAS**, the City Council of the City of Benton, Arkansas, desires to rezone the following property from AG to R5.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

**SECTION 1:** The following described property is hereby rezoned from AG Agricultural to R5 Multi Family District.

Address: 1205/1207 Highway 35 Benton, AR
Parcel Number: 805-19836-000

PASSED AND APPROVED, this \_\_\_\_\_ day of February 2025.

Tom Farmer, Mayor

Cindy Stracener, City Clerk

	02.04.2025			
	1205/1207	Highway 35 [Rezone f	rom AG to	R5]
		Voter	YES	NO
1	Member	Carl West	X	
2	Member	Brett Chumley	X	
3	Member	Lois Burks		
4	Member	Darrell Wood	X	
5	Member	John Clements	X	
6	Member	Pamela Gibson	X	
7	Chairman	Jim Stilwell	,	
8	Member	Mark Chilton	X	
9	Member	Andy Warford	$\times$	

ZUKU Brinsfilla in favor

· AWNS MUITIPIC PROPORTICS · WANTS TO MANT:

P. ailosan wants ideas "2 duploxes"

Nomination	
Motion VOCA	
Second WOV TOVO	

Maybe tannauses

Nomination	
Motion	
Second	

# CITY OF BENTON COMMUNITY DEVELOPMENT DEPARTMENT

Chelsea Matthews
Planner
Phone: (501) 776-5938
Email: Chelsea Matthews@bentonar.org



114 South East Street Benton, Arkansas 72015 Fax: (501) 776-5922 Web: <u>www.bentonar.org</u>

#### **MEMORANDUM**

TO:

James Stilwell

Planning Commission

FROM:

Chelsea Matthews

Community Development

DATE:

02.04.2025

RE:

1205/1207 Highway 35 [Rezone from AG to R5]

Zeke and Glynda Brinsfield [property owner] is requesting approval of a rezone at 1205/1207 Highway 35. This property is currently zoned AG [Agricultural] and they are requesting this property be rezoned to R5 [Multi-Family District]. All questions and comments from Benton Utilities and the City of Benton have been approved.

Please contact the Community Development Office if we may be of further assistance.

1206/1207 HWY 36

# Rezone Check List

Committee	1110
Cover Memo	ATTACKED
Application	Michael
\$40 Fee	YCC
Vicinity Map 8.5 x 11" size [12 Copies]	Macned
Scale Drawing w Information of Owners within 300 feet [12 Copies]	mached
Proof of Ownership OR Notorized Letter	Mirached
Address 12	06/1207 HW 436
Parcel Number	#806-198310-000
Approved DRC Comments	MATTACACO
Current Zone	AO
Proposed Zone	250
Surrounding Zones	AG
Proof of Publication [15 Days Prior to Meeting]	macred
"Subject to Rezone" Sign [15 Days Prior to Meeting]	yearco
Mail Notification to all Leasee or Owners within 300 Feet of Property [15 Prior to Meeting] *Certified Mail Receipts	Days UCG
Applied for in the Last 12 Months?	no
City Council Meeting	02.24.25

#### **Chelsea Matthews**

From:

Chelsea Matthews

Sent:

Thursday, January 30, 2025 1:20 PM

To:

Glynda Brinsfield

Subject:

DRC Comments for 1205 Highway 35 [Rezone]

#### Good Afternoon,

Below are comments I have received regarding the Rezone @ 1205 Highway 35. If project was denied, please address all comments and corrections and resubmit revised plans to the Community Development Office.

#### Community Development:

- This rezone request has been approved @ DRC. This item has been added to the Planning Commission agenda for 02.04.2025 @ 6:00PM. Please make sure that you or a representative is present to answer any questions.

#### Electric Department:

- Benton Electric approves

#### Fire Marshal:

- Fire has no comments.

#### Street Department:

- We approve the rezone.

#### Wastewater Conveyance Department:

- Wastewater approves this rezone.

#### Water Department:

- Water department approves this rezone.

Please let me know if you need anything else!



### Chelsea Matthews

City Planner City of Benton Ph: 501.776.5938



### REZONE APPLICATION

TO THE BENTON, ARKANSAS PL		
Applicant's Name ZelCo	· Glynde Bonsfiell	
Address of subject property 1205	5 Hwy 35, 1207 Hwy 35	-
Legal description of subject property	/	
312 000		•
Parad Number 8051983	36-000	
Parcel Number 0001100	<u> </u>	•
area for a minimum distance of three showing locations of existing streets, of the recorded legal owners of all pro I am the owner of the property identification knowledge and belief, is true and correspond to the property identification. Signed Maynes Company of the property identification of the property identification of the property identification.	urate scale drawing of the site and the surrounding hundred (300) feet from each boundary of the site property lines and the name and last known address coperties shown on the drawing. I hereby certify that fied in this application and to the best of my	hov.ca
Subscribed and certified to me this _	day of, 20	
Receipt Number	Planning Department Representative	

NOTE: THIS APPLICATION NEED NOT BE FILED IN PERSON AT THE OFFICE OF THE PLANNING COMMISSION; HOWEVER, WHEN FILING BY MAIL OR SECOND PARTY, THE SIGNATURE MUSTBE NOTARIZED.



#### 2016-018471

I certify this instrument was filed on: 09/27/2016 2:47:12 PM Myka Bono Sample Saline County Circuit Clerk

Pages: 5

#### lease Return To:

Lenders Title Company 3300 Commonwealth Suite 200 Bryant AR, 72022

Phone: 501-847-1129 Fax: 501-847-6201

File Number: 16-015977-475

Approved as to form by:

J. Mark Spradley, Attorney-at-Law

Transactional data completed by Lenders Title Company

Warranty Deed - Trustee (Letter).rtf

FOR RECORDER'S USE ONLY

#### WARRANTY DEED

(TRUSTEE)

#### KNOW ALL MEN BY THESE PRESENTS:

That, Terry V. Chism and Sharon K. Chism, Trustees of the Terry V. Chism and Sharon K. Chism Revocable rust dated the 22nd day of March, 2004, Grantor, for and in consideration of the sum of ---TEN AND 00/100---DOLLARS---(\$10.00)---and other good and valuable consideration in hand paid by Jeremy E. Brinsfield and Glynda G. Brinsfield, husband and wife, Grantee(s), the receipt and sufficiency of which is hereby acknowledged, does hereby grant, bargain, sell and convey unto the Grantee(s), and their heirs and assigns forever, the following lands lying in the County of Saline and the State of Arkansas to-wit:

All that part of the Southwest Quarter of the Northwest Quarter of Section 13, Township 2 South, Range 15 West, Saline County, Arkansas, more particularly described as follows: Beginning at a point that is 547.80 feet South of the Northeast corner of said Southwest Quarter of the Northwest Quarter for a point of beginning, and run thence West, 270 feet; thence South, 104 feet; thence East, 270 feet; thence North, 104 feet to the Point of Beginning.

#### Also:

All that part of the Southwest Quarter of the Northwest Quarter, Section 13, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows: Beginning at a point on the East line of the said Southwest Quarter of Northwest Quarter that is 547.8 feet South of the Northeast corner thereof; run thence West, 270 feet to the point of beginning of the land herein describe; from said point run thence West, 230 feet; thence South, 104 feet; thence East, 230 feet; thence North, 104 feet to the Point of Beginning.



#### Also:

An easement for use as a driveway across the following described property; Beginning at a point on the East line of said Southwest Quarter of Northwest Quarter that is 651.8 feet South of the Northeast corner thereof; run thence West, 270 feet; thence North, 29 feet; thence East, 270 feet; thence South, 29 feet to the Point of Beginning.

#### Also:

That part of the Southwest Quarter of the Northwest Quarter of Section 13, Township 2 South, Range 15 West, Saline County, Arkansas, described as follows: Beginning at the Northeast corner of said Southwest Quarter of the Northwest Quarter and run thence South, along the East line of said Southwest Quarter of the Northwest Quarter, 547.80 feet; thence West, parallel with the North line of said Southwest Quarter of the Northwest Quarter, 500 feet to the Point of Beginning and from said point run thence South, 104 feet; thence West, parallel with the North line of said Southwest Quarter of the Northwest Quarter, 872.24 feet, more or less, to the West line of said Southwest Quarter of the Northwest Quarter; thence North, along said land, 104 feet; thence East, 872.24 feet, more or less to the Point of Beginning.

#### Less and Except:

Part of the Southwest Quarter of the Northwest Quarter of Section 13, Township 2 South, Range 15 West, Saline County, Arkansas, more particularly described as follows: Commencing at a point being used as the Northwest 1/16 corner of Section 13; thence North 86 degrees 31 minutes 43 seconds West, along the North line of the Southwest Quarter of the Northwest Quarter of Section 13 a distance of 62.04 feet to a point on the Westerly right of way line of Highway 35 as established by AHTD Job 619; thence in a Southerly direction, along said right of way line on a curve to the right having a radius of 645.00 feet, a distance of 128.21 feet, having a chord bearing of South 12 degrees 41 minutes 12 seconds East a distance of 128.21 feet to a point; thence continue in a Southerly direction along said right of way line on a curve to the right, having a radius of 645.00 feet, a distance of 113.07 feet, having a chord bearing of South 01 degrees 57 minutes 38 seconds East a distance of 112.92 feet to a point; thence South 03 degrees 04 minutes 04 seconds West a distance of 240.69 feet for the Point of Beginning; thence continue South 03 degrees 04 minutes 04 seconds West, along said right of way line a distance of 71.50 feet to a point on the Westerly right of way line of Highway 35 as established by AHTD Job 061039; thence North 06 degrees 59 minutes 53 seconds West, along said right of way line a distance of 72.71 feet to a point; thence South 86 degrees 31 minutes East a distance of 12.71 feet to the Point of Beginning, as sold to the Arkansas State Highway Commissin in Warranty Deed dated January 8, 2007, recorded January 29, 2007 as Instrument Number 07 9670 and Release recorded January 29, 2007 as Instrument Number 07 9673, records of Saline County, Arkansas.

#### PROPERTY DESCRIPTION AS SURVEYED

THAT PART OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 2 SOUTH, RANGE 15 WEST, DESCRIBED AS FOLLOWS:

COMMENCING AT THE NORTHEAST CORNER OF SAID SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE SOUTH 02°06'35" WEST

ALONG THE EAST LINE THEREOF 547.69 FEET; THENCE NORTH 89°46'51" WEST LEAVING SAID EAST LINE 22.27 FEET TO A POINT ON THE WEST RIGHT OF WAY LINE OF STATE HIGHWAY NUMBER 35, SAID POINT ALSO BEING THE POINT OF BEGINNING; THENCE ALONG SAID WEST RIGHT OF WAY LINE OF STATE HIGHWAY NUMBER 35 THE FOLLOWING COURSES: THENCE SOUTH 06°59'53" EAST 46.60 FEET; THENCE SOUTH 03°15'13" WEST 59.62 FEET TO A POINT ON THE NORTH LINE OF LAND DESCRIBED IN DOCUMENT NUMBER 2012-63113 RECORDS OF SALINE COUNTY, ARKANSAS; THENCE SOUTH 88°25'15" WEST ALONG SAID NORTH LINE 349.14 FEET TO THE NORTHEAST CORNER OF LAND DESCRIBED IN DOCUMENT NUMBER 2015-78920 RECORDS OF SALINE COUNTY, ARKANSAS; THENCE NORTH 88°32'03" WEST ALONG THE NORTH LINE OF LANDS DESCRIBED IN DOCUMENT NUMBERS 2015-78920, 2008-9012, 2005-79039 AND 2007-62996 FOR 1003.06 FEET TO A POINT ON THE WEST LINE OF THE SOUTHWEST QUARTER OF THE NORTHWEST QUARTER; THENCE NORTH 02°35'29" EAST ALONG SAID WEST LINE THEREOF 104.00 FEET TO THE SOUTHWEST CORNER OF LAND DESCRIBED IN DOCUMENT NUMBER 1996-46161 RECORDS OF SALINE COUNTY, ARKANSAS; THENCE SOUTH 89°05'25" EAST ALONG SAID SOUTH LINE 747.99 FEET TO THE SOUTHWEST CORNER OF LAND DESCRIBED IN DOCUMENT NUMBER 1997-27527; THENCE SOUTH 89°46'51" EAST ALONG THE SOUTH LINE OF DOCUMENT NUMBERS 1997-27527 AND 2009-92695 FOR 596.84 FEET TO THE POINT OF BEGINNING. CONTAINING 3.40 ACRES MORE OR LESS.

Subject to any recorded: assessments, building lines, easements, mineral reservations and/or conveyances, and restrictions, if any.

TO HAVE AND TO HOLD the above described lands unto the Grantee(s) and unto their heirs and assigns forever, with all tenements, appurtenances, and hereditaments thereunto belonging.

And the Grantor hereby covenants with the Grantee(s) that it will forever warrant and defend the title to the above described lands against all claims whatsoever.

## WITNESS our hand(s) and seal(s) on this 23rd day of September, 2016.

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument. Exempt or no consideration paid if none shown.	1 /20
GRANTEE OR AGENT:	Terry V/ Chism, Trustee of the Terry
GRANTEE'S ADDRESS:	V. Chism and Sharon K. Chism Revocable Trust
	Sharon K. Chism, Trustee of the Terry V. Chism and Sharon K. Chism Revocable Trust
	TONOUT ED CMENT
ACI	KNOWLEDGMENT
STATE OF ARKANSAS ) ) SS.	
COUNTY OF SALINE )	
County and State aforesaid, duly commissioned and (or satisfactorily proven to be), who stated that the Revocable Trust dated the 22nd day of March 2004	me before me, the undersigned, a Notary Public within and for the d acting, Terry V. Chism and Sharon K. Chism, to me well known as ey were the Trustee(s) of the Terry V. Chism and Sharon K. Chism 4 and were duly authorized in their respective capacities to execute the behalf of said trust, and further stated and acknowledged that they had urposes therein mentioned and set forth.
IN TESTIMONY WHEREOF, I have hereunt	to set my hand and official seal this 23rd day of September, 2016.
	Saly Milest 2
My commission Expires:	



# STATE OF ARKANSAS DEPARTMENT OF FINANCE AND ADMINISTRATION MISCELLANEOUS TAX SECTION P.O. BOX 896, LITTLE ROCK, AR 72203-0896

### Real Estate Transfer Tax Stamp

Proof of Tax Paid



File Number: 16-015977-475

Grantee:

JEREMY E BRINSFIELD AND GLYNDA G BRINSFIELD

Mailing Address:

1207 HWY. 35 SOUTH BENTON AR 720150000

Grantor:

TERRY V CHISM AND SHARON K CHISM, TRUSTEES OF THE TERRY

V CHISM AND SHARON K CHISM REVOCABLE TRUST

Mailing Address:

1207 HWY. 35 SOUTH BENTON AR 720150000

**Property Purchase Price:** 

\$158,900.00

**Tax Amount:** 

\$524.70

County:

SALINE

Date Issued:

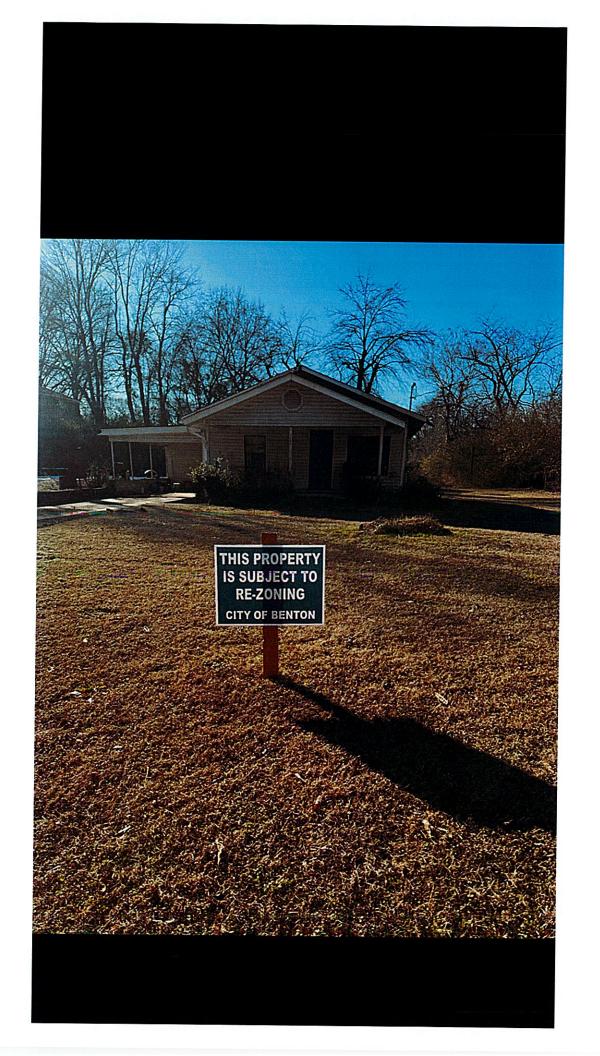
09/23/2016

Stamp ID:

811556864

I certify under penalty of false swearing that documentary stamps or a documentary symbol in the legally correct amount has been placed on this instrument

Grantee or Agent Name (printed): Dewise Patrick	
Grantee or Agent Name (signature):	Date: 9/23/16
Address: 1207 Hww. 35 South	
City/State/Zip: Benton, AR 72015	



# Order Receipt

#### **Saline Courier**

321 N. Market St. Benton, AR 72015

Phone: 501-315-8228

URL: https://www.bentoncourier.com/

Glynda Brinsfield 148 Turtle Creek Road Benton, AR 72015 Acct #:

01124879

Phone:

(501)517-4507

Date:

01/16/2025

Ad #:

00183510

Salesperson:

SCL

Ad Taker:

SC5

Class:

101

Ad Notes:

Sort Line:

Notice is hereby given that a

Description	Amount
AVDT LEGAL AFFIDAVIT	4.50
28 Saline Courier 2025-01-17	28.60
28 Saline Courier 2025-01-24	28.60

#### Ad Text:

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on February 4th, 2025 at 6:00 P.M. at City Hall Council Chambers located at 114 S. East St in Benton, AR on the petition of Glynda Brinsfield for rezoning the properties of 1205 Hwy 35 and 1207 Hwy 35 Benton AR. 72015. The properties are currently zoned AG with a request to rezone to R5. The property is in the City of Benton, Saline County, Arkansas.

#### Payment Reference:

 Total:
 61.70

 Tax:
 0.00

 Net:
 61.70

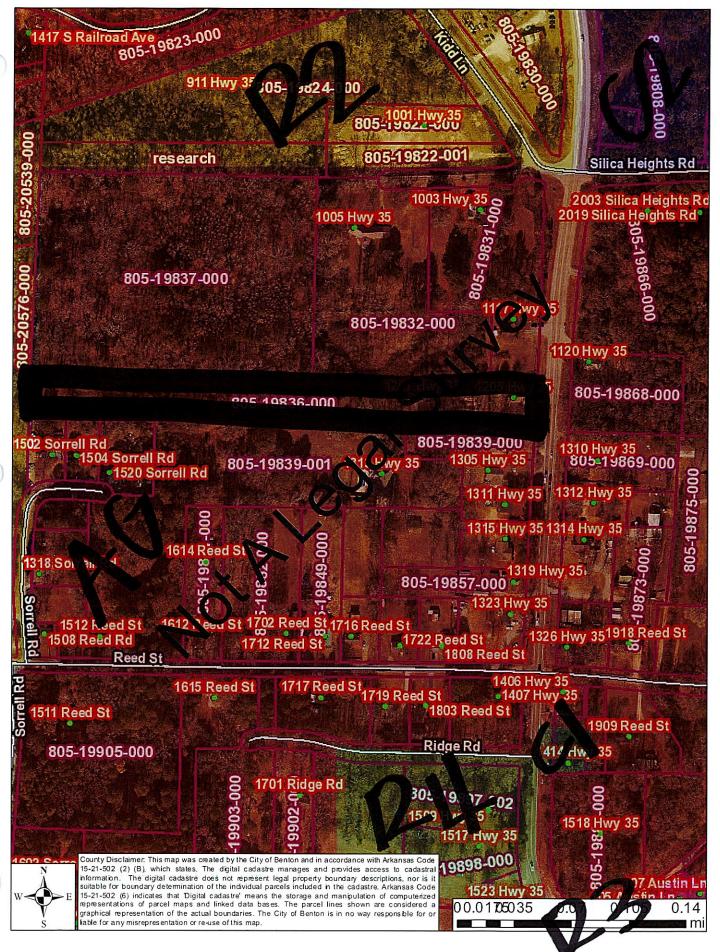
 Prepaid:
 0.00

Total Due

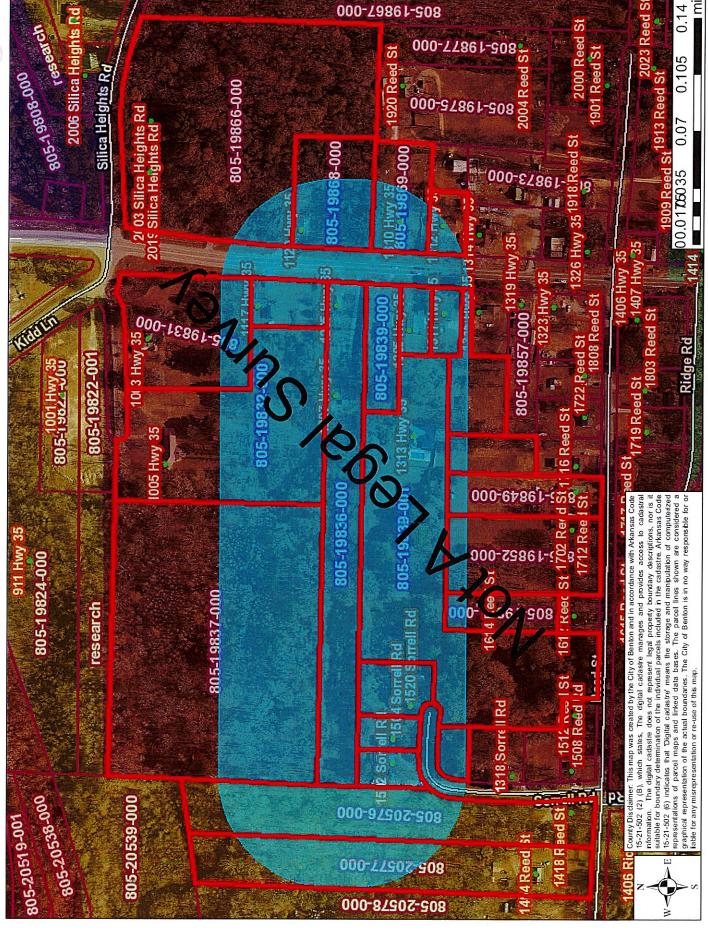
61.70

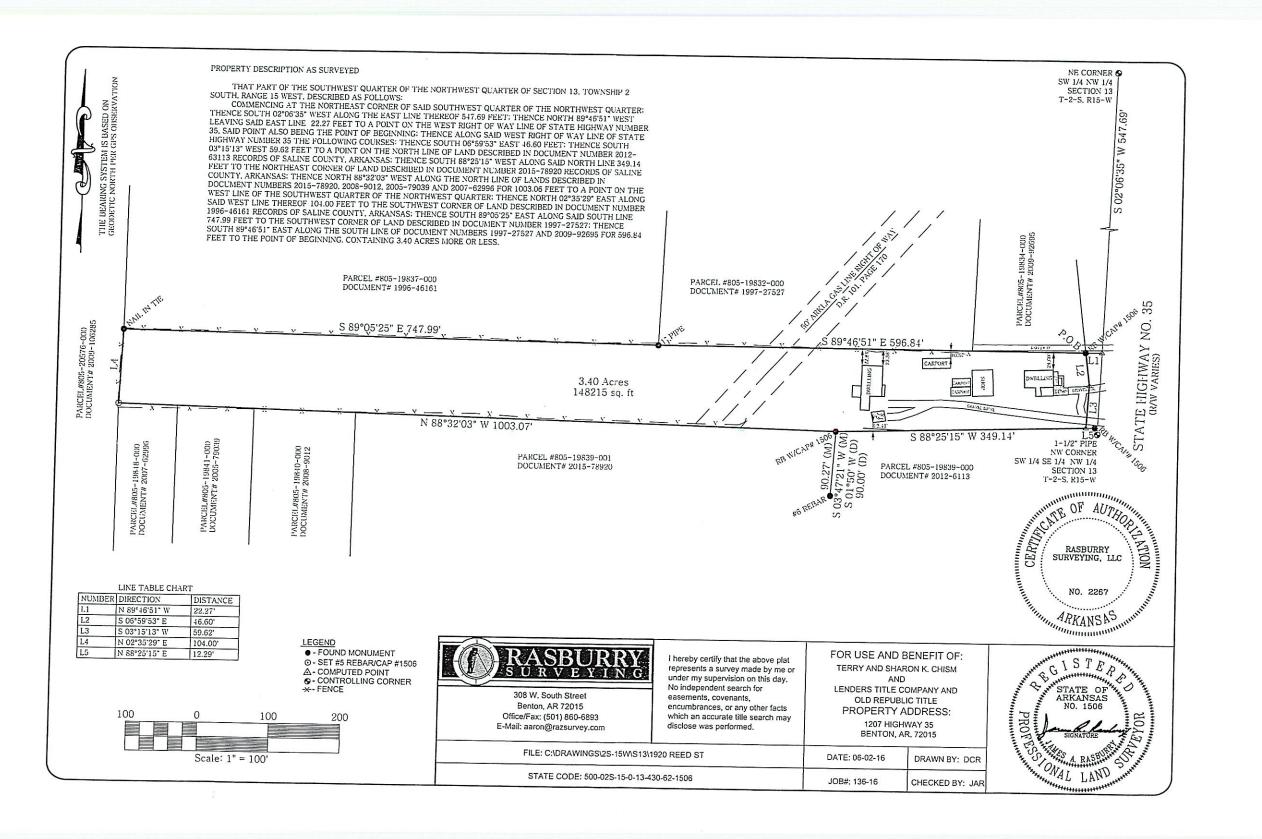


**Title** 



No. 48861  CITY OF BENTON, ARKANSAS  GENERAL FUND - COMMUNITY DEVELOPMENT  RECEIVED OF  FOR  REVEIVED BY:	NO. 48860  CITY OF BENTON, ARKANSAS  GENERAL FUND - COMMUNITY DEVELOPMENT  FOR SYNTON FOR STATE OF STA	No. 48859  CITY OF BENTON, ARKANSAS  GENERAL, FUND - COMMUNITY DEVELOPMENT  RECEIVED OF 11 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1





#### ORDINANCE NO. 12 OF 2025

AN ORDINANCE REZONING 219 KENWOOD ROAD IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS, FROM R2 SINGLE FAMILY DISTRICT DETACHED HOUSING TO C1 NEIGHBORHOOD COMMERCIAL; AND FOR OTHER PURPOSES

WHEREAS, an application for rezoning was filed with the Planning Commission of the City of Benton, Arkansas, requesting that the property located at 219 Kenwood Road in the City of Benton be rezoned from R2 to C1; and

WHEREAS, the Planning Commission ordered a public hearing be held on February 4<sup>th</sup>, 2025, at 6:00 p.m., for the purpose of hearing said application; the notice of such hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas, with evidence having been submitted that all property owners or lessees within 300 feet of the property having been notified of said hearing; and at said hearing, the Planning Commission recommended to the City Council that such request be granted; and

**WHEREAS**, the City Council of the City of Benton, Arkansas, desires to rezone the following property from R2 to C1.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

<u>SECTION 1</u>: The following described property is hereby rezoned from R2 Single Family District Detached Housing to C1 Neighborhood Commercial.

Address: 219 Kenwood Road Benton, AR Parcel Number: 805-15818-000

PASSED AND APPROVED, this _	day of February 2025.	
	Tom Farmer, Mayor	
Cindy Stracener City Clerk		

	02.04.2025			
	219 Ken	wood Rd [Rezone fro	m R2 to C2]	
		Voter	YES	NO
1	Member	Carl West	X	
2	Member	Brett Chumley	X	
3	Member	Lois Burks	,	
4	Member	Darrell Wood	X,	
5	Member	John Clements	X	
6	Member	Pamela Gibson	×	
7	Chairman	Jim Stilwell		
8	Member	Mark Chilton	X	
9	Member	Andy Warford	X	

Aimod
amningnam
in favor:
.wantc to Damo
Proparty.
.paailalmotal
building.

Nominati	on	
Motion <b>/</b>	V0001	
Second	WCCT	

P. Giosan recommends cl.

Nomination				
Motion	Y			
Second				

# CITY OF BENTON COMMUNITY DEVELOPMENT DEPARTMENT

Chelsea Matthews
Planner
Phone: (501) 776-5938
Email: Chelsea Matthews@bentonar.org



114 South East Street Benton, Arkansas 72015 Fax: (501) 776–5922 Web: www.bentonar.org

#### **MEMORANDUM**

TO:

James Stilwell

Planning Commission

FROM:

Chelsea Matthews

Community Development

DATE:

02.04.2025

RE:

219 Kenwood Rd [Rezone from R2 to C2]

Simple Tax [Williams Tax; property owner] is requesting approval of a rezone at 219 Kenwood Rd. This property is currently zoned R2 [Single Family District Detached Housing] and they are requesting this property be rezoned to C2 [General Commercial]. All questions and comments from Benton Utilities and the City of Benton have been approved.

Please contact the Community Development Office if we may be of further assistance.

# 219 Kenwood 2d # 806-16919-000

## Rezone Check List

Cover Memo	MACINCO
Application	yes acred
\$40 Fee	Mas Of.
Vicinity Map 8.5 x 11" size [12 Copies]	Macrod
Scale Drawing w Information of Owners within 300 feet [12 Copies]	Megached
Proof of Ownership OR Notorized Letter	MTachcal
Address	219 Kanwaa 12a
Parcel Number	219 KCNW000 120 2005-115019000
Approved DRC Comments	Misanco
Current Zone	22
Proposed Zone	02
Surrounding Zones	02,03
Proof of Publication [15 Days Prior to Meeting]	Macrod
"Subject to Rezone" Sign [15 Days Prior to Meeting]	Arracica
Mail Notification to all Leasee or Owners within 300 Feet of Property [1 Prior to Meeting] *Certified Mail Receipts	15 Days in person
Applied for in the Last 12 Months?	NO
City Council Meeting	02.24.26

#### **Chelsea Matthews**

From:

Chelsea Matthews

Sent:

Thursday, November 07, 2024 10:46 AM

To:

williamstaxoffice23@yahoo.com

Subject:

DRC Comments for 219 Kenwood Rd [Rezone]

Good Afternoon,

Below are comments I have received regarding the Rezone @ 219 Kenwood Rd. If project was denied, please address all comments and corrections and resubmit revised plans to the Community Development Office.

Community Development:

- This rezone has been approved @ DRC. I have added this item to the Planning Commission agenda for December 2024. Please make sure that you or a representative is present to answer any questions.

#### Electric Department:

- Benton Electric approves

#### Fire Marshal:

- Fire has no comments.

#### Street Department:

- We approve the rezone.

#### Wastewater Conveyance Department:

- Wastewater approves rezone

#### Water Department:

- Water department approves this replat.

Please let me know if you need anything else!



Chelsea Matthews

City Planner City of Benton Ph: 501.776.5938



### REZONE APPLICATION

	•	
TO THE BENTON, ARKANSAS PLAN	INING COMMISSION:	•
Applicant's NameSIMPLE TAX		•
Address of subject property219 KEN	IWOOD, BENTON	f
	Legal description of subject	*;
property		
0.66 AC. IN PART OF T T-2-5, R-15-W, Sal Location: 03 028-15W P	HE NEI/4-SE1/4 Section 3, ine County, AR T NESE 221-142	
Parcel Number 805-151818	-000	
	escribed property, currently in aRESIDENTIAL	
District. Attached hereto as a part of this application is an accurat area for a minimum distance of three hus showing locations of existing streets, pr	t.	
Address219KENWOOD, BENTON,	AR,72019 Phone 501.315.3385	
Subscribed and certified to me this2	20 <u>7.</u> day of <u>Octobes</u> , 20 <u>7.</u> 4	
Receipt Number P	lanning Department Representative	
OF THE PLANNING C	FOT BE FILED IN PERSON AT THE OFFICE OMMISSION; HOWEVER, WHEN FILING ) PARTY, THE SIGNATURE MUSTBE	

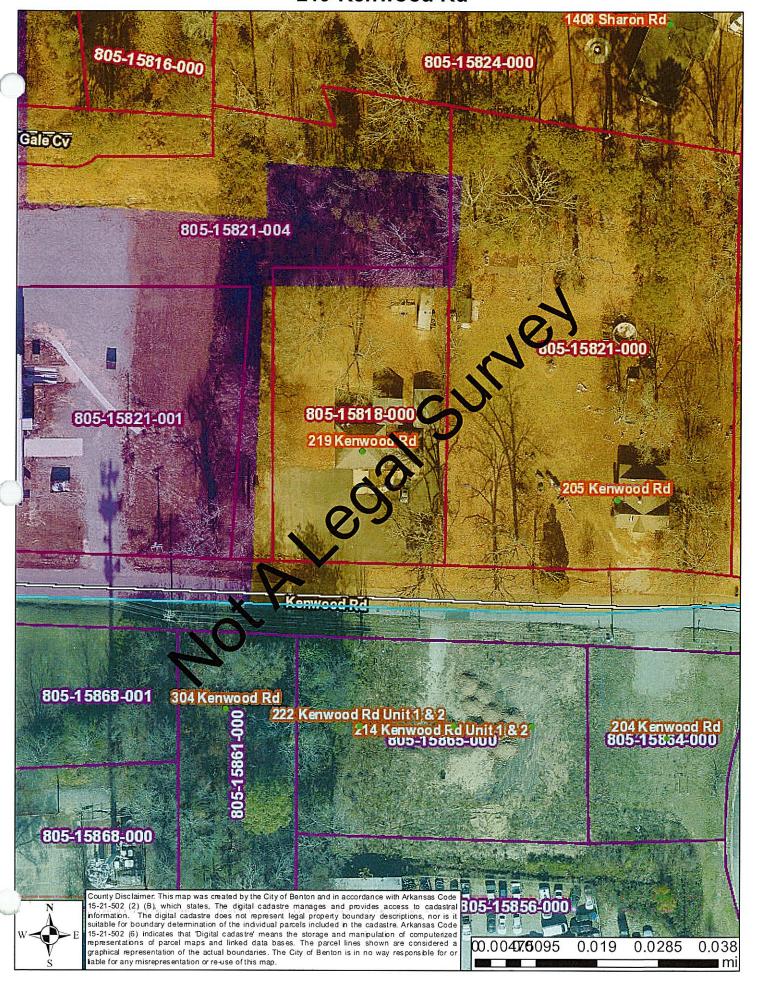
STATE OF ARKANSAS COUNTY OF \_Saling.

This instrument was acknowledged before me this 28 day of October, 2024, by North Williams

Canna Bruens Anna Bivens
Notary Public's Signature Notary Name
My Commission Expires 06 - 20 - 2034

ANNA BIVENS
Notary Public-Arkansas
Saline County
My Commission Expires 06-20-2034
Commission # 00002516

### 219 Kenwood Rd



#### **Title**



Acknowledgement of Receipt of Rezoning Notice

Business/Resid ence	sid Address	Print Name	Sign	Date
Business	Benton Public Schools	) seas Yorkum	(True la Pala	1/16/25
Business	S Days I-30 dingr	Jammy MATZ	Jan With	\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\\
Bushasa	17034 I-30	Can Geach	John Leach	1-16-25
Promiss	1225 Old Hot Spring How	Barbara McCruight	Shan	1-16-25
Bunes	Buness 1221 Hot spains pa	charming pate	Pat C.M.	.52-91-1
YCSLS	1215 (4.24 splags 404	Marcy Cameron	Micmoun	1/10/25
Busine	Bus iness 16824 I-30	cheil Gas Station	PZ	1/16/25
	16838 I.30	Malco MOTORS	of approx	52-9/1
basiness	1216 Hat Springs Hary S.A Michael Oth	A Michael Oft	7	1-16-65
n	1210 Holders Any AB	Mike Seo V	MIST	1-16-25
Business		Jessica Weathors	1100 A	1-16-25
Brownso		Wichelle Read	Amuse Kes	1-16-25
SUSINES		Moula Merarka	Brandene F	1-110-1
Businin	1221 B HWY35N. PAR	7	The Obuston	1-16-25
policy ATTSan	1221 HW& S.N. GONTO	o His Trans	Min	1-16-25
Ab1, 0001	1223 Hwy 35, Renthe 10 Stol. 10 10	10 Stol. 10 101	0 20	
Ohoal Bagar		THE OFFICE DOLLES	Church offering	1/16/25
Lephanie Willi	Leghanie Williams 1222 Old Hot Springs Huy	stings Hay Stephe	Feplen William	1/10/25
ei.				

Ting Houts Ceaning Aladonny 12/6 Hot Springs thay Buth, Mazoly + Alice Williams 1-1625

Lee James Agency 121 Whitney Owens State Farm 1200

1215 Huy 35 N Benton AR 72019 Lava James 1-16-25 1209 Huy 35 N Benton, AR 72019 Cloye Gibson Wy 221

### **Affidavit of Publication**

STATE OF ARKANSAS }
COUNTY OF SALINE }

SS

, being duly sworn, says:

That she is Lisa McElrath of the The Saline Courier, a daily newspaper of general circulation, printed and published in Benton, Saline County, Arkansas; that the publication, a copy of which is attached hereto, was published in the said newspaper on the following dates:

January 17, 2025

NOTICE

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on the 4th day of February 2025 at 06:00 PM - 07:02 PM at 114 South East Street on the petition of Simple Tax for rezoning to a commercial building at 219 Kenwood Rd., Benton, AR 72019 on the following lands to wit: 0.66 AC. IN PART OF THE NE 1/4-SE 1/4 SECTION 3, T-2-S, R-15-W, in the City of Benton, SALINE COUNTY, AR.

That said newspaper was regularly issued and circulated those dates.

GNED:

Lisa McElrath

Subscribed to and sworn to me this 17th day of January

2025.

Rhonda Overbey, Notary, Saline County, Arkansas

My commission expires: January 29, 2033

01124447 00183308

Leon Jones, Jr Big Rock Legacy Law Group (28) 425 W. Capital, Suite 3280 Little Rock, AR 72201 RHONDA OVERBEY
Notary Public - Arkansas
Saline County
Commission # 12721758
My Commission Expires Jan 29, 2033

# Saline Courier

321 N. Market St. Benton, AR 72015

Phone: 501-315-8228

URL: https://www.bentoncourier.com/

Accounts Payable **HOPE ENGINEERS (28)** PO box 788 BENTON, AR 72018

Acct #:

01118457

Phone:

(501)315-0786

Date:

11/27/2024

Ad #:

00181938

Salesperson:

Ad Taker:

SC5

Class:

Ad Notes:

Sort Line:

101

NOTICE Notice is hereby given

Order

Receipt

Description

Amount

AVDT LEGAL AFFIDAVIT

4.50

28 Saline Courier 2024-12-03

101.40

Ad Text:

NOTICE

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on the 7th day of January, 2025 at 6:00 pm at Benton City Hall 114 South East Street on the petition of Heritage Homes for Preliminary Plat Approval the following lands to

LEGAL DESCRIPTION.

All that part of the Southeast Ouarter of the Northwest Ouarter, Section 15, Township 2 South, Range 13 West, Saline County, Arkansas, more particularly described as follows: Commencing at rebar with cap RLS # 1141 being the Northwest corner of Lot 34 of the Mack Thomas Addition to the City of Benton; thence North 56 deg. 42

Payment Reference:

Total:

105.90

Tax:

0.00

Net:

105.90

Prepaid:

0.00

Total Due

105.90

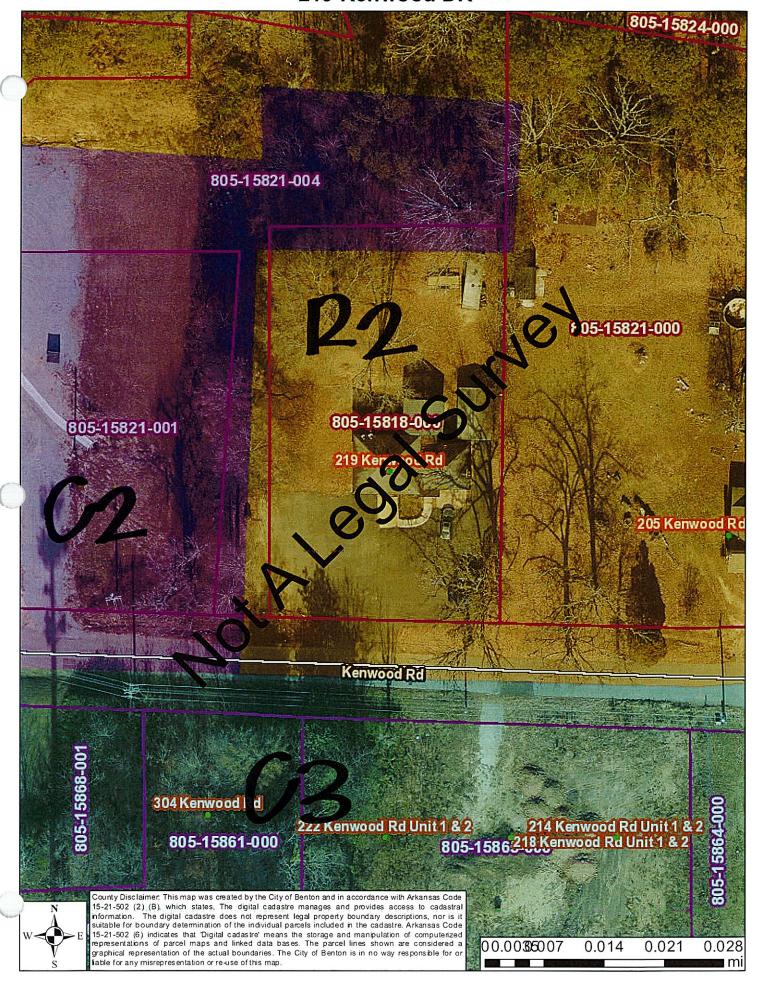
# WILLIAMS PAUL E & DORIS K

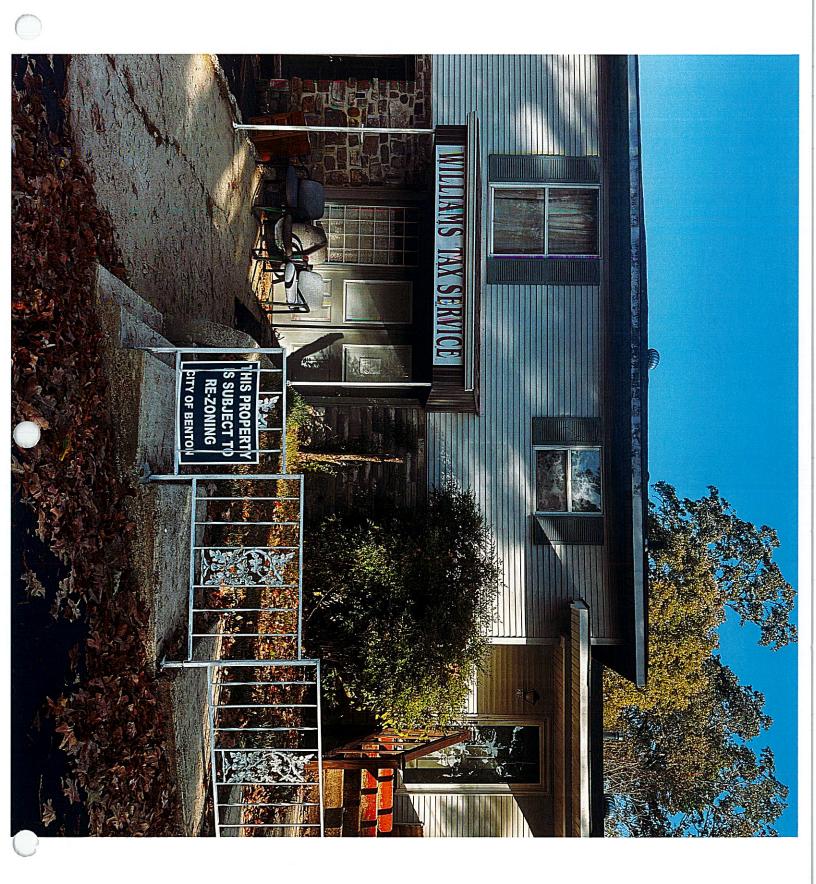
219 KENWOOD RD BENTON, AR 72015

	<u>Land</u>			<u>Receipts</u>	<u>Improvements</u>
	·		e e en re e e e	 	
Basic I	nfo				
Parcel N	Number:			805-15818 <b>-</b> 00	0
County	Name:			Saline County	
Property	y Address:			WILLIAMS PA 219 KENWOO BENTON, AR <u>Map This A</u>	72015
Mailing A	Address:			WILLIAMS DO 3503 CLOVER BENTON AR T	RHILL LN
Collecto	r's Mailing Ac	idress 😯:		WILLIAMS DO 3503 CLOVER BENTON, AR	RHILL LN
Total Ac	res:			0.66	
Timber A	Acres:			0.00	
Sec-Twp	o-Rng:			03-02S-15W	
Lot/Bloc	k:			1	
Subdivis	sion:				
Legal De	escription:			PT NESE 221	-142
School [	District:			082 BENTON/	BENTON
Homeste	ead Parcel?:			Yes	
Tax Stat	us:			Taxable	
Over 65	?:			Yes	

Parcel Boundary 9

### 219 Kenwood DR





#### ORDINANCE NO. 13 OF 2025

# AN ORDINANCE PROVIDING CONDITIONAL USE FOR A DUPLEX LOCATED AT MULTIPLE [12] PARCELS ALONG S. MAIN STREET; AND FOR OTHER PURPOSES

WHEREAS, an application for a Conditional Use Permit was filed with the Planning Commission of the City of Benton, Arkansas, by LNP Properties LLC requesting the property at 519, 529, 531, 605, 611, 615, 621, 530, 532, 608, 610, 616, 618, 624, 626 S. Main Street; 106 and 104 E Elm Street; Vine Street parcel number 800-42800-002 be issued a Conditional Use Permit for the purpose of having a Duplex in a TC1 Town Center District; and

WHEREAS, the Planning Commission ordered a public hearing be held on February 4<sup>th</sup>, 2025, at 6:00 p.m. for the purpose of hearing said application; the notice of such hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas, with evidence submitted that all adjacent property owners or lessees having been notified of said hearing; and at said hearing, the Planning Commission resolved to approve the application for a Conditional Use Permit; and

WHEREAS, the City Council of the City of Benton, Arkansas, desires to grant a Conditional Use Permit to LNP Properties LLC for having a Duplex situated on a property in a TC1 zone. Said conditional use shall be in effect for a Duplex building and shall run through the life of said building. The conditional use shall expire when or if the said building is no longer usable, is no longer used as a Duplex, or no longer exists.

# NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

**SECTION 1:** LNP Properties LLC is hereby granted a Conditional Use Permit for having a Duplex at the following location:

Address: 519 S. Main Street; 529/531 S. Main Street; 605 S. Main Street; 611 S. Main Street; 615 S. Main Street; 621 S. Main Street; 530/532 S. Main Street; Vine Street; 608/610 S. Main Street; 616/618 S. Main Street; 624/626 S. Main Street; E Elm Street;

Parcel Numbers: 800-00748-000; 800-00749-000; 800-00753-000; 800-00754-000; 800-02816-000; 800-02820-000; 800-42800-001; 800-42800-002; 800-42800-003; 800-42800-004; 800-42800-005; 800-42800-006

building is no longer usable, is	no longer used as a Duplex, or no longer exists.
PASSED AND APPROVED,	this day of February 2025.
	Tom Farmer, Mayor
Cindy Stracener, City Clerk	

**SECTION 2:** Said conditional use shall be in effect for a Duplex and shall run

through the life of said building. The conditional use shall expire when or if the said

		02.04.2025		
S.	Main Street [C	onditional Use for Mu	ıltiple Multi	i-Family]
		Voter	YES	NO
1	Member	Carl West	X	
2	Member	Brett Chumley	×	
3	Member	Lois Burks	,	
4	Member	Darrell Wood	X,	
5	Member	John Clements	×	
6	Member	Pamela Gibson	×	
7	Chairman	Jim Stilwell		
8	Member	Mark Chilton	$\times$	
9	Member	Andy Warford	X	

Nominat	ion
Motion	VVC-1
Second	amonts

Nomination	
Motion	
Second	

# CITY OF BENTON COMMUNITY DEVELOPMENT DEPARTMENT

Chelsea Matthews
Planner
Phone: (501) 776-5938
Email: Chelsea Matthews@bentonar.org



114 South East Street Benton, Arkansas 72015 Fax: (501) 776–5922 Web: www.bentonar.org

#### **MEMORANDUM**

TO:

James Stilwell

Planning Commission

FROM:

Chelsea Matthews

City Planner

DATE:

02.04.2025

RE:

S. Main Street [Conditional Use for Multi-Family]

LNP Properties LLC is requesting approval of a Conditional Use permit for their properties along S. Main Street [12 parcels total]. These properties are currently zoned TC1 [Town Center Zone] and Multi Family is allowed by conditional use approval per Ordinance 52 of 2017. These properties were rezoned in 2016 to RM-3.75 [multi family; Ordinance 21 of 2016] but this was changed back in 2017 when the Zoning Ordinance was updated. All rules and regulations have been followed and approved at DRC and a copy of the comments have been provided in your packet for your review.

Please contact the Community Development Office if we may be of further assistance.

## Nalley properties G. Main Gt.

## Conditional Use Check List

	-
Cover Memo	ATTACACO
Application	yce
\$30.00 Fee	
Vicinity Map [12 Copies, 8.5 x 11" size]	Macrea
Site Plan [12 Copies]	ATTACHED ATTACHED
Address	GCCAPP
Parcel Number	SCC APP
Approved DRC Comments	in acnca
Current Zoning	TCI
Proposed Use	MUITI-FOM. DUPICXCG
Allowed by Conditional Use?	yes
Surrounding Zoning	101,102.
Pertinent Sign [15 Days Prior to Meeting]	yce
Notification to all Adjacent Property Owners [15 Days Prior to Meeting] Signed Certified Mail Slips	yes
Proof of Publication [15 Days Prior to Meeting]	ATTACHED  ATTACHED  ATTACHED  O2.24.25
City Council Meeting	02.24.25

#### **Chelsea Matthews**

From:

Chelsea Matthews

ent:

Wednesday, January 29, 2025 9:07 AM

To:

Inppropertiesjeff@gmail.com

Subject:

DRC Comments for Nalley Properties [Conditional Use for Multi Family]

#### Good Afternoon,

Below are comments I have received regarding the Conditional Use request for Multi Family. If project was denied, please address all comments and corrections and resubmit revised plans to the Community Development Office.

Community Development:

- This Conditional Use request has been approved @ DRC. This item has been added to the Planning Commission agenda for February 4<sup>th</sup>, 2025 @ 6:00PM. Please make sure that you or a representative is present to answer any questions.

#### Electric Department:

- Benton Electric approves

#### Fire Marshal:

- Fire has no comments.

#### Street Department:

- We approve.

#### Wastewater Conveyance Department:

- Wastewater approves conditional use

#### Water Department:

- Water department approves this request for conditional use only.

Please let me know if you need anything else!



#### Chelsea Matthews

City Planner City of Benton Ph: 501.776.5938

1

#### **ORDINANCE NO. 21 OF 2016**

# AN ORDINANCE REZONING CERTAIN LAND IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS; DECLARING AN EMERGENCY; AND FOR OTHER PURPOSES

WHEREAS, an application for zoning was filed with the Planning Commission of the City of Benton, Arkansas by LNP Properties LLC., requesting the lands hereinafter described be zoned to a Multi-Family Residential District (RM-3.75) zoning; and,

WHEREAS, the Planning Commission ordered a Public Hearing be held on April 12, 2016 at 6:00 p.m. for the purpose of hearing said application; the notice of such hearing having been published in a newspaper having a bona fide circulation in Saline County, Arkansas; with evidence having been submitted that all property owners or lessees within 300 feet of the property having been notified of said hearing; and at said hearing, the Planning Commission recommended to the City Council that such request be granted; and,

WHEREAS, the City Council of the City of Benton, Arkansas desires to zone the following property as Multi - Family Residential District (RM-.3.75).

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BENTON, ARKANSAS:

SECTION 1. The following described property is hereby rezoned from Single -Family Residential District (R1-7.5) to a Multi – Family Residential District (RM-.3.75) zoning:

Legal Description: Lot PT E of Block 40 a Part of Tract 1 of the Original Town of Benton; Lot PT BLK in SE "B" of Block 40 a Part of Tract 1 of the Original Town of Benton; and the South 50 feet West 135 feet portion of Block 40 a Part of Tract 1 of the Original Town of Benton; Also, Lots 6, 7, 8, and PT 9 of Block 44 a Part of Tract 1 of Allen's Addition; Also, the South half and North half of Lots 10, 11, and 12 of Block 45 a Part of Tract 2 of Allen's Addition; Also, the South 36 feet of Lot 12 of Block 39 a Part of Tract 2 of the Original Town of Benton; Also, Lot 8 of Block 39 a Part of Tract 3 of the Original Town of Benton; Also, Lot 9 of Block 39 a Part of Tract 4 of the original Town of Benton; and the North 59 feet of Lot 12 of Block 39 a Part of Tract 5 of the Original Town of Benton; all now the City of Benton, Arkansas.

SECTION 2. The City Council, having found that the immediate rezoning of this property will allow construction to commence thereon which will be of benefit to the local economy, hereby declares an emergency and this Ordinance shall be in full force and effect after its passage and approval.

PASSED AND APPROVED, this 9 day of May, 2016.

11.

Mayor

Attest:

City Clerk Stracener

DESIGNATED FOR PUBLICATION

2016-009074

I certify this instrument Was filed on: 05/13/2016 1:48:33 pm Myka Bono Sample

Saline County Circuit Clerk

Pages: 1 B FENTER





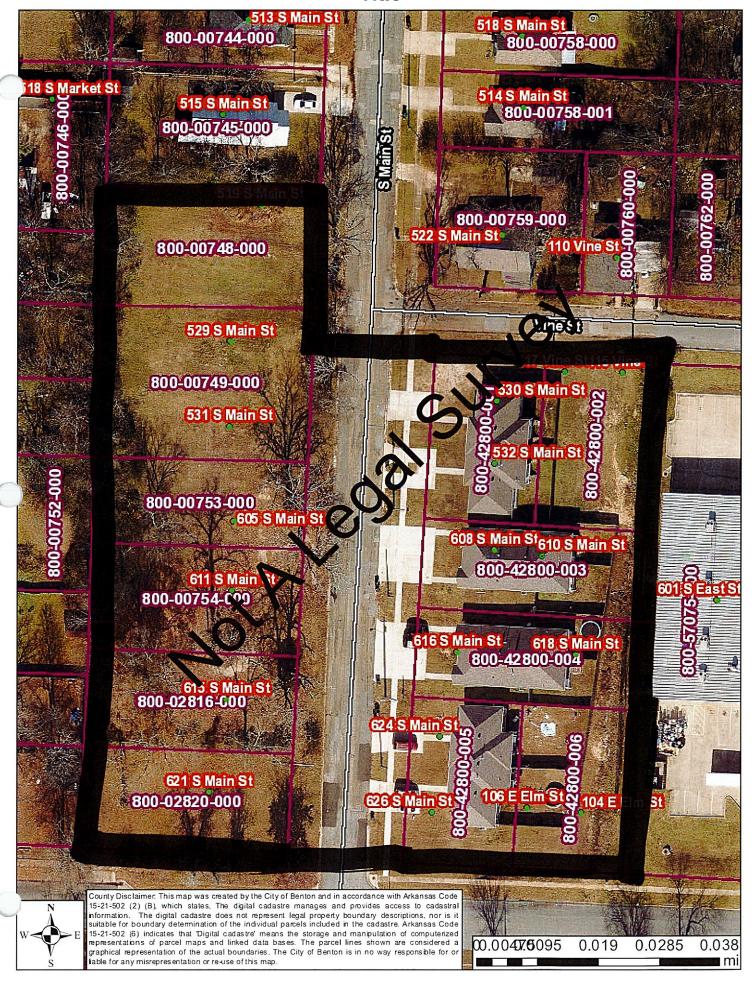
### Conditional Use

### Application & Procedural Requirements

All below requirements must be met and submitted to Community development within (7) days before the scheduled Planning Commission meeting.

Applicant's Name LNP Properties LLC
Address of Subject Property See exhibit A
Legal Description of Subject Property (may be attached on separate sheet)
Assessor's Parcel Number of Subject Property See exhibit A
7 District of Colorest Duamouts
Proposed Use Multifamily (duplex)
Please attach vicinity map of the property, 8.5" x 11" size. Additional required information is detailed on p. 2.  I hereby certify that I am the owner of the property identified in this application; or, that I am the authorized
agent of, who is the owner of said property; or that I am the employee or agent of, which is a public utility company or other agency with the powers of eminent domain, and that I am authorized to act in their behalf, and that this application, to the best of my knowledge and belief, is true and correct.
Address 8101 N PINE Street City Benton Ar. 72015
Phone Number
Subscribed and certified to me thisday of, 20

#### **Title**



800-00748-000	2023	LNP PROPERTIES LLC		<del></del>
	082	519 S MAIN ST Lot 8 Block 039 ORIGINAL TOWN-BEN <sup>-</sup> Real Estate	TON 11-02S-15W 2015 3,140	5-71267 55. <b>4</b> 00
		Payment Received	-,	
000 00740 000			Total Payme	nt Applied
800-00749-000	2023	LNP PROPERTIES LLC		•
	082	529& 531 S MAIN ST Lot 9 Block 039 ORIGINAL TOWN-BENT Real Estate	ΓΟΝ 11-02S-15W 2015 4,800	-71267 55. <b>4</b> 00
		Payment Received		
200 00750 000			Total Payme	nt Applied
800-00753-000	2023	LNP PROPERTIES LLC		
	•••	605 S MAIN ST Lot N 59' OF 12 Block 039 ORIGINAL TOWN-BENTON 11-02S-15W 2015-71267		15W
	082	Real Estate	2,480	55.400
		Payment Received		
800-00754-000	2000		Total Payment Applied	
600-00 <i>1</i> 5 <b>4-</b> 000	2023 082	LNP PROPERTIES LLC 611 S MAIN ST Lot S 36' OF 12 Block 039 ORIGINAL TOWN-BENTON 11-02S-15W 2015-71267 Real Estate 1,520 55,40		15W 55,400
		Payment Received	1,320	55.400
	<del></del>		Total Paymen	t Applied
300-02816-000	2023	LNP PROPERTIES LLC		
	082	615 S MAIN ST Lot N/2 OF 10.11&12 Block 045 ALLEN'S Real Estate Payment Received	14-02S-15W 2015-712 1,800	267 55.400
			Total Payment Applied	
300-02820-000	2023	LNP PROPERTIES LLC		<del> </del>
		621 S MAIN ST Lot S/2 OF LOTS 10, 11 & 12 Block 045 A 2015-71267	LLEN'S 14-02S-15W	
	082	Real Estate	2,100	55.400
		Payment Received	_,	2200
			Total Payment	Applied

Exhibit A

800-42800-001	2023	LNP PROPERTIES LLC		
		530& 532 S MAIN ST		
		Lot 1 LNP ADDITION 11-02S-15W	47.040	EE 400
	082	Real Estate	47,310	55.400
		Payment Received		
			Total Paymer	nt Applied
800-42800-002	2023	LNP PROPERTIES LLC		
		VINE ST		
		Lot 2 LNP ADDITION 11-02S-15W		
	082	Real Estate	1,400	55.400
		Payment Received		•
			Total Paymer	nt Applied
800-42800-003	2023	LNP PROPERTIES LLC		
		608& 610 S MAIN ST		
		Lot 3 LNP ADDITION 11-02S-15W		
	082	Real Estate	49,150	55.400
		Payment Received		
			Total Payme	nt Applied
800-42800-004	2023	LNP PROPERTIES LLC		
		616&618 S MAIN ST		
		Lot 4 LNP ADDITION 14-02S-15W 0.2 Acres	40.04-	c-
	082	Real Estate	48,863	55.400
		Payment Received		
			Total Payme	nt Applied
800-42800-005	2023	LNP PROPERTIES LLC		
		624626 S MAIN ST		
		Lot 5 LNP ADDITION 14-02S-15W 0.19 Acres	E0 744	EE 400
	082	Real Estate	50,711	55.400
		Payment Received		
			Total Payme	nt Applied
800-42800-006	2023	LNP PROPERTIES LLC		
		E ELM ST		
		Lot 6 LNP ADDITION 14-02S-15W	. 444	<u>1</u> 2 :24
	082	Real Estate	1,200	55.400
		Payment Received		
			Total Payme	nt Applied

# Order Receipt

#### Saline Courier

321 N. Market St. Benton, AR 72015

Phone: 501-315-8228

**URL**: https://www.bentoncourier.com/

Jeff Nalley LNP Properties 8211 N. Pine Benton, AR 72015 Acct #:

01124876

Phone:

(501)672-6671

Date:

01/16/2025

Ad #:

00183508

Salesperson:

SCL

Ad Taker:

SC<sub>5</sub>

Class:

101

Ad Notes:

Sort Line:

Description

NOTICE Notice is hereby given

AVDT LEGAL AFFIDAVIT

Amount 4.50

33.80

28 Saline Courier 2025-01-17

Ad Text:

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on the 4th day of February, 2025 at 6:00 pm at 114 South East Street on the petition of LNP Properties for seeking a Conditional Use to Operate multi-family homes within a single family home at: 519 Main, 529 S. Main, 605 S. Main, 611 S. Main, 615 S. Main, 621 S. Main, 530 S. Main, 532 S. Main, 608 S. Main, 610 S. Main, 616 S. Main, 618 S. Main, 624 S. Main, 626 S. Main, Vine Street, E Elm Street.

Payment Reference:

Total: Tax: 38.30

Net:

0.00 38.30

Prepaid:

0.00

Total Due

38.30

## **NOTICE**

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on the 4th day of February, 2025 at 6:00 pm at 114 South East Street on the petition of LNP Properties for seeking a Concitional Use to Operate multi-family homes within a single family home at: 519 Main, 529 S. Main, 605 S. Main, 611 S. Main, 615 S. Main, 621 S. Main, 530 S. Main, 532 S. Main, 608 S. Main, 610 S. Main, 616 S. Main, 618 S. Main, 624 S. Main, 626 S. Main, Vine Street, E Elm Street.

