

**ORDINANCE NO. 33 OF 2022**

**AN ORDINANCE REZONING 725 & 731 SOUTH BORDER STREET IN THE CITY OF BENTON, SALINE COUNTY, ARKANSAS, FROM HI - HEAVY INDUSTRIAL TO R2 - SINGLE FAMILY DISTRICT DETACHED HOUSING; AND FOR OTHER PURPOSES**

**WHEREAS**, an application for zoning was filed with the Planning Commission of the City of Benton, Arkansas by Lance Larsen requesting the lands hereinafter described be rezoned from HI – Heavy Industrial to R2 – Single Family Detached Housing zoning; and

**WHEREAS**, the Planning Commission ordered a Public Hearing be held on August 2, 2022 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 R2 Single Family District Detached Housing zoning.

**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 Heavy Industrial (HI) to Single Family District Detached Housing (R2):

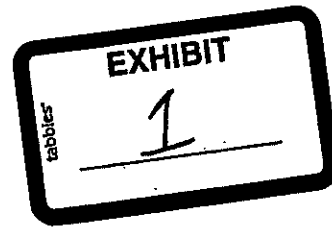
Lots 6, 7, 8, and 9, Block 1 of Owosso Addition to the City of Benton, Arkansas, addressed as 725 & 731 South Border Street, Benton, Arkansas. THIS LEGAL DESCRIPTION WAS PROVIDED BY GRANTOR.

PASSED AND APPROVED, this \_\_\_\_\_ day of August, 2022.

\_\_\_\_\_  
Tom Farmer, Mayor

\_\_\_\_\_  
Cindy Stracener, City Clerk

Planning Commission vote was 7-0 in favor of the rezone.



08.02.2022				
725 & 731 S Border Street [Rezone]				
	Voter		YES	NO
1	Member	Carl West	✓	
2	Chairman	Brian Black		
3	Member	Lois Burks	✓	
4	Member	Darrell Wood	✓	
5	Member	Johnise Lawani	✓	
6	Member	Pamela Gibson	✓	
7	Member	Jim Stilwell	✓	
8	Member	Mark Chilton	✓	
9	Member	Andy Warford		

Nomination	West Wood
Motion	
Second	

Nomination
Motion
Second

CITY OF BENTON  
COMMUNITY DEVELOPMENT DEPARTMENT

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



114 South East Street  
Benton, Arkansas 72015  
Fax: (501) 776-5922  
Web: [www.bentonar.org](http://www.bentonar.org)

MEMORANDUM

TO: Brian Black  
Planning Commission

FROM: Chelsea Matthews  
City Planner

DATE: 08.02.2022

RE: 725 & 731 S. Border [Rezone Request]

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This applicant is requesting a rezone of 725 & 731 S. Border St [HI –Heavy Industrial] zone to R2 [Single Family District Detached Housing] zone. All requirements have been met in accordance with City Ordinance. City of Benton staff and Benton Utilities Staff questions and comments have all been addressed and approved and a copy has been provided in the packets for review.

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

7250 W 721 G. Border  
#6-9

### Rezone Check List

Cover Memo✓	YES Attached
Application✓	YES Attached
\$40 Fee✓	YES Attached
Vicinity Map 8.5 x 11" size [12 Copies]✓	YES Attached
Scale Drawing w Information of Owners within 300 feet [12 Copies]✓	YES Attached
Proof of Ownership OR Notorized Letter✓	YES Attached
Address✓	#6-9 #9 7250 W 721 G. Border.
Parcel Number✓	#6-9 000-5020000-000 #9 000-5020004-000
Approved DRC Comments✓	YES APPROVED
Current Zone✓	H1
Proposed Zone✓	R2
Surrounding Zones✓	H1, R2, C2
Proof of Publication [15 Days Prior to Meeting]✓	YES Attached
"Subject to Rezone" Sign [15 Days Prior to Meeting]✓	YES Attached
Mail Notification to all Leasee or Owners within 300 Feet of Property [15 Days Prior to Meeting] *Certified Mail Receipts✓	YES Attached
Applied for in the Last 12 Months?	NO
City Council Meeting✓	08.22.22

## Chelsea Matthews

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**From:** Chelsea Matthews  
**Sent:** Thursday, July 14, 2022 10:01 AM  
**To:** 'llarsen2384@gmail.com'  
**Subject:** DRC Comments for 725 & 731 S Border Street [#6-9 Owosso Addition; Rezone]

Good Morning,

Below are comments I have received regarding the rezone @ 725 & 731 S Border Street. 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. You have been added to the Planning Commission Agenda for 08.02.2022 @ 6:00pm. Please make sure you or a representative is present to answer any questions.

Electric Department:

- Benton Electric approves

Fire Marshal:

- Fire is good.

Street Department:

- Streets and Drainage approve

Wastewater Conveyance Department:

- Wastewater Conveyance approves

Water Department:

- Water Department Approves

City Engineer:

-Not in floodplain

Please let me know if you need anything else!



**Chelsea Matthews**

**City Planner**

*City of Benton - Community Development*

501.776.5938

## REZONE APPLICATION

TO THE BENTON, ARKANSAS PLANNING COMMISSION:

Applicant's Name Lance Larson (Lance's Properties)

Address of subject property 725 South Border + 731 South Border

Legal description of subject property Lots 16, 17, 18, 19 of

Block 1 in the Ousso Addition,

Parcel Number \_\_\_\_\_

It is requested that the above described property, currently in a Heavy Industrial Zone District, be changed to a R2 Residential Zone District. Attached hereto as a part of this application is an accurate scale drawing of the site and the surrounding area for a minimum distance of three hundred (300) feet from each boundary of the site showing locations of existing streets, property lines and the name and last known address of the recorded legal owners of all properties shown on the drawing. I hereby certify that I am the owner of the property identified in this application and to the best of my knowledge and belief, is true and correct.

Signed Lance Larson

Email llarson1384@gmail.com

Address 7201 Worth Ave Benton

Phone 501-317-5874

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 MUST BE NOTARIZED.

The Briner Law Firm  
Fred E. Briner, P.A.  
Fred E. Briner, Bar No. 55003  
Attorney At Law  
Benton, Arkansas.  
Fax: 501-315-1719



**2016-020717**  
I certify this instrument  
was filed on:  
10/28/2016 2:23:17 PM  
Myka Bono Sample  
Saline County Circuit Clerk

Pages: 3  
C KOLLER

## WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

THAT WE, Derek Crowson and Jennifer Crowson, his wife, for and in consideration of the sum of TEN AND 00/100 DOLLARS (\$10.00) to us cash in hand paid by Lance Larsen and other good and valuable considerations delivered the receipt of which is hereby acknowledged do hereby grant, bargain, sell and convey unto the said, Lance Larsen (hereinafter referred to as the grantee) and unto his heirs and assigns forever, the following lands lying in the County of Saline, and State of Arkansas, to-wit:

Lots 6, 7, 8 and 9, Block 1 of Owosso Addition to the city of Benton, Arkansas.

To have and to hold the same unto the said grantee and unto his heirs and assigns forever, with all appurtenances thereunto belonging.

And we hereby covenant with said grantee that we will forever warrant and defend the title to the lands against all claims whatever.

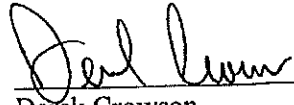
And we, Derek Crowson and Jennifer Crowson, his wife, for and in consideration of said sum of money, do hereby individually release and relinquish unto the said grantee all our rights of dower, curtesy

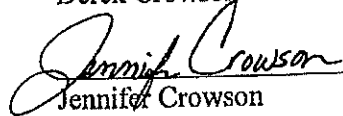
Prepared under supervision of:  
Fred E. Briner  
The Briner Law Firm  
Attorney at Law  
422 North Main Street  
Benton, Arkansas 72015



and homestead in and to said property.

WITNESS our hands and seals on this 27th day of October, 2016.

 (L.S.)  
Derek Crowson

 (L.S.)  
Jennifer Crowson

STATE OF ARKANSAS )  
                                  )ss  
COUNTY OF SALINE )

ACKNOWLEDGEMENT

On this 27th day of October, 2016, before me, a Notary Public, appeared the within named Derek Crowson and Jennifer Crowson, his wife, to me personally well known, who stated and acknowledged that they had so signed, executed and delivered said foregoing instrument for the consideration, uses and purposes therein mentioned and set forth.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal this 27th day of October, 2016.

  
Notary Public

My Commission Expires:

3-24-2025



Fred E. Briner, P.A., Attorney at Law, 422 North Main Street, Benton, AR 72015

V:\WPDATA\MSWORD\DEEDS\CROWSON to LARSEN.sjh





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: 1610-1408

**Grantee:** LANCE LARSEN  
**Mailing Address:** 7001 WORTH AVENUE  
BENTON AR 720190000

**Grantor:** DEREK CROWSON  
**Mailing Address:** 2228 LOOKOUT MOUNTAIN  
BENTON AR 720190000

**Property Purchase Price:** \$38,000.00  
**Tax Amount:** \$125.40  
**County:** SALINE  
**Date Issued:** 10/27/2016  
**Stamp ID:** 1700024320

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): Lance Larsen

Grantee or Agent Name (signature): Lance Larsen Date: 10-27-16

Address: 7001 Worth Ave

City/State/Zip: Benton, AR 72019

July 7, 2022

To the Benton City Planning Commission

My name is Lance Larsen and I have Lance's properties

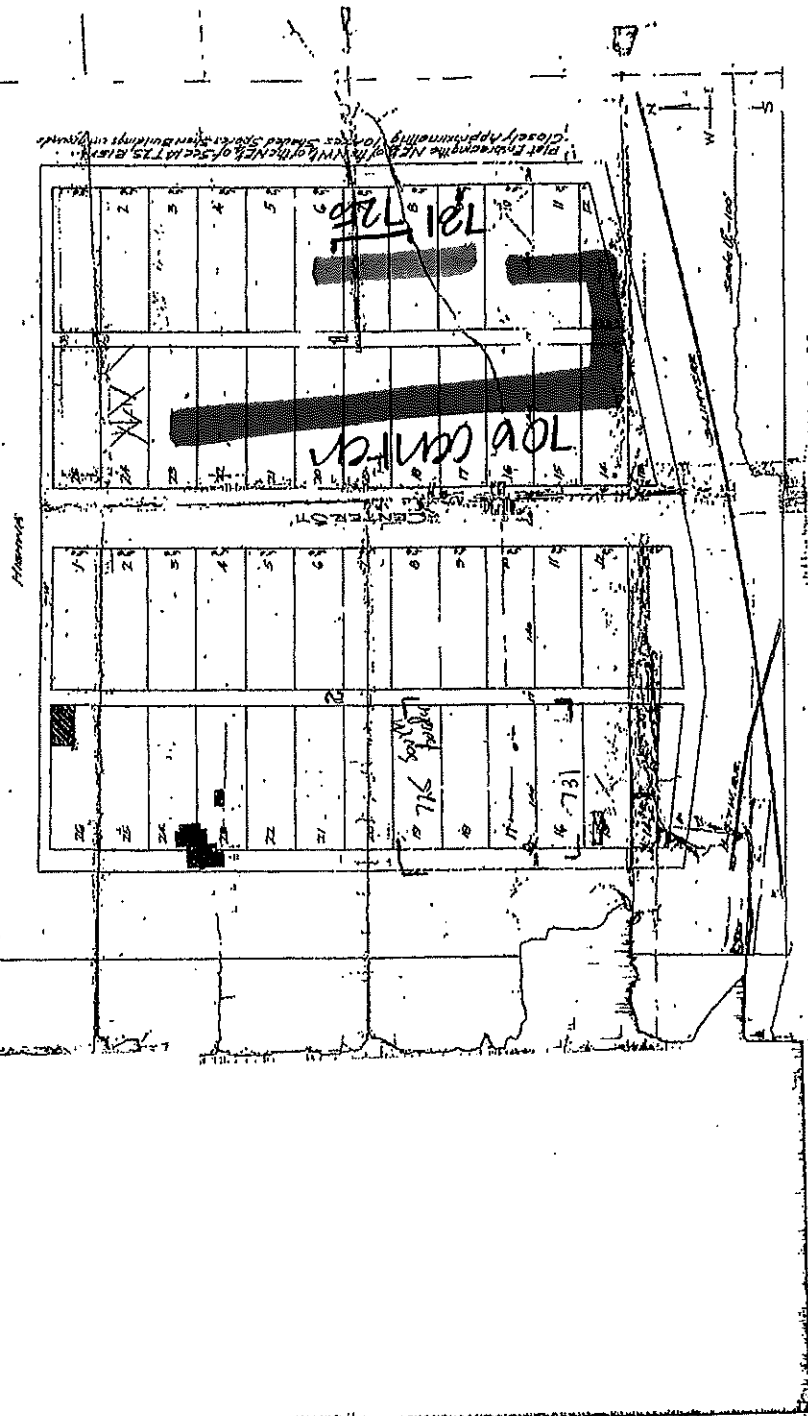
It is my intent to rezone ;LOTS 16,17,18,19 in block 1 of the Owosso addition. Currently they are zoned heavy industrial my goal is to get them re zoned (R2) residential. My plan is to build 4 small homes on the vacant lots. The address of these lots are 725, and 731 South Border street. Benton Planning commission will meet on August 2<sup>nd</sup> at 6:00pm at 114 South East St. in Benton, AR to discuss this matter if have any concerns or questions.

Sincerely Lance Larsen

Phone 501 3175874

4-055

DW050 ADDITION TO BENTON ARK



4:41

LTE

 attachment.googleusercontent.com 

# Advertising Receipt

Saline Courier  
PO Box 207  
Benton AR 72018

Phone (501) 315-8228  
Fax (501) 315-1920

Lance Larson  
7001 Worth Avenue  
Benton, AR 72019

Acct #: 04109294  
Ad #: 00117372  
Phone: (501) 317-5874  
Date: 07/07/1922  
Ad taker: KF Salesperson:

Sort Line: Notice is hereby given that a

Classification 710

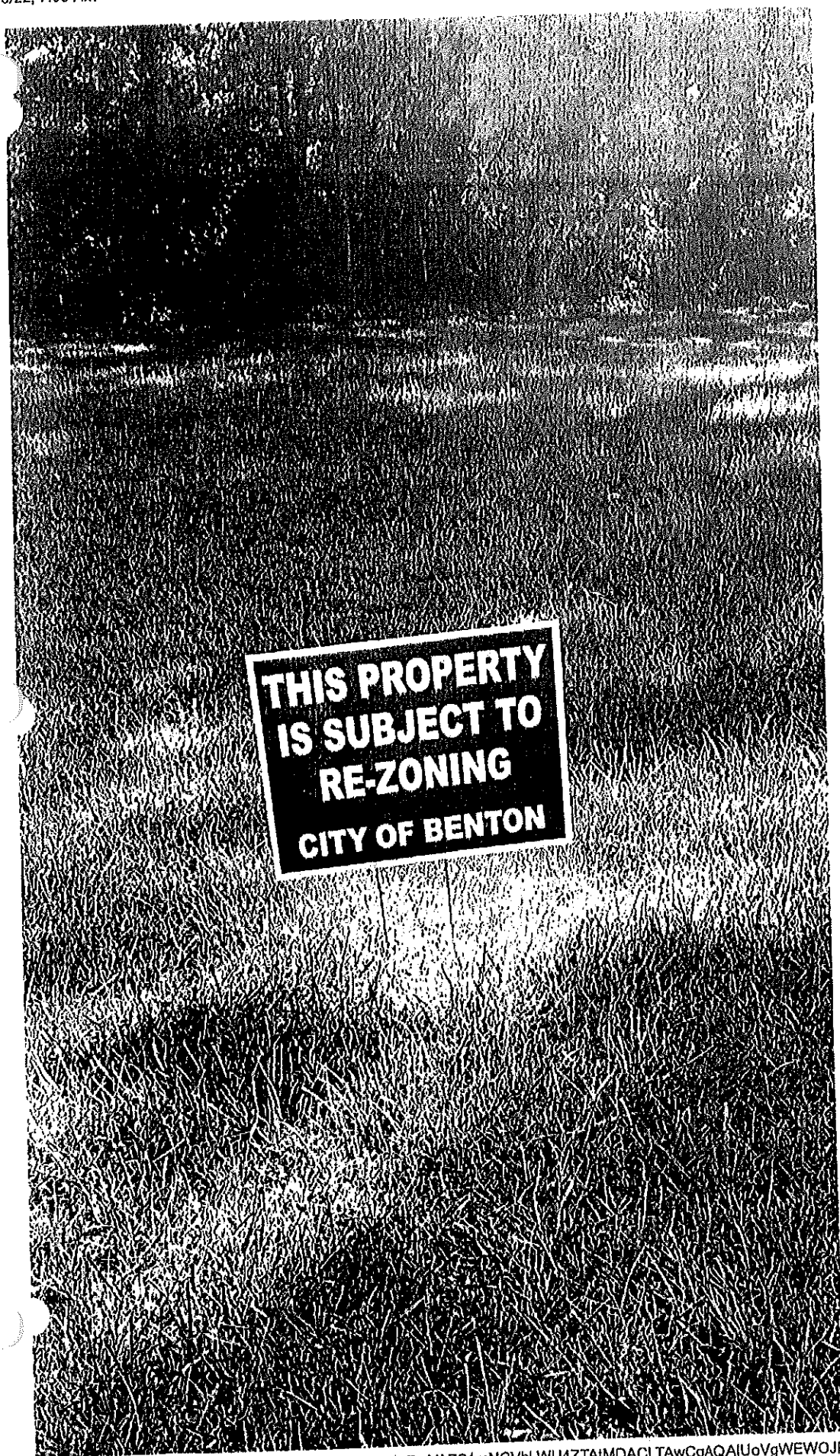
Description	Start	Stop	Ins.	Cost/Day	Total
01 The Saline Courier	07/12/1922	07/12/1922	1	27.30	27.30
AFFI Affidavit					2.60

**Ad Text:**

Notice is hereby given that a hearing will be held by the Planning Commission of the City of Benton, AR on August 2nd at 6:00pm at 111 South East Street. On the petition of Lances Properties for rezoning 4 lots in block 1 of Owosso addition. The lots are 16, 17, 18, 19 and asking to be rezoned from heavy industrial to (R2) residential. The address of these lots are 725 South Border St and 731 South Border St. Benton, AR

**Payment Reference:**

Total: 29.90  
Tax: 0.00  
Net: 29.90  
Prepaid: -20.90  
Total Due: 0.00



# 725 & 731 S Border St







725

# Border Street



County Disclaimer: This map was created by the City of Benton and in accordance with Arkansas Code 15-21-502 (2) (B), which states, The digital cadastre manages and provides access to cadastal information. The digital cadastre does not represent legal property boundary descriptions, nor is it suitable for boundary determination of the individual parcels included in the cadastre. Arkansas Code 15-21-502 (6) Indicates that 'Digital cadastre' means the storage and manipulation of computerized representations of parcel maps and linked data bases. The parcel lines shown are considered a graphical representation of the actual boundaries. The City of Benton is in no way responsible for or liable for any misrepresentation or re-use of this map.

0.00 0.01 0.02 0.03 0.04 mi



## EXHIBIT A

### **TRACT 1:**

All that part of the SW/4 SW/4 of Section 9, Township 2 South, Range 15 West, Saline County, Arkansas, which lies East of the Saline River, and more particularly described as follows: Begin at the Southwest corner of said Section 9; run thence East 912 feet to the East bank of the West prong of the Saline River for point of beginning for this tract; thence run North along said East bank of said River 118 feet; thence North 34° East 326 feet; thence North 39° East 221 feet; thence North 57° East 105 feet to the East line of the SW/4 SW/4 of Section 9; thence South 618 feet to the Southeast corner of said SW/4 SW/4 of said Section 9; thence West 412 feet to the point of beginning, containing 4.65 acres, more or less, as per survey dated January 1, 1959, by L. D. Hutchinson, County.

Surveyor of Saline County, Arkansas, recorded in Book 92, Page 321, of the deed records of Saline County, Arkansas.

### **TRACT 2:**

That part of the W/2 SE/4 of Section 9, Township 2 South, Range 15 West, Saline County, Arkansas, being the same lands carried on the Tax Records of said County as Parcel No. 805-16930-000, and containing 9 acres, more or less.

### **TRACT 3:**

A part of the W/2 NW/4 of Section 14, Township 2 South, Range 15 West, Saline County, Arkansas, described as beginning 210 feet South of the Northwest corner of the SE/4 SW/4 NW/4; thence East 210 feet; thence North 100 feet to the point of beginning, being the same lands carried on the Tax Records of said County as Parcel No. 805-20640-000, and continuing .48 acre, more or less.

### **TRACT 4:**

A part of the SE/4 SW/4 of Section 15, Township 2 South, Range 15 West, Saline County, Arkansas, containing 4.92 acres, more or less, being the same lands carried on the Tax Records of said County as Partial No. 805-21484-000.

Parcel Number

800-53855-000  
800-53859-000  
805-20535-000  
800-53852-000  
800-53854-000  
805-20524-001  
805-20524-000  
800-53851-000  
805-20533-000

New Sub

New Sub

New Sub

New Sub

New Sub

805-20509-000  
800-53849-000  
800-53850-000  
800-53856-000  
800-53857-000  
805-20519-000  
800-53853-000

Owner Name

CLEMENTS JARRETT CHAD  
CLEMENTS JARRETT CHAD  
FAZAL INC  
TD AMERICANA LLC  
LARSEN LANCE  
SDL PROPERTIES LLC  
SDL PROPERTIES LLC  
CROWSON DEREK  
SDL PROPERTIES LLC

UNION PACIFIC SYSTEM  
CROWSON PROPERTIES LLC  
CROWSON PROPERTIES LLC  
CLEMENTS JARRETT CHAD  
CROWSON PROPERTIES LLC  
TITAN GENERAL CONTRACTORS LLC  
LARSEN LANCE

Physical Address

BORDER ST  
CENTER ST  
1109 EDISON AVE  
719 BORDER ST  
731 S BORDER ST  
721 NORMANDY ST  
730 S BORDER ST  
BORDER ST  
712 S BORDER ST

1019 EDISON AVE  
711 S BORDER ST  
706 CENTER ST  
1007 EDISON AVE  
706 S BORDER ST  
725 S BORDER ST

# 701 Border Street



County D is claimer. This map was created by the City of Benton and in accordance with Arkansas Code 15-21-502 (2) (B), which states, The digital cadastre manages and provides access to cadastral information. The digital cadastre does not represent legal property boundary descriptions, nor is it suitable for boundary delineation of the individual parcels included in the cadastre. Arkansas Code 15-21-502 (6) indicates that "Digital cadastre" means the storage and manipulation of computerized representations of parcel maps and linked data bases. The parcel lines shown are considered a graphical representation of the actual boundaries. The City of Benton is in no way responsible for or liable for any misrepresentation or re-use of this map.