

1. APPLICANT, REGISTERED OWNER AND AGENT INFORMATION

Provide in full the name of the registered owner, agent/ applicant (if different than the owner) contact details. If the registered owner is a numbered company, provide the name of the principals of the company. If there is more than one owner, copy this page, complete in full and submit with this application.

An authorized applicant and agent for the owner must attach a notarized letter of authorization from the legal property owner. Written authorization from the legal property owner is required at the time of application or the documents will not be accepted.

Note: All communication will be maintained with the Agent unless otherwise requested by the owner in writing.

Property Owner

Name: _____

Contact Person: _____

Address: _____

Postal Code: _____

Phone: _____

Fax: _____

Email: _____

Applicant (If other than the Property Owner) Please complete Form A, attached

Name: _____

Contact Person: _____

Address: _____

Postal Code: _____

Phone: _____

Fax: _____

Email: _____

Agent Authorized by the Owner to File the Application (if applicable) – Please complete Form B, attached

Name: _____

Contact Person: _____

Address: _____

Postal Code: _____

Phone: _____

Fax: _____

Email: _____

NOTARIZED OWNER CERTIFICATION

I certify under penalty of the laws of the State of Arkansas that I am the property owner of the property that is the subject matter of this application and I am authorizing to and hereby do consent to the filing of this application, acknowledge that the final approval by Benton County, if any, may result in restrictions, limitations and construction obligations being imposed on this real property and hereby authorize Benton County Staff to enter my property for the duration of the review.

Print Name: _____

Owner/Authorized Agent Signature: _____ Date: _____

State of Arkansas

County of _____

Subscribed and sworn to before me this _____ day of _____ 201__.

NOTARY PUBLIC

My Commission expires

2. ARCHITECT/ ENGINEER/ SURVEYOR INFORMATION (Copy this page for each professional, if applicable)

Name: _____ Contact Person: _____

Address: _____

City: _____ Postal Code: _____

Phone: _____ Fax: _____

Email: _____

3. DESCRIPTION OF SUBJECT PROPERTY

a. Address: _____
(If none currently, contact 911 Administration)

b. Assessor's Parcel Number (s): _____

c. Site Area (acres/ square feet): _____

d. Area of Development (acres/ square feet): _____

e. Existing Land Use: _____

f. Proposed Development & Use: _____

g. Types of Uses

Proposed Uses	Existing	Number of Lots	Proposed	Number of Lots
Residential				
Non-residential				
Other - Describe				

h. Building setbacks

	Existing Buildings	Proposed buildings
Front setback		
Side setback		
Rear setback		

i. Access to Subject Lands: Check all that apply

County Road, Name _____

Highway, Name _____

Private easement, Describe _____

j. Water, Sanitary Sewage and Storm Drainage: Check all that apply

Water- Indicate the source of water on-site

- Public/Semi Public Private/Semi Private well

Sanitary- Indicate the type of sewage disposal facility: Check all that apply

- Publicly owned and operated sanitary sewage system
 Privately owned and operated individual septic system
 Other

Have you received approval from Heath Department?

- Yes No Submitted Application & Awaiting Approval

Storm Drainage- Indicate how storm drainage will be provided on-site: (§10 Appendix D)

- Ditches Swales Retention pond
 Detention pond Bio retention pond
 Low Impact Development options (Appendix B) Other

4. **I confirm that the information contained in this application and accompanying documents is accurate to the best of my knowledge.**

I hereby acknowledge that it is my responsibility to ensure that I am in compliance with all applicable laws, regulations, and permits at the State or Federal levels.

Name and Signature

Date

State of Arkansas

County of _____

Subscribed and sworn to before me this _____ day of _____ 201__.

NOTARY PUBLIC

My Commission expires

§5.5.3 MINIMUM INFORMATION TO BE INCLUDED ON A MAJOR PLAT

Preliminary and final plats for subdivisions shall be prepared by a professional engineer who is currently licensed in the State of Arkansas. All subdivisions, land developments, and mobile home parks shall be designed in such fashion as to allow a contiguous system of improved hard surface roadways conforming to the minimum standards of development set forth in this ordinance. Gravel roads, to the extent allowed, shall be constructed to existing county standards which shall be specified from time to time by the Benton County Road Department.

1. **SUBDIVISION NAME** – The proposed name of the subdivision shall not duplicate or closely approximate the name of any other subdivision in the County except for extensions of or additions to existing subdivisions. Confusingly similar names which would hinder fire and police protection will be disallowed.
2. **ABUTTING PROPERTY** – The name of an adjacent subdivision, and the name and addresses of recorded owners as shown by the County Assessor's office adjacent parcels of unplatted land shall be shown in the appropriate location upon the plat.
3. **AREA MAP** – An area map shall accompany or appear on the plat. The scale should be of sufficient size to show location of proposed subdivision by Township, Range, and Section. Existing roads, district, or special corporate lines, adjacent features (such as lakes) and abutting subdivisions should be identified on the area map so as to show how the proposed subdivision will fit into the surrounding area.

4. **NORTH-POINT, NAME, ETC.** – Include on the plat a north-point arrow, title, and date. Top or left of sheet should be north.
5. **SCALE** – The plat shall be prepared with a scale of sufficient magnitude to clearly show all the dimensions, lettering, and all other pertinent data and shall appear on the plat in both written and graphic form.
6. **SHEET SIZE** – The sheet size for recording shall be a maximum of 18" x 24". This may be a reduction from a larger sheet size, if desired.
7. **BOUNDARY LINES** – All external boundary lines with length and bearing of courses shall be shown. These boundaries shall be determined by accepted surveying practices. The legal description of the property being subdivided shall appear on the plat.
8. **SURVEY CONNECTIONS** – Where practical, survey lines should be tied to the State Plane Coordinate System. Where not practicable, bearings and distances should be tied to the nearest established street bounds, patent or other established survey lines or other official monuments, which monuments shall be located or accurately described on the plat. Any patent or other established survey or corporation lines shall be accurately located on the plat and their names shall be accurately lettered on it.
9. **TOPOGRAPHY** – Contours, normally with intervals of five feet, referenced to USGS datum or as may be otherwise required shall be shown. Topography of the development shall be shown on the preliminary plat. Pre and post construction contour intervals will be shown for assessment and determination of proper drainage requirements. The intervals will be as follows:
 - a. Land with less than five percent (5%) overall slope, the contour interval shall not be greater than five feet (5’).
 - b. Land with more than five percent (5%) slope, the contour interval shall not be greater than two feet (2’).
10. **EXISTING STREETS AND OTHER FEATURES** – The plats shall show the location, widths, and names of all existing or platted streets or other public ways within or adjacent to the tract and other important features such as existing permanent buildings, water courses, railroad lines, municipal corporation lines, oil and gas lines or wells, including abandoned gas or oil wells and dry holes.
11. **NEW STREETS AND THEIR NAMES** – The plat shall show the layout, names, and width of proposed streets, alleys, and easements. Names shall be established to the satisfaction of the Board and shall not duplicate or closely approximate any existing street names in adjoining subdivisions except extensions of prior streets. Include street and alley locations, length and bearing, name, width, and angles of intersection.
12. **LOTS AND BLOCK NUMBERS** – Lots shall be numbered in numerical order. In tracts containing more than one (1) block, the blocks shall be likewise numbered in numerical order. In the case of a re-subdivision of lots in any block, such re-subdivided lots shall be designed by their original number prefixed with the term most accurately describing such division, such as W1/2 of 3, N 40’ of 5, etc., or they shall be designated numerically, beginning with the number following the highest lot number in the block.

13. **LOT LINES** – Lot lines shall show bearings and distances. Bearings shall be shown in degrees and minutes and seconds. Distances should be shown at least in feet and hundredths of feet.
14. **CURVING LINES** – When a street is on a circular curve the radius and arc length shall be shown. But when a curve radius of 200 feet or less is used, it is sufficient to show the length and bearing of the main chord, the radius, and the central angle subtended.
15. **EXISTING UTILITIES** – Existing overhead and underground power and Communication lines, sewers, water mains, gas mains, culverts, and other underground structures, within the tract and immediately adjoining it, with pipe sizes and grades, shall be shown on the plat or on a separate attachment.
16. **UTILITY SERVICE** – Proposed main locations will be designated on the preliminary plat and the necessary easements provided.
17. **BUILDING SETBACK LINES** – All building set back lines shall be designated on the plat.
18. **EASEMENTS** – Within the subdivision all public and private easements and rights-of-way, with the limitation of the easement rights, shall be stated on the plat.
19. **SOIL ANALYSIS** – The developer shall indicate by appropriate attachment the types of soils found in the plat area from available USDA Soil Conservation Service data or other authoritative source.
20. **FLOOD AREA** – All of the proposed platted land which is subject to inundation shall be clearly designated on the plat. All lots to be platted in a flood area shall have sufficient land area above the established 100 year frequency flood elevation to meet all applicable building area restrictions.
21. **STORM DRAINAGE** – Provisions shall be made for the disposal of storm water. Where initial construction does not provide for storm sewers, drainage ditches, and culverts of adequate capacity shall be put in. Facilities for storm drainage should be of adequate capacity to take care of not only surface run-off originating within the subdivision or flowing across, but also consideration should be given to the consequences of total development should it occur in the upstream drainage area.
22. **OFF SITE DRAINAGE** – The developer's engineer shall make a copy of the off-site drainage and/or flooding problems to be created by the full development of the proposed subdivision and submit a written statement concerning the effect the proposed subdivision would have on off-site drainage. If the study identifies off-site flooding problems, the engineer shall submit with the subdivision drainage plan off-site drainage plans to correct the problems identified. The developer shall be responsible at his own expense for making those off-site improvements necessary to correct the drainage or flooding problems created by his subdivision.
23. **WATER COURSES** – In case the subdivision is traversed by a water course, channel, stream, or creek, its present and proposed location shall be shown.
24. **CONSTRUCTION PLANS** – A general statement describing proposed improvements and drainage systems shall be a part of the preliminary plat. The Planning Board will require submission of all street construction plans prior to the approval of the preliminary plat and may request, if needed, additional utility construction plans. Construction plans and other engineering data, prepared and certified by a registered professional engineer shall be submitted to and approved by the respective office, department, or agency having jurisdiction over such improvement prior to the approval of the final plat. "As built" plans of the improvements shall be filed within sixty (60) days after their completion and before streets are accepted for County Maintenance.

25. **EVIDENCE OF COMPLETION OF REQUIRED – IMPROVEMENTS OR PERFORMANCE BOND TO BE SUBMITTED AS SEPARATE INSTRUMENT** – Upon preliminary approval, the developer may proceed to install all required improvements and for this purpose may secure from the appropriate authorities the necessary permits. If the final plat approval is desired before completion of improvements, the developer shall post with Benton County, Arkansas a corporate surety bond in favor of the county, or deposit a cashier’s check, or other negotiable securities or a certificate of deposit (CD) properly assigned to the county, in an escrow account or other acceptable bond. Such bond shall be in an amount sufficient to cover the cost of installation of all incomplete required improvements as estimated by the engineer, the contractor’s bid, or the official having jurisdiction, with the exception of utilities that would be extended at no cost to the developer. The bond is to assure the satisfactory construction and performance of said improvements at the time and terms fixed by the Planning Board and in accordance with the regulations. The above bond will be required only for the portion for which the developer desires a final plat before completing the required improvements. Evidence of completion or satisfactory construction bond will be submitted with the application for final approval of the plat.
26. **OPEN SPACE** – All areas of open space for any purpose and any natural features to be preserved shall be designated.
27. **PROPERTY OFFERED FOR DEDICATION** – The accurate dimensional outline of all property which is offered for dedication for public use, and of all property that may be reserved by covenant in the deeds for the common use of the property owners in the subdivision, with the purpose indicated thereon, shall be shown on the plat. All lands dedicated to public use (other than streets) shall be marked “Dedicated to the Public.”
28. **MAINTENANCE AND OPERATION PROVISIONS** – The responsible entity for the maintenance and operation of any building, park, equipment, pool, plantings, lawn, or other legal interests in the proposed subdivision shall be shown on separate articles of incorporation, contracts, restrictions, or other methods. The means of securing payment for maintenance and operation expenses and the method of terminating such provisions shall be stated in the creating documents, if any.
29. **PROPOSED PLAT RESTRICTIONS** – An outline of all proposed plat restrictions shall be submitted along with the preliminary plat. Private restrictions or evidence of recording shall be shown on the final plat. If there are no restrictions, the plat shall so state.
30. **ENGINEER’S CERTIFICATE** – Include, as a separate attachment, a certificate by the engineer that all improvements “as built” conform to all applicable engineering requirements and specifications.
31. **LAND SURVEYOR’S CERTIFICATE TO APPEAR ON PLAT** – Include a certificate by a registered land surveyor to the effect that he has fully complied with the requirements of this regulation and the subdivision laws of the State of Arkansas governing surveying, dividing, and mapping of the land; that the plat is a correct representation of all the exterior boundaries of the land surveyed and the subdivision of it; that the plat represents a survey made by him; and that all monuments indicated thereon actually exist and their location, size, and material are correctly shown.
32. **OWNER’S CERTIFICATE TO APPEAR ON PLAT** – This certificate should contain the substance of the following example: “As owner, I hereby certify that I have caused the land described to be surveyed, divided, platted, dedicated, and access rights reserved as represented on this plat (and attachments).”

33. **CERTIFICATION THAT TAXES ARE NOT DELINQUENT** – Include, as a separate attachment, a certificate from the County Tax Collector that there are no delinquent taxes or special assessments currently due or payable on any of the land in the plat including property dedicated for public use.
34. **PUBLIC UTILITIES COORDINATION(S) AND APPROVAL(S)** – Include as a separate statement, from each utility to serve the subdivision, that the plat does not violate any regulations of the utility and that service can be provided to the platted area.
35. **STATE HIGHWAY DEPARTMENT APPROVAL** – Include, if appropriate, a separate statement from the State Highway Department that the plat is coordinated with state and federal highways, existing and planned.
36. **STATE HEALTH DEPARTMENT APPROVAL** – Include a separate statement from the State Health Department that water and sewer improvements planned meet all applicable public health regulations.
37. **COUNTY COURT’S CERTIFICATE TO APPEAR ON PLAT** – Upon approval of the final plat by the Planning Board, the County Judge will affix and approve by signing the following stamped certificate: “Lands dedicated for easements, rights-of-way, and other public uses area accepted for the public by the County of Benton. This certificate is not an acceptance of the responsibility to maintain roads which are constructed in rights-of-way.”
38. **PLANNING BOARD CERTIFICATE TO APPEAR ON PLAT** – After the Planning Board has confirmed that the final plat meets all of the applicable requirements as outlined in preceding paragraphs of this section, it will affix and approve the signing of the following stamped certificate: “This plat has been reviewed by the Benton County Planning Board in accordance with Benton County Subdivision Regulations and meets all applicable requirements of those regulations.”

FORM A - NOTARIZED AUTHORIZATION OF REGISTERED OWNER FOR THE APPLICANT (OTHER THAN THE OWNER) TO SUBMIT THE APPLICATION

If the applicant is not the registered owner of the land that is subject of this application, the written authorization of the registered owner that the applicant is authorized to make the application must be included with this application form and the authorization below must be completed.

I (We), _____,
 (owner of the subject land, address or parcel No.)

hereby authorize and instruct _____
 (applicant)

to submit an application to the Benton County Development Department. This shall be my (our) good and sufficient authority to act on my (our) behalf and to negotiate or bond on my behalf.

 (Sign) Date

Note: if the owner is a corporation, affix seal (if any)

FORM B - NOTARIZED AUTHORIZATION OF REGISTERED OWNER FOR THE AGENT (OTHER THAN THE OWNER) TO SUBMIT THE APPLICATION AND BE THE ONLY POINT OF CONTACT WITH BENTON COUNTY PLANNING DEPARTMENT

I (We), _____,
(owner of the subject land, address or parcel No.)

hereby authorize and instruct _____
(agent)

to submit an application to the Benton County Development Department. This shall be my (our) good and sufficient authority to act on my (our) behalf and to negotiate or bond on my behalf.

(Sign) Date

Note: if the owner is a corporation, affix seal (if any)

FORM C - PERMISSION TO ENTER THE SUBJECT PROPERTY

I hereby authorize the Planning Board and/or staff of Benton County, Arkansas to enter upon the subject lands and premises for the purpose of evaluating the merits of this application and subsequently to conduct any inspections and work on the subject lands that may be required as a condition of approval. This is their authority for doing so.

Subject lands: _____

Signature of owner Date

State of Arkansas

County of _____

Subscribed and sworn to before me this _____ day of _____ 201__.

NOTARY PUBLIC My Commission expires

FORM E –WAIVER AND MODIFICATIONS/ VARIANCE REQUEST

In accordance with Chapter 2, § 2.9 of the 'Planning and Development Regulations of Benton County', **Waivers and modifications** are applicable to non-dimensional provisions of this Ordinance which, by the scrutiny of the Board and which may be informed by supporting evidence by staff or other experts, can be prudently and judiciously modified or waived to the extent reasonable and necessary to provide relief to the applicant as part of their development request.

Variations: Variations are relief to a dimensional provision of this Ordinance by an affirmative vote of two-thirds (2/3) of the vote of the total membership of the Planning Board.

Please specify the provision of the regulations where relief is sought and a justification for the request.

Owner/Applicant/Authorized Agent

____/____/____
Date

***Note that there is an additional \$75.00 fee for each waiver and or variance request.**

FORM F- Letter of Service Confirmation

Project Name:

Property Owner:

Map/Parcel No.:

Project Address:

The Benton County Development Department has received an application to review a:

Site Plan Review Subdivision Other _____

for the above mentioned property. In order to process this request, service coverage must be provided to the property. Please indicate if the above property is or will be receiving services from your utility or department. Should there be any conditions associated with the coverage to be extended to the above mentioned property please included those conditions in the appropriate area below.

Department/Utility: _____

Type of Coverage: _____

Please note your comments or concerns below. If additional conditions or stipulations of coverage extension are required please include those stipulations below. Attach additional pages if necessary. If you have no comments, please indicate that in the "other comments" section:

Conditions/Stipulations: _____

Other Comments: _____

Thank you for your assistance,

Submit to:
Benton County Development Department
Planning Division
1204 SW 14th Street, Suite 6
Bentonville, AR 72712

Office: 479-464-6166

FORM G – PUBLIC HEARING NOTIFICATION FORM

In accordance with Chapter 4, § 4.8 of the 'Planning and Development Regulations of Benton County', Notice to Adjacent and Proximal Properties: Notice shall be sent by the applicant to all property owners within a 500 feet radius from the property line, based on current records of the Assessor's database, via certified mail with return receipt. Such notice shall be sent no less than fourteen (14) days prior to the scheduled public hearing. Planning staff may notify additional property owners as directed by the Planning Board.

TYPE OF DEVELOPMENT:

- Major subdivision – Preliminary subdivision plat and Final subdivision plat
- Telecommunications facilities (as applicable)
- Mobile home park
- Planned Unit Development
- Development Master Plan
- Site plan review (as applicable)
- Any other proposals that requires a Public Hearing.

SITE LOCATION (Address and Parcel No.(s):

PROPOSED DEVELOPMENT (written description):

DEVELOPERS CONTACT INFORMATION:

PUBLIC HEARING MEETING DATE:

PUBLIC HEARING MEETING TIME: 6:00p.m.

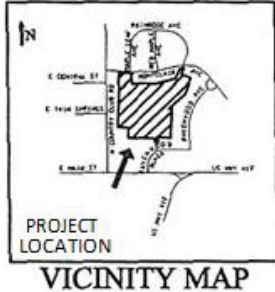
PLANNING BOARD MEETING LOCATION:

Quorum Courtroom, 3rd floor
County Administration Building
215 E. Central Ave. Suite #324, Bentonville, AR

Note: Public comment concerning a specific proposed development can be made at regularly scheduled Planning Board meetings. For further information contact the Benton County.

Name of Subdivision Proposal

Public Hearing Date: Month/Day/Year



Owner/Developer

Description of Project

Example: 40 Lots of Single Family Dwellings

PUBLIC NOTICE SIGN TEMPLATE

§4.8 – PUBLIC HEARINGS

B. **Procedures** -Public hearings shall adhere to the procedures established as follows:

1. Notice for Public Hearing:

c. Public Hearing Sign: The applicant shall install a public hearing notice sign on each street frontage of the subject property. Requirements for posting the sign shall be as follows:

i. Sign shall be minimum 2 feet x 4 feet (2'x4') in dimension and shall contain the following information: location of the proposed development, site plan, meeting date and location. See Appendix E - Public Notice Sign template.

ii. Sign shall be posted in a location clearly visible, accessible, and readable from the adjacent right-of-way.

iii. Sign shall be posted at least fourteen (14) days prior to the public hearing. Administrative applications shall be posted for minimum of one (1) week upon making application.

iv. Signs shall remain in place until after the date of the hearing.

v. Each frontage of the subject property shall contain one notice sign per 300 feet of road frontage.