



#2022-202

99 N. Oak Street – Simplified Residential Variation Project Review for Planning and Zoning Commission

Meeting Date: November 16, 2022

Requests: Simplified Residential Variation from Article 3-200 from the maximum accessory structure height of one-story and 15 feet to allow a one-story structure with a height of 16 feet 2 inches, a variation 1 foot 2 inches in height.

Location: 99 N. Oak Street

Acreage: Approximately 36,300 square feet

Existing Zoning: R-1 Single-Family Residential

Surrounding Properties: North: R-1 Single-Family Residential
South: R-1 Single-Family Residential
East: R-1 Single-Family Residential
West: R-1 Single-Family Residential

Staff Contact: Katie Rivard (815.356.3612)

Background:

- **Existing Use:** The subject property is currently improved with a single-family residence.
- Per the petitioners, the existing house on 99 N. Oak Street and vacant parcel at 95 N. Oak Street were purchased and combined into one PIN and zoning lot.
- The original intention was to construct the garage on the back half of the vacant lot, but due to soil conditions and topography, the only buildable location is behind the existing house. The front of the vacant lot is a low-lying area for natural filtration in the watershed.

Development Analysis:

General:

- **Land Use:** The Comprehensive Land Use map shows the area as Urban Residential, which is an appropriate land use designation.
- **Zoning:** The site is zoned R-1 Single-Family Residential. Single family residential is permitted in the R-1 zoning district.

Request Overview:

- The petitioners are requesting to construct a new detached garage located behind the principal structure.



- The proposed detached garage is 896 square feet, and it will meet the required principal structure setbacks. All accessory structures over 600 square feet must meet the principal structure setbacks, as shown below.

	R-1 Requirement	Proposed Setbacks
Front Yard Setback	30 feet	>200 feet
Interior Side Yard Setback	8 feet	~30 feet and >80 feet
Combined Side Yard Setbacks	20 feet	>100 feet
Rear Yard Setback	20 feet	~22 feet

- The proposed detached garage is two-stories and 16 feet 2 inches tall, which exceeds the UDO requirements.



- The garage will have a traditional gable roof and will match the roof on the house.

Comprehensive Land Use Plan 2030 Vision Summary Review:

The Comprehensive Plan designates the subject property as Urban Residential, which allows for existing and future single-family residential uses. The following goal is applicable to this request:

Land Use - Residential

Goal: Encourage a diversity of high quality housing in appropriate locations throughout the city that supports a variety of lifestyles and invigorates community character.

This can be accomplished with the following supporting action:

Supporting Action: Preserve and enhance the character and livability of existing residential area with architectural and development guidelines. Promote safe, clean and well-maintained housing by encouraging regular repair and maintenance of housing.

Findings of Fact:

ZONING ORDINANCE VARIATION

The petitioners are requesting a variation from the following:

- Article 3-200 from the maximum accessory structure height of one-story and 15 feet to allow a two-story accessory structure with a height of 16 feet 2 inches, a variation of 1 foot 2 inches.

The Unified Development Ordinance lists specific standards for the review and approval of a variation. The granting of a variation rests upon the applicant proving practical difficulty or hardship caused by the Ordinance requirements as they relate to the property. To be considered a zoning hardship, the specific zoning requirements; setbacks, lot width and lot area must create a unique situation on this property. It is the responsibility of the petitioner to prove hardship at the Planning and Zoning Commission public hearing.

Standards

When evidence in a specific case shows conclusively that literal enforcement of any provision of this Ordinance would result in a practical difficulty or particular hardship because:

- a. The plight of the property owner is due to unique circumstances, such as, unusual surroundings or conditions of the property involved, or by reason of exceptional narrowness, shallowness or shape of a zoning lot, or because of unique topography, or underground conditions.
 Meets *Does not meet*

- b. Also, that the variation, if granted, will not alter the essential character of the locality.
 Meets *Does not meet*

For the purposes of supplementing the above standards, the Commission may take into consideration the extent to which the following facts favorable to the application have been established by the evidence presented at the public hearing:

- a. That the conditions upon which the application for variation is based would not be applicable generally to other property within the same zoning classification;
 Meets *Does not meet*

- b. That the alleged difficulty or hardship has not been created by any person presently having interest in the property;
 Meets *Does not meet*

- c. That the granting of the variation will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located;
or
 Meets *Does not meet*

- d. That the proposed variation will not impair an adequate supply of light or air to adjacent property, will not unreasonably diminish or impair the property values of adjacent property, will not unreasonably increase congestion in the public streets, substantially increase the danger of fire or otherwise endanger public safety.
 Meets *Does not meet*

Where the evidence is not found to justify such conditions, that fact shall be reported to the City Council with a recommendation that the variation be denied.

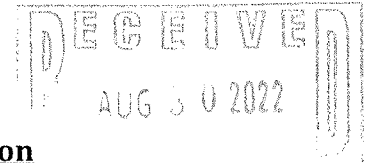
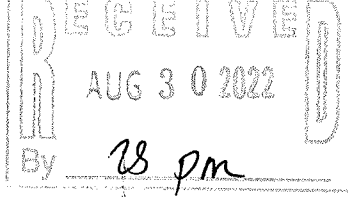
Recommended Conditions:

If a motion to recommend approval of the petitioners' request is made, the following conditions are recommended:

1. Approved plans, reflecting staff and advisory board recommendations, as approved by the City Council:
 - A. Application (Smith, dated 08/26/2022, received 08/30/22)
 - B. Site Plan (Smith, received 08/30/22)
 - C. Floor Plan and Elevations (Smith, dated 11/17/2016, received 08/30/2022)
2. The proposed detached garage must complement the existing exterior house in material, color, and style of roof.
3. The unfinished upper-story of the detached garage can only be used for storage and not living space. An affidavit acknowledging this must be recorded with the McHenry County Recorder's Office.
4. The petitioners shall address all of the review comments and requirements of the Community Development and Engineering Departments.

PIQ Map
99 N Oak Street





Application for Simplified Residential Variation

Application Number: _____	FOR OFFICE USE ONLY
Project Name: _____	
Date of Submission: _____	

I. Applicant

Scott and Denise Smith c/o Tyler M. Wilke

Name

99 N. Oak Street

Street

Crystal Lake Illinois 60014

City State Zip Code

815-459-8800 815-459-8429 twilke@zcvlaw.com

Telephone Number Fax Number E-mail address

II. Owner of Property (if different)

Scott Smith as Trustee of Scott L. Smith Trust dated June 2, 2015

Name

99 N. Oak Street

Address Telephone Number

III. Project Data

1. a. Location/Address: 99 N. Oak Street, Crystal Lake, IL 60014

b. PIN #: 14-32-351-053

2. Description of proposal/Reason for request (including how the standards for variation are met, any unique circumstance of the property, or particular hardship):

DESCRIBE THE UNIQUE CIRCUMSTANCES OF THE PROPERTY:

Existing house at 99 N. Oak and vacant parcel at 95 N. Oak were purchased and combined into one PIN. It was intended that a garage was to be built on the back half of the vacant lot (previously approved by the City), thereby preserving the low-lying area near the front of the lot for natural infiltration in the Crystal Lake watershed. Because of soil conditions and topography of the lot, the only buildable location for a detached garage is behind the existing house. A tandem garage of the size and height, to be varied from 650 Amde 3.4 from 15ft to 16ft 2 in. request is of similar size and character of the area, preserves open space and prevents overcrowding the lot with built structures.

IS THE HARDSHIP SELF-CREATED?

No. The topography, soil conditions, and drainage route were all preexisting; thereby, making the existing approved site unacceptable for building of the subject structure.

ARE THE CONDITIONS APPLICABLE TO OTHER PROPERTIES IN THE SAME ZONING CLASSIFICATION?

No. That the lot accepts drainage from other properties in the area, is required to allow natural infiltration, and is largely unusable is unique. Further, homeowner will be reserving this low area in a stormwater easement for the benefit of the City and surrounding area once the improvements are completed.

WILL THE VARIATION ALTER THE ESSENTIAL CHARACTER OF THE LOCALITY?

No. The combined properties are 0.8+ acres in size. The size of the structures, layouts, and other features are similar to other properties and structures in all of the downtown Crystal Lake area.

WILL THE VARIATION, IF GRANTED BE DETRIMENTAL TO PUBLIC WELFARE OR INJURIOUS TO OTHER PROPERTY?

No. The proposed accessory structure will be secluded and hidden behind the existing structure and will have no ill effect on the on the public welfare or injury to other property.

WILL THE VARIATION AS PROPOSED IMPAIR ADEQUATE SUPPLY OF LIGHT OR AIR TO ADJACENT PROPERTY; DIMINISH PROPERTY VALUE; INCREASE CONGESTION IN PUBLIC STREETS; SUSBTANTIALLY INCREASE THE DANGER OF FIRE; OT ENDANGER PUBLIC SAFETY?

No. The proposed accessory structure will not impair adequate supply of light or air to adjacent property; diminish property value; increase congestion in public streets; substantially increase the danger of fire; or endanger public safety.


3. List any previous variations that are approved for this property: None.

IV. Signatures

PETITIONER: Print and Sign name (if different from owner)

Date

As owner of the property in question, I hereby authorize the seeking of the above requested action.

 SCOTT L. SMITH

8/26/2022

OWNER: Print and Sign name

Date

NOTE: If the property is held in trust, the trust officer must sign this petition as owner. In addition, the trust officer must provide a letter that names all beneficiaries of the trust.

Northwest Herald

NORTHWEST HERALD

Publication Name:

Northwest Herald

Publication URL:

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Publication City and State:

Crystal Lake, IL

Publication County:

McHenry

Notice Popular Keyword Category:

Notice Keywords:

99 oak

Notice Authentication Number:

202211021119517380858

213731298

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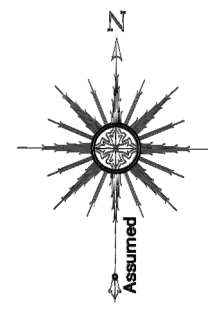
Notice Publish Date:

Tuesday, November 01, 2022

Notice Content

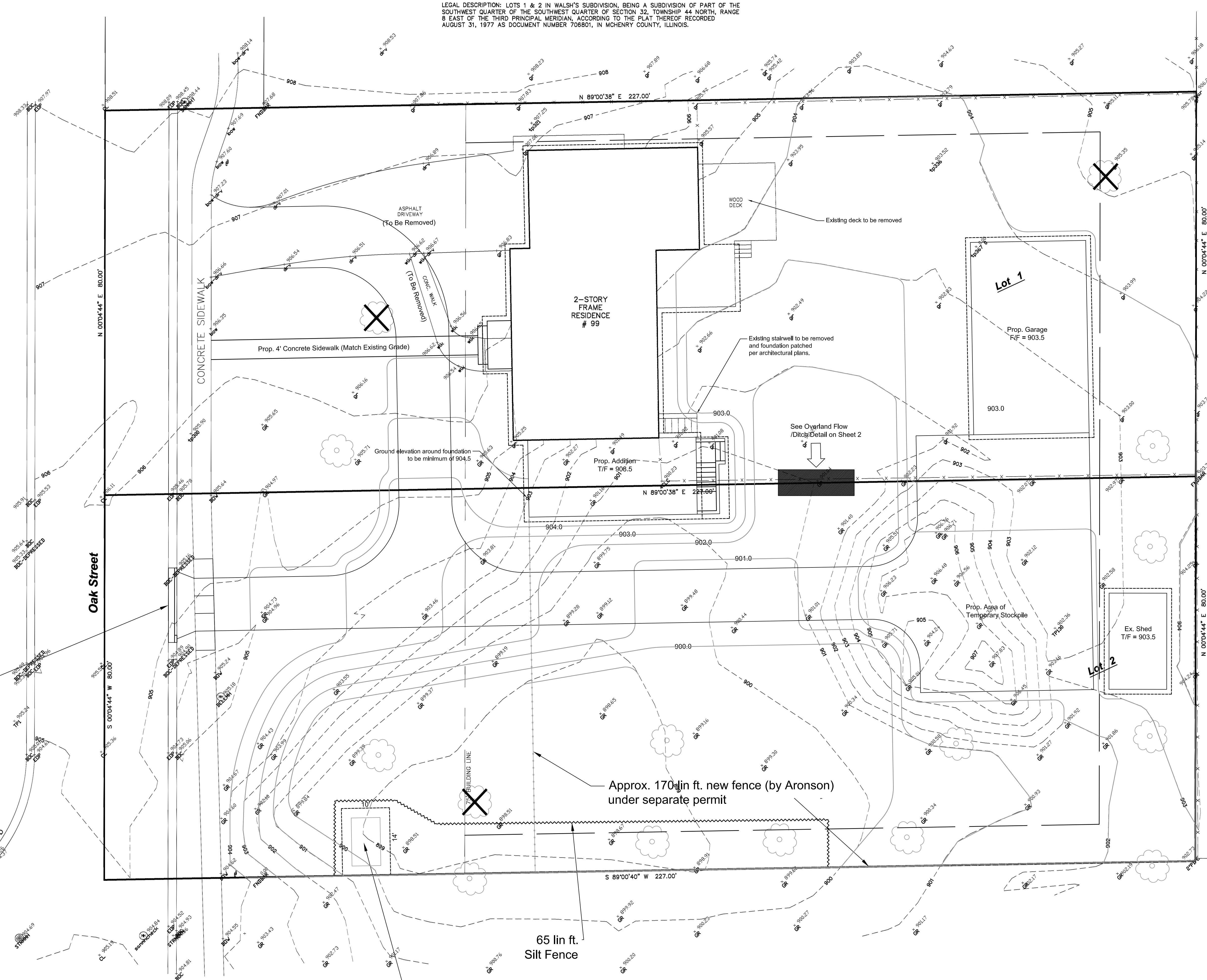
PUBLIC NOTICE BEFORE THE PLANNING AND ZONING COMMISSION OF THE CITY OF CRYSTAL LAKE, MCHENRY COUNTY, ILLINOIS IN THE MATTER OF THE APPLICATION OF Scott and Denise Smith LEGAL NOTICE Notice is hereby given in compliance with the Unified Development Ordinance (UDO) of the City of Crystal Lake, Illinois, that a public hearing will be held before the Planning and Zoning Commission upon the application by Scott and Denise Smith for approval of a variation allowing the construction of a detached garage at the following real estate known as 99 N. Oak Street, Crystal Lake, Illinois 60014, PIN: 14-32-351-053. This application is filed for the purpose of seeking a Simplified Residential Zoning Variation from the maximum height of 15 feet for an accessory structure to allow 16 feet 2 inches, from the maximum one-story to allow a two-story accessory structure, and any other variations as noted at the public hearing pursuant to Article 3, Article 4, and Article 9. Plans for this project can be viewed at the City of Crystal Lake Planning and Economic Development Department at City Hall. A public hearing before the Planning and Zoning Commission on the request will be held at 7:00 p.m. on Wednesday, November 16, 2022, at the Crystal Lake City Hall, 100 West Woodstock Street, at which time and place any person determining to be heard may be present. Jeff Greenman, Chairperson Planning and Zoning Commission City of Crystal Lake (Published in Northwest Herald, November 1, 2022) 2030437

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Topographic Map

LEGAL DESCRIPTION: LOTS 1 & 2 IN WALSH'S SUBDIVISION, BEING A SUBDIVISION OF PART OF THE SOUTHWEST QUARTER OF THE SOUTHWEST QUARTER OF SECTION 32, TOWNSHIP 44 NORTH, RANGE 8 EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 31, 1977 AS DOCUMENT NUMBER 706801, IN MCHENRY COUNTY, ILLINOIS.



2021 Permit Impervious Area

Existing: 4,040 s.f.
Proposed: 7,590 s.f.

Revised Impervious Area

Existing: 4,040 s.f.
Proposed: 9,178 s.f.

2021 Permit Contour Area (within lot lines)

Elev.	Ex. (s.f.)	Prop. (s.f.)
900	5,166	5,517
901	7,726	7,675
902	10,258	9,504
903	14,526	13,233
904	19,639	19,734
904.4	21,205	22,111

Contour Volumes (within lot lines)

Elev. (c.f.)	Prop. (c.f.)
18,180	18,600

Revised Contour Area (within lot lines)

Elev.	Ex. (s.f.)	Prop. (s.f.)
899	2,069	1,998
900	5,166	5,117
901	7,726	6,810
902	10,258	9,886
903	14,526	13,822
904	19,639	20,781
904.4	21,205	22,584

Contour Volumes (within lot lines)

Elev. (c.f.)	Prop. (c.f.)
18,180	19,504

See Driveway Approach Detail on Sheet 2

Approx. 170 lin ft. new fence (by Aronson) under separate permit

60 sq ft. Infiltration Trench (located within 10'x14' easement)

65 lin ft. Silt Fence

LEGEND

- Set IP
- Find IP
- ✕ Find "X"
- ⊙ Find P.K.
- Wood Fence
- Cl. Fence
- ▨ Concrete
- ▩ Wood Deck
- ▧ Brick
- ⊙ STREET LIGHT
- ⊙ B-BOX
- ⊙ WATER VALVE VAULT
- ⊙ FIRE HYDRANT
- ⊙ MANHOLE
- ⊙ STORM MANHOLE
- ⊙ JUNCTION BOX
- ⊙ POWER POLE
- ⊙ ELECTRIC TRANSFORMER

Luco Surveying
Professional Design Firm No. 184.007972
54 Lou Avenue, Crystal Lake, IL 60014
Phone: 815.528.3874 Email: aron@lucosurveying.com
Common Address: 99 and 105 North Oak, IL
PIN # 14-32-351-044

Job Number: 20 - 61151 Drawn By: JAC
Client: Smith Reference: N/A
Field Work Completion: XX-XX-XXXX
Revisions:



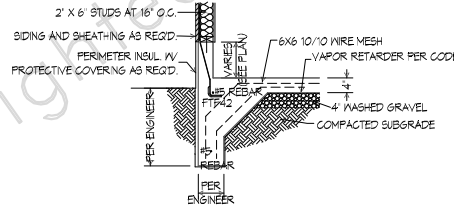
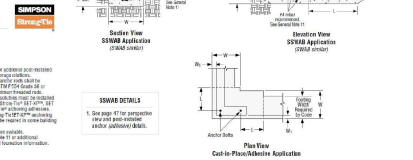
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ANCHORAGE SOLUTIONS FOR
Slab on Grade - Garage Curb

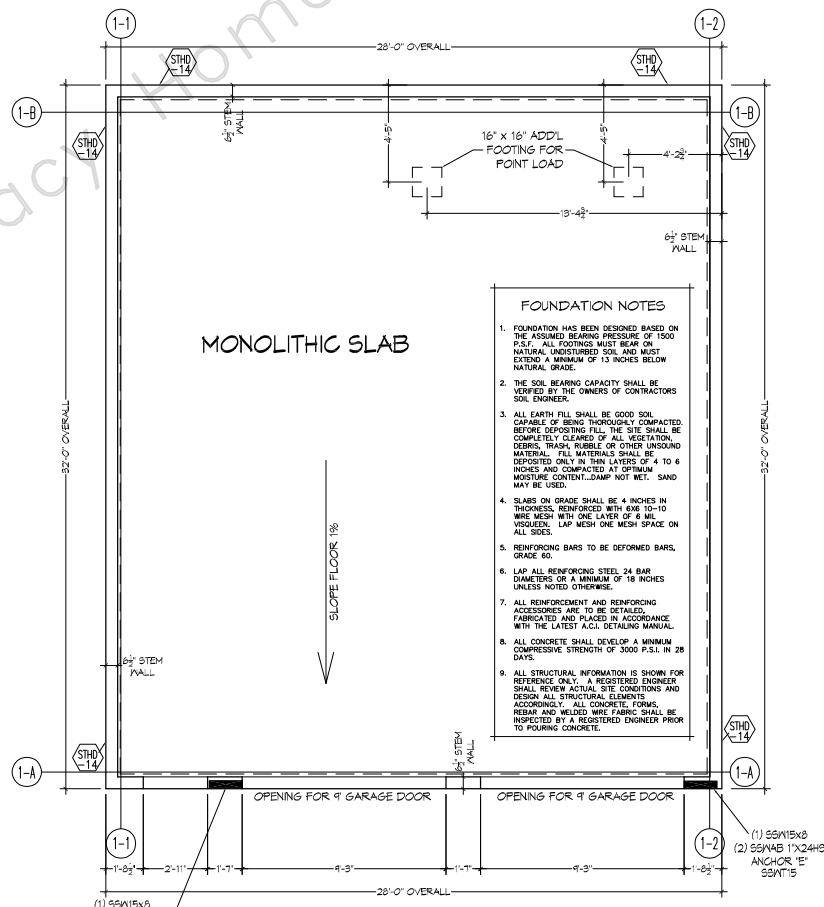
STEEL STRONG-WALL™, 12" AND WIDER MODELS (1" DIAMETER ANCHOR)

Member Location Concrete Strength f _c (ksi)	Minimum Concrete Cover d (in)	Minimum Anchor Type	Cast-In-Place Anchor		Pre-Installed Anchor (Adhesive) ^{1,2}			
			Minimum Length (in)	Minimum Embedment (in)	Minimum Length (in)	Minimum Embedment (in)		
3000	A	17-12	STRONG-TIE	6	6	24	12	12
	B	12-12	STRONG-TIE	8	6	24	12	12
	C	12-12	STRONG-TIE	8	6	24	12	12
	D	12-12	STRONG-TIE	8	6	24	12	12
	E	12-12	STRONG-TIE	8	6	24	12	12
	F	12-12	STRONG-TIE	8	6	24	12	12
4000	G	20-18	STRONG-TIE	8	6	30	15	15
	H	20-18	STRONG-TIE	8	6	30	15	15
	I	20-18	STRONG-TIE	8	6	30	15	15

- See page 12 for additional post-tensioned anchorage solutions.
- Pre-Installed anchors are required for all applications.
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- See page 13 for additional post-tensioned anchorage solutions.
- See page 14 for additional post-tensioned anchorage solutions.
- See page 15 for additional post-tensioned anchorage solutions.
- See page 16 for additional post-tensioned anchorage solutions.
- See page 17 for additional post-tensioned anchorage solutions.
- See page 18 for additional post-tensioned anchorage solutions.
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- See page 25 for additional post-tensioned anchorage solutions.
- See page 26 for additional post-tensioned anchorage solutions.
- See page 27 for additional post-tensioned anchorage solutions.
- See page 28 for additional post-tensioned anchorage solutions.
- See page 29 for additional post-tensioned anchorage solutions.
- See page 30 for additional post-tensioned anchorage solutions.



GARAGE W/WOOD SIDING
NOT TO SCALE



- FOUNDATION NOTES**
- FOUNDATION HAS BEEN DESIGNED BASED ON THE ASSUMED BEARING PRESSURE OF 1500 P.S.F. ALL FOOTINGS MUST BEAR ON NATURAL UNDISTURBED SOIL AND MUST EXTEND A MINIMUM OF 15 INCHES BELOW NATURAL GRADE.
 - THE SOIL BEARING CAPACITY SHALL BE VERIFIED BY THE OWNERS OR CONTRACTORS SOIL ENGINEER.
 - ALL EARTH FILL SHALL BE GOOD SOIL, CAPABLE OF BEING THOROUGHLY COMPACTED BEFORE DEPOSITING FILL. THE SITE SHALL BE COMPLETELY CLEARED OF ALL VEGETATION, DEBRIS, TRASH, RUBBLE OR OTHER UNSOUND MATERIAL. FILL MATERIALS SHALL BE DEPOSITED ONLY IN THIN LAYERS OF 4 TO 6 INCHES AND COMPACTED AT OPTIMUM MOISTURE CONTENT...DAMP NOT MET. SAND MAY BE USED.
 - SLABS ON GRADE SHALL BE 4 INCHES IN THICKNESS, REINFORCED WITH #6@ 10-10 WIRE MESH WITH ONE LAYER OF #6 BIL. VISUALLY. LAP MESH ONE MESH SPACE ON ALL SIDES.
 - REINFORCING BARS TO BE REFORMED BARS, GRADE 60.
 - LAP ALL REINFORCING STEEL 24 BAR DIAMETERS OR A MINIMUM OF 18 INCHES UNLESS NOTED OTHERWISE.
 - ALL REINFORCEMENT AND REINFORCING ACCESSORIES ARE TO BE DETAILED, FABRICATED AND PLACED IN ACCORDANCE WITH THE LATEST A.C.I. DETAILING MANUAL.
 - ALL CONCRETE SHALL DEVELOP A MINIMUM COMPRESSIVE STRENGTH OF 3000 P.S.I. IN 28 DAYS.
 - ALL STRUCTURAL INFORMATION IS SHOWN FOR REFERENCE ONLY. A REGISTERED ENGINEER SHALL REVIEW ACTUAL SITE CONDITIONS AND DESIGN ALL STRUCTURAL ELEMENTS ACCORDINGLY. ALL CONCRETE FORMS, REBAR AND WELDED WIRE FABRIC SHALL BE INSPECTED BY A REGISTERED ENGINEER PRIOR TO POURING CONCRETE.

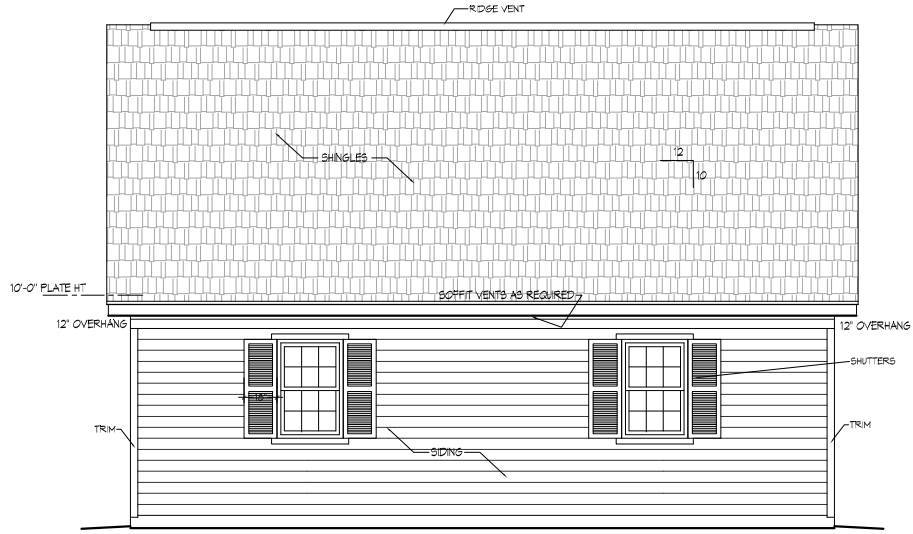
FOUNDATION PLAN
SCALE: 1/4" = 1'-0"

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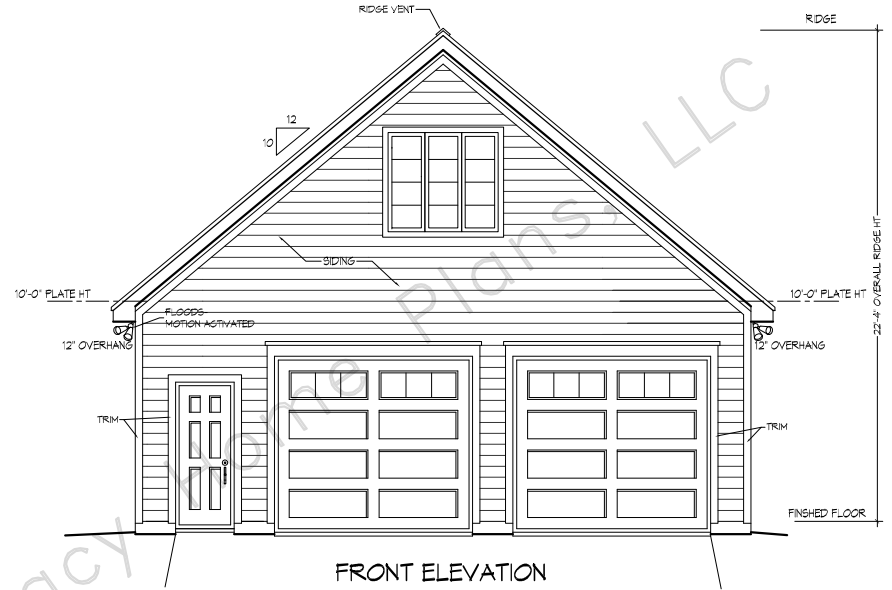
Legacy HOME PLANS
PLANS YOU CAN BUILD YOUR LEGACY ON
5800 SUMNER AVENUE MEMPHIS, TENNESSEE 38117-5647

MEMBER
A I B D
AMERICAN INSTITUTE OF BUILDING DESIGN

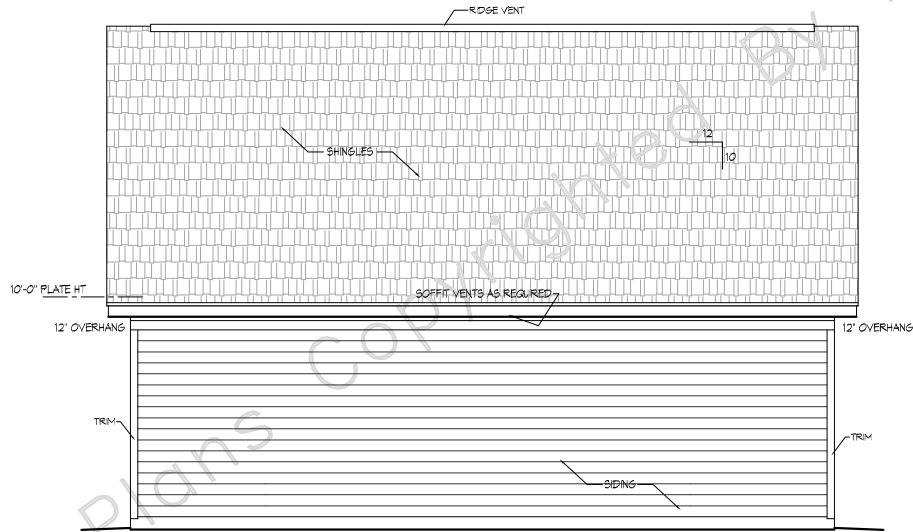
0554-896-G Garage



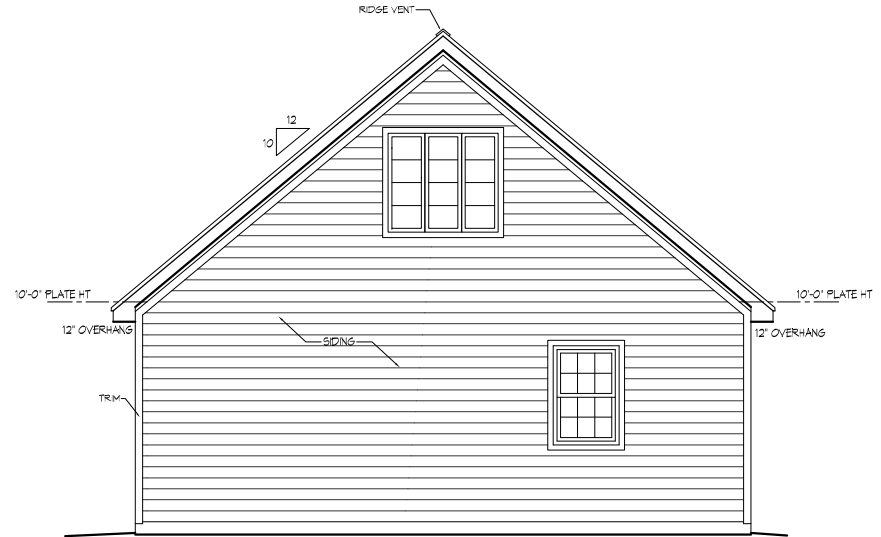
LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



FRONT ELEVATION
SCALE: 1/4" = 1'-0"



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



REAR ELEVATION
SCALE: 1/4" = 1'-0"

FILE	DATE	SCALE	DESIGNED BY	SHEET #
	11-17-16	As Shown	Levi K. Steve V.	3 of 3
EOR			PLAN NAME	
			PLAN NO.	0554-896-G Garage

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