

**EXPLANATION OF VARIATION  
VILLAGE OF LIBERTYVILLE  
426 E. Sunnyside Avenue – Zak & Amber Henderson**

**PROJECT NARRATIVE**

The owners of this lot have just recently moved back to town after spending the past 4 years in other parts of the country. Amber is a life-long Libertyville resident, and she and Zak have chosen to return to the Village to raise their family based on the experience she and her parents have had growing up in town.

As part of moving back and updating the property, they have decided to replace their existing flat roof garage with a structure that is going to allow them a more practical access point (as compared to the current, tight, side-load location), and some additional attic storage. The new structure is being designed as the initial phase in the overall property update that will be a long term project for the owners.

The reason for the variation request is that the current lot's configuration reflects an existing Maximum Lot Coverage (MLC) non-conforming condition: the existing impervious is some 494 SF in excess of the permitted 45%. With this project, the proposed garage is essentially the same size (old: 588 SF: new: 600 SF), however there are planned reductions in the amount of the existing impervious of 261 SF to bring the MLC down to 50.21% from the existing 50.48%.

The proposed reductions in impervious will still allow for vehicles to navigate the driveway and access to the garage, and specific thought was given during the design phase to keeping the service door on the front of the garage so that there would not be a need for a concrete pad on the side (if for instance that door was located to the west side). The proposed driveway has also been reduced at the front of the garage to 19.00 feet in width so that it aligns with the overhead door and doesn't add any undue impervious to the overall project.

With the proposed requested relief, the owners seek to provide a new and more practical garage, along with something that is aesthetically pleasing which will be the starting point for an extended time in the home and neighborhood!

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**26-16-8.7. Standards for variations.**

**General standard.** No variation shall be granted pursuant to section 26-16-8 unless the applicant shall establish that carrying out the strict letter of the provisions of this chapter would create a particular hardship or a practical difficulty. Such a showing shall require proof that the variation being sought satisfies each of the standards set forth in subsection 26-16-8.7.

- a. **Unique physical condition. The subject lot is exceptional as compared to other lots subject to the same provision by reason of a unique physical condition, including the presence of an existing use, structure, fence or sign, whether conforming or nonconforming; irregular or substandard shape or size; exceptional topographical features; or other extraordinary physical conditions peculiar to and inherent in the subject lot that amount to more than a mere inconvenience to the owner and that relate to or arise out of the lot or its existing development rather than the personal situation of the current owner of the lot.**

The current configuration of this lot with a side load garage that is difficult to access, sees the new owner of the lot working on providing a garage structure that will provide them with full utilization of the space. Previous owners have, over time, increased the amount of impervious surface on the lot beyond the permitted Maximum Lot Coverage (MLC) amount of 45% to 50.48%. As part of the reconstruction of the existing ineffectively located garage, the new project will keep the garage at essentially the same size and will reduce the overall impervious by some 261 SF, which reduces the MLC to 50.21%. Without relief from the specific MLC requirement, the garage could not be rebuilt thus creating a hardship upon the owner as part of their efforts to update the property.

- b. **Not self-created. The aforesaid unique physical condition is not the result of any action or inaction of the owner or its predecessors in title, other than the construction of structures that were lawful at the time of such construction, and existed at the time of the enactment of the provisions from which a variation is sought or was created by as a result of natural forces or governmental action, other than the adoption of this chapter.**

As noted above, the (newer) owners did not create the existing impervious surface non-conforming condition. Through the process of creating a structure that actually functions with the lot layout, they are reducing that existing non-conforming impervious condition.

- c. **Denied substantial rights. The carrying out of the strict letter of the provision from which a variation is sought would deprive the owner of the subject lot of substantial rights commonly enjoyed by owners of other lots subject to the same provision.**

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Without relief from the strict application of the ordinance MLC requirement, this update to the lot would not be possible since the existing impervious condition is going to hamper the ability to make a change. The existing garage's location and relationship to surrounding grade means that water is cresting the (elevated) top of foundation in the rear and that intrusion has been causing damage to the structure over recent decades. Having a practical way of accessing their garage would provide the owners with a more usable structure, thus allow them the ability to effectively park their vehicles.

- d. **Not merely special privilege. The alleged hardship or difficulty is neither merely the inability of the owner or occupant to enjoy some special privilege or additional right not available to owners or occupants of other lots subject to the same provision, nor merely the inability of the owner to make more money from the use of the subject lot; provided, however, that where the standards set out in subsection 26-16-8.7 are met, the existence of an economic hardship shall not be a prerequisite to the grant of a variation.**

While the impervious surface requirement of the ordinance is well understood, this request does not simply create a special privilege for the owner. Reducing the overall impervious by 261 SF indicates that that owners are aware of the restriction and are intent on making the best effort to bring the lot into compliance as part of the overall project. The existing driveway width is not conducive to being reduced in width since large sections of it are already less than 10-foot wide. This project seeks to provide the owners with a usable, attractive garage whose construction is the first stage in an overall lot update.

- e. **Code and plan purposes. The variation would not result in a use or development of the subject lot that would be not in harmony with the general and specific purposes for which this chapter and the provision from which a variation is sought were enacted or the general purpose and intent of the official comprehensive plan.**

The construction of a garage, whether attached or detached, for vehicular storage is certainly inharmony with the Comprehensive Plan's goal for development of complete residential neighborhoods that accommodate a diverse range of housing types. This project will update the existing structure with a building that fulfills the owner's need to have more practical access to the garage, while providing additional storage for their living purposes as part of a updated design.

- f. **Essential elements of the area. The variation would not result in a use or development on the subject lot that:**

1. **Would be materially detrimental to the public welfare or materially injurious to the enjoyment, use, development, or value of property or improvements permitted in the vicinity; or**

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The replacement garage will improve property values in the locale and the specific use for vehicular storage is not detrimental to the neighborhood.

**2. Would materially impair an adequate supply of light and air to the properties and improvements in the vicinity; or**

Since the structure is going to be located within the rear yard of the subject property and will be over a foot lower than the ordinance permitted 20-foot height limitation, there will not be a significant loss of light and air on the surrounding property.

**3. Would substantially increase congestion in the public streets due to traffic or parking; or**

The existing garage is for two vehicles and the proposed structure is for the same and so there will be no additional congestion impact on the local streets.

**4. Would unduly increase the danger of flood or fire; or**

The structure will be building and engineering code compliant and so those codes will ensure that the project does not materially increase the danger of flood or fire.

**5. Would unduly tax public utilities and facilities in the area; or**

The replacement of a two-car garage will not materially change the impact on public utilities.

**6. Would endanger the public health or safety.**

Since the garage will be moving through the standard permit review process which reviews such items, there will be no danger to the public health and safety as a result of this construction.

**g. No other remedy. There is no means other than the requested variation by which the alleged hardship or difficulty can be avoided or remedied to a degree sufficient to permit a reasonable use of the subject lot.**

The necessary replacement of the existing garage (due to locational and structural issues) sees the owners working towards improving the overall layout of the lot. By reducing the amount of impervious surface by some 261 SF, they are doing what they can to get closer to compliance and ensure that there is no other reasonable remedy to this condition.

# R & R SURVEYORS LTD.

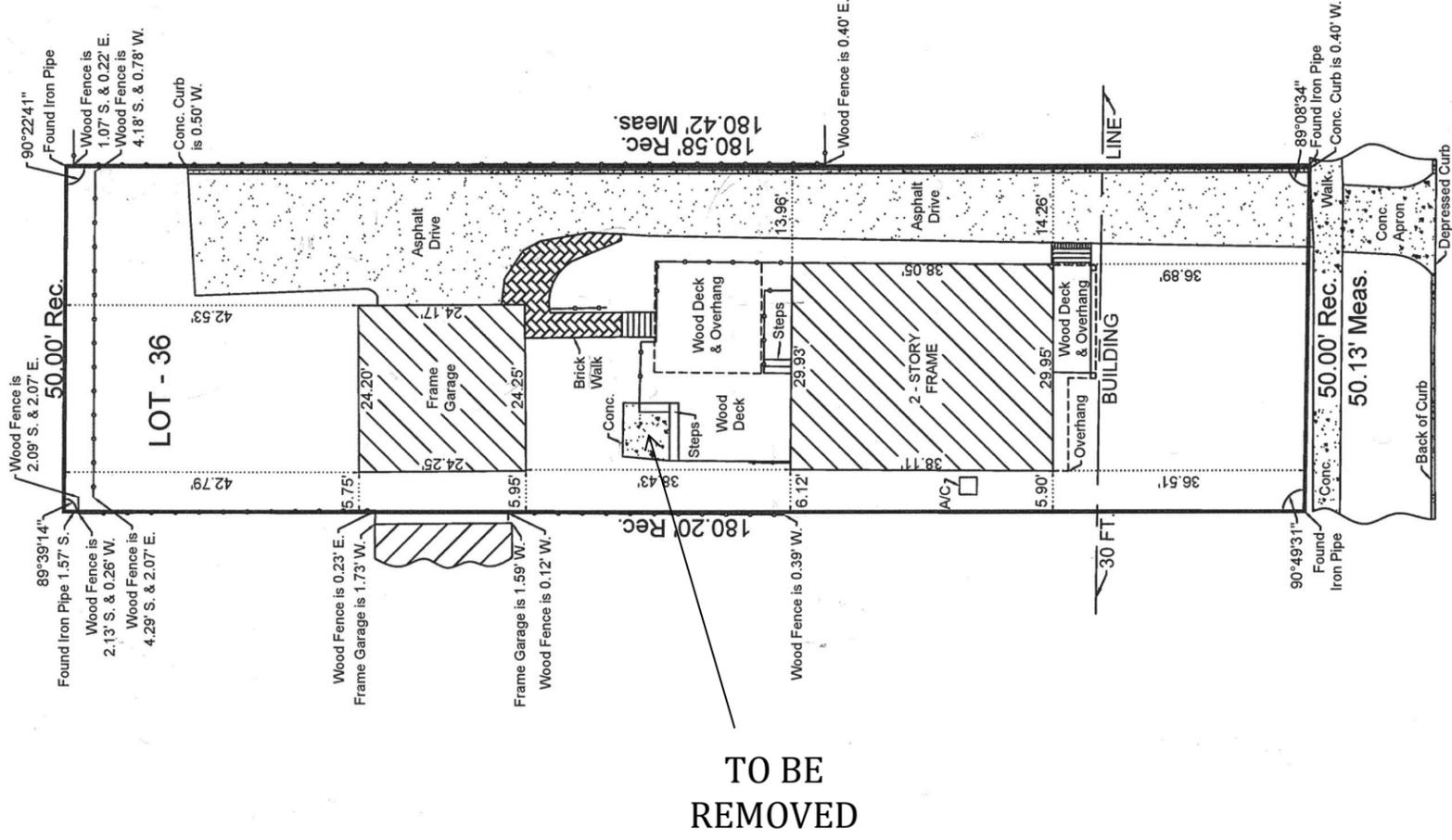
Construction and Land Surveyors  
 P.O. Box 412 Wauconda, IL 60084  
 Tel. (847) 526-1793 Fax. (847) 526-1794

## PLAT OF SURVEY

LOT 36 IN SUNNYSIDE PARK, A SUBDIVISION OF PART OF THE NORTHEAST 1/4 OF SECTION 21, AND THE NORTHWEST 1/4 OF SECTION 22, TOWNSHIP 44 NORTH, RANGE 11, EAST OF THE THIRD PRINCIPAL MERIDIAN, ACCORDING TO THE PLAT THEREOF RECORDED AUGUST 7, 1923 AS DOCUMENT 227922, IN BOOK "L" OF PLATS PAGE 108 IN THE VILLAGE OF LIBERTYVILLE, IN LAKE COUNTY, ILLINOIS.

KNOWN AS: 426 E. SUNNYSIDE AVENUE, LIBERTYVILLE, ILLINOIS 600048

PIN #: 11-21-215-024



ORDER NO. 4921-S  
 SCALE 1"=20'  
 THIS PROFESSIONAL SERVICE CONFORMS TO THE CURRENT ILLINOIS MINIMUM STANDARDS FOR A BOUNDARY SURVEY. COMPARE ALL POINTS BEFORE BUILDING BY SAME AND AT ONCE REPORT ANY DIFFERENCES.

STRUCTURE LOCATED

MAY 27, 2025

DATE

Ray S. Stummogal  
 ILLINOIS REGISTERED LAND SURVEYOR

REFER TO DEED, TITLE POLICY, AND LOCAL ORDINANCES FOR BUILDING RESTRICTIONS.

## E. SUNNYSIDE AVENUE

STATE OF ILLINOIS )  
 COUNTY OF McHENRY ) s.s.

I, ROY G. LAWNICZAK, A REGISTERED ILLINOIS LAND SURVEYOR, DO HEREBY CERTIFY THAT I HAVE SURVEYED THE PROPERTY DESCRIBED IN THE CAPTION TO THE HEREON DRAWN PLAT AND THAT THE FOREGOING PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SAME. ALL DIMENSIONS ARE IN FEET AND DECIMALS PLACES THEREOF AND ARE CORRECTED TO A TEMPERATURE OF 62 DEGREES FAHRENHEIT.

CARY, ILLINOIS MAY 27, 2025  
 DATE

BY Ray S. Stummogal  
 ILLINOIS REGISTERED LAND SURVEYOR NO. 2290

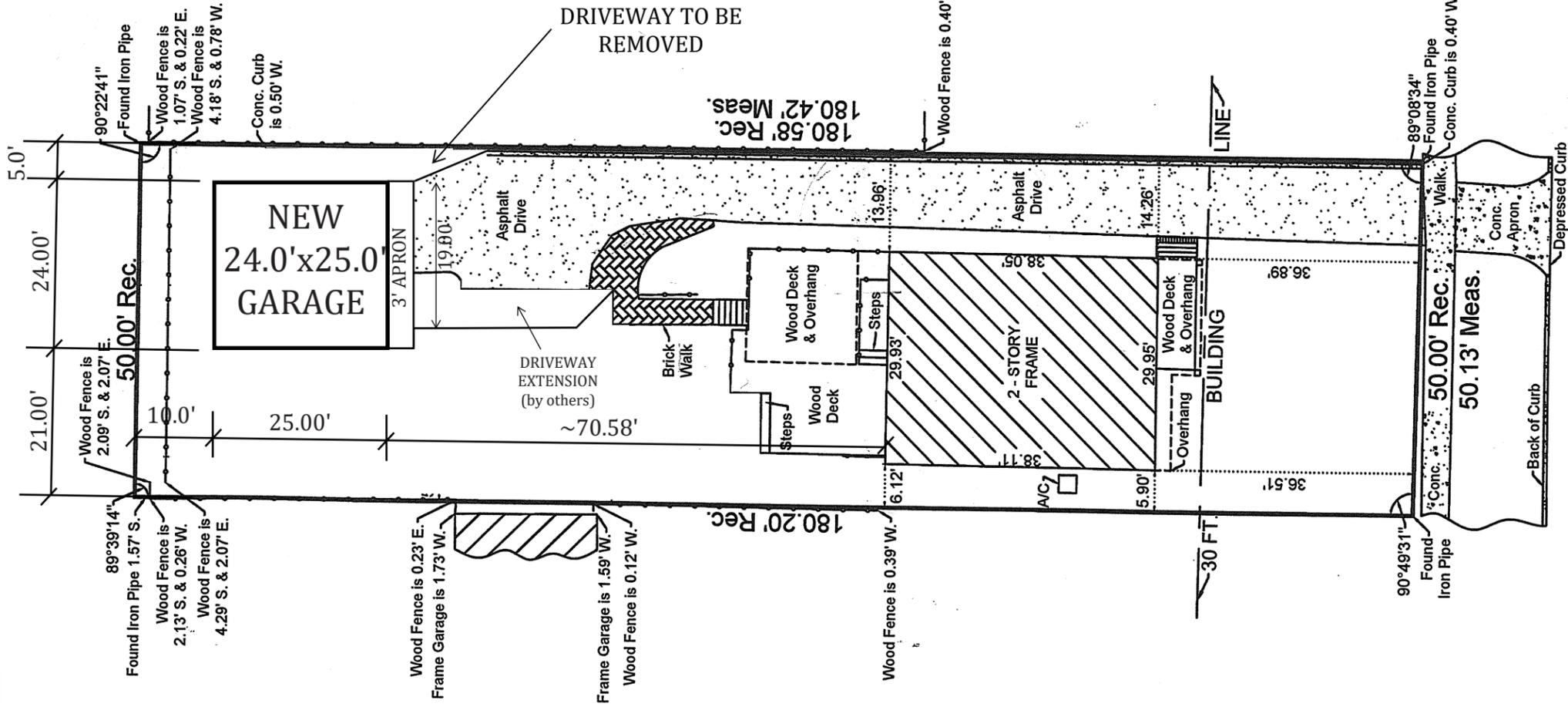
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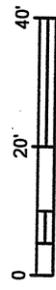
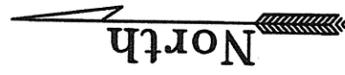
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# HGB PROPOSED SITE PLAN



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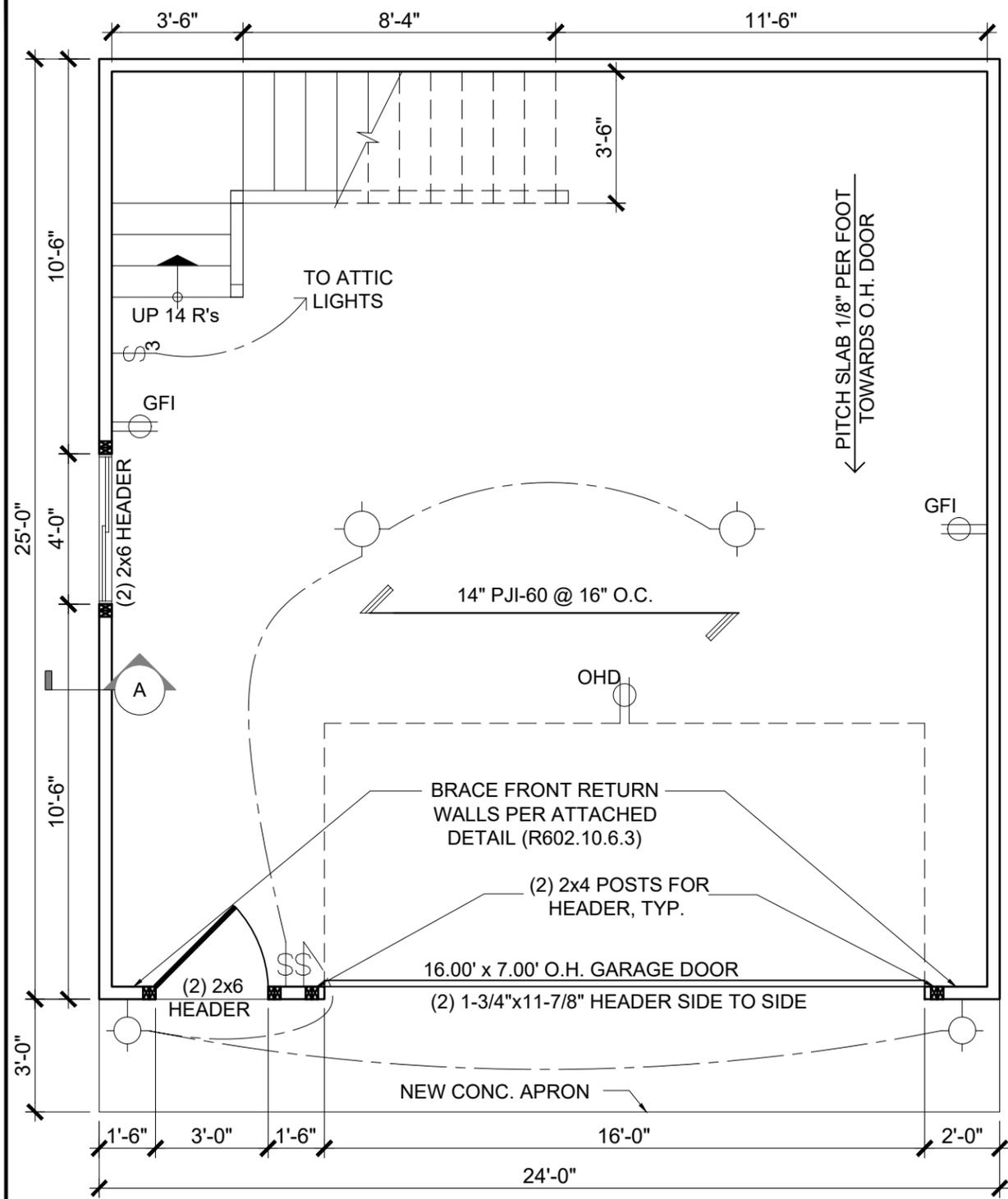
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Roy G. Lawniczak  
ILLINOIS REGISTERED LAND SURVEYOR

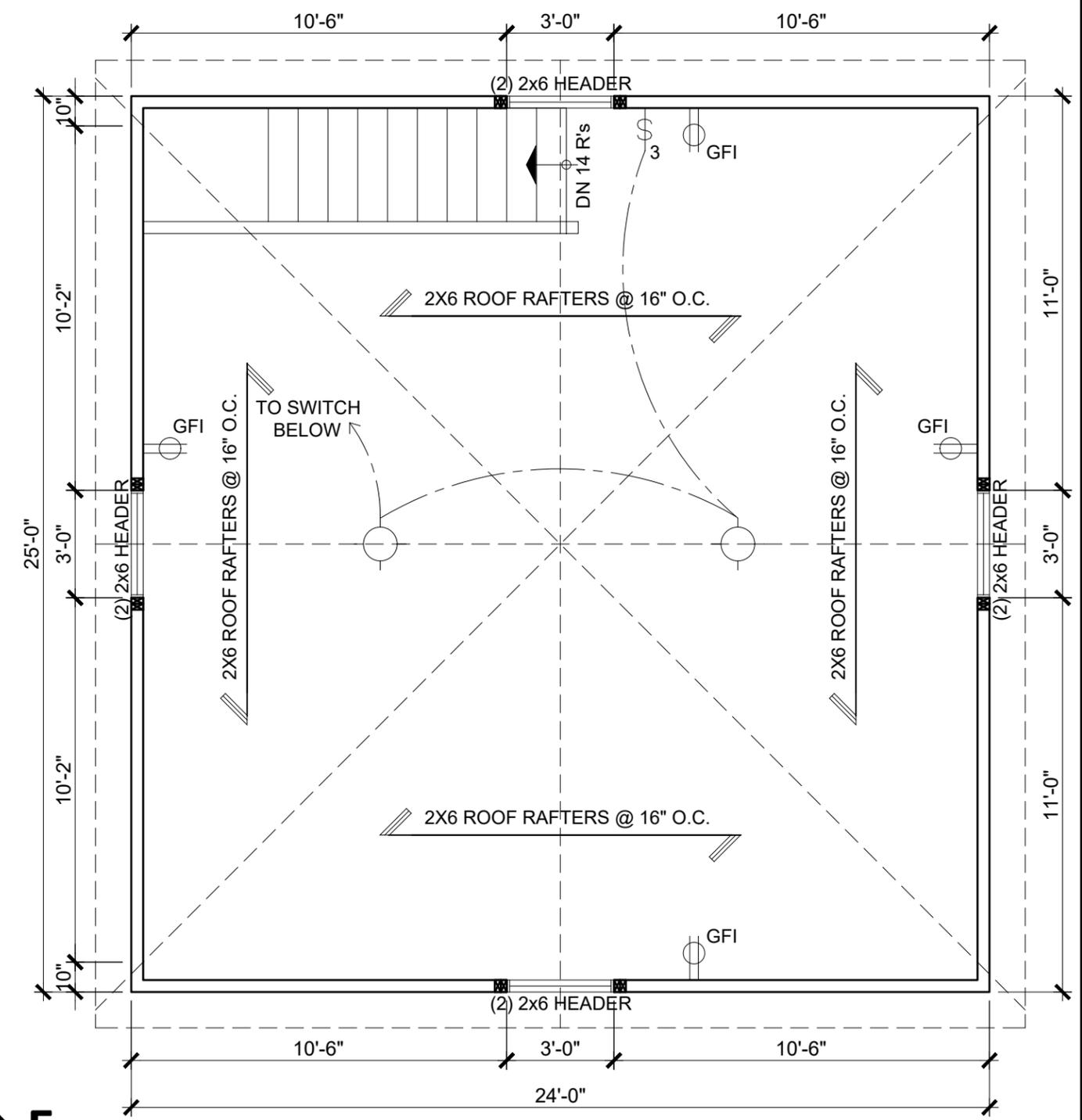
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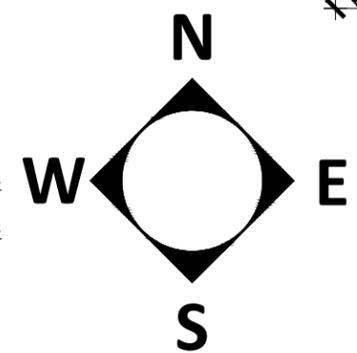
BY Roy G. Lawniczak  
ILLINOIS REGISTERED LAND SURVEYOR NO. 2290



**GROUND FLOOR PLAN**  
SCALE: 1/4" = 1'-0"



**ATTIC FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

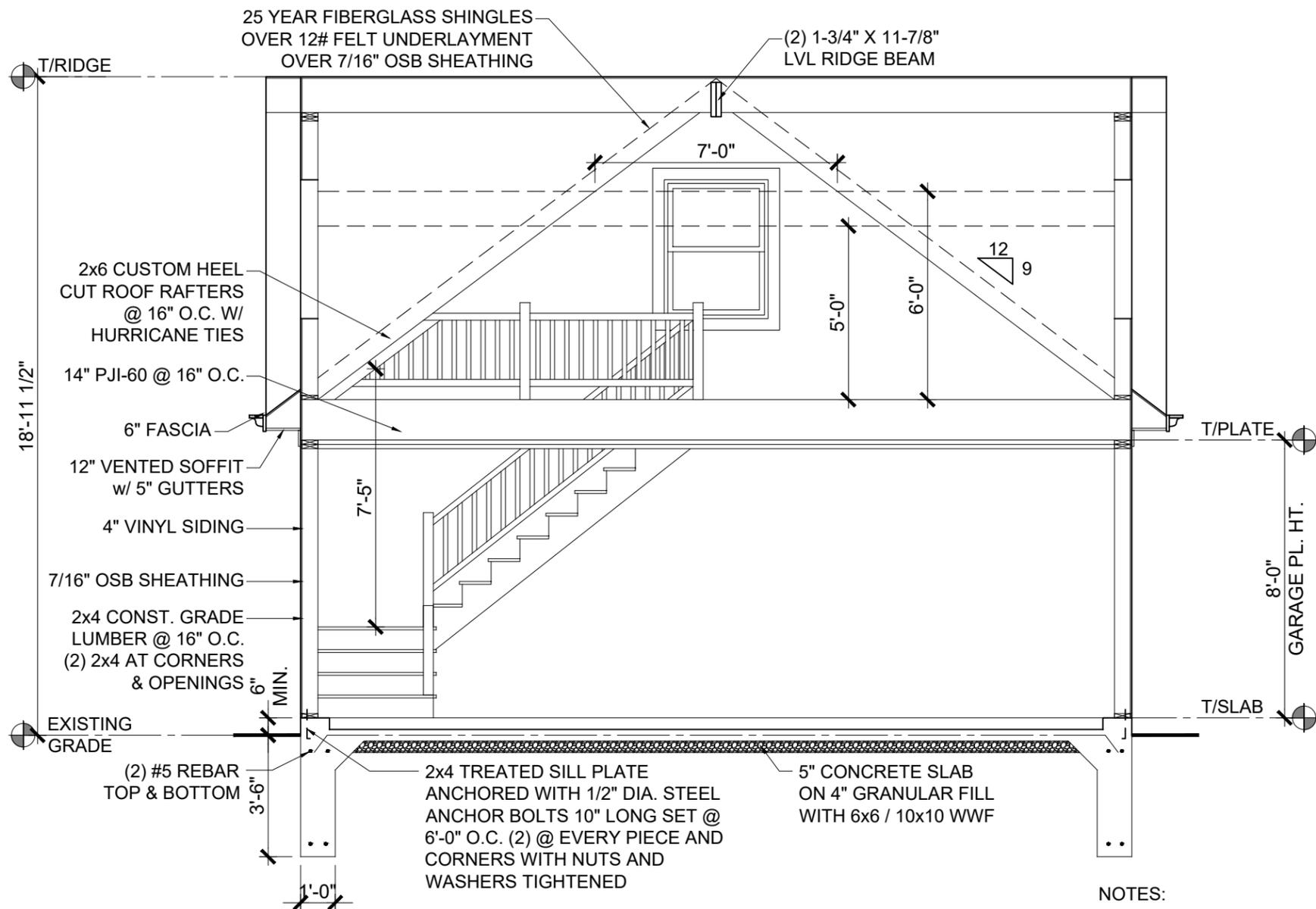


**DETACHED GARAGE - GABLE ROOF**  
426 E. SUNNYSIDE AVENUE, LIBERTYVILLE  
HENDERSON RESIDENCE

CONTRACTOR:  
**HEARTLAND GARAGE BUILDERS**  
602 ACADEMY DRIVE  
NORTHBROOK, IL 60062  
PHONE: (224) 619-4539  
EMAIL: INFO@HLGBS.COM

SHEET NAME:  
**FLOOR PLANS**  
SHEET NUMBER:  
**1 OF 4**

THESE PLANS REMAIN THE PROPERTY OF MACH 1, INC. AND THEIR REPRODUCTION IS EXPRESSLY FORBIDDEN.



**BUILDING SECTION**

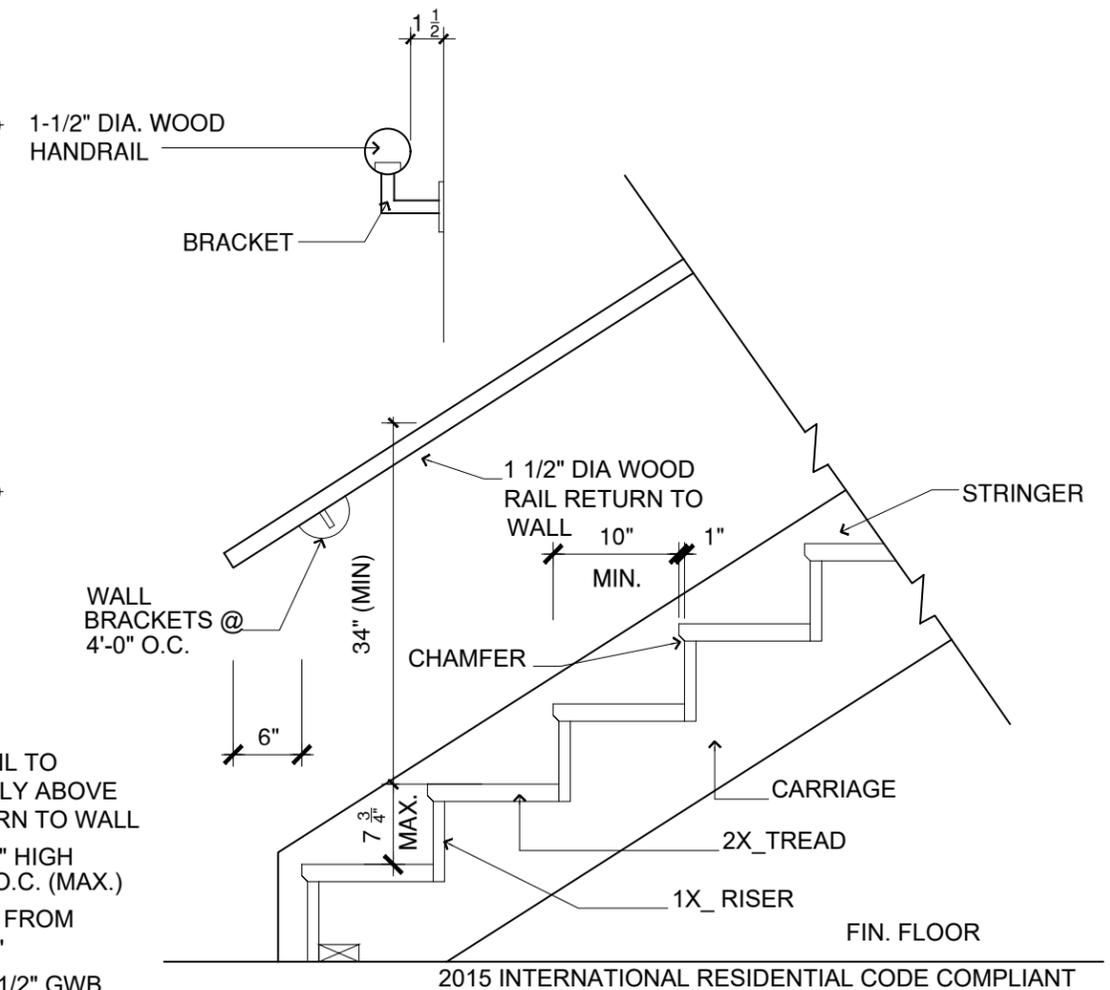
SCALE: 1/4" = 1'-0"

**NOTES:**

1. CONT. STAIR HANDRAIL TO EXTEND 6" HORIZONTALLY ABOVE THE TOP RISER & RETURN TO WALL
2. GUARDS SHALL BE 36" HIGH WITH BALUSTERS @ 4" O.C. (MAX.)
3. MINIMUM HEADROOM FROM NOSING TO CEILING 6'-8"
4. 1 LAYER OF TYPE "X" 1/2" GWB BELOW STAIRS (WHERE EXPOSED TO STORAGE)

**ELECTRIC DETAIL**

- CIRCUITS: (1) 20 AMP. #12 GA. (1) 15 AMP. #14 GA.
- CONTAINED IN 3/4" RIGID STEEL CONDUIT
- BURIAL DEPTH: 8 INCHES
- WIRING: SEPARATE CIRCUITS TO ELECTRICAL PANEL



**STAIR DETAIL**

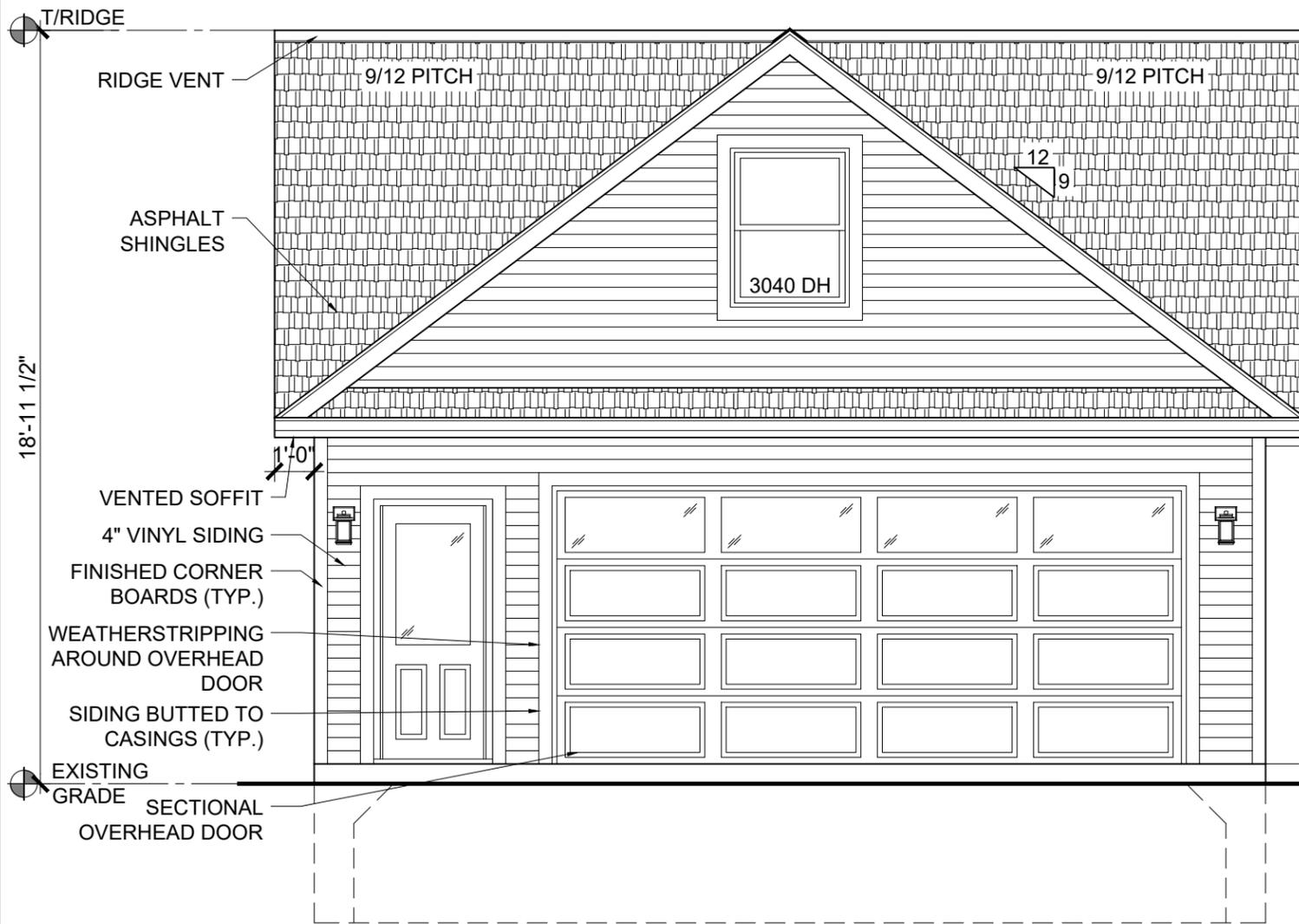
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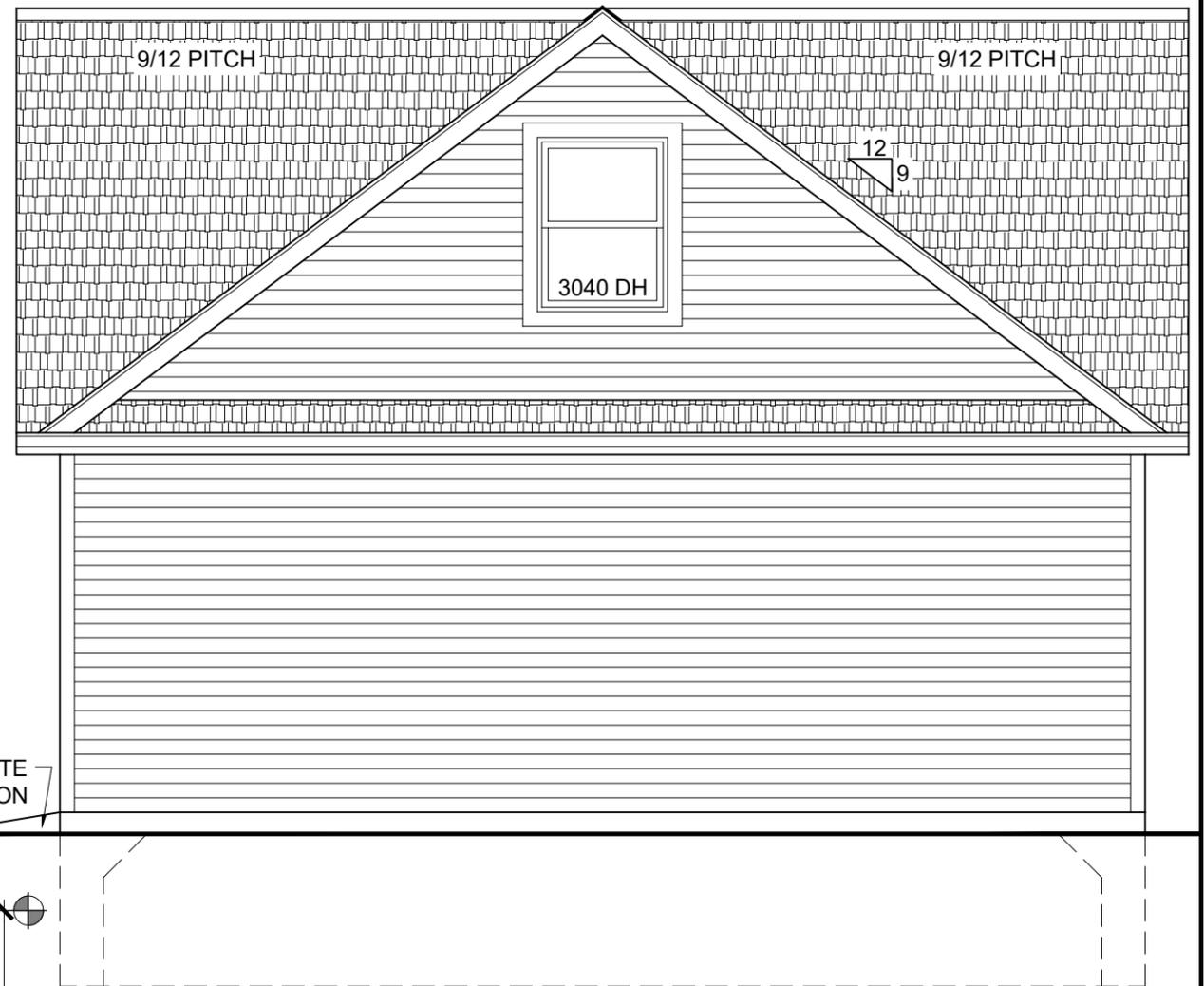
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SHEET NAME:  
**BUILDING SECTION & STAIR DETAIL**  
 SHEET NUMBER:  
**2 OF 4**



**SOUTH ELEVATION**  
SCALE: 1/4" = 1'-0"



**EAST ELEVATION**  
SCALE: 1/4" = 1'-0"

18'-11 1/2"

8'-0"  
GARAGE PL. HT.

- VENTED SOFFIT
- 4" VINYL SIDING
- FINISHED CORNER BOARDS (TYP.)
- WEATHERSTRIPPING AROUND OVERHEAD DOOR
- SIDING BUTTED TO CASINGS (TYP.)
- EXISTING GRADE
- SECTIONAL OVERHEAD DOOR

T/RIDGE

CONCRETE APRON

T/PLATE

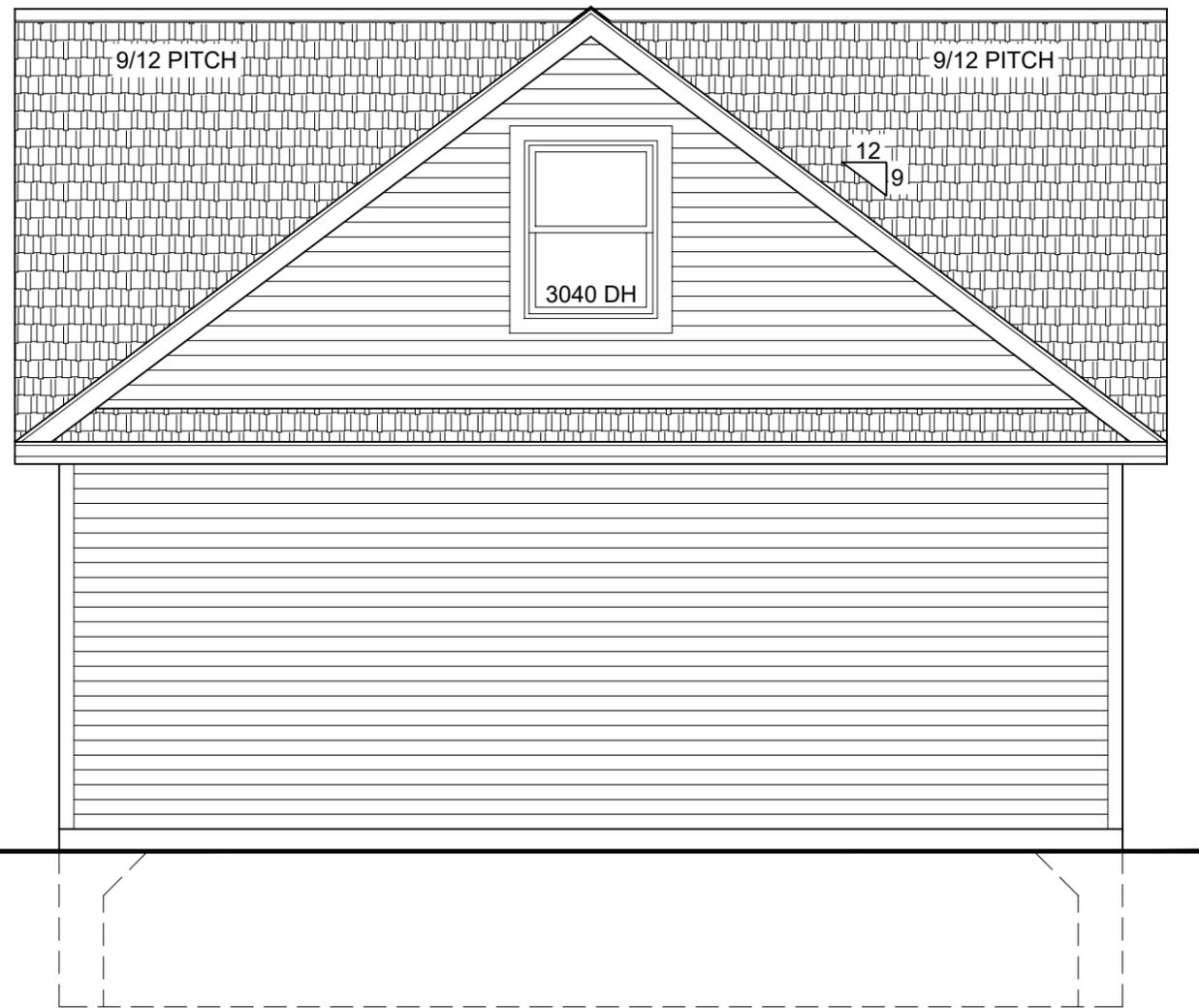
T/SLAB



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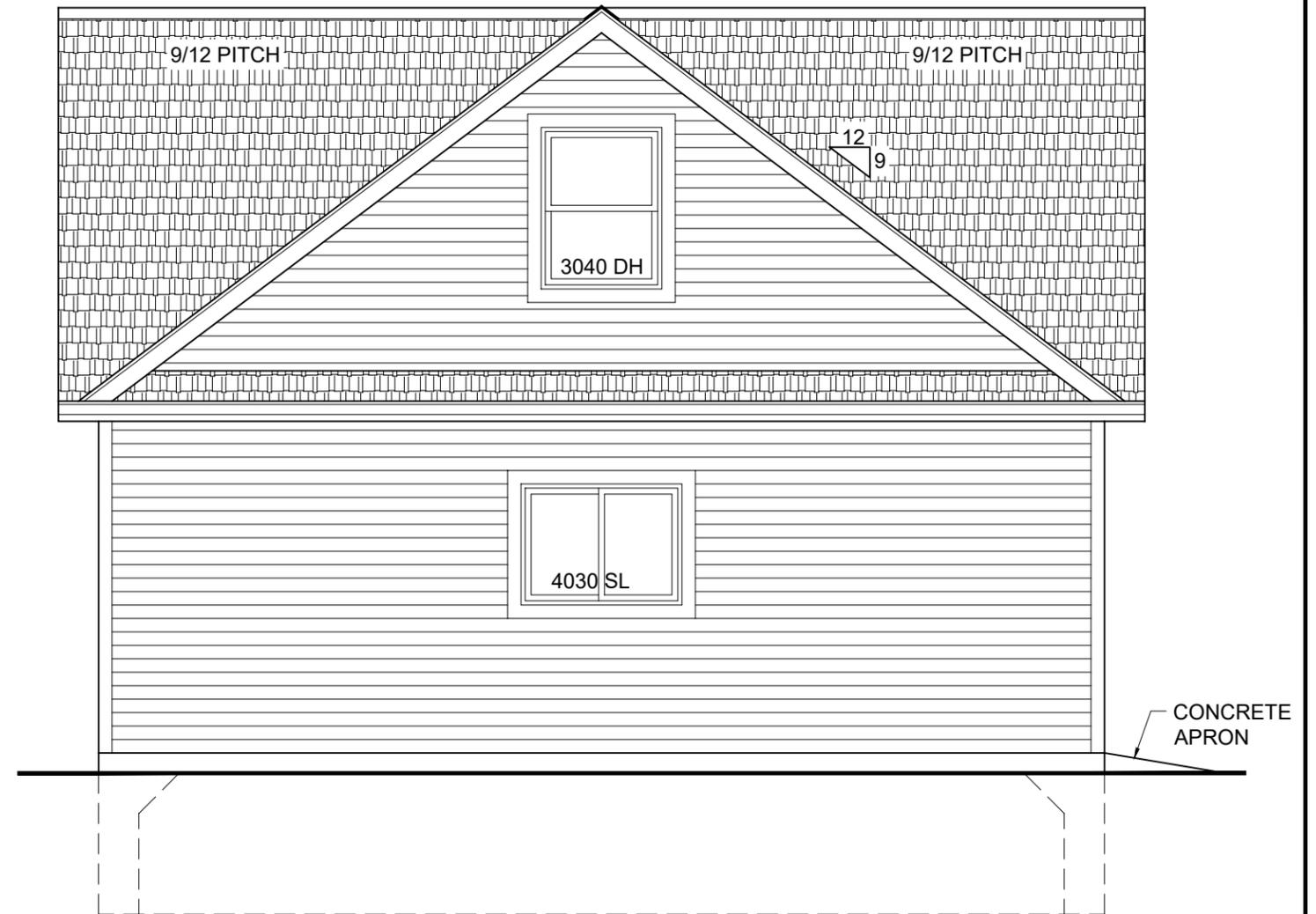
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SHEET NAME:  
**ELEVATIONS**  
SHEET NUMBER:  
**3 OF 4**



**NORTH ELEVATION**

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



**WEST ELEVATION**

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



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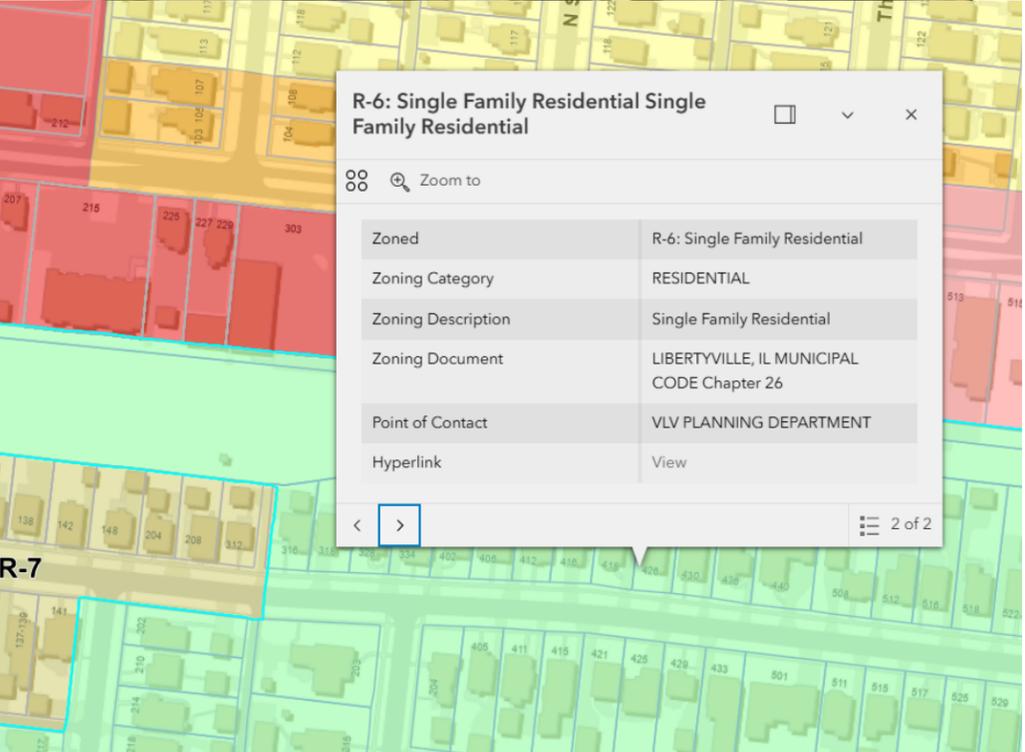
SHEET NAME:  
**ELEVATIONS**  
 SHEET NUMBER:  
**4 OF 4**

# Zak Henderson, 426 E. Sunnyside Ave.; R-6



9/16/2025, 3:04:43 PM

-  Parcels
-  Street Label
-  Parcel
-  Municipal Boundary



R-6: Single Family Residential Single Family Residential	
Zoned	R-6: Single Family Residential
Zoning Category	RESIDENTIAL
Zoning Description	Single Family Residential
Zoning Document	LIBERTYVILLE, IL MUNICIPAL CODE Chapter 26
Point of Contact	VLV PLANNING DEPARTMENT
Hyperlink	<a href="#">View</a>

# R & R SURVEYORS LTD.

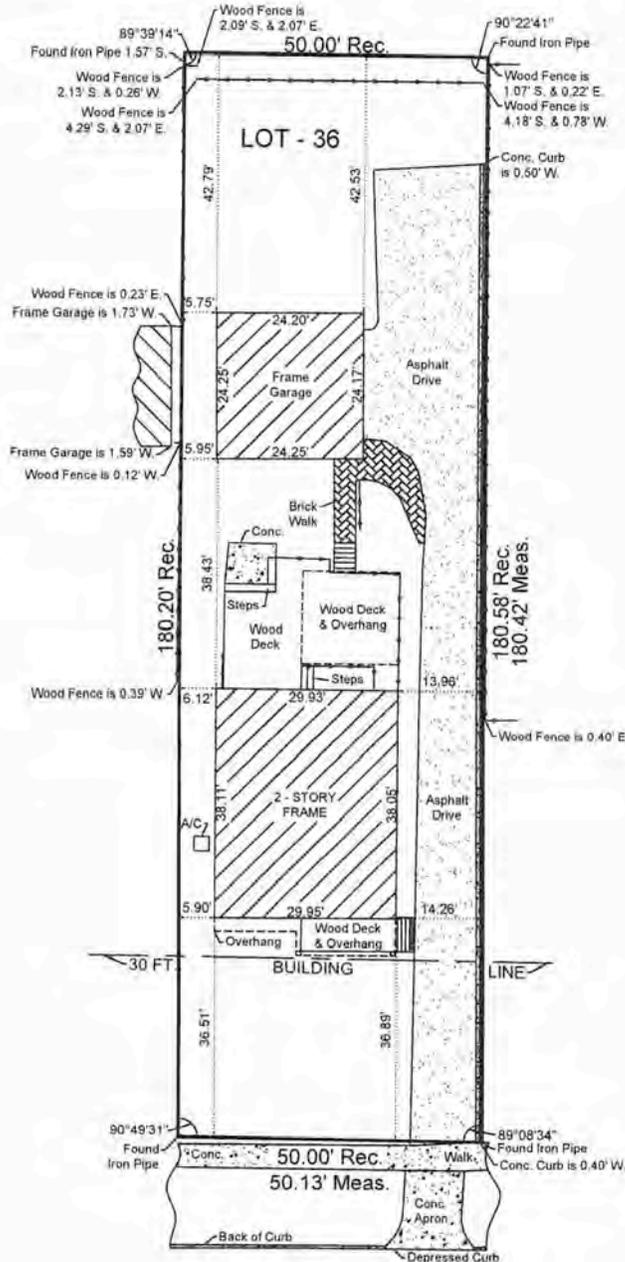
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