

**Beverly Shores Building and Site Committee**  
**Meeting Minutes**  
**November 11, 2017**

**The meeting was called to order at 8:30am at the Administration Building**

**Roll Call: Present..... Hans Lagoni, John Mackin,  
David Wagner, Ray Szarmach**  
**Not Present... David Phelps**  
**Council Rep.....Brian O'Neal**

**1. The Minutes of the October 9, 2017 meeting were approved. .**

**2. 821 East Lake Front Site Application for Garage...Bill Taylor**

Mr Taylor presented some technical data that the committee had requested at a previous meeting pertaining to the installation of his proposed concrete retaining wall that will be built into a steep slope dune.

The Committee found the data acceptable and requested that the installing contractor be present at the next meeting to detail exactly how he will do the work. The Committee should be able to vote on the application following the presentation.

**3 49 Oval Site & Building Application...O'Conner**  
Block 86 Lots 1 & 2

Mr and Mrs O'Conner presented preliminary drawings for their proposed three bedroom, two story house. The Committee agreed that the street frontage, as well as the area of the site, are in compliance with the zoning ordinance. In addition, the structure was in general compliance with the bulk regulations...area and height of house, yard setbacks.

However, the site contains dunes with steep slopes and the structure falls within ten feet of them which will require compliance with the Zoning Ordinance steep slope requirements. The applicant stated that they understand the special requirements and are in the process of obtaining a geotechnical engineer to review the project.

**4. Discussion on the Steep Slope Ordinance.**

The Committee continued its discussion, started at the last meeting, on the Steep Slope Ordinance requirements. This Ordinance, passed in 2011, consists of a number of requirements that are spread throughout Section 155.

John Mackin has looked into the issue and prepared an outline for applicants to follow if their site contains steep slope dunes and they want to build within ten feet of them. Copies were sent to the members of the Committee.

The Building Commissioner will further review the issue and report back at the next meeting.

**5. Discussion on the Word "Assigns"**

At the Building Commissioner's request, the town's attorney issued his opinion on the definition of "assigns". This issue has been raised pertaining to Section 155.008(A) which deals with the "Grandfather" clause regarding zoning parcels between 15,000 and 20,000 square feet.

The word "assigns: includes any purchaser of the property from 12-19-83, when the ordinance was passed, into perpetuity.

**6. Projects in Construction Phase**

| <b>120 S Montana</b> | <b>New Const</b> | <b>10%</b> |
|----------------------|------------------|------------|
| 311 E Lake Front     | Open deck        | 95%        |
| 821 E Lake Front     | Int Rem          | 98%        |
| 3 W Lake Front       | Pool / Ret Wall  | 50%        |
| 106 Neptune          | Rem              | 80%        |
| 3 W Stillwater       | Add/Rem          | 40%        |
| 22 E Stillwater      | Rem / Deck       | 95%        |
| 15 W Marne           | Garage           | 100%       |
| 16 W Marne           | Deck             | 20%        |
| 111 W Stillwater     | Int Rem.         | 40%        |
| 103 W Ripplewater    | Int Rem          | 20%        |
| 105 Januth           | Shed             | NS         |
| 113 Oxford           | Shed             | NS         |
| 6 Palmer             | Raised Deck      | NS         |
| 6 E Atwater          | Garage           | NS         |

David Wagner made a motion to adjourn at 10:30 am  
John Mackin seconded.....motion carried

**Hans Lagoni, Building Commissioner**

**5. Discussion on the Word "Assigns"**

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The word "assigns: includes any purchaser of the property from 12-19-83, when the ordinance was passed, into perpetuity.

**6. Projects in Construction Phase**

|                      |                  |            |
|----------------------|------------------|------------|
| <b>120 S Montana</b> | <b>New Const</b> | <b>10%</b> |
| 311 E Lake Front     | Open deck        | 95%        |
| 821 E Lake Front     | Int Rem          | 98%        |
| 3 W Lake Front       | Pool / Ret Wall  | 50%        |
| 106 Neptune          | Rem              | 80%        |
| 3 W Stillwater       | Add/Rem          | 40%        |
| 22 E Stillwater      | Rem / Deck       | 95%        |
| 15 W Marne           | Garage           | 100%       |
| 16 W Marne           | Deck             | 20%        |
| 111 W Stillwater     | Int Rem.         | 40%        |
| 103 W Ripplewater    | Int Rem          | 20%        |
| 105 Januth           | Shed             | NS         |
| 113 Oxford           | Shed             | NS         |
| 6 Palmer             | Raised Deck      | NS         |
| 6 E Atwater          | Garage           | NS         |

David Wagner made a motion to adjoin at 10:30 am  
John Mackin seconded.....motion carried

**Hans Lagoni, Building Commissioner**



**Beverly Shores Building and Site Committee**  
**Meeting Minutes**  
September 16, 2017

The meeting was called to order at 8:30am at the Community Building

**Roll Call: Present..... Hans Lagoni, John Mackin, David Wagner**  
**Not Present..... David Phelps, Ray Szarmach**  
**Council Rep.....Brian O'Neal**

1. **The Minutes of the August 5, 2017 meeting were approved. .**

2. **821 E Lake Front Site & Building Application....Taylor**

The property owner, Mr. Taylor, presented his drawings for a two story garage adjacent to his home. The site is within a steep slope dune so all of the additional steep slope requirements will need to be complied with.

After review of the structural drawings, it was seen that they are incomplete and will need to be resubmitted. In addition, the site plan needs to show what trees are scheduled to be removed.

It was not clear if the two lots have been joined into one building parcel so this needs to be clarified.

The installation of the piers and lagging are critical to the stability of the dune so the Committee requested a written narrative from the installing contractor. In addition, his presence at the next Building meeting is requested so he may respond to any questions the Committee may ask.

3 **413 E Lake Front Site & Building Application...Sally Bagnell**

Sally Bagnell and Scott Viek, representing the property owner George Bagnell, presented drawings for an inclined elevator to be installed adjacent to the house.

After some discussion, it was noted that the structure falls within the 15 foot side yard setback which is a violation of the Zoning Ordinance. In addition, it projects into the street right-of-way which would require approval from the town council

Scott Vlick presented a copy of an Application for Request for Reasonable Accommodation since one of the residents has a disability limiting mobility.

The Building Commissioner will review the document with the town's attorney.

4. **106 Neptune Building Without a Permit....Rychlik**

Mike Rychlik came before the Committee following a 'stop work' order that was issued to him for starting construction without a permit.

Following a discussion on the issue, David Wagner moved that in accordance with Section 155.059 (H), a fine of \$500 is to be assessed against Mr. Rychlik in addition to a \$50 fine which is double the amount of his application fee.

John Mackin seconded the motion and it passed unanimously.

The Committee then reviewed the drawings of his project and found them to be in compliance with the Zoning Ordinance. John Mackin moved that the application be approved, consisting of six pages of drawings, and David Wagner seconded. The motion was approved unanimously

**5. 6 S Palmer Site & Building Application.....Jackson**

Evelyn Jackson presented her drawings for a raised deck that will be attached to her house.

The Committee found the project to be in compliance with the Zoning Ordinance but requested additional structural information that will be reviewed at the next meeting of the Committee.

**6. 21 W Stillwater Fence Ordinance Violation....Hood**

A Notice of Violation letter, dated September 7, 2017, was sent to Mr. and Mrs. Hood dealing with their non-compliant fence installation (permit B17-04). The issue has been turned over to the town attorney.

**7. 215 Davis Occupancy Permit.....Wehner**

The Building Commissioner reported that he conducted a final inspection on September 15, 2017 in order to issue a Certificate of Occupancy for the new, two bedroom residence.

The approved drawings showed a covered porch; however, it was constructed as a screened porch. In addition, the agreement was that the new construction would follow the footprint of the original structure. Since a screened porch is considered as a room with its floor area counting as occupied space, it will increase the footprint of the structure.

The Building Commissioner informed the owner that a Certificate of Occupancy could not be issued unless the screening was removed.

Mr. Tom Wehner, the property owner, asked for this requirement to be waived since there would be a cost involved in removing the screening and he was sure that he'll receive approval for it in the near future.

The Building Commissioner stated that a permit could not be issued with zoning violations and Mr. Wehner would have to go to the BZA to obtain a variance.

Mr. Wehner stated he would remove the screening,

**8. Projects in Construction Phase**

|                   |          |     |
|-------------------|----------|-----|
| 821 E Lake Front  | Int Rem  | 98% |
| 4 S Palmer        | Add/Rem  | 85% |
| 23 S Shore        | Int Rem  | 25% |
| 3 W Stillwater    | Add/Rem  | 15% |
| 15 W Marne        | Garage   | 30% |
| 111 W Stillwater  | Int Rem. | 5%  |
| 103 W Ripplewater | Int Rem  | 0%  |

|             |            |    |
|-------------|------------|----|
| 214 Idler   | Shed/Deck  | 0% |
| 105 Januth  | Shed       | 0% |
| 120 Montana | New Const. | 0% |

David Wagner made a motion to adjourn at 9:30am  
John Mackin seconded.....motion carried

**Hans Lagoni, Building Commissioner**



# **Building Site Committee October 2017 Meeting Summary**

**Hans Lagoni, Building Commissioner**

## **12 Atwater Building Permit Application**

A building permit application for a detached, one car garage was reviewed and found to be in compliance with the Zoning Ordinance.

The Committee approved the application.

## **413 E Lake Front Site and Building Application**

Sally Bagnall and Scott Vliek, representing George Bagnall, returned to discuss an inclined elevator to be installed adjacent to George Bagnall's house.

The Committee noted that the inclined elevator falls within the 15' side yard setback area as well as projecting into the town right-of-way on Lake Front Drive. Because of this, the Committee voted to deny the building permit and informed the applicant that they will need to go before the BZA to request a variance of the setback requirement.

An "Application for Request for Reasonable Accommodation", due to one of the residents having a disability, limiting mobility, was presented at the last meeting. This was turned over to the town's attorney who stated that the property owner should present it to the BZA when they make their application for a variance.

The Committee decided to hold off on a recommendation to the Town Council about construction within the town right-of-way until after the BZA has voted on the variance request.

## **21 W Stillwater Non-Compliant Fence Installation**

The Building Commissioner stated that this issue is being handled by the Town Council.

## **6 S Palmer Building Permit Application for Raised Deck**

Evelyn Jackson, property owner, was present to discuss drawings for a raised deck that will be attached to her house.

The Committee found the project to be in compliance with the basic regulations of the Zoning Ordinance and approved the application.

## **Discussion on Steep Slope Ordinance**

Mark Weber, Paul and Susan Zucker requested a general discussion on the Steep Slope Ordinance. A number of items were talked about looking to see how the Ordinance can be made clearer so that everyone reading it comes to the same conclusion as to what is required. The Committee will spend more time on the issue at the next meeting.

## **Ongoing Construction Projects**

There are currently twelve approved remodeling/addition projects under construction.

**Beverly Shores Building and Site Committee**  
**Meeting Minutes**  
**August 5, 2017**

**The meeting was called to order at 8:30am at the Community Building**

**Roll Call: Present..... Hans Lagoni, John Mackin, David Phelps,  
David Wagner, Ray Szarmach  
Council Rep.....Brian O'Neal**

**1. The Minutes of the July 1, 2017 meeting were approved. .**

**2. 105 S. Januth Site Plan Application----Evans  
Block 78 Lots 24-25**

The property owner, Mr Evans, presented his revised site plan showing the proposed location for a wood shop shed. He stated that he selected the location in an effort to remove as few trees as possible and to place it out of the view from their home living space.

After some discussion, the Building Committee found the application in compliance with the Zoning Ordinance.

David Phelps moved to approve the application and David Wagner seconded. The Committee voted to approve.

**3 1 Dunes Highway Site Plan Preliminary Review Cont....SWC Group**

Mr. Michael Ganz, developer for the project, presented a revised site plan drawing for the Committee's review and comments.

The Town Clerk has identified the official street address for this project as 1 W Dunes Highway

The items discussed at the July meeting have been complied with except for the parking shown adjacent to Broadway. This has been changed from straight in to diagonal, as well as moved farther away from the street, both requested by the Marshal. However, Section 155.09 (L) calls for a six foot wide landscaping strip to be located between the parking lot and the property line. The five parking spots shown are located within the street right-of-way which makes them non-compliant.

The Building Commissioner stated he will prepare a Citation of Rejection which will allow the applicant to proceed to the BZA for a variance of this requirement.

**4. 119 Wells Transfer of Property....Wolfe**

Mr Douglas Wolfe presented site plan drawings showing his one lot as well as the two adjacent lots. His lot is undersized both in street frontage as well as total area. His plan is to purchase a strip of land from both adjacent owners in order to bring his lot up to standards

The problem is that his proposed purchases do not comply with Section 155.152 (F) which requires that no piece of land should have a dimension of less than 35 feet in length.



The Building Commissioner will prepare a Citation of Rejection letter which will allow the applicant to go before the BZA for a variance to this requirement.

**5. Pleasant Ave Block 87 Lot 1 Preliminary Site Review**

The architect, Mr , presented a set of his preliminary drawings for a proposed residence with a footprint of approximately 24' x 34'.

The site contains areas of steep slope dunes so all of the Steep Slope Ordinance requirements will have to be complied with.

He requested permission to do a minor site clearing where the driveway and footprint of the building will be. The only trees to be removed are three dead ones. The Committee agreed to the request.

Since this was a preliminary request, no action was taken by the Committee. The applicant stated that they would return in about two or three months.

**6. 21 W Stillwater Fence Ordinance Violation....Hood**

A fence permit (07-04) was issued to Debbie Hood in March for a six foot high, 4" wood picket fence. The fence was originally installed in full compliance with the permit application; however, the owner then installed another layer of wood pickets on the interior side of the fence. This closed off the fence making it almost 100% opaque.

A letter was sent to Mr & Mrs Hood on June 18 informing them of the non-compliance issue and they have not responded.

The issue has been turned over to the town's attorney.

**7. Projects in Construction Phase**

|                    |                |                   |
|--------------------|----------------|-------------------|
| ✓4 Beach           | New Const.     | Occupancy Granted |
| ✓121 E Lake Front  | Rem/Site Work  | Occupancy Granted |
| ✓4 E Fairwater     | Add / Rem      | Occupancy Granted |
| ✓821 E Lake Front  | Int Rem        | 98%               |
| ✓10 Oval           | Shed Rem       | 55%               |
| ✓214 Davis         | Rem            | 75%               |
| ✓4 S Palmer        | Add/Rem        | 75%               |
| ✓23 S Shore        | Int Rem        | 25%               |
| ✓3 W Stillwater    | Add/Rem        | 15%               |
| ✓111 W Stillwater  | Rem.           | 5%                |
| 8 E Greatwater     | Deck / Int Rem | 30%               |
| ✓103 W Ripplewater | Int Rem        | 0%                |
| ✓15 W Marne        | Garage         | 0%                |
| ✓214 Idler         | Shed/Deck      | 0%                |

David Wagner made a motion to adjourn at 10:15am  
John Mackin seconded.....motion carried

**Hans Lagoni, Building Commissioner**

**Beverly Shores Building and Site Committee**  
**Meeting Minutes**  
March 11, 2017

**The meeting was called to order at 8:30am at the Administration Building**

**Roll Call: Present..... Hans Lagoni, John Mackin, David Phelps**  
**Not Present..... Ray Szarmach, David Wagner**  
**Council Rep.....Brian O'Neal**

1. **The Minutes of the February 18, 2017 meeting was approved .**
  
2. **120 S Montana Building & Site Plan Application----Ganz**  
**Block 185 Lot 7**

**Site Plan Application**

Mr Michael Ganz, general contractor for the project, presented his site plan drawing for a single story house with attached garage. The building parcel is over the required 20,000 square feet and the street frontage is over 100 feet. The yard setbacks are all in compliance. There are no steep slope or wet land issues.

The following items are missing or need to be modified:

The site plan is over two years old and therefore needs to be updated,  
The location of the underground gas and power lines need to be shown.  
The surface material of the driveway needs to be identified..  
The septic system approval from Porter County has not been obtained yet.  
Only one copy of the Soils Report was submitted..../three are required  
Certified Plat of Survey not included..

David Phelps moved that the application be approved and John Mackin seconded The Committee voted 3-0 to approve the site plan application with the understanding that the requested changes to the drawing, along with copies of the approved septic permit, Soils Reports and Certified Plat of Survey, will be resubmitted to the Building Commissioner before the actual permit is issued.

**Building Permit Application**

The drawings of the building, consisting of seven sheets, were reviewed and discussed. The floor area of the structure is in compliance with the Ordinance as well as the height of the structure. A few minor modifications need to be done to the plans.

John Mackin moved to approve the application and David Phelps



**Beverly Shores Building and Site Committee**  
**Meeting Minutes**  
**February 18, 2017**

**The meeting was called to order at 8:30am at the Administration Building**

**Roll Call: Present..... Hans Lagoni, Ray Szarmach,  
David Wagner David Phelps  
Not Present..... John Mackin  
Council Rep.....Brian O'Neal**

**1. The Minutes of the January 21, 2017 meeting was approved .**

**2 436 East Bellevue Site Plan Application----Veselcia .  
Block 82 Lots 17-18**

Mr Veselcia, owner of the property who came before the Committee in January, presented his revised site drawing for a new house. The proposed construction, however, still falls within 25 feet of a designated wetland, which is violation of Section 155.223(A)(1).

The drawing currently shows a proposed prefab bridge spanning over the wetlands and right next to the edge of the road. The Building Commissioner stated that fixed installations are not allowed that close to the edge of town roads due to concern with snow plow accidents.

After some discussion, David Wagner moved to reject the site plan application which includes drawing, sheet1, prepared by Duneland Group and last dated January 30, 2017, due to it being in violation of Section 155.223(A)(1). David Phelps seconded..

The Committee voted 4-0 to reject the site plan application and the Building Commissioner will prepare a Certificate of Rejection based upon this vote.

The applicant was informed by the Building Commissioner that a special permit is required from the BZA for construction within 25 feet of a wetland. However, the first step, after rejection from the Building Committee, is a meeting with the Plan Commission for them to verify the delineation of the wetland affected.

**3 Projects in Construction Phase**

|                  |               |     |
|------------------|---------------|-----|
| 4 Beach          | New Const.    | 93% |
| 815 Alyce        | New Const     | 35% |
| 121 E Lake Front | Rem/Site Work | 35% |
| 601 E Lake Front | Deck          | 95% |



|                  |           |      |
|------------------|-----------|------|
| 821 E Lake Front | Int Rem   | 95%  |
| 4 E Fairwater    | Add / Rem | 80%  |
| 102 Wells        | Shed      | 97%  |
| 1 Oval           | Rem       | 90%  |
| 2 Oval           | Add / Rem | 95%  |
| 5 Drexwood       | Addition  | 60%  |
| 107 Neptune      | Garage    | 25%  |
| 807 Alyce        | Rem.      | 15%  |
| 214 Davis        | Rem       | hold |
| 3 W Stillwater   | Add/Rem   | hold |
| 4 S Palmer       | Add/Rem   | hold |

Ray Szarmach made a motion to adjourn at 9:30am  
David Wagner seconded.....motion carried

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**Hans Lagoni, Building Commissioner**