

**Town of Beverly Shores**  
**BOARD OF ZONING APPEALS MEETING MINUTES –January 13, 2022**  
**Administration Building**

The meeting was called to order by Donna Norkus, Chair at 6:30 p.m

**Roll Call** - Board Members: Mary Fulghum, Linda Kurtos, Greg Lyman, David Phelps and Donna Norkus, Secretary Ellen Hundt were present.

**Title VI** Survey availability was mentioned.

**Approval of Minutes**

Board Member Lyman moved to approve December 3, 2021 minutes, Board Member Kurtos seconded. Passed unanimously by voice vote.

**Election of Officers**

Board member Lyman moved to elect Donna Norkus as Chairperson. Board member Fulghum seconded. Motion passed unanimously by voice vote.

Board member Lyman moved to elect Mary Fulghum as Vice-Chairperson. Board member Kurtos seconded. Motion passed unanimously by voice vote.

Board member Norkus moved to elect Ellen Hundt as Secretary. Board member Kurtos seconded. Motion passed unanimously by voice vote.

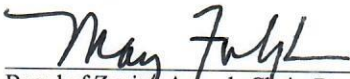
**Application for Appeal – Flanagan, 523 E Lake Front Drive**

Deficiencies in application packet requesting consideration of a variance were discussed. Board Member Kurtos moved to reject the petition, Board Member Lyman seconded. Discussion ensued as to the deficiencies. As Petitioner was in attendance, she was given the opportunity to address the deficiencies identified either at the current meeting or the next meeting. Petitioner chose to speak immediately. After discussion with the Board, she decided to withdraw the petition. Board Member Kurtos then withdrew her motion. Board Member Lyman agreed to accept the motion withdrawal.

**Review of BZA Application Packet and Proposed Changes to By-Laws**

Proposed changes were reviewed and agreed to by Board members. Board Member Lyman moved to adopt the revised Application Packet (Instructions for Filing a Petition and Rules of Practice and Procedure (formerly By-Laws). Board Member Phelps seconded.

Board Member Lyman moved to adjourn. Board Member Kurtos seconded. Motion passed unanimously. Meeting adjourned at 7:50 p.m.



Board of Zoning Appeals Chair: ~~Donna Norkus~~

*Mary Fulghum, acting chair*

Beverly Shores  
Board of Zoning Appeals Minutes  
500 S. Broadway, Beverly Shores, IN  
November 17, 2022  
6:30 p.m.

1. Roll Call. Members. Present Greg Lyman, Linda Kurtos, Erik Olson, and Mary Fulghum. Absent David Phelps.
2. Title VI Survey Available.
3. Preliminary Public Hearing Regarding 152 East Ripplewater Height Variance Request. Petitioner presented a brief history of his 20 year-old house. When the house was built the Beverly Shores Building Code contained a 40 foot building height limitation. The architect's approved drawings included an elevator shaft. The foundation for the elevator was built but no elevator was installed. Currently, the upper roof deck can only be reached by stairs. There is a railing around the existing roof deck at a height of 36' 8". The dimensions of the proposed elevator housing to be built on the roof would be 6' by 9' and the height of the proposed elevator housing would reach 41' 3".

The petitioner explained that an elevator is now needed because he and certain guests no longer can safely walk the existing stairs to access the roof deck. The petitioner stated the elevator housing would not impede any neighbors' views or be visible from Lakefront Drive and would be largely hidden by trees to the West.

The petitioner and the members discussed the proposed elevator housing. The BZA members noted that the current building code height limitation is 35', however, the current Building Code "grandfathers" the home's existing 36' 8" height. The proposed elevator housing of 41' 3" exceeds the home's grandfathered height by approximately 4' 6".

The BZA also clarified that the petitioners must give certified mail notice to all property owners within 300' of the petitioner's lot lines, publish public notice of the variance request, and provide necessary documentation as described in the BZA Application Package instructions that the Town Clerk provided. The petitioner mentioned that the Town Clerk advised him to seek the advice of counsel and asked if the BZA members could recommend an attorney. The BZA members explained that the BZA members could not recommend an attorney to any petitioner. The petitioner also offered to give members a site visit after all other notices and documentation had been received by the BZA.

4. Approval of January 13, 2022 Minutes. Greg Lyman moved to approve, Linda Kurtos seconded. Three members, Greg Lyman, Linda Kurtos, and Mary Fulghum, who were present at the January 2022 meeting approved the minutes. Eric Olson abstained.
5. Adjournment. Greg Lyman moved to adjourn. Linda Kurtos seconded. Motion passed unanimously.