

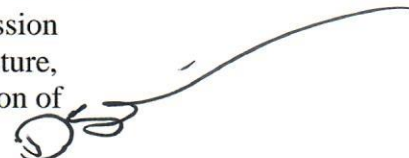
**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
JANUARY 8, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building

Roll call:

Present: David Wagner, Chairman  
Mark Lies, Secretary  
Brian O'Neil  
Scott Vliek  
Margaret Williford  
Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Title VI forms are available online for attendees.
- III. Minutes – Minutes of the meeting of December 11, 2021 were unanimously approved.
- IV. Building Commissioner Report
  - A. List of active permits/project status – Building Commissioner reports that projects are moving ahead well. Building Commissioner reports that structure at southeast corner of Broadway and Route 12 is completed and will be requesting a permit for occupancy. Owners are seeking permission to install signage which will involve consideration of setbacks for Beverly Shores and the County.
  - B. Inspections conducted in previous months – Building Commissioner reports.
  - C. Communications received from residents –
    1. Questions about ordinances – Building Commissioner reports questions about scope and application of steep slope ordinances.
    2. Questions about procedures to add on or remodel – None.
  - D. New permits on the horizon
    1. Remodel – Building Commissioner reports that project at 24 Lakeshore County Road has pulled out.
    2. New homes – None.
    3. New construction – None.
- V. New Permit Applications
  - A. 20 S. Pleasant – Owner and architect appear to present. Owner seeks to remodel existing structure, enlarge deck, enlarge garage. Discussion regarding the height of structure, height of grading around structure, dimensions of new structure, dimensions of driveway, installation of



**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
FEBRUARY 12, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building. Meeting conducted virtually.

Roll call:

Present:       David Wagner, Chairman  
                  Mark Lies, Secretary  
                  Brian O'Neil  
                  Scott Vliek  
                  Margaret Williford  
                  Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Title VI forms are available online for attendees.
- III. Minutes – Minutes of the meeting of January 8, 2022 were unanimously approved.
- IV. Building Commissioner Report
  - A. List of active permits/project status - Building Commissioner reports that there are not too many new projects but that several are expected to come before the Committee in March.
  - B. Inspections conducted in previous month. Building Commissioner reports.
  - C. Communications received from residents –
    1. Questions from residents. Building Commissioner reports on questions from realtors about the ordinances applicable to the size of lots.
    2. Questions about procedures to add on or remodel. Building Commissioner reports that there is not a lot of remodeling.
  - D. New permits on the horizon
    1. Remodel – None.
    2. New homes – None.
    3. New construction – None.
- V. New Permit Applications
  - A. 417 E. Lake Front Drive – Committee members conducted a site visit at 7:30 a.m. on February 12, 2022. Owner, as well as architect (Mark Weber), present for site visit. Committee reviews the square footage of the structure and it meets the ordinance. Structure will not involve the steep slope area of the lot. Discussion regarding fact that proposed driveway is located

in the setback on the west side of the lot. Discussion regarding fact that driveways are now considered structures and are not supposed to be located in the setback. Building Commissioner reports that many driveways are located in the setback and were constructed prior to the revised ordinance. Discussion regarding how the driveway can be located in setback in view of revised ordinance. Discussion that this issue will need to go to the Plan Commission. Discussion about allowing driveways to access garages on side of lot will potentially avoid construction of garages in front of the property and visual impact on town. Architect reports that septic system permit is pending with Porter County Department of Public Health. Motion Lies, second Vliek, to approve site and construction permit based upon Committee interpretation of ordinance regarding construction of driveway in side lot setback and contingent upon written confirmation of approval of the septic system by the Porter County Department of Public Health. Motion passed unanimously.

VI. Public Comments – None.

VII. New Business

- A. 807 S. Vera – Owners attend meeting virtually. Committee initially scheduled to conduct site visit of driveway in issue at 7:30 a.m. on February 12, 2022, but site visit cancelled because of weather and snow accumulation on driveway, which would not allow inspection of driveway to determine whether extent of asphalt installed over existing driveway required a permit, which owners did not obtain prior to work. Owners informed Committee that they did not obtain permit based on their interpretation of the ordinance and did not contact the Building Commissioner for clarification. Discussion regarding whether drain is required because of nature of work. Motion Lies, second Williford, to require owner to apply for permit to resurface driveway and install drains with applicable permit fee, administration fee ((\$400) and penalty for failure to obtain permit (\$250) for the total amount of \$650. Motion approved unanimously.

VIII. Old Business – None.

IX. Election of Officers

- A. Motion Lies, second Williford, to appoint Scott Vliek as Chairman. Motion approved unanimously. Motion Vliek, second Williford, to appoint Mark Lies as Secretary. Motion approved unanimously. Motion Lies, second Williford, to appoint Brian O'Neil as Vice Chairman. Motion approved unanimously. Dave Wagner discusses reason for not continuing as Chairman, including his concern that the duties of the Building Commissioner should be separate from that of the Chairman to ensure impartiality and to be able to properly perform the duties of the Building Commissioner due to the time required to fulfill that position and the time commitments that are required to properly perform the duties of the Chairman of the Committee.

X. Adjournment – Motion Lies, second Williford, to adjourn. Motion approved unanimously. Meeting adjourned at 10:19 a.m.

*Satt G. Vick*

*3/12/2022*

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
APRIL 16, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present:        Scott Vliek, Chairman  
                  Brian O'Neil, Vice Chairman  
                  Mark Lies, Secretary  
                  Dave Wagner  
                  Council Liaison, S. Loeb

- I. Roll Call. There is a quorum. Meeting was conducted virtually in part.
- II. Title VI forms are available online for attendees.
- III. Minutes – Minutes of the meeting of March 12, 2022 were unanimously approved.
- IV. Building Commissioner Report
  - A. List of active permits/project status - Building Commissioner reports that permits and projects have been quiet.
  - B. Inspections conducted in previous month. Building Commissioner reports on inspections.
  - C. Communications received from residents
    1. Questions from residents – None.
    2. Questions about procedures to add on or remodel - None.
  - D. New permits on the horizon
    1. Remodel – None.
    2. New homes – None.
    3. New construction – None.
- V. New Permit Applications
  - A. 704 E. Rogers – Owner is present on application for a permit to enclose an existing back porch and includes a pitched roof to allow water runoff. Discussion regarding the dimensions of the proposed project. Discussion about what must be included in determining the allowable square footage. Owner is informed that Committee cannot approve. Motion Lies, second Wagner, to deny the owner's request to screen porch and to enclose the area. Motion is approved unanimously. Owner is informed that she must go to the Board of Zoning Appeals to seek a variance for the project.
  - B. 6 E. Stillwater – Owners appear. Structure is an original Bartlett subdivision home. Discussion regarding 1,037 square foot addition to structure. Owners will install a new septic system that has been approved by Porter County. Motion Lies,

second Wagner, to approve permit for addition as described in drawings dated April 11, 2022. Motion approved unanimously.

- C. 24 S. Lake Shore County Rd. – Owners and architect appear. Architect discusses modifications made to original drawings submitted to the Committee. Discussions regarding inclusion of basement area in determination of square footage. The drawings still show that structure exceeds the allowable square footage. Committee discusses owners' potential alternatives to revise square footage for owners' consideration. Motion Lies, second Wagner, to deny permit based upon the square footage of the structure in current drawings. Motion approved unanimously.

VI. Public Comments – None.

VII. New Business – None.

VIII. Old Business – None.

IX. Discussions – Chairman discusses recommendations that owners who are applying for permits to remove trees mark the trees with ribbons or tapes so that the Committee can inspect the trees without owners needed to be present.

X. Adjournment – Motion Lies, second O'Neil, to adjourn. Motion approved unanimously. Meeting adjourned at 9:45 a.m.

A handwritten signature in black ink, appearing to read "S. Wagner", is located in the lower right quadrant of the page.

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
JUNE 11, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present:        Scott Vliek, Chairman  
                  Brian O'Neil, Vice Chairman  
                  Mark Lies, Secretary  
                  Dave Wagner  
                  Margaret Williford  
                  Council Liaison, S. Loeb

I. Roll Call. There is a quorum. Meeting was conducted virtually in part.

II. Title VI forms are available online for attendees.

III. Minutes – Minutes of the meeting of April 16, 2022 were unanimously approved.

IV. Building Commissioner Report

- A. List of active permits/project status - Building Commissioner reports that permits and projects have been quiet.
- B. Inspections conducted in previous month. Building Commissioner reports on inspections.
- C. Communications received from residents
  - 1. Questions from residents – None.
  - 2. Questions about procedures to add on or remodel - None.
- D. New permits on the horizon
  - 1. Remodel – None.
  - 2. New homes – None.
  - 3. New construction – None.

V. New Permit Applications

- A. 10 E. Atwater – Owner and architect present. Discussion regarding an addition to existing stucco home. Discussion regarding diagrams of the proposed addition, including number of bedrooms and retention wall. The permit request to approve drawings was tabled to allow owner to submit revised drawings for approval. It was noted that the project is being delayed until later in the summer.
- B. 4 S. Pleasant – Owner does not appear to discuss plans for an outdoor addition to existing structure. No action taken.

VI. Public Comments – Mark Weber, architect and resident at 5 Merrivale Avenue appears to discuss concerns regarding proposed addition to property at 4 S. Pleasant Avenue. He

states his belief that the existing structure currently exceeds a number of the restrictions, including square footage of structure, height restrictions under the current building code. The permissible square footage for a structure on the existing lot dimensions has already been exceeded. Discussion that any request for an addition to the existing structure is now subject to the requirements of the current building code. Committee thanked Mark Weber for his comments.

VII. New Business – None.

VIII. Old Business

- A. 438 E. St. Clair. Resident Doug Wolfe appears to ask for extension of permit which was issued under prior building code because of delay to the death of his Mother. Committee agreed to extension.

IX. Discussion – Dave Wagner advised Committee members to be alert to presence of dumpsters on properties to potential improvements to property, including hard landscaping (for example, installing boulders) that require a permit. Such observations should be reported to Building Commissioner.

X. Adjournment – Motion Lies, second Wagner, to adjourn. Motion approved unanimously. Meeting adjourned at 9:23 a.m.

*Greg A. Weber*

*7/9/2022*



**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
JULY 9, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present:        Scott Vliek, Chairman  
                  Brian O'Neil, Vice Chairman  
                  Mark Lies, Secretary  
                  Dave Wagner  
                  Margaret Williford  
                  Council Liaison, S. Loeb

I. Roll Call. There is a quorum. Meeting was conducted virtually in part.

II. Title VI forms are available online for attendees.

III. Minutes – Minutes of the meeting of June 11, 2022 were unanimously approved.

IV. Building Commissioner Report

- A. List of active permits/project status - Building Commissioner reports that permits and projects have been quiet.
- B. Inspections conducted in previous month. Building Commissioner reports on inspections.
- C. Communications received from residents
  - 1. Questions from residents – None.
  - 2. Questions about procedures to add on or remodel - None.
- D. New permits on the horizon
  - 1. Remodel – None.
  - 2. New homes – None.
  - 3. New construction – None.

V. New Permit Applications

- A. 2 S. Beach – Owner present in support of permit to add on to existing deck in NE corner of deck to fill in a notch-like space. Building Commissioner advises it is an easy building project. Motion Lies, second Wagner, to approve permit. Motion approved unanimously. Building Commissioner advises contractor must register and requirement regarding positioning of deck joists on supports.
- B. 4 S. Pleasant – Owner present in support of permit to construct an 8' x 12' premanufactured sauna adjacent to existing structure. Chairman Vliek notes that sauna is located away from steep slope. Owner confirms sauna will have no electrical or gas services and will be heated by timber. Vice Chairman O'Neil reads into the record a June 22, 2022 email submitted to Committee by resident

*Scott Vliek*  
8/13/2022

Mark Weber expressing concerns that the property is currently well beyond its buildable lot capacity. The email is attached hereto as Attachment A. Committee discusses the email from Mark Weber and comments from Building Commissioner. Building Commissioner reports that dimensions and specifications for the sauna meet code requirements. Motion Lies, second Williford, to approve the permit. Motion approved unanimously.

VI. Public Comments –

- A. 11 S. Broadway – Owner appears to discuss concerns regarding Building Commissioner’s issuance of stop work order on work on property on June 21, 2022. Building Commissioner advised that stop work signage was going to be posted until interior work on structure could be evaluated. Building Commissioner requested access to home to observe any work being performed and that if not permitted, there could be a fine. Building Commissioner granted access. Owner advised that she objected to the inspection and that she is an attorney and has considered whether she might have a federal legal claim for violation of civil rights. Lies responds that if Owner is threatening litigation, all further communications with the Committee will need to be in writing. Owner states she does not intend to pursue litigation. Committee advised Owner that Building Commissioner has the right to conduct inspections and to issue stop work orders. Committee advised Owner that the Building Commissioner would be allowed to conduct code inspections because of his professional qualifications and expertise with construction requirements and the Building Code but that a process will be established for other Committee members to accompany the Building Commissioner. Owner advised to communicate with the Chairman by email and copy the Building Commissioner.
- B. ~~Plan Council Board~~ *PARK BOARD* President appears to report on green scape maintenance and that certain areas are unsafe because of foliage overhanging roads. Discussion regarding informing residents to be aware of such foliage and to consider trimming it back. Discussion about foliage in the Town right of way which are reducing the space of the roadway. *JW*
- C. 712 Wilson – Owner appears to advise that the siding on structure will be installed and that contractors will be registered.

VII. New Business – None.

VIII. Old Business – None.

IX. Adjournment – Motion Lies, second Williford, to adjourn. Motion approved unanimously. Meeting adjourned at 9:16 a.m.

**ATTACHMENT A**

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**From:** Mark Weber

**Sent:** Wednesday, June 22, 2022 9:26 AM

**To:** dwagner.bsbuilding; mlies.bsbuilding@gmail.com; boneil.bsbuilding@gmail.com;  
svliek.bsbuilding@gmail.com; mwilliford.bsbuilding@gmail.com

**Subject:** 4 Pleasant follow-up

Re: Follow-up to June 11<sup>th</sup> Site Committee Meeting

Building and Site Committee Members,

Thank you for the opportunity to discuss 4 Pleasant Agenda item at the last meeting and the property owners request for an addition of a hot tub and fenced area to their current residence. I believe that the 4 Pleasant Property is currently well beyond its buildable lot capacity and should not be permitted to add any new built elements per the current request or any proposals in the future. Following are the items that were noted at the meeting:

- The lot is a permissible small corner lot, under 20,000sf @ 17,000sf
- Vast majority of the 4 Pleasant property is steep slope.
- The current Building was approved under the former Zoning Code which had a Height Limit of 40'-0" and the structure was built at 39'-10" height above the lowest garage floor. With the new zoning height restrictions being set at 35'-0" 4 Pleasant exceeds the new established maximum height by 4'-10". This house is extremely tall and out of context to all of the surrounding neighboring properties. The building sits upon the peak of the lot and at the highest height that was able to be built at the time. This structure is one of the main examples of why the new lowered height restriction was established.
- The house as built, is a non-compliant building under the State of Indiana Building Code. This was true when it was originally permitted and is true now. This building is a wood structure over three stories above adjacent grade which is not allowed under the code. With the garage and storage built under the three wood framed stories above, and having two walls fully exposed and the over-all structure far exceeding 50 % exposure, the building is considered a 4-story of building under the Beverly Shores Zoning code both past and present. The State of Indiana Architectural Review Board indicated that any town in Indiana may interpret the State Building Code to be more stringent than the State Building Code, but never less stringent. The Architect of Record nor the Firm of Record were licensed in the State of Indiana. The original 4 Pleasant building design didn't comply with the State Building code and doesn't currently comply. The building is beyond the maximum building code story and height limitation.
- The Septic System is located in the front yard and terraced up from the original site grades to accommodate a county approved system. With both the building and the septic in place the vast majority of the buildable site is occupied. There is little to no practical buildable area that is not located on a steep slope portion of the site. With this usable site limitation, when installed, the septic system excavation went beyond the west property line onto the neighboring property.

With all of the items noted above, the 4 Pleasant is built far beyond its practical capacity, and it would be detrimental to overburden the property in any additional way. Allowing for any additional structures would only add to this imbalance becoming a further burden on all of the surrounding neighboring properties and the community.

Thank You for the opportunity to voice my concerns.

Respectfully,

Mark Weber  
5 Merrivale

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
AUGUST 13, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present:        Scott Vliek, Chairman  
                  Brian O'Neil, Vice Chairman  
                  Mark Lies, Secretary  
                  Dave Wagner  
                  Margaret Williford  
                  Council Liaison, S. Loeb

I. Roll Call. There is a quorum. Meeting was conducted virtually in part.

II. Title VI forms are available online for attendees.

III. Minutes – Minutes of the meeting of July 9, 2022 were unanimously approved.

IV. Building Commissioner Report

- A. List of active permits/project status - Building Commissioner reports that permits and projects have been quiet.
- B. Inspections conducted in previous month. Building Commissioner reports on inspections.
- C. Communications received from residents
  - 1. Questions from residents – None.
  - 2. Questions about procedures to add on or remodel - None.
- D. New permits on the horizon
  - 1. Remodel – None.
  - 2. New homes – None.
  - 3. New construction – None.

V. New Permit Applications

- A. 10 E. Atwater – Application for addition to existing structure. Discussion regarding retaining wall and changes to prior drawings. Motion Lies, second O'Neil, to approve permit. Motion approved unanimously. Building Commissioner reminds Owner of the duration of the permit, requirement for contractors to register, number of required inspections by Building Commissioner.
- B. 11 S. Broadway – Owner appears to discuss project. Owner is seeking waiver of requirement to provide Committee with three sets of stamped drawings showing structure and proposed modifications to structure. Owner provides a letter dated July 25, 2022, from McMahan Engineers/Architects. The Owner also provides

drawings which are not to scale for dimensions and do not have an engineer's professional stamp. Owner discusses modifications to structure. Committee members ask questions about proposed modifications to structure. Chairman Vliek advises Owner that Committee has never waived the requirement to present three sets of drawings stamped by an engineer. Building Commissioner stated his concerns about structural integrity of building and proposed modifications as the basis for required stamped drawings. Committee voiced concern about granting motion to waive requirement for stamped drawings and what documentation would be required to grant a waiver including a letter from a registered professional engineer and having the engineer stamp the drawings that the Owner has submitted. Motion Lies, second Williford, to table consideration of the waiver to accompany the permit request. Motion approved unanimously.

VI. Public Comments –

- A. Owner appears for property at 152 E. Ripplewater to discuss applying for a permit to install an elevator. The elevator would exceed the height restrictions in the current ordinances. Owner was told that Committee cannot grant a variance for a permit and Owner must apply to the BAZ. Owner informed of process and information required by BZA.
- B. Owner appears for property at 16 S. Pleasant. Owner reports that tree fell down on adjoining property at 20 S. Pleasant which damaged tree on his property. Owner hired contractor who removed trees without permit. Building Commissioner told Owner necessary to obtain permit. Owner says his contractor told him not required by the State of Indiana. Building Commissioner proposed fine of \$750 for removing two trees without permit. Committee discussed penalty reduction. Motion Lies, second Williford, to approve penalty to \$350, \$100 for permit, \$250 for removal without permit. Motion approved unanimously. Owner states he will appeal to Town Council.
- C. Owner appears for property at 714 Wilson. Owner asks questions about construction at 712 Wilson regarding driveway and storm runoff drainage. Chairman Vliek and Building Commissioner visited site on August 11, 2022 and told Owner that driveway must be constructed according to site plan. Discussion regarding curbs, French drains, slope of driveway.

VII. New Business – None.

VIII. Old Business – None.

IX. Discussion – None.

X. Adjournment – Motion Lies, second Wagner, to adjourn. Motion approved unanimously. Meeting adjourned at 10:30 a.m.

10-08-2022

Scott D. Vliek

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
OCTOBER 8, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present:        Scott Vliek, Chairman  
                  Brian O'Neil, Vice Chairman  
                  Mark Lies, Secretary  
                  Dave Wagner  
                  Margaret Williford  
                  Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Title VI forms are available online for attendees.
- III. Minutes – Minutes of the meeting of August 13, 2022 were unanimously approved.
- IV. Building Commissioner Report
  - A. List of active permits/project status - Building Commissioner reports on status. Majority of projects complete.
  - B. Inspections conducted in previous month. Building Commissioner Reports.
  - C. Communications received from residents
    1. Questions about ordinances – Building Commissioner reports on questions about interpretation of ordinances. Building Commissioner advises not to render opinions on whether lots are buildable.
    2. Questions about procedures to add on or remodel - None.
  - D. New permits on the horizon – Building Commissioner reports inquiries on potential new permits.
- V. New Permit Applications – None.
- VI. Public Comments –
  - A. 419 E. Lake Front – Resident raises questions about definition of structure under revised ordinances and whether multiple permits required on a project of multiple structures. Building Commissioner advises only one permit required. Committee advises resident that she can go to Plan Commission for interpretations of ordinances. Chairman advises resident that BSBC has some input on interpretations on ordinances and can submit to Plan Commission which makes its recommendations and sends to Town Council.



- B. 12 S. Broadway – Discussion about fine issued to resident for clear cutting property without permit. Fine is \$2,500.00.
- C. 20 S. Pleasant – Resident is a subcontractor and asks about what type of work is permissible on Sunday as well as three-day holiday weekends. Discussion regarding activities which generate noise on Sunday or holiday weekends and source of information on ordinances. Resident informed cannot have contractors on site but resident can pick up garbage, clean property, cut grass, use weed whacker. Chairman advised that Committee cannot set out a document with interpretations of ordinances without approval of Plan Commission.

VII. New Business –

- A. 20 S. Pleasant – Resident appears. Resident is also a contractor. Resident appeals fine of \$750.00 for permitting work to be done on Sunday and holiday weekend. Discussion about resident on Labor Day weekend (September 3, 2022) removing logs and on Sunday (September 11), removing construction equipment by subcontractor. Resident informed that he is responsible for his subcontractors complying with ordinance and resident was aware based on multiple incidents. Resident asks for reduction in fine. Motion Lies, second Williford to deny request for reduction. Motion approved.
- B. 712 E. Wilson – Resident appears after site visit by Chairman and Building Commissioner to view soil erosion on driveway and water flowing to east side of property, including a slurry created by the mixing of construction materials. Committee asks about how resident will address drainage. Resident advised he has contacted a professional engineer, Charlie Ray, at Duneland Group, who will submit a report to address the driveway issue regarding water runoff, downspouts, slurry along the driveway and erosion. Committee will review submission and discuss at next meeting.
- C. 11 S. Broadway – Resident appears. There is an open permit application. At the Committee meeting on August 13, 2022, the Committee agreed to waive its rule that resident submit three sets of stamped and signed drawings from a licensed engineer. An issue has arisen as to whether the property is commercial property before a residential permit can be issued. The Committee does not have the authority to determine whether this is commercial property subject to State registration, so Building Commissioner sent resident's documentation to the Indiana Department of Homeland Security (DHS). The DHS determined that it is commercial property, resident must remove conditions that make it commercial property before permit can be issued or submit plans to the state first. Resident states that she is a single mother who pays all her own bills and that the permit process is costing her money. Committee advises that it must comply with Indiana law relating to commercial property. Committee asks questions regarding whether there are multiple kitchens in the structure, that there is no septic system on the lot where permit is being requested, an apartment at the back of the property. Resident advised that in order to complete the permit process 1) resident will confirm with DHS that the property is not commercial property and, if so, address any issues regarding commercial property; and 2) receiving an opinion from the Town attorney as to whether a permit can be approved for the structure on the lot if there is no septic system on the lot.

VIII. Old Business – None.

IX. Discussion – None.

X. Adjournment – Motion Lies, second Williford, to adjourn. Motion approved. Meeting adjourned at 10:13 a.m.

*Sandy Kirk*  
*11/12/2022*

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
NOVEMBER 12, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present:        Scott Vliek, Chairman  
                  Brian O'Neil, Vice Chairman  
                  Mark Lies, Secretary  
                  Dave Wagner  
                  Margaret Williford  
                  Council Liaison, S. Loeb

- I. Roll Call. There is a quorum.
- II. Title VI forms are available online for attendees.
- III. Minutes – Minutes of the meeting of October 8, 2022 were unanimously approved.
- IV. Building Commissioner Report
  - A. List of active permits/project status - Building Commissioner reports on status. Majority of projects complete.
  - B. Inspections conducted in previous month. Building Commissioner Reports.
  - C. Communications received from residents
    1. Questions about ordinances – Building Commissioner reports on questions about interpretation of ordinances. Building Commissioner advises not to render opinions on whether lots are buildable.
    2. Questions about procedures to add on or remodel - None.
  - D. New permits on the horizon – Building Commissioner reports inquiries on potential new permits.
- V. New Permit Applications
  - A. 417 E. Roberts – Owners appear to present application for permit to add an addition and remodel existing structure. Committee reviews requirements of ordinances, addition meets the bulk requirements, as well as structural height restrictions. Owners have met requirements for septic with County. Motion Lies, second Williford, to issue permit. Motion approved to issue permit. Owners reminded about duration of permit, maintain drawings on site, movement of construction equipment, restrictions on times for construction activities.

*Sol*  
12/10/2022

VI. Public Comments –

- A. 412 E. Pearson – Owner reports that she has hired firm to mill trees on site to produce shiplap siding for home. Owner advised that contractor must register.
- B. 712 Wilson – Owner reports on various aspects of completion of construction and readiness for occupancy inspection by Building Commissioner. Owner reports on installation of curb on apron and installation of drain lines. Size of embankment has been reduced.

VII. New Business – None.

VIII. Old Business – None.

IX. Discussion – None.

- X. Adjournment – Motion Lies, second Williford, to adjourn. Motion approved. Meeting adjourned at 8:55 a.m.

*Scott A. Stele*  
*12/10/2022*

**TOWN OF BEVERLY SHORES  
BUILDING SITE AND BUILDING COMMITTEE  
MEETING MINUTES  
DECEMBER 10, 2022**

The meeting was called to order at 8:30 a.m. at the Administration Building.

Roll call:

Present:        Scott Vliek, Chairman  
                  Brian O'Neil, Vice Chairman  
                  Mark Lies, Secretary  
                  Dave Wagner  
                  Margaret Williford  
                  Council Liaison, Matrona Malik

- I. Roll Call. There is a quorum.
- II. Title VI forms are available online for attendees.
- III. Minutes – Motion Lies, second O'Neil, to approve minutes of the November 12, 2022 meeting. Minutes of the meeting of November 12, 2022 were unanimously approved.
- IV. Building Commissioner Report
  - A. List of active permits/project status - Building Commissioner reports on status. Majority of projects complete.
  - B. Inspections conducted in previous month. Building Commissioner Reports.
  - C. Communications received from residents
    1. Questions about ordinances – Building Commissioner reports on questions about interpretation of ordinances. Building Commissioner advises not to render opinions on whether lots are buildable.
    2. Questions about procedures to add on or remodel - None.
  - D. New permits on the horizon – Building Commissioner reports inquiries on potential new permits.
- V. New Permit Applications –
  - A. 111 E. Neptune – Prior to the meeting, the Committee conducted a site visit to the property at 7:30 a.m. When the Committee meeting commenced, the Contractor attended, as well as Charlie Ray from the Duneland Group, Inc. The property and the proposed structure meet the bulk requirements for the ordinances. The drawings identify the location of the 38 trees to be removed for the structure and the driveway. There will be no construction in the steep slope. Motion Lies, second Wagner, to approve the permit for the site of the proposed structure but not for construction of the proposed structure, contingent on approval of the septic system for the site. In order to obtain a permit for building of the structure, the

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Owner must submit revised drawings based upon comments made by the Committee. Building Commissioner has provided a list of 23 changes to the drawings.

VI. Public Comments –

- A. Resident M. McCurty comments his belief that the Committee has no authority to issue permits, that the Building Commissioner is the only representative authorized to issue permits. Resident also comments on qualifications of members of the Committee. Chairman Vlieg responds that Committee only approves or denies the issuance of a permit which is issued by the Building Commissioner. Commissioner Vlieg further responds that the Town Council sets the ordinances that are intended to enable the Comprehensive Plan for the Town. The Committee does not set policy but only enforces the ordinances. If an individual does not agree with the decisions of the Committee, the individual can appeal to the Plan Commission.
- B. Resident John Mackin appears to discuss fine issued by the Building Commissioner for demolition of a structure on Route 12 without a permit. The fine is \$2,500. He indicated he was expecting a fine but the amount is excessive. Chairman Vlieg advises that an appeal of the fine is not on the agenda. If Resident wishes to appeal the fine, he can appeal to the Board of Zoning Appeals. Discussion that Resident was previously a member of the Committee and was well aware of the ordinances requiring a permit before demolition of a structure. He indicated that he was previously on the Committee, was the most qualified member and should have been selected as the Building Commissioner.
- C. Resident Glen Clark comments on the fines for violations of the ordinances and suggests that the Town should create an Advisory Committee on Town Governance. Chairman Vlieg comments that the Town already has a Plan Commission and Town Council which provide oversight.

VII. New Business – None.

VIII. Old Business – None.

IX. Discussion – None.

X. Adjournment – Motion Lies, second Wagner, to adjourn. Motion approved. Meeting adjourned at 10:45 a.m.

*Set Vlieg*  
*1/14/2023*