

**FOR THE TOWN OF BEVERLY SHORES**

**A Comprehensive Plan**

**BY THE BEVERLY SHORES PLAN COMMISSION**

**Approved on October 22, 2012**

**Gregory Lyman, President  
Mark Kurth, Vice President  
John Daraska, Secretary  
Cindy Kienlen  
Angela Maurello  
Peg Oberlie  
Richard Saul  
Laura Sullivan, Recording Secretary**

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## **PREAMBLE**

### Community Changes

In the nine years since the last revision of the comprehensive plan for Beverly Shores was drafted, there have been few fundamental changes in the character of its residents. The primary reason for living in Beverly Shores remains the same. As the 2009 Resident Survey found, most residents came here for access to nature in quiet solitude, while maintaining a proximity to metropolitan Chicago. Its location and its natural resources are the community's greatest attractions.

Some of the more significant changes that have occurred in the demographics of Beverly Shores' residents in the past thirty years are:

- the population is older with the median age increasing from 38.4 in 1980 to 59 years in 2010 with half as many school age children and more than a fifty percent increase in the number of persons aged 65 years and older;
- the balance between permanent full-time residents and part-time residents has shifted from parity in 1980 to more than 65% full-timers to part-timers in 2010, even though the total number of full-time residents has decreased from 864 to 613;
- the ethnic make up of the community has grown more diverse, representing sixteen different countries of ancestry, with the largest percentage of residents claiming ancestry of German (29.4%), Irish (22.6%), Lithuanian (21.3%), and Polish (8.3%) in 2010; and
- an increasing percent of the residents are new to Beverly Shores with 34.5% living in their current homes for ten years or less and approximately 65% twenty years or less.

On the other hand, the housing stock in Beverly Shores has aged appreciably, with the percentage of housing being less than twenty years old falling from 59 percent in 1980 to 18.8 percent in 2010, while at the same time the median value of a Beverly Shores home rose from \$66,400 to \$364,000 in 2010. Because the number of lots available and suitable for building new homes is rapidly decreasing (a study undertaken for the Plan Commission estimated about 120 such lots currently remaining), it may be anticipated that a major source of new housing will be tear-downs or major renovations of these older houses.

### Stability in Plan Precepts

None of the changes in the characteristics of Beverly Shores' residents or its housing market in the last thirty years has altered the basic precepts of the 1982 Comprehensive Plan. Indeed, housing market developments and land appreciation may well be a direct result of the 1982 and 2003 Plans. Residents still believe that the highest priority of Town government must be: **the maintenance of low-density housing through strict enforcement of planning regulations of new housing (principally the 20,000 square foot lot size requirement) is the highest responsibility of the Town government's obligation to sustain the essential attraction of Beverly Shores.** Current residents owe a great debt of gratitude to the framers of the 1982 Plan and the consequent regulation of building in Beverly Shores that they enacted to protect against over-building and the despoiling of the beautiful dunes topography.

The 1982 planners also accurately predicted the weak financial base of Town government with little expected growth in tax revenues for the Town of Beverly Shores. In 2010 the State of Indiana imposed tax cap of 1% of assessed valuation; there has been no change in the services Town government is providing its residents. Fortunately, the increase in the private

wealth of the community's residents, and the private organizations that they have developed, have provided the resources necessary to finance services that in other communities might be provided by government. Beverly Shores had only 1.3% of its residents living below the poverty level in 2010, about two-thirds of Porter County's poverty rate and less than 40 percent of the national rate. Lower income families will be increasingly disadvantaged by the lack of Town services. Because no reform of the archaic Indiana tax system is anticipated that could improve the financial prospects for Town government over the next twenty years, it is likely fewer lower income families will reside in Beverly Shores over the next twenty years.

## **I. LOCATION**

The Town of Beverly Shores is a 2,300 acre municipality in Porter County, Indiana. Beverly Shores is comprised of "the Island", "the Strip" and "the Lakeshore". The island comprises approximately 652 acres, including approximately 100 acres of municipally owned property. The strip encompasses approximately 56 acres, and the Indiana Dunes National Lakeshore (hereafter referred to as the National Lakeshore) comprises approximately 1,600 acres owned by the federal government and managed by the National Park Service. Beverly Shores is bounded on the north by Lake Michigan, on the east by the City of Michigan City and the Town of the Pines, on the west by the Indiana Dunes State Park and on the south by un-incorporated Porter County.

## **II. HISTORY**

Beverly Shores owes its existence to land speculation activities during the 1920's. In May 1927, Chicago real estate developer Frederick H. Bartlett purchased 3,000 acres of lake front lands from the estates of local owners. The development, which included five miles of frontage on Lake Michigan, stretched from the western edge of Michigan City to the eastern boundaries of the Indiana Dunes State Park. Bartlett conceived of his new holdings as an urban resort community and during 1927 began selling property in the eastern half of his development extending from the LaPorte-Porter county line westward to Lake Shore County Road. Most residents and prospective buyers rode the Chicago, South Shore and South Bend interurban to the Lakeshore train station at Central Avenue, now destroyed.

In the summer of 1929, the western portion of the development, extending from Lake Shore County Road to State Park Road, was opened for sales. A second train station was constructed on Broadway, north of U.S. Highway 12. Thousands of Chicagoans rode special excursion trains to Beverly Shores, where they were met by salesmen in private automobiles and given a tour of the community, served refreshments and encouraged to purchase one or more of the fifty-foot wide lots.

In 1933 Frederick H. Bartlett sold all of his northwest Indiana properties to his younger brother, Robert Bartlett. Robert touted the community and its attractions with the promotional flair of a born salesman. He constructed a school, a seasonal hotel with botanic gardens, a championship 18-hole golf course with clubhouse, a beach front casino, a riding academy and a theater. In 1935, Robert Bartlett purchased 16 structures from the 1933-34 "A Century of Progress", Chicago World's Fair, and moved them to Beverly Shores. Four of the buildings from the Homes and Industrial Arts exhibit of the fair were barged across Lake Michigan and relocated to their permanent site on the lakefront. These houses include the House of Tomorrow, the Florida House, the Rostone House and the Armco-Ferro house. The Cypress Log Cabin was dismantled at the fair site and trucked to Beverly Shores. All five of these structures are located within the Indiana Dunes National Lakeshore. Currently, the National Lakeshore subleases the houses to families who have previous experience in historic preservations and who can show the financial ability to complete the restorations. The Cypress Log Home and Florida Tropical house are the only homes completely restored. The Armco -

Ferro House, House of Tomorrow and the Rostone House are still in the process of restoration with the U.S. Department of Interior. The only other remaining World's Fair structure, the Old North Church replica, is a privately owned residence. The other ten structures are no longer standing. The totally renovated Beverly Shores train station, on the National Register of Historic Places, and the four miles of Lake Michigan beaches form the principal tourist attractions of the Town.

By 1946, the Robert Bartlett Realty Company had sold most of its property and moved on to concentrate on developments in suburban Chicago. It deeded the streets and six beach sections to the property owners; it also sold them the Administration Building and the hotel indoor parking garage. Complying with procedures governed by Indiana State statutes, a special census was conducted; the Town divided into wards and an election for or against incorporation was held in December 1946. The community was incorporated as a State of Indiana town on January 1, 1947.

Though thousands bought lots, few built homes. The Depression and World War II impeded the community's growth. The lack of municipal water and sewer system also contributed to the Town's slow development. In the nineteen-fifties and sixties, a slow pattern of building began with about half of the residents living in Town on a full-time basis and the remainder owning summer homes.

In the mid-nineteen-sixties, a movement to include Beverly Shores in the proposed Indiana Dunes National Lakeshore began. When Congress authorized the National Lakeshore in 1966, two-thirds of the town's acreage became part of the park. In 1971, another effort was started to include the remainder of the Town in the Lakeshore. In 1980, after nine years of Congressional consideration, a parcel of land bordering the Town to the south became part of the National Lakeshore, but the center of the community, the Island, and land bordering U.S. 12, the Strip, were excluded. The uncertainty of inclusion or exclusion of the Island and Strip affected building in these areas during the 1970's, and early 1980's. When the public became aware that the Island was not going to be included in the National Lakeshore Acquisition Plan, the Island experienced modest growth in the 1990's.

Although this Comprehensive Plan will address itself to the 2,300 acres that encompasses the Town, most attention will be paid to the 652 acres which comprise the Island and the 56 acres in the Strip.

Beverly Shores adopted its first zoning ordinance in 1947. The ordinance was largely amended in 1969. The Camiros consulting firm carried out a further planning study in 1978. In 1983, Ordinance 208, establishing zoning and subdivision regulations was adopted. In 2010 Codification of all Town Ordinances was completed by American Legal and placed on the Town's web site. The Town's web site is updated regularly as the Code is amended.

### **III. NATURAL RESOURCES**

The location of the Town of Beverly Shores on the southern shore of Lake Michigan dictates the great importance of the community's physical environment. The physical setting is the most unique feature of the Town and much of the planning initiative to date has been and continues to be directed to its preservation.

The fragile dune ecosystem and biodiversity of the Town's ecosystem is given great emphasis in the Comprehensive Plan as a major developmental factor. It is because of the fragility of the dune ecosystem that the housing density remains low. Any major municipal improvements (water, sewers, etc.) are not reason for increasing housing density. The Comprehensive Plan, building codes and zoning ordinances should work in accord to promote land preservation and

conservation, and to maintain the present low density. Orderly development should be consistent with these land preservation, conservation and low-density goals in order to minimize the impact to the fragile dune ecosystem.

Also, Beverly Shores has the only publicly owned Lake Michigan shoreline in Indiana where one can drive along the lakefront.

### Sustainability

The Town should strive to be a more sustainable community, considering the environmental, social and economic impact of daily decisions, making ongoing efforts to reduce our ecological footprint and working in a cooperative spirit to inform residents in the process.

### Climate

Beverly Shores lies within a humid continental climatic region. Maximum precipitation occurs in the months of May and June, and minimum precipitation normally occurs in January and February. No long-term climatological records are available specifically for Beverly Shores, but mean annual precipitation for the surrounding region ranges from 32.5 inches per year at Michigan City, to 42.0 inches per year at LaPorte, Indiana.

Mean annual temperatures vary from 49.3 degrees Fahrenheit at Hammond, Indiana, to 50.5 degrees at Hobart, Indiana. July is generally the warmest month with a regional mean monthly temperature of 73.3 degrees, and January is the coldest month with a regional mean monthly temperature of 24.4 degrees.

The presence of Lake Michigan has a moderating effect on the climate of the area. For example, the normal frost-free growing season in the coastal region of southern Lake Michigan ranges between 170 and 190 days, while the normal frost-free growing season in the Kankakee River basin south of the coastal region is less than 160 days.

The proximity of the Lake to the Town also results in a micro-climatic decrease in precipitation. Although these climatic factors tend to produce localized rain and snow, "lake effect" precipitation, in the "LaPorte weather anomaly", Beverly Shores is only infrequently subject to this "lake effect" precipitation.

Climate changes resulting from the build up of greenhouse gases will affect the quality of life in Beverly Shores as elsewhere. While climate models show a range of temperature and precipitation scenarios for our region, all have it getting warmer. Predictions as to the consequences of this warming trend include: loss of plant and animal species; changes in forest cover including replacement of oak savannah by grassland; disruption of bird migration patterns; loss of wetland habitats due to reduced runoff; and an increase in exotic species which are generally more tolerant of extreme conditions. These ecosystem changes will affect our area more than most other places because the Dunes are already a refuge for many species of plant and animals that have been extirpated from more developed areas. Beverly Shores is one of the 13 Important Bird Areas (IBAs) in the state of Indiana. Climate change means that protecting our valuable oak woods and wetland habitats will become both more difficult and more essential.

Also to be expected are a significant increase in the number of days with temperatures above 90 degrees Fahrenheit and with patterns conducive to high ozone, posing a problem to elderly residents; increased probability of fire, increased frequency of short-term extreme weather events such as tornados and periods of heavy precipitation; and less lake-effect snowfall

coincident with a decreased in mean winter temperature. Mosquito populations and their associated diseases are expected to increase if conditions become both warmer and wetter.

Through articles in Sand Tracks, and with the help of the Environmental Committee of ABSR, residents are being informed of lifestyle changes that, if widely practiced, could lessen the severity of change from the buildup of greenhouse gases.

### Hydrology

Hydrology is an important consideration in our Town due to our reliance upon septic systems for waste treatment, the shallowness of our surficial aquifer, the high water table in many areas, and the complicated hydrology of dune and swale complexes. The area's natural hydrology has been altered by development which reduces the area that is available for water to naturally infiltrate the soils, and runoff from paved surfaces that creates soil erosion and water pollution concerns. The Town's drainage ditches have also altered the area's natural hydrology.

Some low-lying areas of the Town have had standing water that appeared after heavy rainfall. However, beginning in 2006, an unusually high water table caused these areas to become more numerous, much larger, and lasting for longer periods of time (months or year-round). In addition, a number of residents began to experience problems such as flooded basements and prolonged use of sump pumps. The high water, remaining in ditches and low-lying areas for extended periods, has also fueled concern for contamination of ground water by flooded septic systems.

Possible causes of the high water include greater-than-usual rainfall, transition to municipal water, the Great Marsh restoration, the degraded condition of the Town's drainage system, and the impact to homes in low areas from new construction in both high and low areas, or a combination of several factors. This situation has sparked controversy both to its causes and the remedies that should be taken. The Town hired a consultant to conduct the first phase of a study as to these issues. Additionally, the Town conveyed its concerns to INDU which conducted a multi-year study. \*

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\* Hydrology study: Due to concerns that the Great Marsh restoration impacted water levels in the island, INDU conducted a multi-year hydrology study completed in 2011, which can be found at: <http://pubs.usgs.gov/sir/2011/5073/SIR20115073 Indiana Dunes final.pdf>. The study is 90 pages, although there is a summary abstract. The study found that record rainfall during the period of 2006- 2009 was the principal cause of the higher water table and increase in surface water in the island. The INDU study did not review or take into account the Town's drainage system.

### Groundwater:

Aquifers: The Town lies upon 3 groundwater aquifers. Of most interest is the surficial aquifer which is an unconfined (i.e., water table) aquifer nearest the surface. This shallow aquifer served as a source for most residential wells that existed prior to installation of municipal water (and still serves as a source for the few residential wells that still exist in Town). It is also used for discharge of household septic wastes. A confined aquifer lies below the surficial aquifer and served as a source for a small number of residential artesian wells that existed prior to municipal water (some may still exist). The artesian well on Beverly Drive draws water from this aquifer. Lastly, a confined bedrock aquifer lies furthest from the surface.

Watersheds: As it relates to the surficial aquifer, Beverly Shores is in three watersheds, or drainage basins:

- Watershed along Lake Michigan. An irregular area between the lakeshore, and somewhere between Lake Front Drive and Beverly Drive. Our Town's groundwater is directly connected with, and discharges directly into Lake Michigan only in this watershed.
- Derby Ditch watershed (4.64 square miles). An irregular area that includes the section bordered by appx. Lake Shore County Rd., East State Park Road, Beverly Dr., and just south of US12. Also includes several residential areas north of Beverly Dr. between Derby and appx. Merrivale, and a roughly 3 mile wide area between US12 and US20, west of Broadway.
- Kintzele Ditch (Black Ditch) watershed (12.7 square miles). An irregular area bounded roughly by Franklin St., Lake Shore County Rd., Beverly Drive and 1600 N.

(The following drainage basin maps are from the USGS report "Chemical and biological quality of streams at the Indiana Dunes National Lakeshore, Indiana, 1978-80", Hardy, 1984. Note: the maps are different scales)

Derby Ditch drainage basin:

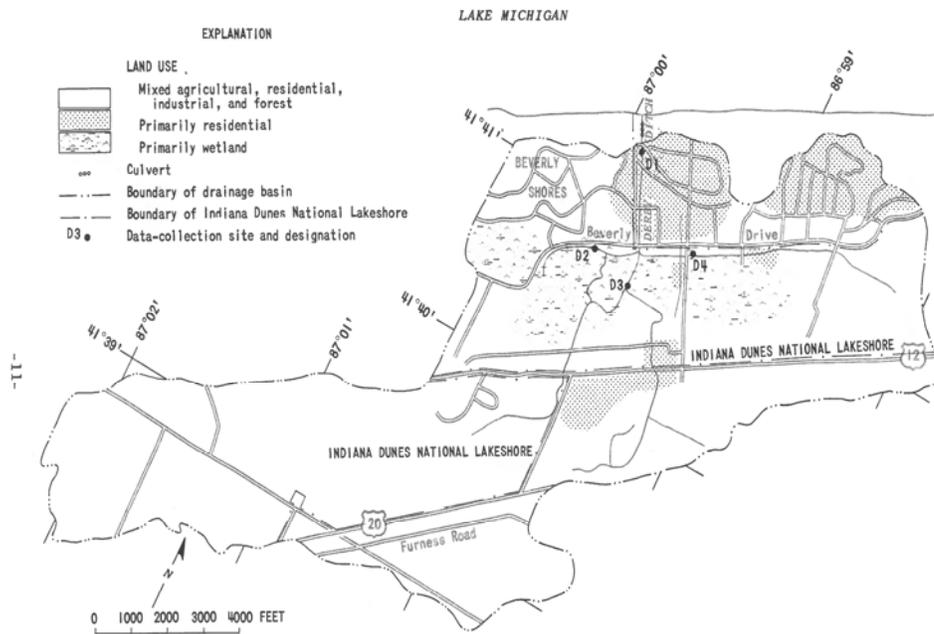


Figure 5.-- Data-collection sites and land uses in the Derby ditch drainage basin.

Kintzele ditch drainage basin:

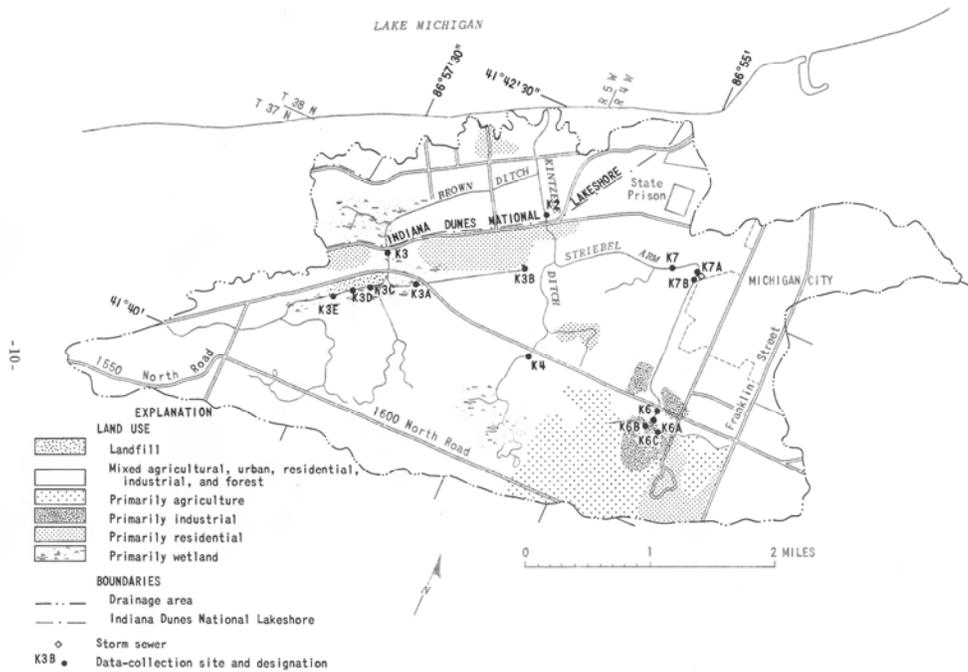


Figure 4.-- Data-collection sites and land uses in the Kintzele ditch drainage basin.

According to a study conducted in Beverly Shores by IGS during the 1990s, areas of noticeable, but limited, impacts from septic effluent exist in Town, generally associated with the more highly developed areas. The study suggests that higher septic system density, a high water table, and improper septic system construction, operation or maintenance increase the impacts on groundwater from septic effluent discharge. The study also suggests that widespread bacterial contamination of the groundwater from septic effluent discharge was not the cause of ditch and beach contamination.

Transition to municipal water: In 2004/2005, the Town installed municipal water, to replace private wells. The immediate reason for installing public water was a response to several homes whose wells went dry. Long-standing concerns about water safety (particularly boron) as well as aesthetic problems (i.e., color, odor) caused by tannin in the well water were also factors. While replacement of private wells with municipal water is optional for residents, most residents have replaced their wells. Transition to municipal water has been estimated to have a minor impact on our water table, though this could be more significant in low areas depending upon water usage and topography.

Surface water: Surface water in Town consists of the (manmade) pond at Litanica Park, and standing water in some low areas and in drainage ditches. Areas currently considered flood-prone include: the immediate lakeshore area, some low (predominantly wetland) areas, and sections of some roadways.

Drainage System: Prior to the development of Beverly Shores, ditches were constructed to drain areas with a high water table, making them suitable for housing. The Town still relies upon this drainage system, which consists of a (mostly) interconnected series of open ditches,

culverts, and buried drain tile. These series of ditches, etc. eventually drain into either Derby or Kintzele ditch, both of which drain into Lake Michigan. Due to limited funds, maintenance of our drainage system has often been delayed or neglected in residential areas. In non-residential areas, maintenance has been neglected for significant periods of time. The system has thus become clogged with debris and vegetation, and contains standing water year-round in many areas. The Town has begun to address the degraded condition of the Town's drainage system, particularly on the west side of Broadway with replacement of portions of the tile and culverts and maintenance. Further, the interaction in this area between degraded septic fields and the degraded drainage is a potential problem. The Town should consider a program to require inspection and regular maintenance for the septic systems in Town. Additionally, the degraded condition of Derby ditch culverts may make this situation worse. It is recommended that the Town work with INDU to forge a solution to this problem.

Great Marsh restoration: The National Park Service has plugged ditches that once drained water in Beverly Shores in order to restore wetlands (i.e., the Great Marsh) south of Beverly Drive. The restored portion of the Great Marsh is appx. 600 acres and extends from Lake Shore County Road to East State Park Road. (Please note that the Great Marsh is larger than this restored area). In addition to ditch plugs, spillways were also installed at Broadway and Beverly, and at Derby and Beverly. The spillways control the flow of water, allowing water to discharge but preventing the water level from dropping below a certain nonadjustable level. The Great Marsh is a component in our Town's drainage system. Hydrologic impacts from the restoration include:

- An increased retention of water and increase of water levels in the restoration area (note that the upper level of surface water in the Great Marsh is the water table).
- A decreased rate of water flowing through Derby Ditch. This was done to increase the retention time of water in the wetland to allow the wetland soils to absorb contaminants.
- An alteration of our Town's drainage system in the restoration area: Ditches in the Great Marsh that once connected ditches in the island with Derby Ditch have been replaced with large pools of water to which ditches in the island discharge. Excess amounts of water in the marsh discharge through spillways into Derby Ditch.

### Surficial Geology

The topography of the area is quite varied compared to most of Northwest Indiana. It is precisely this variation which gives rise to the uniqueness of Beverly Shores and the challenges faced in developing and living within the dunes environment. It includes poorly drained level areas and gentle and steep dune slopes. Where human activities have disturbed slopes, considerable effort has been expended to prevent slumping of the dunes. Steep slopes are subject to slumping, are a hazardous area for road or construction cuts, and are hazardous for winter driving.

### Beach Erosion

Another environmental phenomenon of concern to the Town is that of beach erosion. Significant fluctuation in lake levels occur and are an ongoing concern. From 1927-1956 the rate of erosion, as measured by retreat of the bluff scarp, was between 2 and 4 feet per year depending on exact location.

In 1997 the Plan Commission held special meetings to discuss the East Unit National Lakeshore Development Plan. At that time, due to high levels and the ensuing erosion, it was felt that erosion was a critical issue facing the community. It was felt this issue was not properly addressed because a beach nourishment plan had not been given top priority. The continued erosion has abated (because of lower lake levels), but remains important because of the

reduction in size of our beaches by at least one acre annually. One solution to this problem was viewed as the placement of a permanent slurry pump at the Michigan City harbor. This expenditure would not only protect the Town and the National Park Service's current investment, but would economically add land to its existing holdings.

A revetment 13,200 feet long was completed by the Army Corps of Engineers as a temporary measure in 1974 and was augmented with 227,000 cubic yards of beach sand. This sand has subsequently been removed by erosion and an appropriation of \$1.5 million was made for an additional 80,000 cubic yards of beach nourishment in the summer of 1981. The Corps of Engineers placed another 920 feet of revetment in six specific locations from Broadway to Drexwood in 1998.

The current revetment prevents natural replenishment of the beach through undercutting of the bluff scarp. There are three important reasons for finding a long term solution to the beach replenishment problem: (1) the present method of replenishment is very expensive, (2) loss of the revetment would mean the loss of Lake Front Drive which is the only means of access to many of the homes fronting upon it, and (3) continued erosion would mean loss of public beach ownership.

On Nov. 12, 2004, the Army Corps of Engineers completed a study titled The Evaluation of Dredged material management plan for Michigan City. This report is 72 pages long and states that sedimentation at the marina is related to poor planning. In order to correct the poor planning of the marina location, one recommendation of the report is a bypassing plant for the east fillet and a pipe under the marina to Mount Baldy. No action has been taken by Michigan City since the study was completed.

The Town believes beach nourishment is an important issue that must be addressed. The National Park Service issued the Shoreline Restoration and Management Plan for the Indiana Dunes National Lakeshore in 2012. The Plan selected "Submerged Cobble Berm and Beach Nourishment, Annual Frequency" as its Preferred Alternative. It is the hope of the Town that IDNU will take action as soon as possible to implement its plan. If the plan does not provide a permanent solution, the Town supports the installation of a permanent slurry pump at the Michigan City Harbor pumping sand to the base of Mount Baldy.

### Soils

The predominant soils within the Town, as classified by the United States Soil Conservation Service are Oakville, Maumee, Adrian and Houghton Muck. The Oakville soils are sandy and very porous.

Current Town ordinances mandate that individual sewage disposal systems and water wells shall be located and installed in accordance with the State of Indiana and Porter County Board of Health regulations. These regulations allow for excavation of these soils to create a large enough level area to install a sewage disposal system.

The Adrian and Houghton Muck soil types are deep, very poorly drained soils in bogs within lake plains. They have severe limitations for soil absorption wastewater systems, and are generally found in the lowland areas of the Town. County regulations do not allow for soil absorption systems in this soil.

The Maumee soil is somewhat poorly drained soil having severe limitations for soil absorption systems. County regulations require one acre building sites for soil absorption systems and the Valparaiso soil is somewhat poorly drained soil having severe limitations for soil absorption systems. This soil is found in some areas along US 12.

#### IV. POPULATION

Based on the 2010 Census, there are currently 613 residents who claim full-time residence in the Town of Beverly Shores, about the same as the 1990 Census, but down 13.4% from the 2000 census. It is difficult to draw conclusions about the changes occurring during the last decade. All of the 33 reservations of use expired during the last ten years, which had an estimated population of 56 in the 2000 census. The loss of these residents may have accounted for more than half of the loss in full time residents during that ten-year span. There are currently 515 single-family residences, and 12 multi-family residences in the Town. This information is summarized within Table 1.

Shown quite clearly in Table 1, the community is “graying” or aging with an increase in the median age over the 1980-2010 period from 38.4 to 59 years. At the same time, the under 18 population has dropped in half over the 30 year period.

**TABLE 1  
SELECTED POPULATION CHARACTERISTICS  
BEVERLY SHORES  
1970-2010**

#### POPULATION

BY SEX	1970	1980	1990	2000	2010
Male	n/a	461 (53.4%)	312 (50.1%)	371 (52.4%)	308 (50.2%)
Female	n/a	403 (46.6%)	310 (49.9%)	337 (47.6%)	305 (49.8%)
TOTAL	946	864	622	708	613

BY AGE	1970	1980	1990	2000	2010
Under 18	n/a	161 (18.6%)	79 (12.7%)	81 (11.4%)	60 (9.8%)
18 to 64	n/a	595 (68.9%)	398 (64.0%)	468 (66.1%)	344 (56.1%)
Over 65	n/a	108 (12.5%)	145 (23.3%)	159 (22.5%)	209 (34.1%)
Median Age (yrs)	n/a	38.4	47.8	50.8	59

Source: US Census

Numbers in parentheses represent percent of total

The Town had a surge of building from 1990 to 1992 when 37 new residences were built. From 1992 to 2003, the Town issued an average of approximately four building permits per year for new homes. The last decade has followed the same trend; from 2004-2011 there were 36 building permits issued for new family homes. Approximately, half of these new home permits involved tear down of an existing home, as the housing stock continues to increase in value. (Source: Town building permit records.)

In the year 2000 a realtor in Town conducted a study to assess the potential number of lots that could be developed in the future based on current Town zoning ordinances. The study identified 266 potential building parcels that would all require soil-scientist, and Porter County Health Department approval regarding soil suitability. From this study, it is estimated that 125 potential sites are questionable to receive a septic permit, leaving 141 building sites. It is estimated that 21 of these sites were developed in the last ten-years leaving approximately 120 sites left for possible development.

As a result of the foregoing discussion, the population for Beverly Shores is projected to grow modestly.

## **V. ECONOMIC DEVELOPMENT**

### Local Economic Activities

The Commercial District is currently comprised of all properties along US Highway 12; from Lake Shore County Road on the east, to the town's western boundary (roughly Derby). Commercial development in the "Strip" has to-date been largely ad-hoc, with the result that there are currently only a few retail businesses within the town's borders: a gas-station/convenience store, art store/office supply, veterinary clinic, antique store and restaurant. There are also a handful of seasonal businesses that operate in the summer months. The remaining commercial properties (along US 12) are currently occupied by residences, non-retail activities (art studios and workshops), derelict or undeveloped sites. The small number of active businesses is partially a result of the challenges facing owners attempting to develop sites along the corridor, including; small (shallow) lot sizes paralleling the South Shore right-of-way, poor soil conditions for septic installations, State Highway department regulations on parking and road egress/ingress, signage restrictions, and discontinuity in the street facade—caused by the intermixing of businesses with residences and vacant properties. Businesses in Beverly Shores also deal with a highly seasonal market.

Difficulties notwithstanding, Beverly Shores should be attractive to businesses. The Town has the only commercial district located within the boundaries of the National Lakeshore. US Highway 12 is a major tourist route along the southern Lake Michigan shoreline. Local residents generally have higher levels of disposable income than average for the rest of Porter County. They typically rely on regional businesses in Chesterton, Michigan City (or even Chicago) for their primary shopping or service needs, however the popularity of established local businesses indicate that sufficient demand exists for local commerce. Businesses that offer convenience and/or unique goods and services to town residents, visitors to the National Lakeshore and neighboring Duneland communities can be successful and benefit Beverly Shores.

At the same time Beverly Shores seeks ways to encourage additional activity in the commercial district, it is imperative that consideration be given to development that is in scale and compatible with the character of the town and surrounding National Lakeshore.

In the interest of encouraging appropriate and commercially viable businesses in the commercial district, the Comprehensive Plan proposes:

1. Encouraging commercial development to the east of Broadway along Route 12 would more accurately reflect actual use patterns and have the additional benefit of concentrating future development to a smaller contiguous area. As a part of this process, consider rezoning those areas west of Broadway along Route 12 within the commercial zone that are completely residential or open spaces.
2. Allowing small scale mixed-use residential/business development in the commercial district.
3. Cooperating with the Federal Highway Administration, Indiana Department of Transportation and National Park to seek Scenic Highway designation for US 12, west of Broadway. This would have the effect of reducing truck traffic along US 12 and restrict roadside signage.
4. Encouraging development of small-scale businesses, which would minimally impact the visual character of US 12, through Beverly Shores.
5. Updating the Permitted Uses to include businesses that would offer unique services and/or convenience to Beverly Shores residents.
6. Imposing limitations on the style and scale of signage in the commercial district.

7. Improving pedestrian and bicycle access to and along the commercial strip as a means of reducing traffic congestion created by short-trip local errands.
8. Encouraging centralized, hidden, shared parking that might be used by multiple businesses, as a way of minimizing the visual impact of multiple parking lots and reducing tree removal.
9. Exploring the option of extending city sewage lines to the commercial district from Michigan City. This would eliminate the need for septic fields and reduce the potential tree-clearing required for installation of multiple septic systems.
10. Exploring options to tie commercial development to the South Shore train station. The Northwestern Indiana Regional Planning Commission, along with the Regional Development Authority and NICTD, are in the preliminary stages of planning for Transit Oriented Development around commuter train stations in the region. The goal is to encourage commercial development in areas that are accessible by commuter rail service. One potential result could be pedestrian walkways connecting the station with area businesses and the National Park campground.

### Location of Employment

Beverly Shores residents are largely dependent on employment outside of the community. 303 residents commute out of the 317 in the work force. \* See Table 2. The Town believes that the NICTD/South Shore commuter rail service for access to Chicago is very important for employment opportunities and growth of the commercial and residential populations.

### Occupations

Occupations of Beverly Shores residents are quite varied as shown in Table 2.

**TABLE 2  
RESIDENTS' OCCUPATIONS**

<u>Occupation</u>	Number/Percent
Management	204 (64.4%)
Production	29 (9.1%)
Natural Resources	11 (3.5%)
Sales	41 (12.9%)
Service	32 (10.1%)
Administration	5 (0.1%)
<b>Total Employment</b>	317
<b>Total Unemployment</b>	26
<b>Total Population</b>	613

Source: 2006-2010 American Community Survey

The study is consistent with the aging population and affluence of the community; 44% of the population is not in the work force, while unemployment is at 4.2%. Self employment in unincorporated business is: 13.2% of the workforce.

## **VI. PUBLIC FACILITIES AND SERVICES**

### Public Safety (Police and Fire)

The Town of Beverly Shores maintains twenty-four hour police service, with qualified and trained police personnel, both full time and part-time, and is also served by a modern 911 center operated by Porter County. The Town currently has two Ford Hybrid Escapes along with two other vehicles for use by the police.

The Volunteer Fire Department has a 23 person roster and is on call 24 hours per day for medical, rescue and fire emergencies. The Department is currently certified as a basic life support, non-transportation facility with 12 EMTs and 6 First Responders. As of the fall of 2012, the Department maintains a 1992 Fire Truck, 1962 Chevy Tanker Truck, 1999 Rescue/Brush fire vehicle, 1994 Jeep Cherokee and a Rhino Side X ATV.

This should continue to receive the highest priority, along with maintaining equipment for the volunteer Fire Department. Snow removal, due to the varied elevations of the roads in Town, is also an important service that the Town has provided, and will continue to do so in the future.

### Town Structures

The Town of Beverly Shores has several public structures. They are:

- Administration Building, Fire Station and Police Station Complex
- Community Center – “Our House”
- The Beverly Shores Depot Museum and Gallery (leased)
- Rebora Shelter and Broadway Plaza Parking Lot
- Lituanica Park Warming House

Generally speaking, the public structures are aging and a plan needs to be implemented to maintain, modify or replace these structures as needed. Capacity deficiencies have been identified for the police/fire complex as well as “Our House”, the de facto community center. The Administration Building has had a series of repairs in the last ten years and more repairs and maintenance will be needed in the next few years. As such, these structures may require capital investment in the foreseeable future to expand capacity and/or improve their function.

### Recreation and Recreational Facilities

Since establishment of the National Lakeshore, Town residents have the use of National Lakeshore facilities such as: campground, hiking, biking, picnicking and nature related activities. Intensive uses such as snowmobiling, jet skis and off-road vehicles are not available in the Lakeshore area nor the Town.

Given adequate snow conditions, the terrain is excellent for sledding, snowshoeing, and cross-country skiing.

The Town's park has adequate playground equipment, a tennis court, Frisbee golf course and a basketball court, and meets the Town's needs for this type of recreation. A warming house, cited above under Town structures, hosts a variety of community functions.

Other specialized recreation resources such as golf courses and indoor facilities are reasonably accessible to local residents.

## Town Parks

Developed Town parks are two in number and include:

Lituanica Park: an inland, inter-dunal pond and surrounding land, containing playground, tennis court, basketball court, picnic area, Lithuanian memorial and passive nature study areas; also contains the aforementioned warming house. It is approximately 15 acres in size.

Broadway Park (Rebora Plaza): Constitutes Beverly Shores principal beach facility. Primary facilities include parking for approximately 30 cars and beach access/pavilion. The parking lot also serves as a plaza for outdoor community functions.

## Undeveloped Town Park

East Lake Shore Park: An undeveloped tract on the east side of Town which contains a beach access corridor and beachfront.

## Town Beaches

A variety of Town owned beaches exist; they are

- E. State Park Road right of way (100 feet)
- Derby Avenue right of way (100 feet)
- Broadway Public Beach (600 feet)
- Shore Avenue Public Beach (75 feet)
- Beach Avenue Public Beach (75 feet)
- Lake Shore County Road right of way (50 feet)
- Drexwood Avenue Public Beach (161 feet)
- Drake Avenue Public Beach (161 feet)
- East Lake Shore Beach (approximately 3,400 feet east of Central Avenue)

These beaches strategically give Town residents access to the beach unencumbered by prevailing National Park Service regulations. Such matters as the beaching of small non-motorized watercraft can be facilitated at these Town owned beaches and should be considered for the benefit of residents.

The Town believes that East Lake Shore Park and East Lake Shore Beach are under-utilized and that a long-range plan needs to be developed either to upgrade these properties for use by the residents or to provide other strategic uses.

## Other Town Property

A variety of other Town owned properties exist; they include but are not limited to:

- Street rights of way and alleys
- Lot west of Broadway Plaza Parking Lot (50 feet)
- Properties listed in the supplement: Town of Beverly Shores Lands

## Water and Sewer Service

Transition to municipal water: In 2004/2005, the Town installed municipal water, to replace private wells. The immediate reason for installing public water was a response to several homes whose wells went dry. Long-standing concerns about water safety (particularly boron) as well as aesthetic problems (i.e., color, odor) caused by tannin in the well water were also factors. While replacement of private wells with municipal water is optional for residents, most residents have replaced their wells.

Sewage disposal in the Town is processed by individual soil absorption systems of which are septic tanks, drywells, drain fields or seepage pits. Soils have a major impact on the effectiveness of these systems, and the consequences of continued reliance upon this method is described in the Natural Resources (soils) component.

According to the Porter County Health Department, the soil conditions present and the type of systems utilized (dry wells) are considered to be a serious public health threat. The use of dry wells was banned in 1991, as they are a major source of groundwater contamination. Dry wells are still in service on most properties in Beverly Shores, as the authority of the Porter County Health Department is only with new home construction or repairs of existing septic systems. Due to the extreme slope properties, the Porter County Health Department recommends maintaining the 20,000 square foot minimum lot size per home site Town ordinance requirement.

The Town has adopted by ordinance the County ordinance regulating the installation, construction, maintenance and operation of private sewage disposal systems. State health standards have been made part of that ordinance and the Town should support their strict enforcement in the interest of its citizens' health. The housing stock has grown much older and these septic systems degrade over time. The Town should consider options to address this situation. A program to require inspection and regular maintenance for the septic systems may be considered.

The Town explored constructing a sewer system. It was determined that the system would be too costly for many reasons but most important the need for numerous lift stations resulting from the many hills created by the dunes. It may be that a more limited solution can be explored in the lower areas that would not need the lift stations. This would permit an incremental approach as technology or financial considerations change. The Weaver Boos study explored this option and has important data. [https://docs.google.com/open?id=0B8QXOT5IR\\_tOMTdIYzU3YjAtZWVmOS00MWMzLWJmNjUtOWNiODEzMjcyYjli](https://docs.google.com/open?id=0B8QXOT5IR_tOMTdIYzU3YjAtZWVmOS00MWMzLWJmNjUtOWNiODEzMjcyYjli) In the near future, a continued reliance upon individual sewage disposal systems will be necessary.

## Refuse Disposal

Refuse disposal is provided weekly by a private contractor with curbside recycling every other week. User fees are set annually by the Town to cover the cost of this service.

## Utilities

Electricity is provided throughout the Town by Northern Indiana Public Service Company. Natural gas is generally available but new users may have to pay the cost of extending service to them if they are beyond the end of an existing line. Service is from a 12", 55-psi main running parallel to U.S. 12. A 4" line runs down Broadway and local 2" lines run from that. Service is not looped back to the line. Cable TV service as well as "Broadband" Internet service is provided by Comcast. Telephone service is provided by ATT and other providers. The long-

term preference of the community is to bury all utility lines. Currently, by Town Code Section 155.083 (K), all utilities installed in connection with any improvements for which a building permit is required shall be installed underground.

### Street Maintenance

Routine maintenance, repaving, snow plowing, tree removal or trimming, and mowing are contracted out. All are somewhat hindered by narrow streets and difficult topography.

Even with the low density of the community, road maintenance costs are high due to the high traffic volume created by National Lakeshore visitors. Because of the National Lakeshore, the arterial roads carry a higher volume of traffic than they otherwise would, increasing their rate of deterioration. Few of the Town's roads have an adequate foundation. The majority are either laid on sand or peat moss. There is the continuing need to maintain present roads.

### Civic and Volunteer Organizations

Given the severe limitations on municipal finance (see discussion below), civic and volunteer activities are essential and critical to the basic functioning of the Beverly Shores community. Activities such as senior luncheons, community beautification, cultural efforts and fire fighting/EMS would not exist without dedicated citizen volunteer effort.

Volunteer groups include the Association of Beverly Shores Residents (ABSR), the Beverly Shores Environmental Restoration Group (ERG), the Dunes Women's Club, the Police Action League (PAL) and the Lithuanian American Club. These groups contribute significantly to beautification, cultural/recreational events, staffing of the station/museum and senior citizen support. These organizations play major roles in the fabric of this community. Without their efforts and those of other volunteers, this community, as we know it, would not exist.

### Education and Schools

Beverly Shores is within the Michigan City Area School Corporation schools for grades K-12. During the mid 1960's, Beverly Shores changed from an independent school corporation (Beverly Shores School Corporation) and was incorporated into the Michigan City Area Schools, which later became the Michigan City Area School Corporation.

Results from the most recent Town survey indicated Town residents would like to have local control over school choice and indicated an overwhelming desire to change school districts to the Duneland School Corporation for grades K-12. Efforts to achieve this goal are currently being explored by the Town Council and the State of Indiana legislature. The motivation for this change is primarily driven by quality of education issues. The State of Indiana recently put several Michigan City schools on probation for poor scholastic achievement and they have consistently ranked lowest in the state.

Two factors make the poor quality of education in Michigan City extremely unfair to Beverly Shores residents. First, nearly 50 percent of the property taxes paid by Beverly Shores residents is contributed directly to the Michigan City Area School Corporation. Second, few of the children in Beverly Shores chose to attend these schools; only 18 students attended Michigan City schools in 2002 at a contributed cost of more than \$45,000 per student. Since that time the problem has only grown worse. Based on tax information contained in Table 5, \$1,121,775 was the total tax paid by Beverly Shores property owners in 2012 and contributed to the Michigan City Area School Corporation. Many residents with school age children are forced to find private schools in the community or pay tuition to the Duneland School Corporation. This serious inequity decreases the population heterogeneity of Beverly Shores

by discouraging younger families from moving into the community. As a consequence, it also diminishes overall property values in Beverly Shores by reducing the demand for housing.

Currently the Duneland School Corporation is accepting admission of "out of district" students if they meet certain criteria- and sign a "tuition agreement". The agreement has to be re-approved each school year. In 2010 the Discovery Charter School opened in Porter County giving an alternative to Michigan City elementary schools and local Parochial schools.

There are several State and Private institutions of higher learning within an hour or two of Beverly Shores. They include, but are not limited to, Valparaiso University, Indiana University, Purdue University, University of Notre Dame, University of Illinois, University of Chicago, Illinois Institute of Technology, DePaul University, Northwestern, Loyola University and several community colleges including Ivy Tech.

### Fiscal Limitations

The maximum levy that the Town can impose through property taxes has been generally frozen since 1973. A governmental unit's growth in assessed value no longer determines the limits of a maximum levy growth (or the "Assessed Valuation Growth Quotient") per year based on the growth in assessed value. Beginning in 2003, governmental funds are controlled by the limits of maximum levy and are not allowed to exceed 6% per year based on the average growth in Indiana non-farm income for the past six years. Prior to 2003 the increased growth in assessed value determined the limits of the maximum levy growth per year between 5 and 10%. In addition, Senate Enrollment Act (SEA) 260 signed into law on March 24, 2006, amended IC 6-1.1-18.5-13 to reinstate banking of unused levy (eliminated in 2004 through SEA 1). The Assessed Valuation Growth Quotient was 2.9 percent for calendar year 2012 (for property taxes first due and payable in 2012).

If no assessed value growth occurred during the period of reservation of use expiration, the property tax rate on individual homeowners would continue to rise. However, the assessed value growth will not increase the Town's revenue more than 6% as long as the levy increase is limited by the state-wide growth quotient as computed annually by the State. In addition, new population growth also results in increased costs for police and fire protection and garbage collection. Thus growth may or may not lower individual resident's property taxes. Without question, local government within Indiana is severely constrained in meeting municipal needs by what are arguably arcane and archaic means of municipal finance.

Assessed valuation and taxing history within Beverly Shores for years 2007 to 2011 are summarized in Table 3. The method that the state uses in calculating assessed valuation of real estate changed to a market value approach since the last update to this comprehensive plan plus there are tax caps placed on the amount of property tax a taxpayer must pay for non-debt related expenses (unless a waiver for capital projects is approved by referendum), 1% for single family residential, 2% for residential rental, and 3% for commercial and industrial taxpayers.

**TABLE 3  
BEVERLY SHORES PROPERTY TAX ASSESSMENT AND RATES**

	<b>2007</b>	<b>2009</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>
<b>Assessed Valuation</b>	\$178,228,815	\$166,969,593	\$169,297,681	\$163,211,022	\$163,025,024
<b>Total Tax Rates (2)</b>	2.1033%	1.7596%	1.89%	1.944%	1.7045%
<b>Total Taxes Collected (Est) (3)</b>	\$3,748,687	\$2,937,997	\$3,199,726	\$3,172,822	\$2,778,761
<b>Tax Amts/Rates By Category</b>					
<b>Total State</b>	\$4,277 <b>0.0024%</b>	NA <b>0%</b>	NA <b>0%</b>	NA <b>0%</b>	NA
<b>Total County</b>	\$712,381 <b>0.3997%</b>	\$662,869 <b>0.3970%</b>	\$697,845 <b>0.4122%</b>	\$680,427 <b>0.4169%</b>	\$689,596 <b>0.423%</b>
<b>Total Airport/Special Unit</b>	\$11,050 <b>0.0062%</b>	\$11,854 <b>0.0071%</b>	\$12,358 <b>0.0073%</b>	\$12,077 <b>0.0074%</b>	\$12,716 <b>0.0078%</b>
<b>Total Township</b>	\$27,091 <b>0.0152%</b>	\$31,390 <b>0.0188%</b>	\$32,674 <b>0.0193%</b>	\$33,948 <b>0.0208%</b>	\$34,561 <b>0.0212%</b>
<b>Total Library</b>	\$105,511 <b>0.0592%</b>	\$122,890 <b>0.0736%</b>	\$124,942 <b>0.0738%</b>	\$126,652 <b>0.0776%</b>	\$130,420 <b>0.080%</b>
<b>Total School</b>	\$2,366,522 <b>1.3278%</b>	\$1,380,171 <b>0.8266%</b>	\$1,772,716 <b>1.0471%</b>	\$1,280,064 <b>0.7843%</b>	\$1,121,775 <b>0.6881%</b>
<b>Total Corporation (Bev Shrs)</b>	\$521,854 <b>0.2928%</b>	\$728,822 <b>0.4365%</b>	\$559,190 <b>0.3303%</b>	\$1,039,654 <b>0.6370%</b>	\$789,693 <b>0.4844%</b>
<b>Total Tax Amount/Rate</b>	\$3,748,687 <b>2.1033%</b>	\$2,937,997 <b>1.7596%</b>	\$3,199,726 <b>1.89%</b>	\$3,172,822 <b>1.944%</b>	\$2,778,761 <b>1.7045%</b>

Notes

1. All dollar figures rounded to nearest dollar
2. Assessed Valuation: Pines Township Assessor
3. Tax Rates: Auditor of Porter County Auditor
4. 2008 Tax Rates not available
5. Special Unit allocation began in 2010.

**VII. TRANSPORTATION AND CIRCULATION**

The area surrounding Beverly Shores is located at the center of the nation's land transportation network. There are excellent port, rail, and highway links nearby. Local air service is available in Gary and South Bend. The South Shore provides rail service to Chicago or as far east as South Bend.

The area's road system is detailed on the Circulation map. Efforts are made to conform to the dune topography. This results in some steep grades with limited visibility, and curves.

In general, Beverly Shores' roads are adequate. Many collector and local access roads are classified as one lane but actually carry traffic in both directions. Lane widths on two lane roads are approximately fifteen (15) feet. Due to frost heaving and the characteristics of the soils, road shoulders may be non-existent, in poor condition, or unsuitable for vehicle support. However, given the present and projected low housing density and restricted speed limit, the present and platted roads provide suitable access/egress for the residents. Additionally, the roads add to the characteristic charm and quaintness of the Town.

There is an informal weight limit of five (5) tons on the thoroughfares. Enforcement of the weight limit is difficult.

To guide future paving and other roadway improvements, the attached referenced circulation map shows arterials, collectors and local roads. Arterials are those roads that carry local as

well as outside traffic including visitors to the National Lakeshore. Included are Broadway, Lakefront, Lakeshore County, East Lake Park, Central, Beverly Drive and US 12. Collectors are those roads, which are local in nature, but also serve the function of providing access from the arterials to the local neighborhoods. As such, these roads carry somewhat greater traffic than the local roads and can be expected to see more two way (passing) traffic. Local roads are the remaining roads within the Town. They simply provide local residential access.

In the absence of other compelling considerations, limited Town road rehabilitation resources should be first directed to arterials, then collectors and finally to local roads.

The most notable adverse impact of traffic circulation within the Town is the impact of National Lakeshore visitors. This beleaguers the Town's fiscal road maintenance constraints. Roads can only be paved and maintained as funds permit. Conflicts arise when visitors park in resident designated areas. The present park visitor parking sites are: Lakeview (44 spaces), Dunbar (20 spaces), East Lake Park (98 spaces) and Central (75 spaces). The National Lakeshore recognizes these impacts and its East Unit National Lakeshore Development Plan (1997) proposes to minimize them by phasing its development to avoid direct impact.

The East Unit National Lakeshore Development Plan (1997) also proposes to minimize the intrusion of automobiles by encouraging the use of public transportation and by confining large parking areas to the edges of the park. The Plan also proposes to encourage railroad and municipal transit lines in Gary and Michigan City to strengthen their service and provide better access to the park.

Due to visitor impact, the Town notified the National Lakeshore in 1976 that the Lakeshore should assume responsibility for the maintenance of the Town's approximately 40.85 miles of roads. A Memorandum of Understanding between the Town and the National Lakeshore formerly existed where the National Lakeshore agreed to periodically maintain certain limited Town streets. Exploring options to renew or update this Memorandum is encouraged for the future.

Despite National Lakeshore intentions, the Town must be vigilant regarding use of Town roads, road frontages or private property within Town for National Lakeshore parking. In fact, it would be advisable to assess present zoning in order to more forthrightly prohibit parking within Town for all but residents and residents' visitors. Traffic control and/or flow restrictions should be considered on either a seasonal or year-round basis. A starting point is found in the 1978 report prepared for Beverly Shores by Camiros-Frankel. \*

\* This report is reprinted on the Town's Web Site

## **VIII. HOUSING**

The information below summarizes housing characteristics within Beverly Shores for the 1970-2010 period. These data are taken from respective US Census reports for 1970 through 2010, American Community Survey 5-Year Estimates and Town Building Records. Not all data was available for each census year.

**TABLE 6  
BEVERLY SHORES HOUSING CHARACTERISTICS  
1970-2010**

<b>CHARACTERISTIC</b>	<b>CENSUS YEAR</b>				
<b>MEDIAN HOUSING VALUE</b>	<b>1970</b>	<b>1980</b>	<b>1990</b>	<b>2000</b>	<b>2010</b>
	n/a	\$66,400	\$130,000	\$238,000	\$364,000
<b>HOUSING OCCUPANCY</b>	<b>1970</b>	<b>1980</b>	<b>1990</b>	<b>2000</b>	<b>2010</b>
Owner Occupied	212	249	236	289	272
Renter Occupied	87	124	64	51	40
Vacant	25	n/a	20	33	31
Seasonal	213	n/a	171	151	184
TOTAL			491	524	
<b>HOUSING TYPE</b>	<b>1970</b>	<b>1980</b>	<b>1990</b>	<b>2000</b>	<b>2010</b>
One Unit Structure	458	405	449	500	505
Two Or More Units	78	60	39	21	22
Mobile Home	1	0	3	8	0
<b>HOUSING AGE</b>	<b>1970</b>	<b>1980</b>	<b>1990</b>	<b>2000</b>	<b>2010</b>
1-10 Years	17%	n/a	n/a	15%	6%
11-20 Years	42%	n/a	n/a	12%	14%
21-40 Years	40%	n/a	n/a	26%	9%
Over 40 Years	1%	n/a	n/a	47%	71%
<b>PERSONS/UNIT</b>	<b>1970</b>	<b>1980</b>	<b>1990</b>	<b>2000</b>	<b>2010</b>
	n/a	2.31	2.07	2.08	1.96

Several major trends characterize change in housing since 1970:

1. There is more housing and it is single family. The late 1980-early 1990 building boom is documented elsewhere in this Plan. Multi-family dwellings have diminished to less than one-third of 1970 levels.
2. Housing is more expensive and substantial. We are no longer a community of summer and weekend "cottages." Substantial homes have replaced the cottages.
3. While Beverly Shores still has a seasonal (summer/weekend) population, its magnitude has diminished. As such, homes are increasingly occupied by permanent residents and are of all-season construction.

The 652-acre "island" is comprised primarily of single-family residential homes with scattered multi-family as well. While there once were several commercial uses primarily in the form of restaurants or deli's, they have disappeared for one reason or another. The only commercial use of land within the island is a "bed and breakfast" hostelry. Also within the "island" are Town structures, parks and other properties as noted earlier.

It is believed that there are at most 120 buildable sites left in the Town. (See discussion under IV. Population.)

Given the limited number of buildable parcels, the definite intent of the Town to sustain the low density nature of development, and the lack of commercial development within the island, it is reasonable to assume that with current conditions, little will change from current "island" land use.

The "strip" is comprised of limited commercial establishments, the US Post office, a church, several residences, the gateway to the Dunewood Campground and limited vacant land.

## **IX. OBJECTIVES AND POLICES**

### Housing and Zoning Initiatives

The Town government of Beverly Shores must continue to make the rigorous enforcement of its building regulations and zoning ordinances its highest operating priority. The fundamental protection of the Beverly Shores community's most significant characteristic, its low population density, is through the maintenance of the 20,000 square foot requirement for a minimum building parcel size with appropriate soil characteristics to permit adequate drainage and minimum damage to the dunes topography. Housing that meets zoning requirements should be encouraged. Any housing developments in the dunes will cause some impact and damage. However, the goal of the Town ordinances and building requirements is to promote housing that is in harmony with the dune topography and minimizes the impact and damage to the dunes. Housing design and siting should be promoted that attempt to minimize excavation of a building site and dune topography and balance construction impact with natural topography. Construction or excavation on a steep slope involves additional issues and as a result the Town enacted Steep Slope restrictions to protect the fragile dune environment. The Steep Slope provisions prohibit construction or excavation within ten feet of a Steep Slope except in compliance with the provisions. Adequate resources must be devoted to building regulation, including necessary professional expertise in the office of the Building Commissioner.

### Land Use Policy Initiative

The "island" should continue to be developed as a low-density single-family residential area. In 2011 the Indiana Supreme Court upheld a neighboring community's interpretation that its residential zoning ordinance prohibited short-term rentals in the residential district. The plan commission sought public input on whether the Beverly Shores residential zoning regulations should be amended to permit residential rentals within the residential district. It is the Town's strong belief that short-term rentals of less than 30 consecutive days should not be permitted in the residential district. Beverly Shores is a small, lakeside community and is surrounded by the INDU. The Town, with limited resources, already struggles to control the problems caused by the large influx of visitors during the summer season. Short-term rentals would further exacerbate these problems which could overwhelm the residential district. Short-term rentals are inconsistent with the stated purpose most residents mentioned for locating in the Town: for access to nature in quiet solitude. Short-term rentals also present possible safety concerns to residents. Long Term rentals to a single-family with adequate restrictions and controls should be explored further. The Town believes that long term rentals would not present the same problems and would be consistent with the overarching goal in this Plan to promote low density single family residences as the primary use and goal in the residential district. All new housing should be single-family dwellings and be compatible with existing development and the dune topography. The "strip" should be developed as a combination of small-scale commercial/retail uses. Orderly growth of low-density single-family dwellings throughout the "island" and commercial development on the "strip" should be promoted in accordance with the Town

zoning ordinances and market conditions. Ordinances should be strictly enforced to maintain the low-density character of the community.

### Capital Planning Initiative

One of the remaining and critical issues facing Beverly Shores is its inability to increase its tax revenues. Indiana is a state where local taxation has been frozen since 1974 and, in fact, the limitation in escalation of property taxes by 5 percent has now been adjusted to less than 5 percent as a result of recent State legislation. No reform of this system in a way that might improve financial prospects for Town government is anticipated. Therefore, it is crucial that capital expenditures in Beverly Shores be directed only to the most critical needs that have been identified well in advance of expenditure rather than be expended on totally reactive decisions.

The effective expenditure of severely limited capital funds requires the adoption and use of a capital plan to guide the Town's capital expenditures. This plan should be flexible, and should be modified as experience demonstrates. Major capital components include: roads and streets, drainage structures, public safety (police/fire) structures and equipment, structures (e.g.; the administration building or "Our House") and equipment, and park facilities. The new municipal water system will require major capital expenditures, but because of the magnitude and uniqueness of these capital expenditures, these capital expenditures should remain outside this capital planning process until capital replacement or maintenance becomes normal and predictable. To establish a rational capital planning process, it is recommended that the Town Council establish a Capital Planning Committee with the following membership:

- One member from the Town Council
- One member from the Plan Commission, who is not a council member
- One member from the Park Board
- One member from the Police Department
- One member from the Fire Department
- One member of community volunteer organizations, and
- The Clerk-Treasurer.

Initially, the committee should act on an ad hoc basis over a period of six months to establish the capital planning process and to develop a schedule of capital needs for the next five years. It would, then, report to the Town Council for final disposition of its recommendations. Subsequently, the committee would annually prepare a revised five-year capital budget for the Town Council's consideration.

### Green Space Initiative

Despite the success of the 1982 building regulations in protecting green space in Beverly Shores, the Plan Commission's land study identified some 266 lots that are large enough to meet the 20,000 square feet building requirement, even though nearly 47 percent of these lots are not likely to meet soil suitability and/or Town Ordinance requirements. One means of removing the ambiguity surrounding the status of these lots (and potential regulatory disputes about their status) would be to encourage owners to donate these properties to the Town of Beverly Shores.

The Town created a Green Space Committee to encourage and assist owners to donate property to the Town to protect natural and open areas. The Town will and has accepted property for public parks and for permanently protected green space.

### Public Services and Facilities Initiatives

The Town Council has already completed a new municipal water system because of the inadequate supply or poor water quality of most residents' wells. The financing for this new service is through proportional increases in existing property taxes.

Existing Town services for public safety, such as police and fire department, must at least be maintained at existing levels. Priority for any new capital dollars that might become available should be given to additional facilities for the fire and police departments with a new or expanded community center ranking next.

One resource of the Town that deserves special recognition is the nine Town-owned beaches (see listing on page 15). Better beach access and boat storage for residents could be provided if better parking arrangements and additional access points could be developed for Town residents on the Town's right of way on Lake Front Drive. As previously mentioned, East Park Beach and Park should be utilized or long range planning conducted for other strategic uses. In addition, the Town's facilities at Lituanica and Lakeshore Parks should continue to be maintained to the highest degree possible.

### Community Initiatives

Although the number of school age children in Beverly Shores is diminishing, Town government should continue to pursue entry into the Porter County Duneland School Corporation for its children, as the best educational opportunity available in the area. A sound argument can be made that Beverly Shores' tax dollars should remain in Porter County where taxpayers will receive a much greater value for dollar spent, and Town government should always pursue the best interest of its residents.

Beverly Shores must also continue its efforts to preserve its uniquely rich and dynamic bio-diverse geological setting by vigorously enforcing its protective ordinances (Section 155.130 on Sand Mining, Section 155.131 on Dune Topography, including the new Steep Slope Protection in Section 155.131(K), and Section 155.220 on Wetland Protection). In addition, the Town should continue to monitor beach erosion and promote beach nourishment programs. Town government must also face up to its responsibilities for wildlife management to preserve vegetation, natural contours, and all the scenic qualities of the sand dunes and all its associated geographic elements, which are so unique and valuable to the community.

### National Lakeshore Initiatives

The Town should work as cooperatively as possible with the Indiana Dunes National Lakeshore. However, Town government has sole responsibility to its residents, including control of vehicular and pedestrian traffic within the island. Talks should continue with the National Lakeshore about finding convenient ways for visitors to utilize park facilities while making their way in and out of Beverly Shores in the least disruptive manner and with the Park assuming its equitable share of the cost of road maintenance. Any request by the National Lakeshore to expand visitor parking should be limited to areas well outside the residential areas of the Town, with the most preferable area at this time being along US 12 by the National Lakeshore's old visitor center. The Town should encourage the National Lakeshore to enhance the entry ways to the Central Avenue and East State Park Road beaches by removing overhead wires. All commercial signage should comply with the Town's ordinances. The Town supports designation of Route 12 from Route 49 to Brown Road as a scenic highway, which would help limit tractor-trailer traffic to those servicing the Town.

On the other hand, the Town should support the National Lakeshore's beach nourishment programs and the re-routing of truck traffic to US 20. It should continue to support the demolition of the remaining leaseback homes in the Park. It should also encourage the National Lakeshore to face up to its responsibilities for wildlife management and be considerate of Beverly Shores residents' interests in developing National Lakeshore activities in areas adjacent to the Town. When it is in the best interest of Town residents, it may also wish to enter into negotiation with the National Lakeshore for land swaps between Town-owned properties and parklands particularly if the Town can solve or alleviate some of the problems mentioned above by doing so. There have been discussions with INDU concerning a land swap which would could minimize park traffic within the island and possibly eliminate INDU parking lots within the island. The Town is encouraged to continue these discussions for a long-term solution to the problems described above.