

TOWN OF BELGIUM  
BOARD OF APPEALS

July 7, 2010

**Call to Order:** A meeting of the Board of Appeals of the Town of Belgium was held on Wednesday, July 7, 2010, in the Town Hall at 814 Main Street, Belgium. Chairman Alvin Schueller called the meeting to order at 7:00 p.m.

**Also Present:** Al Weyker, Gerry Gantner, John Bowers, John Riordan, Charlie Parks, Ginger Murphy and 12 interested persons.

**Variance for Yard Frontage:** Fred Schueller, 2251 Cty Rd A (01-032-06-006.00), request to build on an existing 3.42-acre lot with a width of 132 feet as opposed to 150 feet required by ordinance. Mr. Schueller explained the configuration of the property and his plan to destroy the existing home to construct a new home.

Motion by Bowers to allow the variance request to build on the existing lot, second by Gantner, motion carried unanimously. Francis Kleckner recommended the Board also include that the new construction meet all residential setbacks. Motion by Bowers to include that the variance is granted and all structures must meet residential setbacks and second by Gantner; motion carried unanimously.

Mr. Schueller is also seeking a variance to allow a second buildable lot in the rear yard of the 3.42-acre property that would have no road frontage and access on a shared driveway/easement for field access on the front lot. His proposal is to divide the lot into two 1.5-acre lots and add the remaining .42 acre to 2239 Cty Rd A. Bill Janeshek spoke against granting this variance as this would clearly set precedent. There was discussion among Board members that there was a possibility that a similar request had already been granted. The hearing for this portion of the variance request was tabled for further investigation and will reconvene on July 28, 2010.

**Variance for Setback:** Sharon-Cutwell Co., Inc., 2192 Cty Rd D (01-017-11-005.00) request to build a storage shed on an existing concrete slab that is 22 feet from the rear parcel line as opposed to 25 feet required by ordinance. Apparently the slab was poured without knowledge of the setback and required building permit. Bill Janeshek and Gene Pierron work the land abutting the property and have no objections to the request. Bert and Regina Bares spoke against allowing the variance due to their continued complaint of noise from the company. It was determined that the noise problem was not an issue involved with the variance hearing. John Riordan stressed the importance of understanding the regulations of the ordinance.

Motion by Riordan to approve the variance and second by Weyker; motion carried unanimously.

Gerry Gantner removed himself from the Board due to his request for the following hearing.

**Variance for Setback:** Gerry Gantner, 5746 Cty Rd LL (01-023-11-002.00), request to add 15 feet to an existing barn with a nonconforming 35 foot setback. Mr. Gantner must repair storm damage to the barn and wants to lengthen the roof to the east for drive-through feeding. There was no opposition from neighboring properties.

Motion by Weyker and second by Bowers to allow the request; motion carried unanimously.

**Adjourn:** Motion by Riordan to adjourn the meeting at 8:15 p.m. and second by Weyker; motion carried unanimously.

Respectfully Submitted  
Ginger Murphy, Clerk