

TOWN OF BELGIUM
BOARD OF APPEALS
August 11, 2009

Call to Order: A meeting of the Board of Appeals of the Town of Belgium was held on Tuesday, August 11, 2009, in the Town Hall at 814 Main Street, Belgium. Chairman Alvin Schueller called the meeting to order at 7:00 p.m.

Also Present: Dan and Lucy Gasser, Tom Winker, Al Weyker, Gerry Gantner, John Bowers, Charlie Parks, Francis Kleckner and Ginger Murphy.

Variance Request: Dan and Lucy Gasser, 6380 Cty Rd LL, are requesting a variance to the side setback in the A-1 district which requires 75 feet. The Gassers want to build a freestall barn for milking cows to the north of his existing barn so that it will be in line with his current operation. Dan presented a Certified Survey Map of the property to ensure property lines and to illustrate the location of the proposed construction. Dan ensured the Board that the building will not be used for storage. The proposed building will be 25 ft. from the side parcel line on the west end and 70.15 ft. from the side parcel line on the east end. Letter received from north property owner, RSSR Farms, LLP, requesting denial of the variance because they do not believe there is hardship. Letter received from adjacent property owner, Roger Mayer, asking that the Board approve the variance to allow for the expansion of the farming operation considering the current tough times. Charlie Parks asked the questions to be on record: Is there an unreasonable hardship to request a variance and are there exceptional circumstances to allow this request? The Board felt that the Gassers should be allowed to expand the farm in line with current operations and determined that construction of this barn would not be detrimental to surrounding properties.

Alvin Schueller decided he would abstain from the vote due to undisclosed reasons.

Motion by Weyker to approve the variance as requested with the condition that construction cannot be closer than 25 ft. from the side lot line, second by Winker, and roll call vote resulted in Bowers, Weyker, Gantner, and Winker voting in favor and Alvin Schueller abstaining.

Adjourn: Meeting adjourned at 7:20 p.m.

Respectfully Submitted
Ginger Murphy, Clerk