

VILLAGE OF SOLDIERS GROVE
ZONING BOARD OF APPEALS

CONTINUED HEARING – APPEAL OF NOTICE OF VIOLATION AND ORDER TO COMPLY

September 9, 2026 – 6:00 p.m.
Village Community Building

CALL TO ORDER

Prior to the start of the hearing, Village Clerk/Treasurer and Zoning Administrator Kaitlynn Ott advised those present that the proceedings were being audio recorded for the purpose of assisting in the preparation of accurate minutes.

Village President Shayne Chapman called the continued hearing of the Village of Soldiers Grove Zoning Board of Appeals to order at 6:00 p.m.

President Chapman stated that the hearing was a continuation of the public hearing held on September 2, 2026, concerning the appeal filed by Phillip A. Carey and Kathleen A. Day-Carey from the Notice of Violation and Order to Comply issued on July 2, 2026, concerning the property located at 225 Pine Street.

President Chapman stated that the public hearing portion of the matter had been closed on September 2, 2026. The Board had continued the matter to allow for further deliberation and to obtain and consider legal guidance prior to making a final decision.

Ott stated that the matter had been continued from September 2, 2026, to September 9, 2026, by motion of the Board and that the continuation date and time had been announced on the record at the September 2, 2026, meeting.

ROLL CALL

Present: Village President Shayne Chapman; Board Members Vicki Campbell, Sarah Kemp, Marla Walsh, and Jill Quandahl.

Also present: Village Clerk/Treasurer and Zoning Administrator Kaitlynn Ott.

Phillip A. Carey participated in the meeting by telephone.

President Chapman stated that the public hearing portion of the matter had been closed on September 2, 2026, and that the Board would now proceed with deliberation on the appeal.

Ott stated that the Board had before it the appeal record previously presented at the September 2, 2026, hearing, including the Notice of Violation and Order to Comply, the

appeal filing, survey and plat, correspondence between the Village and the appellants, FEMA and Wisconsin Department of Natural Resources correspondence, the August 6, 2026, permit application, the parcel map, and the testimony and evidence received during the September 2, 2026, hearing.

Ott further stated that the Board had received correspondence from Village Attorney Nikki Swayne dated September 9, 2026, which had been provided to the Board for consideration.

President Chapman stated that the Board would proceed with deliberation on the appeal. Board members could discuss the evidence and information contained in the record and ask questions of one another regarding the matter.

BOARD DELIBERATION

Quandahl stated that she had reached a decision regarding the matter and believed the Board should consider the concerns expressed by neighboring property owners who could be affected by the culvert. She stated that the Board should proceed with enforcement of the Notice of Violation and require removal of the culvert. Quandahl stated that the Board could not know what conditions may occur during future, larger flood events and that there was insufficient information to support allowing the culvert to remain.

Campbell stated that she agreed with Quandahl and supported following the recommendation of the Village Attorney, who had advised that granting a variance was not in the best interest of the Village.

Kemp and Walsh stated that they agreed with Campbell and Quandahl.

Kemp stated that if the Board allowed the culvert to remain, it could establish an expectation for other property owners in the Village seeking to undertake similar activities.

Campbell stated that she agreed with the Village Attorney's concern that the Village could potentially be subject to liability if a catastrophic flood event occurred.

President Chapman stated that he agreed with the other Board members.

ACTION ON APPEAL

Campbell moved that the Zoning Board of Appeals affirm the Notice of Violation and Order to Comply issued July 2, 2026; deny the appeal; and modify the compliance deadline to require removal of the culvert and restoration of the property to its pre-installation condition within 30 days of the date of the written Zoning Board of Appeals decision.

Quandahl seconded the motion.

Roll Call Vote: All present voted aye. Motion carried.

President Chapman stated that the motion carried. The Zoning Board of Appeals had affirmed the Notice of Violation and Order to Comply, denied the appeal, and modified the compliance deadline as stated in the motion.

President Chapman stated that the Board had completed its deliberation and taken action on the appeal and that the matter was concluded.

ADJOURNMENT

Motion by Kemp, second by Walsh, to adjourn the hearing at 6:12 p.m.

Roll Call Vote: All present voted aye. Motion carried.

The continued hearing was adjourned at 6:12 p.m.