

**MINUTES**  
**ELBERTA PLANNING COMMISSION PUBLIC HEARING AND REGULAR MEETING**

ELBERTA COMMUNITY BUILDING 401 First St.

WEDNESDAY, MAY 6TH, 2026, AT 6:00 PM

**CALL TO ORDER:** 6:05pm by Chair, Jim Baldwin

**PLEDGE OF ALLEGIANCE:** Recited

**ROLL CALL:** Ryan Fiebing, PRESENT; Michael Murphy, PRESENT; Jill Fogg, PRESENT; Dan Carter, PRESENT; Jim Baldwin, PRESENT

**AUDIENCE:** Maureen Hickey, Catherine Anderson, Emily Votruba, Arlene Sweeting, Stewart Grudzien, Jay White, Kay Bond, Paula Friedrich, Jackie Fairchild, Tammy and Steve Radionoff, Jennifer Wilkins, Lynn and Tom Webster, Mary Morrison, Margie and John Devine, Beckett and Raeder Consultant Jenn Cram and Assistant Cole Maxson.

**Motion by Ryan Fiebing to approve the May 6, 2026, Public Hearing and Regular Meeting AGENDA for May 6, 2026, seconded by Dan Carter. All Ayes, Motion Carried.**

**Motion by Dan Carter to approve the April 1st, 2026, Regular Meeting Minutes, seconded by Michael Murphy. All Ayes, Motion Carried.**

**Jim Baldwin, Chair, announced the PUBLIC HEARING NOTICE published and posted on April 16, 2026, regarding:**

**Ordinance No. 47 – Land Division Ordinance** to adopt Section 20.14 Land Divisions of the existing Village of Elberta zoning ordinance as a stand-alone police power ordinance.

**An Ordinance to amend the Village of Elberta Zoning Ordinance** in accordance with the provisions of the Michigan Zoning Enabling Act, Act 110 of the Public Acts of 2006, as amended [MCL 125.3101 ET SEQ.], to amend the zoning ordinance in its entirety and to update the zoning map.

**Amend the Future Land Use Map within the 2024 Master Plan.**

Copies were made available for public inspection at [www.villageofelberta.com](http://www.villageofelberta.com) and at the Village Office located at 151 Pearson St., Elberta, MI. Adding, that speakers may be limited to 5 minutes total comment time, at the discretion of the Chair.

Ryan Fiebing, Council Liaison and Vice Chair, opened with an overall summary of the process and an appreciative speech to all Planning Commission members and contributors. Jenn Cram, Beckett and Raeder Consultant opened each topic of consideration with an overview of the item, Zoning Ordinance Articles, and other relevant details of note.

**OPENING OF PUBLIC HEARING at 6:15pm**

1. Proposed Amendment to the Master Plan and Future Land Use Map

**DISCUSSION:** Jenn Cram and Commissioners reviewed the proposed amendment to the Future Land Use Map within the 2024 Master Plan, referencing consultant input and statutory criteria. Discussion focused on consistency with the Village's adopted Master Plan, zoning boundaries, and infrastructure implications.

**PUBLIC COMMENT:**

Mary Morrison asked about flexible residential zoning and whether it would be opened up to splits.

John Devine of Frankfort asked if the future land use map is consistent with the parkland being proposed, and whether the parkland was listed as such beforehand.

**REBUTTAL with Planning Commission:** Jenn Cram answered questions from the public and discussed

Motion by Jim Baldwin to recommend that the Village Council accept the proposed amendments to the adopted future land use map and authorize staff to send the amendments out for 63-day review, seconded by Michael Murphy. **Roll Call: Ryan Fiebing, Aye; Jill Fog, Aye; Dan Carter, Aye; Jim Baldwin, Aye; Michael Murphy, Aye. Motion Passed**

**CLOSING OF PUBLIC HEARING at 6:23pm**

**OPENING OF PUBLIC HEARING at 6:30pm**

2. Proposed Adoption of Land Division Ordinance No. 47

**DISCUSSION:** Jenn explained the reason for the change to a stand-alone police power ordinance

**PUBLIC COMMENT:**

Cathy Anderson asked whether her property is limited to a certain number of splits, and if there is a public comment/appeal period to obtain a waiver.

**REBUTTAL with Planning Commission:** Jenn Cram answered questions from the public.

Motion by Jim Baldwin to recommend approval of the Land Division Ordinance #47 as presented, seconded by Dan Carter. **Roll Call: Ryan Fiebing, Aye; Michael Murphy, Aye; Jill Fogg, Aye; Dan Carter, Aye; Jim Baldwin, Aye. Motion Passed**

**CLOSING OF PUBLIC HEARING at 6:35pm**

**OPENING OF PUBLIC HEARING at 6:46pm**

3. Proposed Adoption of Updated Zoning Ordinance Version 4

**DISCUSSION:** Articles 1-3 were summarized by Jenn Cram, **public comment taken**. Articles 4-6 summarized, **public comment taken**. Articles 7-9 summarized, **public comment taken**. Articles 10-12 summarized, **public comment taken**. Articles 13-14 summarized, **public comment taken**.

### **PUBLIC COMMENT (Articles 1-3):**

Jay White of Frankfort from Housing Trust of Benzie County found difficulty, regarding Section 3.4.4 on fences, on the language of buildings and maintenance. Asked if the 3 ft buffer leads to eminent domain. Asked who maintains the 3 feet opposite the fence.

Cathy Anderson prefers existing zoning ordinance fence requirements. Asked about why both parties must consent to building on property line. Addressed inconsistency between 3 ft setback for residential and 6-inch setback for commercial. Asked about “6 ft no-man’s land”. Wondered about adding language to fence ordinance about electric fences, cited bears and DNR recommendations.

Maureen Hickey asked why there is a consideration for kennels in neighborhood commercial zoning.

Arlene Sweeting asked about neighborhood residential language on boarding/group housing left blank. Concerned about lack of language about Deepwater Port parkland, cited GTRLC and federal grant language, requested they be included in the plan. Asked for clarification on food truck language in commercial district, specifically their permanence. Other Table of Contents concerns (6.16; 9.1.1).

Emily Votruba asked whether violations of light pollution are considered a nonconformity.

John Devine, citing 3.9, asked if the boundary is for all current and future parkland, why include language for exclusion of commercial and residential.

### **Articles 4-6:**

Cathy Anderson, on 6.15, confused about term “occupant” and its derivatives. On 6.19.B.1, asked what “except wireless” meant.

Jay White, on 6.7, asked about bungalows; if the intent for an overlay that can be applied to any district?

[Didn’t state name] was confused about vague language on 40 sq ft signage.

### **Articles 7-9:**

Emily Votruba asked whether the village has to go through its own site plan review processes for potentially erecting structures on property the village itself owns.

Jay White asked for clarification on minimum lot size for a PUD.

### **Articles 10-12:**

Cathy Anderson, on 10.2.F, stated that vacancy for 12 consecutive months triggering loss of legal nonconformity is a low bar, and that regulations under 10.4.C are much more reasonable. Stated that legal nonconformity is not defined.

### **Sections 13-14:**

Cathy Anderson stated that the ZO is dated 1995, not 2009 in Article 13.5. Commented on another minor typo.

**REBUTTAL with Planning Commission:** Jenn Cram and Commissioners addressed factual questions raised during public comment, referencing applicable ordinance sections and consultant clarifications. Several edits were discussed.

Motion by Jim Baldwin to recommend approval of the zoning ordinance update after considering public comment to the Village Council for review and approval with the edits discussed at the meeting. **Roll Call: Ryan Fiebing, Aye; Michael Murphy, Aye; Jill Fogg, Aye; Dan Carter, Aye; Jim Baldwin, Aye. Motion Passed**

**CLOSING OF PUBLIC HEARING at 8:15pm**

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**OPEN REGULAR MEETING OF THE PLANNING COMMISSION at 8:15pm**

**COMMUNICATION:** Arlene Sweeting, representing the Heritage Center, announced its Grand Opening on Saturday, June 13, from 2:00 PM - 6:00 PM. The event will feature a studio dedication and film, exhibit opening, live music, and special radio guests. It is a come-and-go event with no alcohol served. "Special Event Parking" signs will be posted, and attendees will be directed to Penfold Park if street parking is full.

**PUBLIC COMMENT:** Kay Bond thanked the planning commission for its hard work and dedication. Jay White invited everyone to the Housing Trust of Benzie open house and ribbon cutting for the Cottages at Corning in Frankfort on June 11, 2026, at 4:30pm.

**PRESENTATION:** None

**NEW BUSINESS:** None

**OLD BUSINESS:** None

**PUBLIC COMMENT REGARDING AGENDA ITEMS ONLY:** None

**ANNOUNCEMENTS:** None

**Motion to adjourn at 8:20pm by Dan Carter, seconded by Ryan Fiebing, all Ayes.**