



MEMORANDUM

To: Harbor Springs Planning Commission
Date: March 16, 2026
From: Lynée Wells, AICP
RE: Height in Residential

The Character of Harbor Springs Residential Neighborhoods

Harbor Springs is defined, in large part, by the scale and rhythm of its residential neighborhoods. The prevailing building pattern across the city's residential districts is a 1 to 2.5-story home, typically with a pitched roof, modest footprint, and placement that creates a consistent and human-scaled street presence. This pattern is not accidental — it is the product of a century of incremental development shaped in part by a zoning code that limited building height and story count.

A maximum of three full stories in the residential districts represents a meaningful departure from this established pattern. This memo identifies four related concerns — the story maximum, the treatment of attic space, the definition of building height, and the grade measurement methodology — and offers targeted recommendations for the Planning Commission's consideration.

Why Three Stories Changes the Residential Character

The practical difference between a 2.5-story and a 3-story residential structure is more significant than it may appear on paper. A half story — defined as space under a pitched roof where no more than 50% of the floor area has a ceiling height exceeding 4 feet — produces a visible mass that reads as a pitched-roof volume from the street. A full third story adds a complete floor plate with full ceiling heights, producing a building that is taller, more vertical, and more volumetric at every point on the façade.

In neighborhoods where the surrounding context is predominantly one and two-story homes, a three-story structure at or near the property line will be conspicuously out of scale. This is already occurring in comparable Michigan resort and lakeside communities where story limits have been relaxed or removed, and where market pressure to maximize square footage and views has driven construction of structures that fundamentally alter the character of established residential streets.

Key concerns include:

- Taller, more vertical massing that does not correspond to neighboring structures in height, bulk, or proportion
- Loss of the pitched-roof silhouette that characterizes Harbor Springs neighborhoods, replaced by flat-roof or box-form three-story construction
- First-floor garage frontages occupying the ground floor street face, pushing living space upward and producing dead street edges
- Increased shadow impacts on adjacent properties from taller structures at minimum setback distances
- Incremental displacement of the existing building pattern as redevelopment pressure increases over time

The Unfinished Attic Problem: A Critical Gap in the Framework

Article 15 of the new ordinance includes a graphic illustration of “Basic Floor Terms” (Section 3.0) that depicts a building stack of: Basement → 1st Story → 2nd Story → Mezzanine → Unfinished Attic. Under a 3-story maximum, this illustration endorses a structure with three full stories plus a mezzanine plus an unfinished attic — potentially five distinct functional levels — with no story count violation. (Pages 161-162)

The unfinished attic category creates a compounding enforcement problem. An attic space that is unfinished at the time of permit issuance can be finished through a simple interior renovation after a certificate of occupancy is issued. Michigan’s building code regulates structural modifications, electrical, mechanical, and plumbing work — but it does not exist to enforce zoning story limits. Once a certificate of occupancy is granted for a structure with an “unfinished attic,” there is no reliable mechanism within the zoning framework to prevent that space from becoming a full habitable floor over time, and no practical way for the Zoning Administrator to monitor conditions after the fact.

Additionally, the term “mezzanine” appears in the Article 15 illustration but is not defined anywhere in Article 14. There is no language telling the Zoning Administrator whether a mezzanine counts toward the story maximum or how it interacts with the 3-story limit. This is an independent gap that compounds the attic problem.

- Attic spaces constructed with structural floors, stair access, and adequate headroom, left unfinished solely to satisfy the story count at permit
- Interior finishing of attic space through building permits that do not trigger zoning review, because no exterior changes are proposed
- No requirement for a new zoning determination when attic space is converted to habitable use
- No practical mechanism for the Zoning Administrator to monitor attic conditions over the life of a structure
- An undefined mezzanine level that may be used to add functional space above the story maximum without triggering a violation

Building Height: Three Compounding Problems

Problem 1: The Definition and the Diagram Contradict Each Other

The Article 14 definition of building height states that height is measured to the highest measurable point on a building. However, the Article 15 diagram “Building Height with Variable Grade” (Section 5.0) depicts height as measured to the midpoint of the roof — the “1/2 Measured Eave” point — not to the ridge. These are two fundamentally different measurements. On a steep-pitched roof, the difference between the eave midpoint and the ridge can easily be 5 to 8 feet or more.

This internal inconsistency means that the Zoning Administrator and applicants will reach different conclusions about compliance depending on which document they reference. Any ambiguity in a zoning ordinance is problematic. The written definition and the graphic illustration must be reconciled to produce a single, unambiguous measurement standard.

Problem 2: The Definition Contradicts the Grade Definitions

The ordinance defines two grade terms in Article 14:

GRADE: *The ground elevation established for regulating the number of stories and the height of buildings or structures as illustrated in Article 15, 5.0, Building Height with Variable Grade.*

GRADE, MEAN: *Mean grade is defined as the arithmetic average of elevations of points on the boundary lines of a site (parcel of land) uniformly spaced and not more than one hundred (100) feet apart.*

The Grade definition defers to the Article 15 diagram, which uses a median elevation point between the lowest and highest elevation points of the building footprint — a building-centered measurement. Grade, Mean is measured at the parcel boundary lines. These two definitions produce different base elevations and are not reconciled anywhere in the ordinance. It is unclear which governs for height measurement purposes, and the Building Height definition does not specify.

Problem 3: Building-Centered Grade Measurement Enables Strategic Siting

The most significant problem is that anchoring grade measurement to the building footprint — rather than to fixed lot lines or elevation at the street — allows a developer to manipulate the effective height limit through siting and grading decisions. On a sloped lot, an applicant can:

- Site the building as high on the lot as setbacks permit, reducing the apparent grade differential captured in the building-wall measurement
- Excavate or regrade the downhill side of the footprint to bring the lowest elevation point up, thereby raising the median elevation point used as the base
- Use a narrow building footprint oriented perpendicular to the slope to minimize the grade differential between the lowest and highest elevation points

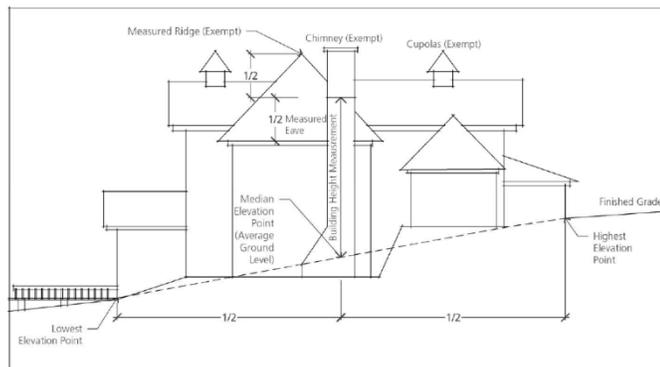
All of these are legal moves under the current framework that effectively add height — as experienced from the street, from neighboring properties, and from the water — without technically exceeding the numerical limit. In Harbor Springs, where bluff lots and sloped residential properties are common, this is not a hypothetical vulnerability. It is a predictable consequence of a grade measurement that floats with wherever the applicant chooses to place the building.

The corrective is to anchor the height measurement to fixed reference points that the applicant cannot control: the existing grade at the parcel boundary lines, or the established grade at the street right-of-way. This is consistent with the Grade, Mean definition already in the ordinance — which measures at the boundary lines of the site — and with standard practice in communities managing variable topography.

The following language is proposed for the Planning Commission’s consideration:

BUILDING HEIGHT, FEET (Proposed): *The vertical distance measured from the mean grade to the highest point of the roof. Mean grade shall be calculated in accordance with the definition of Grade, Mean in this Ordinance, using elevation points measured at the parcel boundary lines uniformly spaced and not more than one hundred (100) feet apart. For buildings on through lots or corner lots with frontage on more than one street, building height shall also be*

5.0 Building Height with Variable Grade



calculated independently at each street frontage using the established grade at the right-of-way line, and the height as measured from any street frontage shall not exceed the maximum permitted height.

This proposed language does three things: it resolves the contradiction between the definition and the diagram by specifying the midpoint-to-ridge method for pitched roofs; it ties grade measurement to the parcel boundary lines using the Grade, Mean definition already in the ordinance; and it adds independent frontage measurement for through and corner lots to ensure the height limit is meaningful from every public vantage point — including the downhill street face on Harbor Springs’ bluff properties.

Recommendations for the Planning Commission’s Consideration

1. Restore the 2.5-Story Maximum in Residential Districts

Return to the 2.5-story maximum that governed Harbor Springs residential districts for decades. A half story under a pitched roof permits meaningful use of upper-floor space without producing the full volumetric mass of a three-story structure, and maintains compatibility with the existing 1 to 2.5-story neighborhood context.

2. Supplement with a Maximum Building Height in Feet

A story count alone does not prevent out-of-scale construction if plate heights are unregulated. A maximum of 30 to 35 feet, using the Grade, Mean methodology tied to parcel boundary lines, provides an independent check that produces predictable outcomes regardless of how the building is sited on the lot or the topography of the lot.

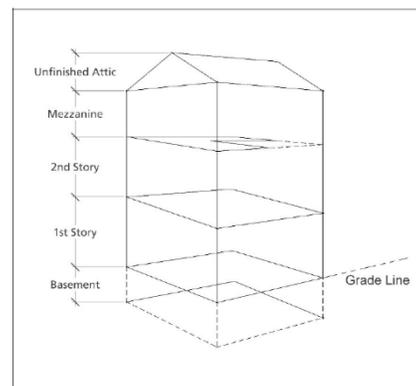
3. Define “Mezzanine” and Clarify the Treatment of Attic Space

- Add a definition of “mezzanine” to Article 14, clarifying whether it counts toward the story maximum
- Define the conditions that make an attic space a story regardless of finish level, including structural floor, stair access, and ceiling height thresholds
- Require that conversion of attic space to habitable use trigger a new zoning determination, regardless of whether exterior modifications are proposed
- Consider adding a condition of approval to residential permits that attic space may not be converted to habitable use without a new zoning permit confirming continued compliance with story limits

4. Reconcile the Building Height Definition, the Article 15 Diagram, and the Grade Definitions

- Resolve the contradiction between the Article 14 definition (highest measurable point) and the Article 15 diagram (midpoint of roof) by specifying a single unambiguous measurement endpoint
- Tie grade measurement to the parcel boundary lines using the Grade, Mean definition, rather than to the building footprint, to eliminate the strategic siting problem
- Add a street-frontage provision for through lots and corner lots requiring that height be calculated independently at each street

3.0 Basic Floor Terms



frontage, addressing the bluff exposure problem specific to Harbor Springs

- Update the graphics in Chapter 15 accordingly, since the building height diagram (Chapter 15, 4.0) does not conform to the building height definition.

5. Consider a Contextual Compatibility Standard for Larger Structures

Some Michigan municipalities have adopted contextual compatibility provisions requiring new construction to bear a reasonable relationship to the scale of surrounding structures. A simple objective standard might require that no residential structure exceed the average height of structures within a defined radius on the same block face by more than a specified percentage, ensuring dramatic departures from the surrounding context require deliberate review rather than occurring by right.

Conclusion

The residential building stock that defines Harbor Springs — its scale, its pitched roofs, its human-sized street presence — did not survive by accident. The transition to a three-story maximum, combined with an unfinished attic category that lacks monitoring mechanisms, an undefined mezzanine, a contradiction between the building height definition and the Article 15 diagram, and a grade measurement methodology that can be manipulated through strategic siting, creates conditions under which that pattern could erode incrementally, one permit at a time.

Each of these issues is individually addressable through targeted amendment. Together, they represent a coherent set of changes that would bring the ordinance into internal consistency, close enforcement gaps, and ensure that height limits mean what they say — from every vantage point, on every lot type, regardless of how a building is sited. The Planning Commission has the opportunity to make these corrections now, before the issues materialize in specific permit applications where the pressure to proceed will be greatest.