



City of Somerville

ZONING BOARD OF APPEALS

City Hall 3rd Floor, 93 Highland Avenue, Somerville MA 02143

TO: Zoning Board of Appeals
FROM: Planning, Preservation, & Zoning (PPZ) Staff
SUBJECT: 12 Linden Street, ZP25-000112
POSTED: January 30, 2026

RECOMMENDATION: None

Staff memos are used to communicate background information, analysis, responses to public comments, review of statutory requirements and other information from PPZ staff to the Review Board members.

This memo summarizes the Hardship Variance request(s) submitted for 12 Linden Street, identifies any additional discretionary or administrative development review that is required by the Somerville Zoning Ordinance, and provides related analysis or feedback as necessary. The application was deemed complete on January 7, 2026 and is scheduled for a public hearing on February 4, 2026. Any Staff recommended findings, conditions, and decisions in this memo are based on the information available to date prior to any public comment at the scheduled public hearing.

LEGAL NOTICE

Yang Ge seeks relief from SZO 3.2.18.a.ii. to add a second curb cut on a front lot line in the Urban Residence (UR) District, which requires a Hardship Variance.

SUMMARY OF PROPOSAL

Yang Ge (the Applicant) is proposing to add a second 10-foot curb cut on a front lot line which requires a Hardship Variance from Somerville Zoning Ordinance (SZO) 3.2.18.a.ii. There is an existing curb cut on the left side of the property that provides parking for the units on the left side of the lot.

BACKGROUND

12 Linden Street is located in the 0.25mi Transit Area in the Urban Residence (UR) zoning district in the Union Square neighborhood represented by Ward 2 Councilor JT Scott.

ANALYSIS

Pursuant to MGL Chapter 40A, Section 10, the Application must meet the following criteria to qualify for a Hardship Variance:

- a. Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the zoning district in which the land or structure is located;
- b. Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant due to said special circumstances; and
- c. Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and purpose of the Urban Residence district in this Ordinance or the Ordinance in general.

Criterion “a”: The applicant contends that special circumstances exist because the property has “twice the frontage of other nearby lots”. The applicant also states that the left side (where a curb cut exists) makes no distinction (surface-wise) from the proposed curb-cut area on the right side.

Staff do not believe that the frontage creates a special circumstance, but that the existing condition of the permeable pavers around the lot does create the appearance of a parking area.

Criterion “b”: The applicant contends that they were unaware when the property was purchased that parking was not provided on the 12 Linden side of the property due to the similar paved nature of both sides of the building. According to the plans submitted with the building permit (which was a by-right development, not needing any Board Review), parking was only proposed on one side of the development.

PPZ Staff generally does not comment on the second hardship variance criterion, but would like to note that the Urban Residence district does not have a maximum number of parking spaces. The addition of this curb cut does not pose any parking maximum compliance issues.

Criterion “c”: The applicant contends that a letter signed and submitted by the condominium board shows that the curb cut is not a substantial detriment to the neighborhood or zoning district.

Upon analysis of the material submitted by the Applicant, PPZ Staff do not believe that the granting of the requested hardship variances would cause a substantial detriment to the public good or nullify or substantially derogate from the intent and purpose of the Urban Residence district, copied here:

Intent

- To implement the objectives of the Comprehensive Plan of the City of Somerville.
- To create, maintain, and enhance areas appropriate for multi-unit residential buildings.

Purpose

- To permit the development of multi-unit detached and semi-detached residential buildings on individual lots.
- To permit contextual modifications to existing detached and semi-detached residential buildings.

Additionally, PPZ Staff do not believe that granting the requested hardship variances would undermine the broader intent of the Somerville Zoning Ordinance, including, but not limited to, the following:

- To permit development and redevelopment according to plans that are collaboratively developed with the Somerville Community.
- To protect the health, safety, and general welfare.
- To balance the supply of off-street parking with local thoroughfare network capacity.

Massachusetts courts have stated that variances will naturally deviate from the intent and purpose of a zoning ordinance to some degree and that the discretionary approval of a variance is defensible if the deviation is not substantial or significant in comparison to the intent and purpose for the district in appraising the effect of the proposal on the entire neighborhood, including future impacts and other development approved or denied in the general vicinity of the development site.

Engineering Staff has noted that this proposal would also require a Sidewalk Reconstruction Permit and communication with the Traffic Department to move any street parking signs as necessary.

The Inspectional Services Department has included one condition of approval, noted below.

CONSIDERATIONS & FINDINGS

In accordance with the Somerville Zoning Ordinance, the Zoning Board of Appeals may grant a Hardship Variance only upon deliberating and finding all of the following at the public hearing for each requested variance:

Hardship Variance Considerations

1. Special circumstances exist relating to the soil conditions, shape, or topography of a parcel of land or the unusual character of an existing structure but not affecting generally the Urban Residence zoning district in which the land or structure is located;
2. Literal enforcement of the provision of this Ordinance for the district where the subject land or structure is located would involve substantial hardship, financial or otherwise, to the petitioner or appellant, Yang Ge, due to said special circumstances; and
3. Desirable relief could be granted without causing substantial detriment to the public good and without nullifying or substantially derogating from the intent and

purpose of the Urban Residence district in this Ordinance or the Ordinance in general.

PERMIT CONDITIONS

Should the Board approve the required Hardship Variance for adding a second curb cut on a front lot line PPZ Staff recommend the following conditions.

Permit Validity

1. This Decision must be recorded with the Middlesex South Registry of Deeds.

Public Record

2. A digital copy of the recorded Decision stamped by the Middlesex South Registry of Deeds must be submitted to the Planning, Preservation, & Zoning Division for the public record.

Inspectional Services Department

3. Parking shall not take place in the minimum front parking setback of 20 feet per SZO 3.2.8.b.