City of Somerville
STRATEGY & DEVELOPMENT DEPARTMENT
MAYOR JAKE WILSON

To: Zoning Board of Appeals
From: Planning Division
Date: November 25, 2026
Subject: 199 Elm Street, ZP26-000098, ZP26-000099, ZP26-000100

Planning Division staff have reviewed the variance application(s) for 199 Elm Street. This memo provides analysis and supporting information for weighing the benefits versus detriments of issuing the requested variance subject to the statutory requirements of M.G.L. 40A.

Zoning Analysis

Strict enforcement of the zoning ordinance for 199 Elm Street would permit a four story, 52' tall building with 10 dwelling units, requiring a ground floor commercial use. A Site Plan Approval and two Special Permits for a four-story mixed-use building (10 residential units and one commercial unit) were approved by the Planning Board in August of 2025. The Applicant now requests that the ZBA consider these variances for relief from number of stories, building height, and the density factor.

Variance Requirement	Permitted MR4	Proposed	Variance
ZP26-000098 – SZO 4.2.8.c Number of Stories	Maximum of 4 stories	6 stories	2 additional stories
ZP26-000099 – SZO 4.2.8.c Building Height	Maximum of 52 feet	67 feet	15 feet in additional height
ZP26-000100 – SZO 4.2.8.d Density Factor (Number of Dwelling Units)	1,500 (10 units)	1,182 (16 units)	6 additional units

Benefits to the Applicant

The Planning Division has identified the following benefits to the Applicant:

- Increased project viability due to complexity of zero lot line construction and constrained lot size.
- Managing construction costs.
- Moving project forward while pursuing development within the statutorily mandated period of validity.
- Increased property value.

Benefits to the Public Interest

Massachusetts case law has treated the public interest as relating to the general public extending beyond the boundaries of a municipality. Zoning defines the public interest by the purpose that zoning ordinances are adopted and the statutory limits of what zoning can regulate.

The Planning Division identified the following benefits to the public interest:

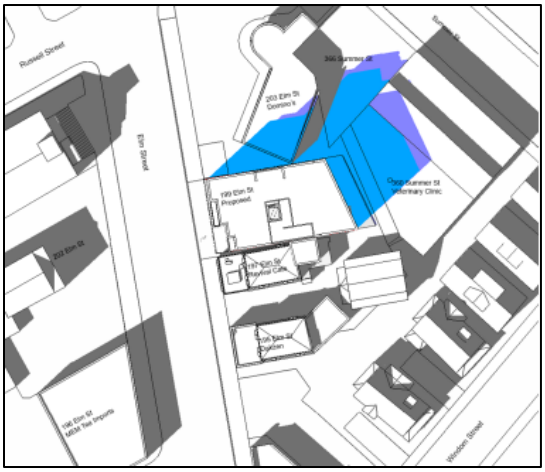
- Furthering state-wide housing production goals.
- Furthering the goals of SomerVision2040.
- Creation of sixteen total housing units, six additional dwelling units than the original proposal.
- Creation of three total price restricted dwelling units, one additional price restricted unit than the original proposal.
- Transit Oriented Development.
- Increased tax base.

Detriments to the Health, Safety, and Welfare of the Neighborhood

Massachusetts case law treats the word "neighborhood" as an elastic geographic area that may alter in size according to the nature of the impact of a proposed variance. For the context of the requested variance, staff analysis identifies public health, safety, and welfare consequences of the proposal that are experienced in the geographically relevant area.

The Planning Division identified the following detriments to the Health, Safety, and Welfare of the Neighborhood:

- Additional shadows cast on neighboring properties due to increased height.
    - *See full shadow study for additional dates and times.*



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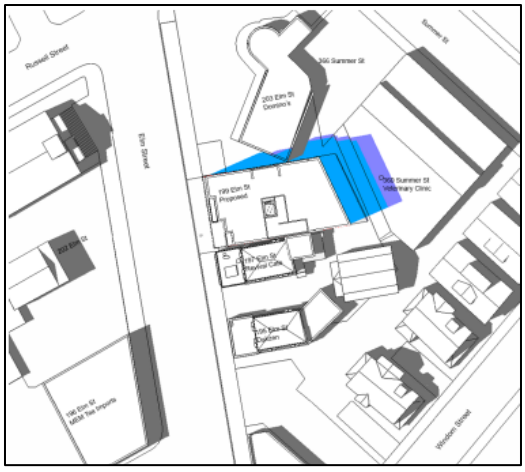

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- Loss of privacy to the rear properties due to increased height.

Other Considerations

To make the required practical difficulty finding, the Zoning Board may also consider the following:

- whether the strict enforcement would impose a financial hardship on the applicant

- whether the practical difficulty relates to soil conditions, shape, or topography of the land or structures
- whether the practical difficulty was self-created
- whether the benefit sought by the applicant can be achieved by some other method feasible to achieve

The Applicant has identified that strict enforcement of the zoning ordinance would impose a financial hardship due to economic circumstances outside of their own control, making the financial hardship not self-created.