

# City of Malden

Massachusetts

Board of Appeal  
200 Pleasant Street, Room 419  
Malden, Massachusetts 02148

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## BOARD OF APPEAL DECISION

DECISION OF  
February 18, 2016  
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### PETITION OF:

Delphine Alignol for a variance of Section 400.7.7, of Chapter 12 of the Revised Ordinances of 1991, as amended, of the City of Malden, yard requirements for all districts, buildings accessory to single-family dwellings, namely, to construct a carport, as per plans, at the property known as and numbered **38 Pierce Street**, Malden, MA (also known by City Assessor's Parcel ID #092-707-713).

### FINDINGS OF FACT AND DECISION:

The petitioner, Delphine Alignol appeared before the Board on February 18, 2016 to construct a carport, as per plans, at the property known as and numbered **38 Pierce Street**, Malden, MA (also known by City Assessor's Parcel ID #092-707-713).

The proposed carport violates the dimensional controls governing front yard set-backs.

Notice requirements have been met and this petition is properly before the Board.

The property consists of a two-family residential dwelling situated on approximately 5,526 sq. ft. of land. The petitioner proposes to construct an open carport that will consist of wooden posts with a metal roof, having a single pitch.

The property is situated in a Residence A zoning district.

Tim Morris, who is an abutter, spoke in favor and support of this petition.

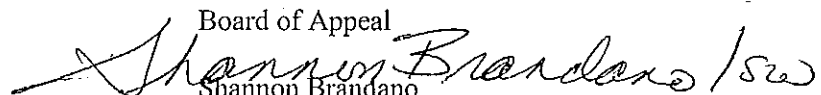
After due hearing, the Board found and adopted the facts as alleged by the Petitioner and that a literal enforcement of the zoning ordinance would involve a substantial hardship, financial and otherwise, to the petitioner.

In addition, the requested relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the purpose or intent of the applicable zoning ordinance.

Upon motion of Claire Croken, which was seconded by Chief, Jack Colangeli, the Board voted unanimously to grant this petition.

MEMBERS OF THE BOARD VOTING WERE:

James O'Brien  
Chief Jack Colangeli  
Claire Croken  
John King  
Shannon Brandano

Board of Appeal  
  
Shannon Brandano  
Clerk