

City of Malden RECEIVED

Massachusetts
Board of Appeal
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Malden, Massachusetts 02148

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BOARD OF APPEAL
DECISION

DECISION OF
May 16, 2018
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PETITION OF:

Kimngan Nguyen-Vo seeking a variance of Section 400.1.2.1, Chapter 12 of the Revised Ordinances of 1991 as amended, of the City of Malden, dimensional controls for residential dwellings namely, to construct a two-story addition violating the setback requirement for single-family dwellings, as per plans, at the property known as and numbered **20 Summit Terrace, Malden, MA** and also known by **City Assessor's Parcel ID # 115-722-207**.

FINDINGS OF FACT AND DECISION:

The property owner Nguyen-Vo appeared requesting a variance to construct an addition as per plans at the property known and numbered as 20 Summit Terrace. All statutory notices have been met and this petition is properly before the Board.

The property consists of a single-family dwelling situated on approximately 10,958 sq. ft. of land. The petitioner proposes to construct an addition with dimensions of approximately 24' x 26' and will consist of a two-car garage on the first level and living space on the upper floor. The petitioner states that the garage will provide needed off-street parking and that it will remain a single-family home. Despite the large size of the lot, the addition violates the setback requirements of the dimensional controls. The hardship is based on the irregular shape of this particular lot. The proposal would not be detrimental to this neighborhood and no one spoke in opposition.

After due hearing, the Board found and adopted the facts as alleged by the petitioner and further found 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.

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Upon motion of Deano Summers, which was seconded by Michael Steene, the Board voted unanimously to grant this petition as per plans.

MEMBERS OF THE BOARD VOTING TO GRANT WERE:

James O'Brien

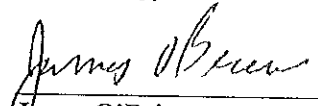
John King

Michael Steene

Deputy Chief William Sullivan

Deano Summers

Board of Appeal



James O'Brien
Chair