



City of Malden

Massachusetts
Board of Appeal
110 Pleasant Street
Malden, Massachusetts 02148

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MALDEN, MASS.

BOARD OF APPEAL DECISION

Meeting of July 19, 2017

42 Bowman St.
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PETITION OF:

Jeffrey A. Hinckley, for 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 single-family residential dwellings, namely, to remove and rebuild existing rear deck, as per plans, at the property known as and numbered 42 Bowman St., Malden MA, and also known by City Assessor's Parcel ID #148-674-408.

All Statutory Notice requirements have been met and this property is properly before the Board

FINDINGS OF FACT AND DECISION

The Petitioner Jeffrey Hinckley appeared before the Board to remove and rebuild existing rear deck, as per plans, at the property known as and numbered 42 Bowman St., Malden MA, and also known by City Assessor's Parcel ID #148-674-408.

This property is located in a Resident A district with approximately 5,007 sq. ft. of land. The petitioner proposes to repair and resurface an existing deck for safety purposes. A permit was issued for the deck on August 20, 1999.

Abutter, Liz Elliot spoke in favor along with Jillian Hinckley who resides with the petitioner.

Kevin Larson of 44 Bowman Street spoke in opposition. Mr. Larson's property is not directly affected by the petitioner's proposal, nor is the petitioner's proposal infringing on any part of Kevin Larson's property.

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 Shannon Brandano, which was seconded by Emery Haskell the Board voted unanimously to grant this petition.

MEMBERS OF THE BOARD VOTING WERE:

James O'Brien
Emery Haskell
Claire Croken
John King
Mike Steene
Shannon Brandano

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Clerk