

BOARD OF APPEAL DECISION

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MALDEN, MASS.

MEETING OF
December 20, 2017
62 Valley Street
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PETITION OF:

Fernando Bento and Daniela Eduardo 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 construct a deck with 7 foot 6 inch setback as per plans, at the property known as and numbered 62 Valley Street, Malden, MA and also known by City Assessor's Parcel ID # 142 793 305.

All statutory notices have been met and this petition is properly before the Board.

FINDINGS OF FACT AND DECISION

Fernando Bento, the petitioner, appeared before the Board on December 20, 2017 proposing to construct a deck that violated dimensional controls setbacks by a couple of feet.

IN FAVOR

A letter of support, from neighbor and direct abutter, Juergen Horak, 70 Cliff Street was read into the record. No one else appeared to speak or submitted letters of support.

OPPOSED

No one appeared to speak, no letters in opposition were received.

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 Deano Summers which was seconded by Mike Steene, the Board voted unanimously to grant this petition.

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MEMBERS OF THE BOARD VOTING WERE:

James O'Brien
Deano Summers
Mike Steene
William Sullivan

Board of Appeal
12.29, 2017
Shannon Brandano
Shannon Brandano, Clerk