

BOARD OF APPEAL
DECISION

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MALDEN, MASS.

MEETING OF
OCTOBER 18, 2017
360 LYNN STREET
PAGE 1 of 2

PETITION OF:

Linda Laviska of Teresa Realty, LLC, 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 single a single family dwelling as per plans at the property known as and numbered 360 Lynn Street, Malden, MA and also known by City Assessors's Parcel ID 170-538-813.

FINDINGS OF FACT AND DECISION

The Board received a letter from Linda Laviska authorizing Hugo Correa, Manager of Braz Realty, to represent her in all matters before the City of Malden with respect to obtaining all permits/variances etc. in developing this property.

Hugo Correa appeared before the Board on October 18, 2017 proposing to construct a single-family dwelling on an existing foundation as per plans submitted to the Board. The former structure that existed was destroyed by fire and consisted of a two-family dwelling.

IN FAVOR

Jadene Sica, Ward 8 City Councilor and direct abutter to this property spoke in favor of granting this variance and also supported the Board's position in scaling back basement bath proposal to include sink only.

No one spoke in opposition

This property is situated on 4,504 sq. ft. of land in a Residential A district and is already non-conforming. This proposal would not increase it's nonconformity

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.

MEETING OF

360 LYNN STREET

PAGE 2 OF 2

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 Emery Haskell which was seconded by Shannon Brandano, the Board voted unanimously to grant this petition upon the following conditions:

- The petitioner shall construct the proposed structure to be constructed within the same footprint, height and bulk as the former structure.
- The petitioner shall not construct a bathroom in the basement but shall be allowed "one" sink.

MEMBERS OF THE BOARD VOTING WERE:

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


Board of Appeal

Shannon Brandano, Clerk
October 20, 2017