

City of Malden

Massachusetts

Board of Appeal
110 Pleasant St.
Malden, Massachusetts 02148

Telephone 781-397-7100

Fax 781-397-7099

BOARD OF APPEAL DECISION

December 18, 2019 Hearing

Petition of:

Petition 19-016 by Andrew William Tchate for a variance of Section 800.4.1.3 Chapter 12, of the Revised Ordinances of 1991 as Amended of the City of Malden, Administration- to hear and decide appeals of decisions or orders made by the Inspector of Buildings or other administrative official, Namely, the use or occupancy, at the property known as and numbered 58 Malden Street Malden, MA and also known by City Assessor's Parcel ID # 038-208-812

Findings of Fact

Petitioner seeks an administrative appeal of a Building Commissioner decision. Petitioner is the owner of a two-unit residential home, and the Building Department issued an order that Petitioner stop using his property for short-term rentals. The Building Commissioner stated that he received complaints about this property and performed an inspection of the home, where Petitioner acknowledged one of his units for short-term rentals. The Building Commissioner represented that the zoning ordinance does not permit rentals for less than thirty days. The Board read into the record several letters in opposition to this appeal.

Findings of Law

Section 800.4.1.3 permits the Board to hear appeals of decisions and orders from the Inspector of Buildings.

The Board finds that the presented evidence and testimony supports the Building Commissioner's order. Petitioner does not dispute that he has used the premises for short term rentals, in violation of the applicable zoning ordinances.

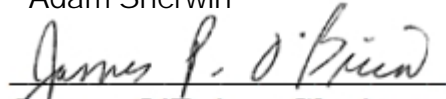
Conclusion

Upon motion by Sullivan, which was seconded by Sherwin, the Board voted unanimously to DENY Petitioner's request.

Petitioner's administrative appeal is DENIED.

Members of the Board Voting:

James O'Brien
William Sullivan
Emily Kibbler
Kathryn Bilgen
Adam Sherwin


James O'Brien, Chairman


Adam T. Sherwin, Esq.
Legal Member