

City of Malden

Massachusetts

Board of Appeal
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Malden, Massachusetts 02148

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BOARD OF APPEAL DECISION

December 18, 2019 Hearing

Petition of:

Petition 19-017 by Syed S Shabbir 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 27 Home Street Malden, MA and also known by City Assessor's Parcel ID # 144-677-704.

Findings of Fact

Petitioner seeks an administrative appeal of a Building Commissioner decision. Petitioner is the owner of a single-family residential home that she and her husband are presently renting to four tenants, who are unrelated. Petitioner represents that she needs these tenants to afford the mortgage loan and other costs associated with owning this home, which she and her husband previously resided in, but now rents. Petitioner does not dispute the basis of the Building Commissioner's complaint, but stated that she believed that the zoning ordinance was antiquated and not appropriate for property owners in her position.

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 they are renting to two or more unrelated persons.

Conclusion

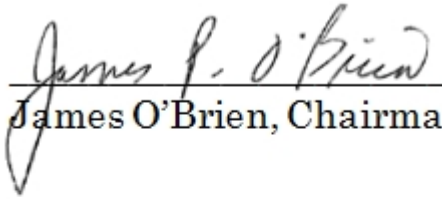
Upon motion by Kibbler, which was seconded by Sherwin, the Board voted unanimously to DENY Petitioner's request.


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