



City of
Melrose
MASSACHUSETTS

*City Hall, 562 Main Street
Melrose, MA 02176
Telephone (781) 979-4135
Albert Talarico
Building Commissioner
Director of Inspection Services*

April 12, 2024

Paul Cunningham and Mary Cunningham
83 Bellevue Ave
Melrose, MA 02176

Re: 83 Bellevue Ave, Melrose, MA —Illegal Apartment
Lot: (E9 0 7)

Dear Property Owner,

During a recent inspection of your property, it was discovered that your home is being used as a two-family house, which violates the occupancy permit for a single-family dwelling. This is due to the existence of a separate unit on the second floor, complete with a kitchen, bedroom, bathroom, and two means of egress. The unit without the correct Occupancy violates section § 235-55 - Certificate of occupancy required (A)

It shall be unlawful to use or occupy any structure or lot hereafter erected or altered unless the Building Commissioner has issued a certificate of occupancy and has specified thereon the use to which the structure or lot may be put. Applications for certificates of occupancy and compliance shall be filed coincident with the application for building permits and shall be issued or refused in writing for cause within five days after the Building Commissioner has been notified, in writing, that the erection or alteration of such buildings has been completed. A record of all certificates shall be kept on file in the office of the Building Commissioner. Buildings accessory to dwellings when completed at the same time shall not require a separate certificate of occupancy.

It is essential that you understand the implications of this violation and the need for compliance. As we discussed during our phone conversation on April 12, 2024, there are two options to rectify this issue. The first is to remove the kitchen entirely from the second floor. The second option is to apply for a two-family occupancy, which will require a variance from the Zoning Board of Appeals (ZBA) for frontage and side yard requirements.

I also mentioned that until the violation has been addressed, any work to renovate the attic must be suspended. No inspection can be performed until the issue has been resolved.



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If you feel this decision is incorrect, you have the right to appeal to the ZBA as outlined in § 235-60.C of the Ordinance.

Thank you for your attention to this matter.

Sincerely,

Albert Talarico
Director of Inspectional Services
Building Commissioner