



Planning & Urban Development Department

Jeff Levine, AICP, Director

Ann Machado, Acting Zoning Administrator

March 19, 2015

York County Shelter Programs, Inc.
PO Box 820
Alfred, ME 04002-0820
Attn: David Beseda

Re: 30 Mellen Street – 047-A-026 – R-6 Residential Zone with a Historic Overlay Zone – Serenity House

Dear Mr. Beseda,

I am in receipt of your request for a determination letter concerning Serenity House located at 30 Mellen Street. A Certificate of Occupancy was issued on February 7, 1985 for the entire premises for an "Alcoholic rehab facility" based on an approved permit #84-850 issued on July 17, 1984. There are no limiting conditions on the permit or Certificate of Occupancy that restricted the number of residents being served. In 1986 another permit was applied for concerning the detached carriage house. There was a site plan review through the Planning Division along with a conditional use appeal that approved a maximum of eight living units in the carriage house for clients of Serenity House. Subsequently, a Certificate of Occupancy was issued for four units in the carriage house.

The Land Use Zoning Ordinance was revised in the late 1980's. As a result, the listed permitted uses changed in the R-6 Zone. However, such changes do not negate the previously approved use for this facility. An "Alcoholic rehab facility" as a use is considered a legal nonconforming use and may continue its approved use to the fullest extent approved. The use as an "Alcoholic rehab facility" is *not* in violation of the current Land Use Ordinance for the City of Portland, Maine.

I am aware of the proposed work within the principal structure to increase the number of beds available in the facility through interior work in the existing basement, second and third floors. It is my understanding that the number of residents and beds will be increased from sixteen to twenty-four. The proposed current increase in the number of residents and beds would *not* be a violation of the approved zoning use of this structure. In 1986, the City was aware that up to 31 clients resided in this building. Twenty-four beds are significantly under what was approved under the "Alcoholic rehab facility". Such proposed work and use will be approvable under Zoning.

Parking requirements under the current Land Use Ordinance exempts properties located within Historic Districts [14-332.2(d)] to show any more parking spaces than currently exist on site. The proposed project does not require the applicant to show additional parking on the lot.

Portland, Maine



Yes. Life's good here.

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Please note that although the zoning for this facility can be approved for the suggested work, this letter is not an approval to commence work. A building permit must be applied for to gain approval to do the actual work. Any exterior work shall require a separate review through Historic Preservation.

If you have any questions regarding this matter, please do not hesitate to contact me.

Yours truly,

Ann B. Machado

Acting Zoning Administrator

City of Portland, Maine

amachado@portlandmaine.gov

207.874.8709