



# PORTLAND MAINE

*Strengthening a Remarkable City, Building a Community for Life • [www.portlandmaine.gov](http://www.portlandmaine.gov)*

*Lee Urban- Director of Planning and Development  
Marge Schmuckal, Zoning Administrator*

April 20, 2007

U.S. Department of Housing and Urban Development  
1000 Elm Street, 8<sup>th</sup> floor  
Manchester, NH 03101-1730

RE: 618-644 Ocean Avenue called 630 Ocean Avenue – 174-A-13, 14, & 170-A-20 –  
R-3 Prime Zone with a 100 foot R-5 strip along Ocean Avenue  
FHA Project : No. 024-43094 – Inn at Cedars (Cedars Assisted Living), Portland, ME  
(the “Property”)

Dear Sir/ Madam:

I am in receipt of your request for a determination on the Property.

1. I as the Zoning Administrator am not aware of any outstanding violations of the subdivision and zoning codes relating to the Property. It is understood that the Property is one lot with three separate condominiums and would not be considered a subdivision.
2. The intended use of the Property is a permitted use in the R-3 Zone under existing ordinances.
3. I as the Zoning Administrator have reviewed and approved the submitted site plans during the Planning conditional use/site plan review process. I found those plans to conform with applicable provisions of the zoning laws and regulations.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

Cc: file  
Preti Flaherty Beliveau & Pachios LLP



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1000 Elm Street, 8<sup>th</sup> floor  
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RE: 618-644 Ocean Avenue called 630 Ocean Avenue – 174-A-13, 14, & 170-A-20 –  
R-3 Prime Zone with a 100 foot R-5 strip along Ocean Avenue  
FHA Project : No. 024-43094 – Inn at Cedars (Cedars Assisted Living), Portland, ME  
(the “Property”)

Dear Sir/ Madam:

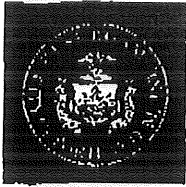
I am in receipt of your request for a determination on the Property.

1. I as the Zoning Administrator am not aware of any outstanding violations of the subdivision and zoning codes relating to the Property. It is understood that the Property is one lot with three separate condominiums and would not be considered a subdivision.
2. The intended use of the Property is a permitted use in the R-3 Zone under existing ordinances.
3. I as the Zoning Administrator have reviewed and approved the submitted site plans during the Planning conditional use/site plan review process. I found those plans to conform with applicable provisions of the zoning laws and regulations.

Very truly yours,

Marge Schmuckal  
Zoning Administrator

Cc: file  
Preti Flaherty Beliveau & Pachios LLP



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Lee Urban- Director of Planning and Development  
Marge Schmuckal, Zoning Administrator

November 16, 2006

~~Cynthia Lobikis  
Patti Flaherty  
P.O. Box 9546  
Portland, ME 04112-9546~~

U.S. Dept. of Housing and Urban Development  
1000 Elm Street, 8th Floor  
Manchester, NH 03101-1730

RE: 618-634 Ocean Avenue called 630 Ocean Avenue - 174-A-13, 14 & 170-A-20 -  
R-3 Prime Zone with a 100 foot R-5 strip along Ocean Avenue - (the "Property")  
FHA Project: No. 024-43094 - Inn at Cedars (Cedars Assisted Living), Portland, ME  
Dear Cynthia,

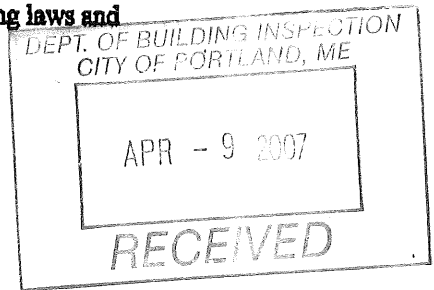
I am in receipt of your request for a determination on the Property.

1. I as the Zoning Administrator am not aware of any outstanding violations of the subdivision and zoning codes relating to the Property. It is understood that the Property is one lot with three separate condominiums and would not be considered a subdivision.
2. The intended use of the Property is a permitted use in the R-3 Zone under existing ordinances.
3. Upon proper application for a building permit, submission of required letters of credit and the prior review and approval by the City of the project drawing and specifications submitted by the architects, the City anticipates the issuance of a building permit.
4. I as the Zoning Administrator I have reviewed and approved the submitted site plans during the Planning conditional use/site plan review process. I found those plans to conform with applicable provisions of the zoning laws and regulations.

Please delete this paragraph.

Very truly yours,

Marge Schmuckal  
Zoning Administrator



Cc: file

Room 316 - 389 Congress Street - Portland, Maine 04101 (207) 874-8695 - FAX: (207) 874-8716 - TTY: (207) 874-3938



CYNTHIA S. LOBIKIS  
clobikis@preti.com

April 6, 2007

Ms. Margaret Schmuckal  
Code Enforcement and Inspection Services  
City of Portland  
389 Congress Street  
Portland, ME 04101

**RE: Unit #2, 630 Ocean Avenue, Portland, Maine**  
**618-634 Ocean Avenue, Portland, Maine - Portion of Parcel ID: 174 A013001**

Dear Marge:

Our client, JHA Assisted Living, Inc., is in the process of finalizing its financing with HUD and is required to provide HUD and the lender with certain information in connection with the property described above. Please let me know when the letter is ready, and our office will pick it up, as we need to deliver it to HUD with other documents.

Please update your review and confirm by letter the following:

1. That the City of Portland is not aware of any outstanding violations of the subdivision and zoning codes relating to the property;
2. That the intended use of the property as an assisted living facility is a permitted use in the zone under existing ordinances;
3. That the plans and specifications of the above-captioned project have been examined and found to conform to all applicable provisions of the zoning laws and regulations of the City of Portland, Maine.

I have enclosed your letter of November 16, 2006, for your ready reference with three requested revisions regarding the project name and party to address the letter to as follows:

Please add the following to your reference line: FHA Project No. 024-43094 – Inn at Cedars (Cedars Assisted Living), Portland, Maine.

Please address the letter to: U.S. Department of Housing and Urban Development, 1000 Elm Street, 8<sup>th</sup> Floor, Manchester, NH 03101-1730.

Please remove the paragraph regarding the building permit, as we do not need the letter to address that issue.

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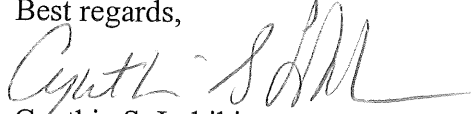
PRETI FLAHERTY

April 6, 2007

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Our check in the amount of \$150 is enclosed in payment of your fee. Please let me know if you have any questions regarding the above request. Thank you for your assistance.

Best regards,



Cynthia S. Lobikis

Enclosures

cc: Eric P. Stauffer, Esq.