

REPORT REGARDING THE DEMOLITION CRITERIA
AS APPLIED TO 820 CARSTEN LANE, KEY WEST

SHARON WELLS, Historian

SITE: 820 Carsten Ln., City of Key West

Commissioners:

As a personal note, I am a former 7-year resident of Carey Lane. I know for a fact that the Carsten Lane properties affect the lives of those on Carey Lane. It's an unusual and almost unique arrangement to have 2 lanes abutting each other. Particularly when the lots and the homes are smaller than on main streets. That is indeed their charm.

I sat as a HARC commissioner during the sensitive rehabilitation of the original small cottage, which was so respectful of the property and residence. The now existing rear addition appears too large and not in scale with the original residence.

The present request to **further expand the rear and enclose it seems not to be in compliance with the Secretary of the Interior's Guidelines.**

DESCRIPTION:

The residence located at 820 Carsten Lane. is a one-story wood building with a large rear porch addition.

The 1912, 1926 and 1948 Sanborn Maps shows the structure and the 1960 Sanborn Map depicts the existing one-story frame house.

HISTORIC DESIGNATIONS:

1998 City Historic Survey notes 820 Carsten Lane as a contributing structure in Key West's Historic District of historic properties.

AGE: Circa 1908. Accordingly, the building meets the minimum 50-year age criterion for eligibility as an historic property in Key West. Criteria, such as the Vernacular architectural style, exterior fabric and details, and physical condition, do meet the criteria and characteristics that define an historic property in Key West.

The building at 820 Carsten is a contributing historic building.

The demolition of a significant portion of the historic wall at the southwest side of the residence will alter one of the original features of the house.

The Secretary of the Interior's Standards for Rehabilitation

"The intent of the Standards is to assist the long-term preservation of a property's significance through the preservation of historic materials and features. The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior and interior of the buildings. They also encompass related landscape features and the building's site and environment, as well as attached, adjacent, or related new construction.

As stated in the definition, the treatment "rehabilitation" assumes that at least some repair or alteration of the historic building will be needed in order to provide for an efficient contemporary use; **however, these repairs and alterations must not damage or destroy materials, features or finishes that are important in defining the building's historic character.**"

The following Guidelines of the Secretary of the Interior appear to be relevant.

- 1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.**
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.

page 3

9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.

10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

BUILDING CHARACTERISTICS:

Architectural Style and Plan:

The building exemplifies a Vernacular style of architecture; The plan is rectangular.

Exterior Fabric: Wood Frame, Board and batten. In 1965 asbestos material covered the original wood.

Foundation: Piers
Condition: Good

GENERAL CONDITION: Very good

LOCATION: The building is located in the historic neighborhood in mid-OLD TOWN. Nearly all adjacent residential structures on Carsten and Carey lanes, are one-story or 1 and 1 1/2- story wooden houses, exhibiting the definitive style or features that define Key West's Historic District at the turn of the century.

The future impact on neighboring homes on Carey Lane and also Carsten Lane may well be precedent-setting and should be taken into account.

With regard to the requested demolition:

In my opinion, the requested demolition of portions of the western elevation wall, which was built as a rear porch addition and subsequently altered, is not appropriate.

Rules to determine eligibility for demolition:

- (1) Embodies no distinctive characteristics of a type, period, or method of construction of aesthetic or historic significance in the city and is not a significant and distinguishable building entity whose components may lack individual distinction;**

The original residence, and the facade at the front of the street, exhibit the defining characteristics and floor plan of architectural style that were typical of the cigarmakers' cottages.

- (2) Is not specifically associated with events that have made a significant contribution to local, state, or national history;**

The property house at 820 Carsten Lane, typical of the cigarmakers' cottages' floor plans and simple design, is an example of a unique architectural type in Key West.

- (3) Has no significant character, interest, or value as part of the development, heritage, or cultural characteristics of the city, state or nation, and is not associated with the life of a person significant in the past.**

Key West's architectural heritage is embodied in this Vernacular style home and the cigar workers who dwelled therein.

See item 2

- (4) Is not the site of an historic event with a significant effect upon society;**

A search of the *Key West Citizen* and *Miami Herald* for the years 1930-2000 reveals no mention of significant historic events at Carsten Lane.

- (5) Does not exemplify the cultural, political, economic, social, or historic heritage of the city;**

page 5

The residence is in fact typical of a cigarmaker's cottage, which predominated at the turn of the century, when the cigar industry helped make Key West the wealthiest city in Florida.

- (6) Does not portray the environment in an era of history characterized by a distinctive architectural style;**

The historic development period of this block and its surrounding

neighborhood occurred in the period 1890-1910. The smaller one-story dwellings in the area embraced the classic or vernacular styles. The home at 820 Carsten Lane exemplifies the cigarmakers' cottage style.

- (7) If a part of or related to a square, park, or other distinctive area, nevertheless should not be developed or preserved according to a plan based on the area's historic, cultural, natural, or architectural motif;**

N/A

- 8) Does not have a unique location or singular physical characteristic which represents an established and familiar visual feature of its neighborhood or of the city, and does not exemplify the best remaining architectural type in a neighborhood;**

There is nothing unique about the building's location in its neighborhood. As noted above, the residence **does** exemplify a particular defining architectural style typical of Key West historic heritage. The home contributes to the low rise streetscape of Carsten Lane. **The rear of this building definitely affects and impacts the dwellings on the lane behind it, Carey Lane.**

- (9) Has not yielded, and is not likely to yield, information important in history.**

This property is part of the heritage of Key West's late nineteenth century cigar era and a significant structure in the residential neighborhood.

Kelly Perkins

From: KEVIN SCOTT <Avpetro@sbcglobal.net>
Sent: Friday, April 21, 2017 1:40 PM
To: Kelly Perkins; Enid Torregrosa
Subject: 820 Carsten
Attachments: 2009-02-04 Exterior Stair Photo.pdf; Interior Stair Photo - date unknown.pdf; Stair Permit #1501208 - 820 Carston.pdf

Kelly and Enid:

Please provide the following to HARC Board Members and place in the record for the application for HARC Certificate being considered for 820 Carsten at the April 25, 2017 meeting.

Thank you,
Kevin Scott

Chairman Green and HARC Board Members:

Several statements have been made regarding the application submitted for 820 Carsten that are factually untrue. The truth matters and facts matter. We respectfully submit the following information in the interest of establishing an accurate record.

A statement was made at the February HARC meeting that the exterior stairs at 820 Carsten have been permitted. This is a misleading statement. No permit has been issued for the construction of exterior stairs nor at any time has a HARC Certificate of Appropriateness been given for exterior stairs. The original stamped and approved plans from 2007 for the upstairs porch at 820 Carsten provide for an interior staircase which is what was constructed in 2007. In 2012 an exterior staircase was built without a HARC Certificate or permit of any kind. In April 2015 a permit for "repairs" at the stated amount of \$1,000 was obtained and using that permit, a contractor built a new set of stairs.

Attached please find the following:

- Photo of the rear of 820 Carsten date stamped 2009 obtained from the Monroe County Assessors Office showing the interior stairs.
- Photo of the exterior stairs built in 2012 without a permit and no HARC Certificate.
- Photo of the existing stairs constructed in April, 2015 under the guise of "repairs" for which there is no HARC Certificate and no permit for construction.
- Copy of Permit for "repairs" dated April 2, 2015.

A permit obtained for the purpose of repairs cannot be used for new construction nor is it a shortcut to avoid obtaining the required HARC Certificate of Appropriateness. A questionably obtained permit for repairs cannot substitute for, or be characterized as, properly permitted construction with the required approvals. The representation that the exterior stairs are permitted is misleading and factually untrue.

Thank you for your time and attention.

Kevin Scott
818 Carsten Ln
Key West, FL











COMBINATION APPLICATION: FLOODPLAIN, CONSTRUCTION AND HARC

\$50.00 APPLICATION FEE NON-REFUNDABLE

City of Key West

3140 FLAGLER AVENUE
KEY WEST, FLORIDA 33040

Phone: 305.809.3956

HARC PERMIT NUMBER 1501-467	BUILDING PERMIT NUMBER 15-1208	INITIAL & DATE 4/2/15
FLOODPLAIN PERMIT		REVISION #
FLOOD ZONE	PANEL #	ELEV. L. FL.
SUBSTANTIAL IMPROVEMENT YES NO %		

ADDRESS OF PROPOSED PROJECT:

820 CARSTEN LN

OF UNITS

RE # OR ALTERNATE KEY:

NAME ON DEED:

KWRH, LLC

PHONE NUMBER

N/A

OWNER'S MAILING ADDRESS:

817 DUVAL ST

EMAIL

N/A

CONTRACTOR COMPANY NAME:

HAMILTON BUILDERS

PHONE NUMBER

305-923-0054

CONTRACTOR'S CONTACT PERSON:

JAMES HAMILTON

EMAIL

HAMILTONBUILDERS2@Hmail.com

ARCHITECT / ENGINEER'S NAME:

N/A

PHONE NUMBER

N/A

ARCHITECT / ENGINEER'S ADDRESS:

N/A

EMAIL

N/A

HARC: PROJECT LOCATED IN HISTORIC DISTRICT OR IS CONTRIBUTING: ☒ YES ☐ NO (SEE PART C FOR HARC APPLICATION.)

CONTRACT PRICE FOR PROJECT OR ESTIMATED TOTAL FOR MAT'L, LABOR & PROFIT:

\$ 1,000 -

FLORIDA STATUTE 837.06: WHOEVER KNOWINGLY MAKES A FALSE STATEMENT IN WRITING AND WITH THE INTENT TO MISLEAD A PUBLIC SERVANT IN THE PERFORMANCE OF HIS OR HER OFFICIAL DUTY SHALL BE GUILTY OF A MISDEMEANOR OF THE SECOND DEGREE PUNISHABLE PER SECTION 775.082 OR 775.083

PROJECT TYPE: ☐ ONE OR TWO FAMILY ☐ MULTI-FAMILY ☐ COMMERCIAL ☐ NEW ☐ REMODEL
☐ CHANGE OF USE / OCCUPANCY ☐ ADDITION ☐ SIGNAGE ☐ WITHIN FLOOD ZONE
☐ DEMOLITION ☐ SITE WORK ☐ INTERIOR ☐ EXTERIOR ☐ AFTER-THE-FACT

DETAILED PROJECT DESCRIPTION INCLUDING QUANTITIES, SQUARE FOOTAGE ETC.,

REPAIR EXISTING

EXTERIOR STAIRCASE & RAILING.

* Work to comply with Sec R311 of the F.B.C. Residential

R312

I'VE OBTAINED ALL NECESSARY APPROVALS FROM ASSOCIATIONS, GOVT AGENCIES AND OTHER PARTIES AS APPLICABLE TO COMPLETE THE DESCRIBED PROJECT.	OWNER PRINT NAME	QUALIFIER PRINT NAME
OWNER SIGNATURE	QUALIFIER SIGNATURE	
Notary Signature as to owner	Notary Signature as to qualifier	
STATE OF FLORIDA, COUNTY OF MONROE, SWORN TO AND SCRIBED BEFORE ME THIS ____ DAY OF ____ 20__	STATE OF FLORIDA, COUNTY OF MONROE, SWORN TO AND SCRIBED BEFORE ME THIS ____ DAY OF ____ 20__	
Personally known or produced as identification	Personally known or produced as identification	



P.O. BOX 1409
KEY WEST, FL 33041-1409
(305) 809-3956

Owner	Contractor
KWRH, LLC AN 817 DUVAL ST KEY WEST FL 33040 (305) 292-4637	HAMILTON BUILDERS CONSTRUCTION 321 CATHERINE ST KEY WEST FL 33040 (305) 923-0054

Qty	Unit Charge	Per	Extension
		BASE FEE	10.00

not
allowed
must
permitted

10.00	00.00
66.00	50.00
76.00	50.00

DL - - - - - * BUILDING PERMITS-NEW

THE PROPOSED CONSTRUCTION IS PERMITTED ON CONDITION OF COMPLIANCE WITH ALL APPLICABLE CODES AND ORDINANCES AND IN CONFORMANCE WITH ALL PLANS, SPECIFICATIONS AND ESTIMATES SUBMITTED WITH THE SUBJECT APPLICATION. PERMIT VOID UNLESS CONSTRUCTION COMMENCED WITHIN 180 DAYS OF ISSUE.

4/9/15

DATE ISSUED-

81

Kelly Perkins

From: KEVIN SCOTT <Avpetro@sbcglobal.net>
Sent: Friday, April 21, 2017 2:41 PM
To: Enid Torregrosa; Kelly Perkins
Cc: Ronald Ramsingh; Wayne Smith
Subject: 820 Carsten
Attachments: 160624115920SCAN.pdf

Enid and Kelly:

Please provide the following information to the HARC Board Members and include in the record for the application for Certificate of Appropriateness for 820 Carsten being considered at the April 25, 2016 HARC meeting.

Thank you,
Kevin Scott

Members of the HARC Board:

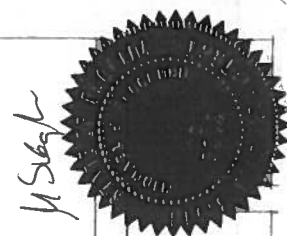
There is an assumption that it is unclear what the HARC Board approved when a Certificate of Appropriateness was provided in 2006 for an upstairs porch at 820 Carsten. This assumption is based on a lack of detail in the HARC records. This is a misconception. In May of 2016 I obtained from Michael Skoglund of Kinky Construction the original, approved blue line construction plans for the upstairs porch constructed in 2007 at 820 Carsten. These plans, stamped and signed by the City, show in detail what was approved and reflect in feet and inches exactly what the HARC Certificate allowed. I also obtained the original permit for the work issued in 2007. I provided both of these to HARC staff at the time to assist them in evaluating current proposals for a new addition at 820 Carsten.

In the recent February HARC meeting City Attorney Ramsingh outlined the City's policy and procedure regarding HARC Certificates. He explained that before plans are approved by the Building Dept, conformity with the HARC Certificate of Approval is checked. He went on to note that even if plans are not checked in all cases or where that step was overlooked, approved plans stamped by the City are presumed to be consistent with the Certificate of Appropriateness and treated as such.

Attached below please find the approved plans for 820 Carsten stamped and signed by the City. They memorialize the specific intent, and expressed approval of the HARC Board in 2006.

Thank you,

Kevin Scott
818 Carsten Ln
Key West

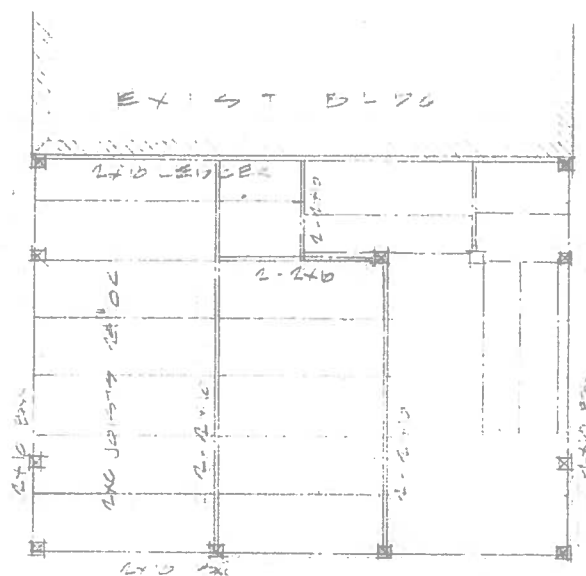


1/5/07

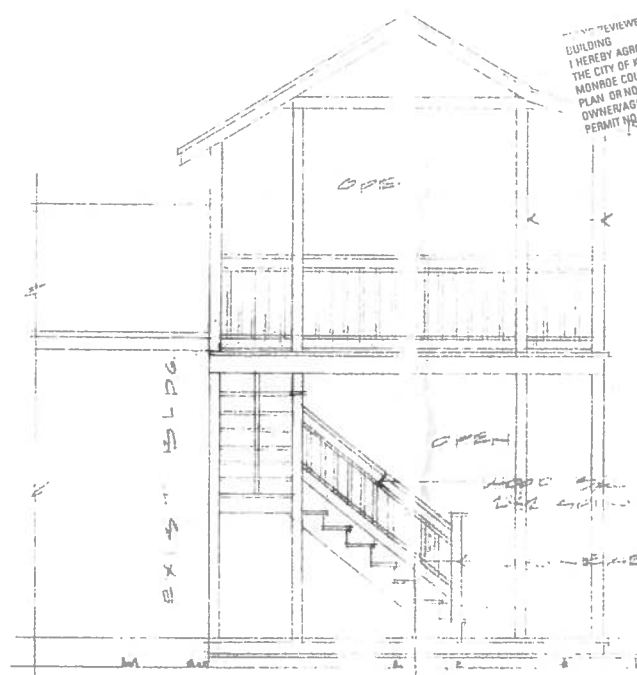
PLANS REVIEWED BY THE CITY ENGINEER AND THE CITY ENGINEER HAS REVIEWED THE PLANS AND APPROVES THEM FOR CONSTRUCTION. I HEREBY AGREE TO COMPLY WITH ALL ORDINANCES OF THE CITY OF KEY WEST AND ALL FEDERAL, STATE, AND COUNTY LAWS WHEN SHOWN ON THIS PERMIT NO. DATE

REVIEWED BY 1/5/07
I HEREBY AGREE TO COMPLY WITH ALL ORDINANCES OF THE CITY OF KEY WEST AND ALL FEDERAL, STATE, AND COUNTY LAWS WHEN SHOWN ON THIS PERMIT NO. DATE

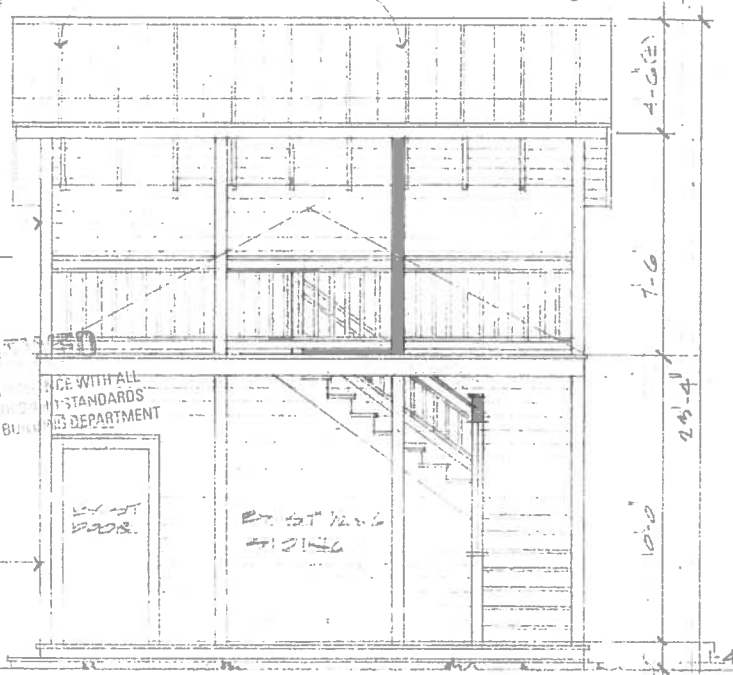
FIELD COPY FOR INSPECTIONS



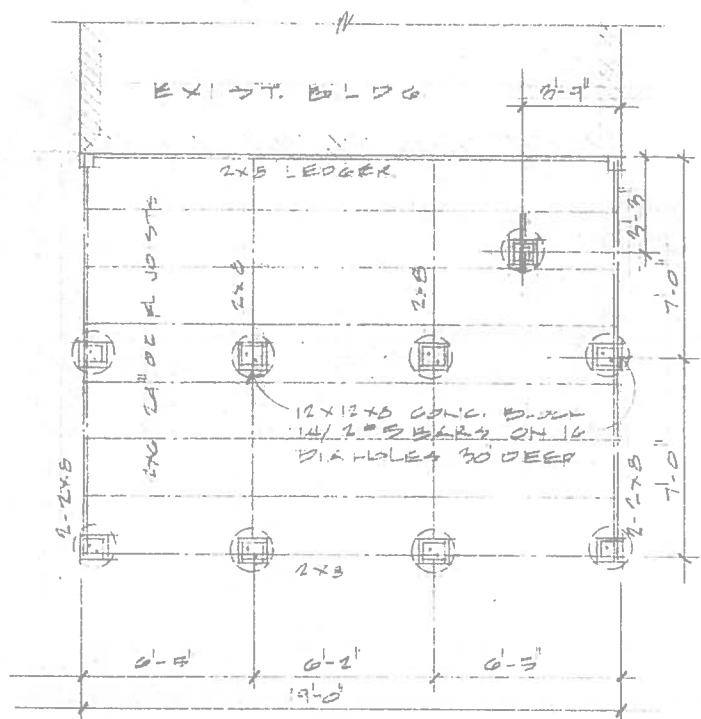
2ND FLOOR PLAN
1/4" = 1'-0"



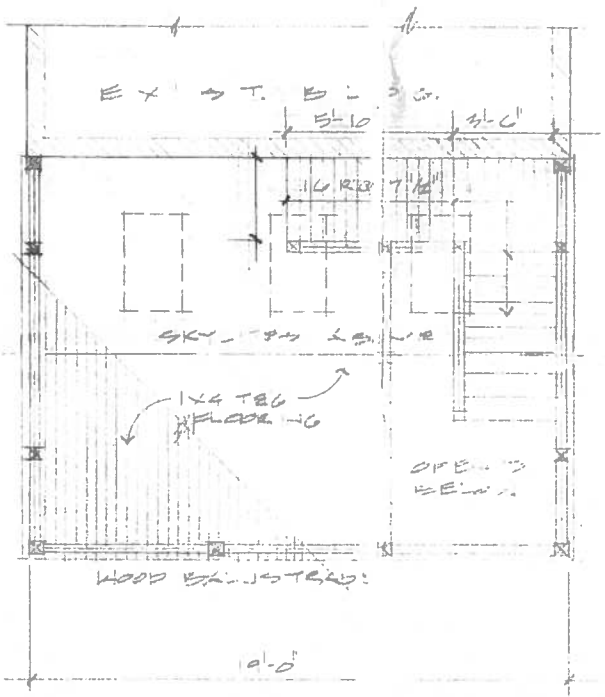
RIGHT SIDE ELEVATION
1/4" = 1'-0"



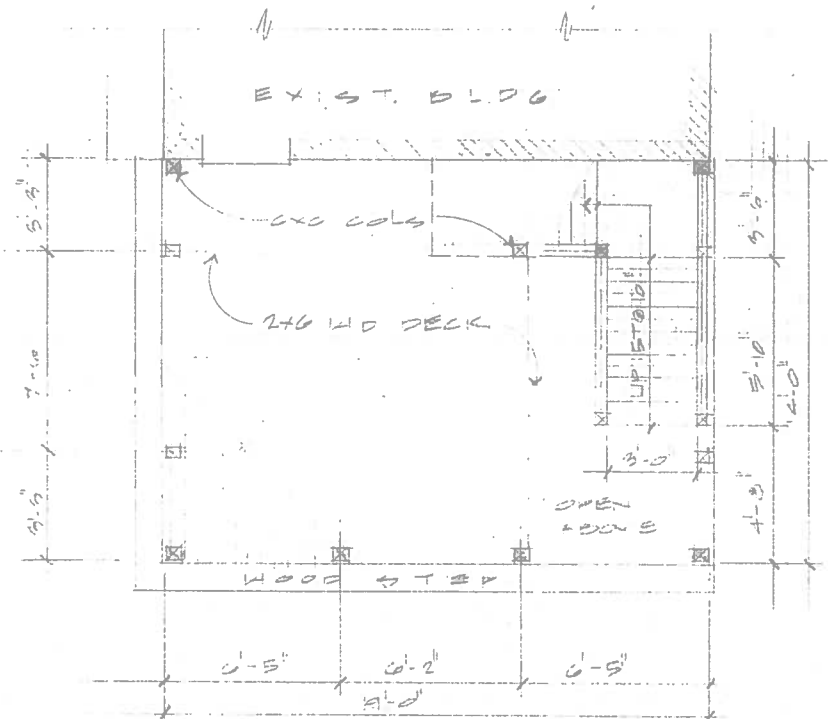
REAR ELEVATION
1/4" = 1'-0"



1ST FLOOR PLAN
1/4" = 1'-0"



2ND FLOOR
1/4" = 1'-0"



1ST FLOOR PLAN
1/4" = 1'-0"

SKOGG LYN
K. R. C. H. E. S. T.
K. E. Y. W. E. S. T. F. L. A.

2020 CARSTEN LN
2-20-06

1
002

Kelly Perkins

From: Maureen Bramlage <maureen.bramlage@comcast.net>
Sent: Friday, April 21, 2017 3:54 PM
To: Kelly Perkins
Cc: Enid Torregrosa
Subject: After-the-Fact Permit request
Attachments: Carsten before and after porch.pdf

Please upload the following commentary for Apr. 25's HARC meeting and if possible, insert the photos **opened** in the space between paragraphs where it says to see the attached photos.

AFTER-THE-FACT PERMIT REQUEST??!??

I am going to have to have help to understand how someone can buy a house with an open porch, illegally enclose it, and then be entitled to an after-the-fact permit?. Or am I not understanding the request?

We know from the applicants themselves, spoken directly to every one of the protesting neighbors, that they enclosed it themselves after buying it.

We know from the previous owner's written declaration that she did not enclose it.

We know from the photos and statements of realtors that it was open when it was shown and sold.

And we know from the next door neighbors, who considered buying it at the same time and took photos of their own, that it was open when it was shown and when it was sold.

So who is saying that it was enclosed? Is anyone saying it was enclosed when the present owners bought it? **AND** If not, what can possibly justify such a request?

The proposed construction is so out of harmony in scale and mass with the adjacent neighbors and the two whole lanes of historic single-story homes, that the new design has to try to legitimize it with an estoppel argument, claiming no one knows what was done when, and implying that it was already enclosed. But that is a specious argument and an overly broad generalization because we know:

- a) that Architect Michael Skoglund canceled the permits and withdrew the plans when the owner, Susan Schock, built the frame to a roof peak over 25ft, when the permit only allowed for 23 ft.
- b.) that Susan Schock did no construction after the house went into foreclosure in '08
- c.) that the County Appraiser recorded photographically the open porch on Feb. of '09
- d.) it was represented visually and verbally by realtors as an open porch
- d.) and that the new owner enclosed the porch, without permits, and told the neighbors who actually saw the construction that he did so "for the hurricanes".

From HARC's Glossary of Terms: "Guidelines: officially declared limitations expressed as **instructions for procedures**. I don't think this proposal can be approved under the Guidelines. There are no guidelines that would allow it.

I have scoured the Guidelines –2002 through 2016 and can find nothing that can justify the request for an after-the-fact permit to enclose.

In fact the guidelines of the time specifically disallow it, causing us to wonder if the HARC of the day actually erred: "single-story porches may not be altered or raised to two stories, nor may open roof decks be built on the roofs of one story porches."

See photos attached first of ground floor deck, then with second story porch.

This is a structure that was not built per plan, is scheduled to be demolished, and requested to be replaced by a different structure, out of scale and mass, and not compatible and harmonious, with the neighboring structures and surroundings. No one ever applied for a permit to enclose it; it never **was** enclosed; and not a single guideline anywhere from '02 forward indicates that enclosure would have been approved in this circumstance.

Can it really be appropriate to allow a two-story home to overshadow and dominate all other single-story homes around it?

Is it appropriate to replace an unsafe, dilapidated, illegally, and incorrectly built open porch, scheduled for demolition, built above an open deck – replace it with a two-story home? Will doing so open a Pandora's box of requests for more over-sized and crowding two-story homes? Certainly two neighbors have expressed that intent.

In Dec. '06, HARC apparently approved a second-story porch open on all four sides. How can any more than that be approved now? As I said when I opened, I do not understand. I need help to understand.

I have heard different opinions from the dais on just what constitute massing, one person referring the the enclosed upper level as "similar in massing", and another stating "this is a significant increase in mass". Searching dictionaries, thesauruses and HARC glossaries I find that massing is supposed to take in "bulk". From HARC glossary on scale and mass: "Building form refers to the shape of the major volumes, while massing refers to the overall **composition** of the major volumes, its overall **"bulk"** and how it sits on the site."

What I am hearing, in Mr. Oropeza's frequent admonishments to this Board, is that the City has made mistakes, creating liability to his clients. Is there implicit in these constant reminders that HARC should attempt to redress the harm that may have been done? That is certainly not HARC's job, and everyone seemed to agree last month that permit issues should be dealt with in a different arena – Building or Code, yet here we are with a request for an after-the-fact **permit**, that asks the board to disregard their own Guidelines and **permit** something that controverts more than 20 of the Guidelines, just because the City itself failed to take action on neighbors' complaints and failed to make proper certification for the buyers.

I do not wish my objections to be seen as personal. I am not in any way against the Lynches whom I already know as neighbors. I just want the City to shoulder its own responsibility or liability, and not try to offset it on the backs of the neighbors and to the detriment of the surroundings. In fact, I offered

to testify on behalf of the Lynches because I have lived here and been in touch with all owners of 820 Carsten for 23 years.

Maureen Bramlage
812 Carsten Lane
Key West
305 295 0162



Virus-free. www.avast.com



Kelly Perkins

From: Maureen Bramlage <maureen.bramlage@comcast.net>
Sent: Friday, April 21, 2017 3:57 PM
To: Kelly Perkins
Cc: Enid Torregrosa
Subject: Fw: Roof Height/820 Carsten 4/25

This is a separate upload, for the roof issue:

I need to make a separate point about the roof height of 820 Carsten, in case the elements of this proposal would somehow extend to a later approval for just the open porch that was permitted in Dec '06.

The wording submitted for the roof height has been changed to read "existing height". That would not be acceptable, and not necessary as the illegal addition is to be demolished anyway. It is not acceptable because:

- a) the roof was permitted for 23ft. but built to over 25 ft according to the owner who built it and the architect who left the project because of it
- b) this fact was verified by the neighbor who did the field measurements as reported in the June meeting.
- c) the impact of a second story porch would be significantly lessened by the resulting 10% decrease in the height
- d) the architect keeps referring to "existing height" and says it is 24ft above grade – not true

Maureen Bramlage



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City of Key West
HARC Board Members
1300 White Street
Key West, FL 33040

April 24, 2017

Chairman Green and Members of the HARC Board:

HARC Staff is in receipt of amended plans submitted for a HARC Certificate of Appropriateness for construction at 820 Carsten Ln in Key West. These plans include construction of a two story addition and renovations to the existing contributing Historic Cottage. We believe that these plans and the application that accompanies them, are inconsistent, and do not properly represent the scope of the project.

The plans, along with many others submitted by the applicant, depict new skylights on both the historic cottage and the new addition. No mention is made of replacement or relocation of the skylights in the application. Staff is silent on this matter and presumes that the drawings can be ignored because of their omission in the application. It is unreasonable to assume that the repeated inclusion of skylights is an error. Applicant is reasonably entitled to rely upon the drawings once they are approved. There is no existing ordinance or Guideline that establishes the application as the prevailing document when there is a conflict between application and drawings.

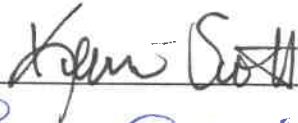
The same condition exists regarding encroachments on both of the side lot setbacks. The drawings show new construction in the 5 ft. setback but make no reference to that in the application. Even if a variance is subsequently required, it can be reasonably assumed the HARC Board has granted approval for such a variance even if no such approval has been contemplated.

The existing exterior staircase, which has no HARC Certificate of Approval, is depicted on the drawings in a new location. Yet removal and rebuilding of the exterior stairs is not mentioned in either the application or the request for demolition. Applicant's obvious desire is that the location change will go unnoticed and the new exterior stairs in a new location will not receive either Staff review or application of the Guidelines during the HARC review. The innocuous "renovate stairs" notation on the plans is the only information given. HARC Staff is again silent on this matter presumably due to the fact the stair construction is not mentioned in either the application or the demolition request.

The Board has repeatedly admonished this Applicant to provide an accurate application and plans that clearly portray the scope of the work. Applicant has once again failed to do so. The Public's expectation is that the Board will make decisions based on factual information and accurate drawings that are consistent with the applications submitted. The undersigned residents of Carey and Carsten Lanes respectfully request that the Board remove 820 Carsten Ln from the April agenda and refuse to consider the project until demolition and construction applications consistent with the plans are provided.

Respectfully Submitted,

Kevin Scott, 818 Carsten Lane



Laurie Scott, 818 Carsten Lane



Mike McGrath, 822 Carsten Lane



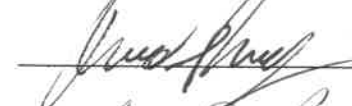
Paul Gray, 822 Carsten Lane



Maureen Bramlage, 812 Carsten Lane



Trish Brennan, 816 Carsten Lane



David Rooney, 806 Carey Lane



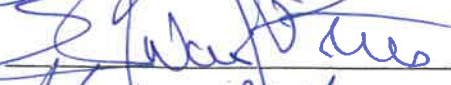
MaryJo Rooney, 806 Carey Lane



Richard Jenkins, 808 Carey Lane



Bev Jenkins, 808 Carey Lane



Edward Pitts, 621 Margaret



Marilyn Pitts, 621 Margaret



Stephen M. Tripp
623 William Street