1421 CONGRESS STREET

SHAW-WALKER

CITY OF PORTLAND, MAINE
Department of Building Inspection

Certificate of Occupancy

LOCATION 1421-1423 Congress Street

Issued to Theodore Barris

Date of Issue May 27, 1980

This is to certify that the building, premises or part thereof, at the above location, built—altered —changed as to use under Building Permit No. 80/230, has had final inspection has been found to conform substantially to requirements of Zoning Ordinance and Building Code of the City, and is hereby approved for occupancy or use, limited or otherwise, as indicated below.

PORTION OF BUILDING OR PREMISES	APPROVED OCCUPANCY
3rd Floor	6 Family

Limiting Conditions: - 2 new apartments

This certificate supersedes certificate issued

Approved: 5-30-80 (Date)

Inspector

Walter W. Hill
Inspector of Buildings

Note: This certificate identifies lawful use of building or premises, and ought to be transferred from owner to owner when property changes hands. Copy will be furnished to owner or lessee for one dollar.

Applicant: [illegible] Date: [illegible]

Address: [illegible]

Assessors No.: [illegible]

CHECK LIST AGAINST ZONING ORDINANCE

✓ Date - [illegible]

✓ Zone Location - [illegible]

Interior or corner lot -

40 ft. setback area (Section 21) -

Use - CHANGE OF USE 4 TO 6 FAMILIES

Sewage Disposal WITH REQUIRED ON 3RD FLOOR

Rear Yards - 21-39

Side Yards - 26.04

Front Yards - 47.43

Projections -

Height -

→ Lot Area - [illegible]

Building Area -

Area per Family - 7143 — 18,000 (3000 PER FAMILY)

Width of Lot -

Lot Frontage

✓ Off-street Parking - [illegible]

Loading Bays -

Site Plan -

Shoreland Zoning -

Flood Plains -

PROPERTY DESCRIPTION

SITE DATA

Size: 7140± Sq. Ft.		Topography: Level
Water: City	Street Surface: Macadam	Drive: 2 - Paved
Electricity: 4/60	Curb: Granite	Fence: Cyclone
Telephone: N.E.T.	Traffic Flow: 2 Way	Walls: -
Gas: City	Sidewalks: Paved	Walks: Conc.
Sewer: Town	Street Lights: Yes	Needed: - %
Storm Drain:	Fire Alarm: Yes	Planting: -
Hydrants: 300'	Parking: On Site	Subsoil: Granular
Highest and Best Use: Multi-family Residential		

IDENTIFICATION

Address: 1421-1423 Congress St., Portland, Me.

Owner's Name & Address: Everett & Gertrude Johnston

Inspector: F. R. Nourse | Date of Insp.: 10/21/78 | No:

Deed Reference: B&P | Date | Grantor | Price

Improvements Since Purchase:

Assessor's Ref: 194-C-27, 194-C-28 | Taxes: 684.23, $ 799.78 | Zoning: R - 5

Assessed Value: Land 2580, 2630 | Bldgs 17,790, 21,180 | Total 44,180

Type & Use: Multi-family Residential - 5 Units

BUILDING DATA

Age: 50±	Heat: OFHW	Insulation: -	Kit Floor: Lino.	Bath Floor: Inlaid	Stories: 2½
Rem. Econ. Life: -	Oil Tank: 4 275 Gal.	Ceilings: Plaster Sus.	Cupboards: Factory & Plywood	Bath Walls: Marlite	Roof: A/S
Construction: Frame	Hot Water: 1 Elec. 4 Boilers	Walls: Plaster Panel	Counter Tops: Formica	Bath Fixts: 4 Semi-modern 1 Old Style	Gutters/Spouts:
Foundation: Brick	Laundry Tray: -	Trim: Aver.	Kit Sink: S.S.	Shower: 3	Chimney: Brick
Excavated: 100 %	Elevator: -	Floors: H.W.	Stv Oven: 4	Elect Fixts: Basic	Siding: Asb. Sh.
Cellar Floor: Conc.	Sprinkler: -	Closets: Adequate	Dish Washer: -	Windows: D.H.	Shutters:
Columns: Brick	Incinerator: -	Radiation: Rad.	Disposer: -	Storm Sash, Screen: Some Wood Sash	Areaways: Front & Rear
Bulkhead: -	Sump Pump: -	Air Cond: -	Exhaust Fan: -	Doors: Hollow Core	Porch: 1st Level-Enc. 2nd Lev.-Open
Wiring: Conduit & Romex	Plumbing: Mixed	Fireplace: 4 -Questionable	Garage & Outbuildings:		

Unit & Room Arrangement

Living Area: 6840 Sq. Ft.

1st Flr. Left: 4 Rms. - Bath - Aver. to Fair Cond. - Heated - $200/Mo.
2nd Flr. Left: 4 Rms. - Bath - Aver. to Good Cond. - Heated - $200/Mo.
3rd Flr. Left: 3 Rms. - Bath - Aver. to Good Cond. - Heated - $165/Mo.
1st Flr. Right: 5 Rms. - Bath - Aver. Cond. - Not Heated - $160/Mo.
2nd Flr. Right: 3 Rms. - Bath - Aver. to Fair Cond. - Heated - $200/Mo.
3rd Flr. Right: 2 Fin. Rms. - 408 sq. ft. Unfin. - Rough Plumbing - No Rent.

Remarks: Well located across street from West Gate Shopping Center. 3rd level right side has good potential for 4 rm. apt. when finished.

Condition & Necessary Repairs: In need of exterior paint and trim work. Left side roof shows wear. Rear hallways need redecoration.

AmSco Realty and Appraisal Co.

Theodore & Therese Barris
1421-23 Congress Street
Portland, Maine

		Present - January 1, 1979 - December 31,1979
1st Mortgage	$35,000.00 - 15 years - 10 3/4% -	$386.89
2nd Mortgage	10,000.00 - 5 years - 9%	207.59

Yearly Debt Service	
1st Mortgage	$ 4,642.68
2nd Mortgage	2,491.08
Taxes	1,380.88
Insurance	810.00
Water & Sewer	494.95
Fuel Oil	2,075.82
Electricity	567.11
Repairs	4,608.69
Cash Disbursements	1,123.46
Reserve for Maintenance @ 10%	1,000.00
Reserve for Replacement @ 15%	1,500.00
Reserve for Vacancy	500.00
	$21,194.67
Gross Income	$10,335.00

THEODORE & THERESE BARRIS
1421-23 Congress Street
Portland, Maine

1979

513-05-6850

Part 2 (b)

Inc		$10,335.00
(d)	$ 959.32	
(e)	15,791.54	
	$16,750.86	16,750.86
		$ (6,415.86)

Real Estate Taxes	$1,380.88
Mortgage Interest	4,730.63
Insurance	810.00
Lights	567.11
Fuel	2,075.82
Misc. Expenses Repairs	4,608.69
Water	494.95
Cash Disbursements	1,123.46
	$15,791.54

Apartment House	11/78	$45,000.00	-	300.00	4%	300.00
Insulation and Windows	11/28	981.00	-	19.88	4%	19.88
Remodeled	1979	[illegible]	-	-0-	4%	553.44
Furniture	1979	860.00	-	-0-	10yrs	86.00
		$62,676.89		319.88		959.32

THEODORE & THERESE BARRIS
421-23 Congress Street
Portland, Maine

1979 Expenses & Income

Income:			$10,335.00
Expenses:			
Mortgage Interest			
1st Mort.	$3,910.08		
2nd Mort.	820.55		
	$4,730.63	$4,730.63	
Real Estate Taxes		1,380.88	
Insurance		810.00	
Electricity		567.11	
Fuel Oil		2,075.82	
Misc. Expenses repairs		4,608.69	
Water		494.95	
Cash Disbursements		1,123.46	
Depreciation		959.32	
		$16,750.86	
			$16,750.86
Loss			($6,415.86)

THEODORE & THERESE BARRIS
1421-23 Congress Street
Portland, Maine

Project Expenses After Conversion

Cost of Conversion		$ 9,550.00
Original Mortgage Debt Service	$ 7,133.76	
Taxes - @ $33.59	1,582.03	
Insurance	910.00	
Water & Sewer (20%)	593.94	
Fuel Oil (3000Gals.) @ $1.00	3,000.00	
Electricity	1,000.00	
Maintenance (reserve) 10%	1,770.00	
Reserve for replacement 15%	2,655.00	
Reserve for Vacancy 5%	885.00	
		$19,469.73
Projected gross income	$17,700.00	
Projected expenses in future		
Roof	2,000.00	
Siding	7,000.00	
Remodeled 1st floor 1421	3,000.00	

NOTE

The above figures DO NOT INCLUDE % of return on INVESTMENT

CITY OF PORTLAND, MAINE

FIRE PREVENTION BUREAU

TO:

Theodore Barris

FROM: Fire Prevention Bureau

April 25, 1980

SUBJECT:

1421-1423 Congress Street (change from 4 to 6 families)

Your building permit application has been approved by this department subject to the following conditions of the applicable codes of the City of Portland and the State of Maine.

1. Each living unit shall have a single station smoke detector wired to the house current.

2. Each boiler shall be enclosed with construction having a fire rating of at least 1 hour including the overhead and fire doors with self closers.

3. Each apartment shall have access to two separate and remote approved exits.

4. Each vertical opening shall be enclosed with construction having a fire rating of at least 1 hour including fire doors with self closers.

James P. Collins
Fire Prevention Bureau

APPLICATION FOR PERMIT

PERMIT ISSUED
APR 25 1980
CITY of PORTLAND

B.O.C.A. USE GROUP ..... 00 230 .....
B.O.C.A. TYPE OF CONSTRUCTION .....

ZONING LOCATION R-5 PORTLAND, MAINE, March 28, 1980

To the DIRECTOR OF BUILDING & INSPECTION SERVICES, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect, alter, repair, demolish, move or install the following building, structure, equipment or change use in accordance with the Laws of the State of Maine, the Portland B.O.C.A. Building Code and Zoning Ordinance of the City of Portland with plans and specifications, if any, submitted herewith and the following specifications:

LOCATION 1421-14[illegible] Congress St. ..... Fire District #1 ☐ #2 ☐

1. Owner's name and address Theodore Barris .....256 State St. ..... Telephone 775-1433
2. Lessee's name and adddress ..... Telephone .....
3. Contractor's name and address ..... Telephone .....
4. Architect ..... Specifications ..... Plans ..... No. of sheets .....

Proposed use of building 6 family ..... No. families .....
Last use 4 family ..... No. families .....
Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....
Other buildings on same lot ..... 15. change of use
Estimated contractural cost $ 9000. ..... $56.50 41.50 $25. appeal fee pd 3-28

FIELD INSPECTOR—Mr. ..... GENERAL DESCRIPTION

This application is for: @ 775-5451 Ext. 234

To change use from 4 family to 6 family as per plan

Dwelling .....
Garage .....
Masonry Bldg. .....
Metal Bldg. .....
Alterations .....
Demolitions .....
Change of Use .....
Other .....

Appeal sustained 4-17-80

Stamp of Special Conditions

This [illegible] legal fee. [illegible] cost and pay

NOTE TO APPLICANT: Separate permits are required by the installers and subcontractors of heating, plumbing, electrical and mechanicals.

PERMIT IS TO BE ISSUED TO 1 ☒ 2 ☐ 3 ☐ 4 ☐
Other: .....

DETAILS OF NEW WORK

Is any plumbing involved in this work? ..... Is any electrical work involved in this work? .....
Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....
Has septic tank notice been sent? ..... Form notice sent? .....
Height average grade to top of plate ..... Height average grade to highest point of roof .....
Size, front ..... depth ..... No. stories ..... solid or filled land? ..... earth or rock? .....
Material of foundation ..... Thickness, top ..... bottom ..... cellar .....
Kind of roof ..... Rise per foot ..... Roof covering .....
No. of chimneys ..... Material of chimneys ..... of lining ..... Kind of heat ..... fuel .....
Framing Lumber—Kind ..... Dressed or full size? ..... Corner posts ..... Sills .....
Size Girder ..... Columns under girders ..... Size ..... Max. on centers .....
Studs (outside walls and carrying partitions) 2x4-16" O. C. Bridging in every floor and flat roof span over 8 feet.
Joists and rafters: 1st floor ....., 2nd ....., 3rd ....., roof .....
On centers: 1st floor ....., 2nd ....., 3rd ....., roof .....
Maximum span: 1st floor ....., 2nd ....., 3rd ....., roof .....
If one story building with masonry walls, thickness of walls? ..... height? .....

IF A GARAGE

No. cars now accommodated on same lot ...., to be accommodated ... number commercial cars to be accommodated ...
Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? .....

APPROVALS BY:	*DATE*	MISCELLANEOUS
BUILDING INSPECTION—PLAN EXAMINER		Will work require disturbing of any tree on a public street? ..
ZONING: APPROVED		
BUILDING CODE:		Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? .....
Fire Dept.: Lt. Jarvis		
Health Dept.:		
Others:		

Signature of Applicant Theodore Barris ..... Phone # .....

Type Name of above ..... 1 ☐ 2 ☐ 3 ☐ 4 ☐
Other .....
and Address .....

PERMIT ISSUED WITH LETTER

FIELD INSPECTOR'S COPY

Permit No. 80/230

Location [illegible]

Owner [illegible]

Date of permit 3-28-80

Approved [illegible]

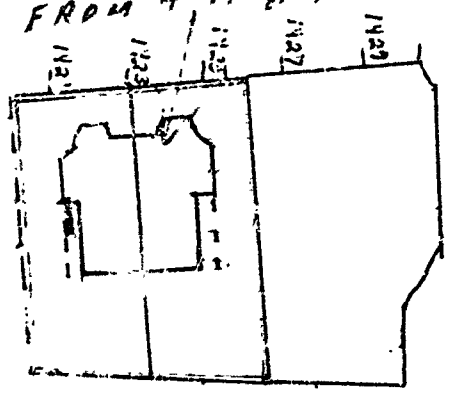
NOTES

4-28-80 Caught contractor doing work [illegible]
No permit & had him Apply for
Permit —
15-9-80 Apt [illegible]
[illegible]
work [illegible]
[illegible]
Close [illegible]
5-12-80 Contacted [illegible] for insp
of fire doors — was [illegible] to catch
contractor on job.
5-13-80 Fire Doors on (has
A temp Self-closer on) —
Contractor has Sheetrock
up Around balcony on left-
hand side — other side
complete — will wait
A few days for finishing up
before issuing C.O.
5-27-80, issue C.O.

THEODORE BARRIS 191-C-27,28
1419-1423 CONG. ST.

CONGRESS STREET

CHANGE OF USE
FROM 4 TO 6 FAMILIES



BOODY STREET

April 23, 1980

Mr. Theodore Barris
256 State Street
Portland, Maine

RE: 1421-1423 Congress Street

Dear Mr. Barris:

Following is the decision of the Board of Appeals regarding your petition to permit change of use of the apartment building from four to six families with the two new apartments located on the 3rd floor at the above named location. Please note that your appeal was granted.

Also, before your permit can be issued, you must pay the permit fee itself. Please make all checks payable to City of Portland.

Very truly yours,

Malcolm G. Ward
Bldg. Insp. Supervisor

MGW/t

April 1, 1980

1421-1423 Congress St.

Theodore Barris
256 State St.
Portland, Maine

Building permit and certificate of occupancy to change the use of the four family apartment house at the above named location to a six family apartment house, with the new apartments on the third floor, are not issuable under the Zoning Ordinance for the following reasons.

1. Such a use is not permitted under Section 602.6.A of the Ordinance applying to the R-5 residential zone in which this property is located.

2. The area of the lot on which this building is located is only about 7,143 sq. ft. instead of the minimum of 18,000 sq. ft. (3000 sq. ft. per family) required by Section 602.6.B.8

We understand that you would like to exercise your appeal rights in this matter. Accordingly, you or your authorized representative should come to this office, room 317 City Hall, to file the appeal on forms which are available here. A fee of $25. for a Dwelling Unit Conversion Appeal shall be paid at this office at the time the appeal is filed. If fee has been paid and appeal filed prior to this letter, then consider this letter as a matter of formality. Section 602.24.C.3.b.2

Very truly yours,

Malcolm G. Ward
Building Inspection Supervisor

MGW:k

CITY OF PORTLAND, MAINE
ZONING BOARD OF APPEALS

All persons interested either for or against this Dwelling Unit Conversion Variance Appeal will be heard at a public hearing in Room 209, City Hall, Portland, Maine on Thursday, April 17, 1980 at 3:30 p.m. This notice of required public hearing has been sent to the owners of property directly abutting, and directly across a street or alley from the subject property, as required by ordinance.

Theodore Barris, owner of property at 1421-1423 Congress St., under the provisions of Section 602.24C of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals to permit: change of use of the 4 family apt. house at the above named location to a 6 family apt. house, with the new apartments on the third floor which are not issuable under the Zoning Ordinance for the following reasons.

1. Such a use is not permitted under Section 602.6.A of the Ordinance applying to the R-5 residential zone in which this property is located.

2. The area of the lot on which this building is located is only about 7,143 sq. ft. instead of the minimum of 18,000 sq. ft. (3000 sq. ft. per family) required by Section 602.6.B.8.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Sec. 602.24.C(3)(b)(2) of the Zoning Ordinance have been met.

Gail D. Snow
Secretary

Therese & Theodore Barris -256 State Street
Catherine K & Robert K Chenery - Boody Street
Barbara & Thomas W. Caiazzo - 1429 Congress Street
Anna M Musteikis - 1415 Congress Street
Bradley Realty Company - P. O. Box 3566- Portland, Maine
Thomas & Mary E Decourcey -1424 Congress Street

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

APPLICATION FOR VARIANCES FOR DWELLING UNIT CONVERSIONS

Theodore Barris, owner of property at 1421-1423 Congress St.

under the provisions of Section 602.24 C of the Zoning Ordinance of the City of

Portland, hereby respectfully petitions the Board of Appeals to permit:

change of use of the 4 family apt. house to a 6 family apt. house with the new apts. on the 3rd floor which is not issuable under the Zoning Ordinance for the following reasons.

1. Such a use is not permitted under Sec.602.6.A of the Ordinance applying to the R-5 residential zone in which this property is located.

2. The area of the lot on which this bldg. is located is only about 7 143 sq. ft. instead of the min. of 18,000 sq. ft. (3000 sq. ft. per family) required by Sec. 602.6.B.8.

LEGAL BASIS OF APPEAL: Such permit may be granted only if the Board of Appeals finds that the conditions imposed by Section 602.24 C(3)(b)(2) of the Zoning Ordinance have been met. (See reverse hereof for said conditions.)

Site Plan approval (is/is not) required by the Site Plan Ordinance. If site plan approval is required, a preliminary or final site plan is attached hereto as Exhibit A.

Theodore Barris
APPELLANT

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

VARIANCE FOR DWELLING UNIT CONVERSIONS

Findings of Fact

The applicant is Theodore Barris and he is interested in the property located at 1421-1423 Congress St. as 6 family apt. The owner of the property is Theodore Barris and his address is 256 State St. The property is located in a R-5 Zone. The present use of the property is 4 family apt. house.

The applicant respectfully petitions the Board of Appeals for a variance from the provision of Section 602.6.A & 602.6.B.8 of the Ordinance to permit change of use of the 4 family apt. house to a 6 family apt. house with the new apts. on the third floor.

Further Findings of Fact

Appearances

The names and addresses of those appearing in support of the application are: Theodore Barris, owner;

and the names and addresses of those appearing in opposition to the application are:

Exhibits

The documentary evidence presented to the Board, including, but not by way of limitation, plans, specification, photographs, etc. consisted of the following:

Sketch, map, letter, photo, [illegible] by owner, financial statement by owner

REASONS FOR DECISIONS

The subject property consists of a structure which by reason of its size or the size of the lot on which it is located (could/~~could not~~) legally accommodate more dwelling units than are permitted in the residential zone where it is located as evidenced by: _____

By reasons of its age, condition or marketability, the structure (~~can~~/can not) be economically used or maintained if used for no more than the number of dwelling units permitted in the residential zone where it is located for the following reasons: _____

The existing uses in the immediate vicinity of the subject property (~~are~~/are not) of such a nature and condition as to justify rezoning a reasonable area in the vicinity of the subject property to a classification which would permit the economic use and maintenance of the subject property, because: _____

Adequate provision (has/~~has not~~) been made for on-site or off-site parking spaces in a number sufficient to meet the requirements of Section 602.14, which requires 6 parking spaces.

If the proposed variance should be granted, it (will/~~will not~~) comply with all other provisions of this ordinance and all other codes or ordinances of the City or meet the requirements for a variance of those provisions.

The conversion of the subject property so as to accommodate more dwelling units than are permitted in the zone in which it is located (~~would~~/would not) significantly interfere with the use and enjoyment of other land in the vicinity as evidenced by: _____

The foregoing conditions (~~have~~/have not) been deliberately created by, or with the consent or acquiescence of, the owner, his predecessors and title, or any user of the property in order to bring the subject property within the standards of this section, as shown by: _____

There (~~is~~/is not) any alternative available to the owner, other than a variance to permit an increase in the number of dwelling units, which would suffice to permit the economic use and maintenance of the subject property because of the following: _____

SPECIFIC RELIEF GRANTED

After a public hearing held on April 17, 1980, the Board of Appeals find that all of the conditions required by the Ordinance (do/~~do n~~) exist with respect to this property and that a variance for dwelling unit conversion should _____ be granted in this case.

It is therefore determined that a variance from the provisions of the Zoning Ordinance should _____ be granted in this case.

Merrill A. Settles

Gail D. Zayac

W Earle Eskelson

Michael E Weston

Imogene Hafford

Thomas J Murphy

APPLICATION FOR PERMIT

DEPARTMENT OF BUILDING INSPECTIONS SERVICES

ELECTRICAL INSTALLATIONS

Date 1-30, 1980
Receipt and Permit number A45505

To the CHIEF ELECTRICAL INSPECTOR, *Portland, Maine:*

The undersigned hereby applies for a permit to make electrical installations in accordance with the laws of Maine, the Portland Electrical Ordinance, the National Electrical Code and the following specifications:

LOCATION OF WORK: 1421 Congress St.

OWNER'S NAME: Theodore Barris ADDRESS: State St., Portland, Me.

		FEES
OUTLETS:		
Receptacles ____ Switches ____ Plugmold ____ ft. TOTAL 1-30	✓	3.00
FIXTURES: (number of)		
Incandescent x Flourescent ____ (not strip) TOTAL 1-10	✓	3.00
Strip Flourescent ____ ft.		
SERVICES:		
Overhead x Underground ____ Temporary ____ TOTAL amperes 200	✓	3.00
METERS: (number of) 1		.50
MOTORS: (number of)		
Fractional ____		
1 HP or over ____		
RESIDENTIAL HEATING:		
Oil or Gas (number of units) ____		
Electric (number of rooms) 5	✓	5.00
COMMERCIAL OR INDUSTRIAL HEATING:		
Oil or Gas (by a main boiler) ____		
Oil or Gas (by separate units) ____		
Electric Under 20 kws ____ Over 20 kws ____		
APPLIANCES: (number of)		
Ranges 1		
Cook Tops ____		
Wall Ovens ____		
Dryers ____		
Fans ____		
TOTAL ____		
Water Heaters 1		
Disposals ____		
Dishwashers ____	✓	
Compactors ____		
Others (denote) ____		
MISCELLANEOUS: (number of)		3.00
Branch Panels ____		
Transformers ____		
Air Conditioners Central Unit ____		
Separate Units (windows) ____		
Signs 20 sq. ft. and under ____		
Over 20 sq. ft. ____		
Swimming Pools Above Ground ____		
In Ground ____		
Fire/Burglar Alarms Residential ____		
Commercial ____		
Heavy Duty Outlets, 220 Volt (such as welders) 30 amps and under ____		
over 30 amps ____		
Circus, Fairs, etc. ____		
Alterations to wires ____		
Repairs after fire ____		
Emergency Lights, battery ____		
Emergency Generators ____		
INSTALLATION FEE DUE:		
FOR ADDITIONAL WORK NOT ON ORIGINAL PERMIT ..... DOUBLE FEE DUE:		
FOR REMOVAL OF A "STOP ORDER" (304-16.b)		
TOTAL AMOUNT DUE:		17.50

INSPECTION:

Will be ready on ____, 19__; or Will Call x

CONTRACTOR'S NAME: Thomas Maiorano

ADDRESS: 89 Murray St.

TEL.: 774-3572

MASTER LICENSE NO.: 4485

LIMITED LICENSE NO.: ____

SIGNATURE OF CONTRACTOR: Thomas E Maiorano

INSPECTOR'S COPY — WHITE

OFFICE COPY — CANARY

CONTRACTOR'S COPY — GREEN

ELECTRICAL INSTALLATIONS

Permit Number 45505

Location 1421 Conyers St.

Owner T. Barra

Date of Permit 1-30-80

Final Inspection 2-21-80

By Inspector Libby

Permit Application Register Page No. 47

INSPECTIONS: Service — by Libby

Service called in 2-21-80

Closing-in 2-4-80 by Libby

PROGRESS INSPECTIONS: 2-20-80 / / / / / / / / / / / / / / / / / /

CODE COMPLIANCE COMPLETED DATE 2-21-80

DATE:	REMARKS:
2-21-80	Meter added making seven. So main switch was installed ahead of meters.

Denied
8-3-72

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

VARIANCE APPEAL

Everett S. Johnston, owner of property at 1419-1421 Congress St. under the provisions of Section 24 of the Zoning Ordinance of the City of Portland, hereby respectfully petitions the Board of Appeals for a variance from the provisions of said Ordinance to permit: changing the use of the right hand side of a duplex building from two families to three (apartment house)with one dwelling unit located on each of the first, second and xthird floors. This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) The property is located in an R-5 Residential Zone where the proposed use is not allowable; (2) The area lot on which the building is located is only about 3,539 sq. feet instead of the minimum of 9,000 sq. feet.(3,000 sq. feet per family). Sec. 602.6B.e

LEGAL BASIS OF APPEAL: Such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood, which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

Everett S. Johnston
APPELLANT

DECISION

After public hearing held August 3, 1972, the Board of Appeals finds that all of the above condicions do not exist with respect to this property and that a variance should not be granted in this case.

It is, therefore, determined that a variance from the provisions of the Zoning Ordinance should not be granted in this case.

W. Kirkpatrick
W. Earle Esterbrook
Jacqueline Cohen
Board of Appeals

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

July 28, 1972

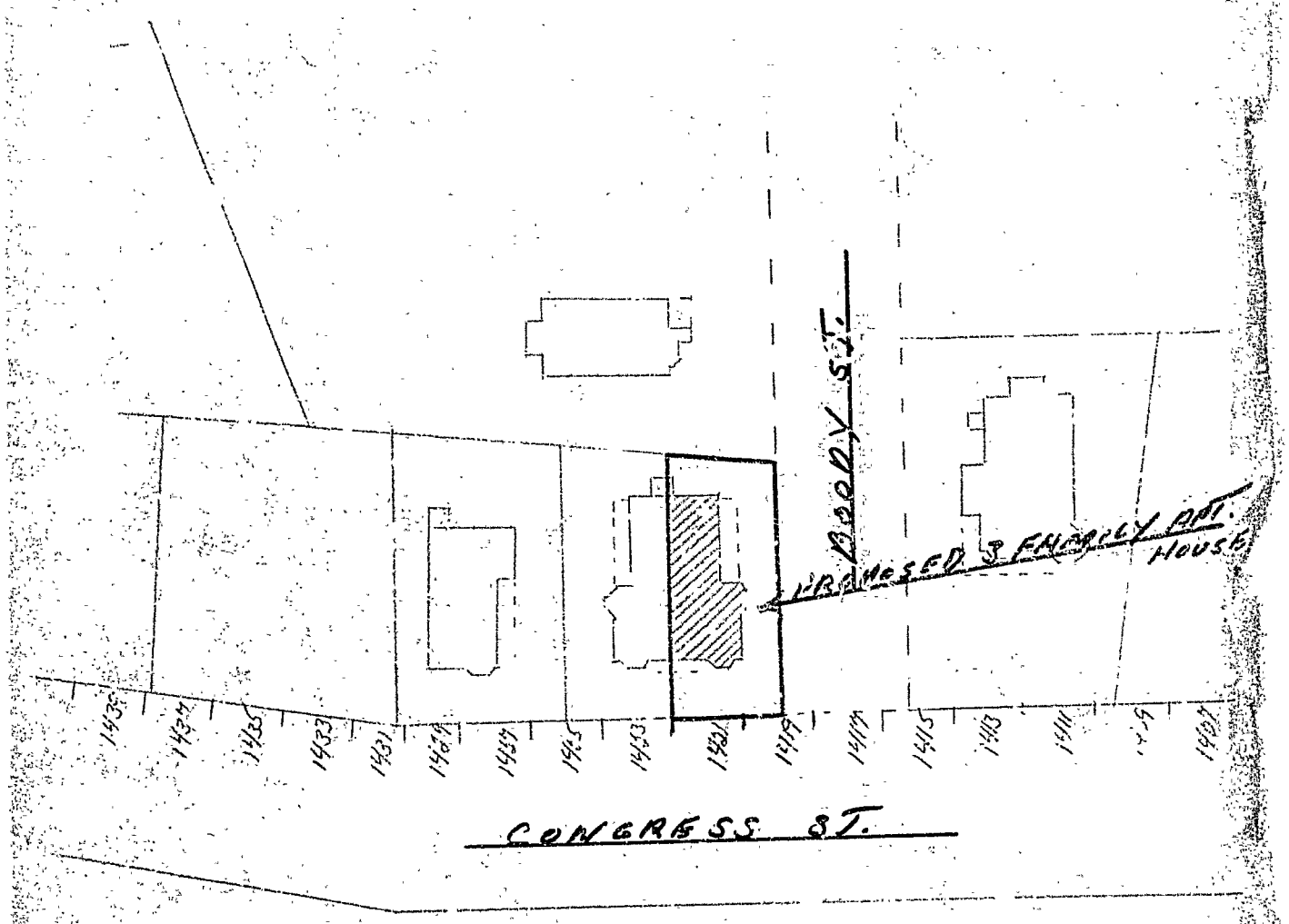
Mr. Wayne Johnston
154 Gray Road,
Falmouth, Maine

The Board of Appeals will hold a public hearing in Room 209, at City Hall, Portland, Maine on Thursday August 3,1972 at 4:00 p.m., to hear your appeal under the Zoning Ordinance.

Please be present or represented at this hearing in suppoort of this appeal.

BOARD OF APPEALS
William B. Kirkpatrick
Chairman

1 CONGRESS ST. #2-P-60 R-5 7/25/72 MEG



1419-1421 Congress Street

July 19, 1972

Everett S & Gertrude I. Johnston
55 U S Route 1
Falmouth, Maine

cc to: Wayne Johnston
154 Gray Road, Falmouth
cc to: Corporation Counsel

Dear Mr. & Mrs. Johnston:

Building permit and certificate of occupancy to change the use of your duplex building on the right side at the above named location from two families to three (apartment house) with one dwelling unit located on each of the first, second and third floors is not issuable under the Zoning Ordinance for the following reasons:

The property is located in an R-5 Residential Zone where the proposed use is not allowable. (Section 607.A)

The area lot on which the building is located is only about 3,339 sq. feet instead of the minimum of 9,000 sq. feet. (3,000 sq. feet per family). Section 602.6B.a).'

We understand you would like to exercise your appeal rights in this matter. Accordingly you or your authorized representative should come to this office in Room 113, City Hall to file the appeal on forms which are available here. A fee of $15.00 for a variance appeal shall be paid at this office at the time the appeal is filed.

If fee has been paid and appeal filed prior to this letter, then consider this letter a matter of formality.

Very truly yours,

A. Allan Soule
Assistant Director

AAS:lm

INTER-OFFICE CORRESPONDENCE

CITY OF PORTLAND, MAINE

FIRE DEPARTMENT

DATE: July 24, 1972

To: Mr. Alan Soule, Deputy Director, Building Inspection

FROM George S. Howard, Lieut., Fire Prevention Bureau

SUBJECT: Application for a permit to change 1421 Congress Street from 2-family dwelling to 3-family apartment house

This application to change the 2-family dwelling to a 3-family apartment house at 1421 Congress Street is approved by this department with the provision that the following requirements are met:

Move the telephone wires that cross the fire escape so that these wires do not interfere with clear exiting.

Replace the clean out door on the front chimney.

Remove all loose wiring hanging from the rafters in the cellar by the front furnace.

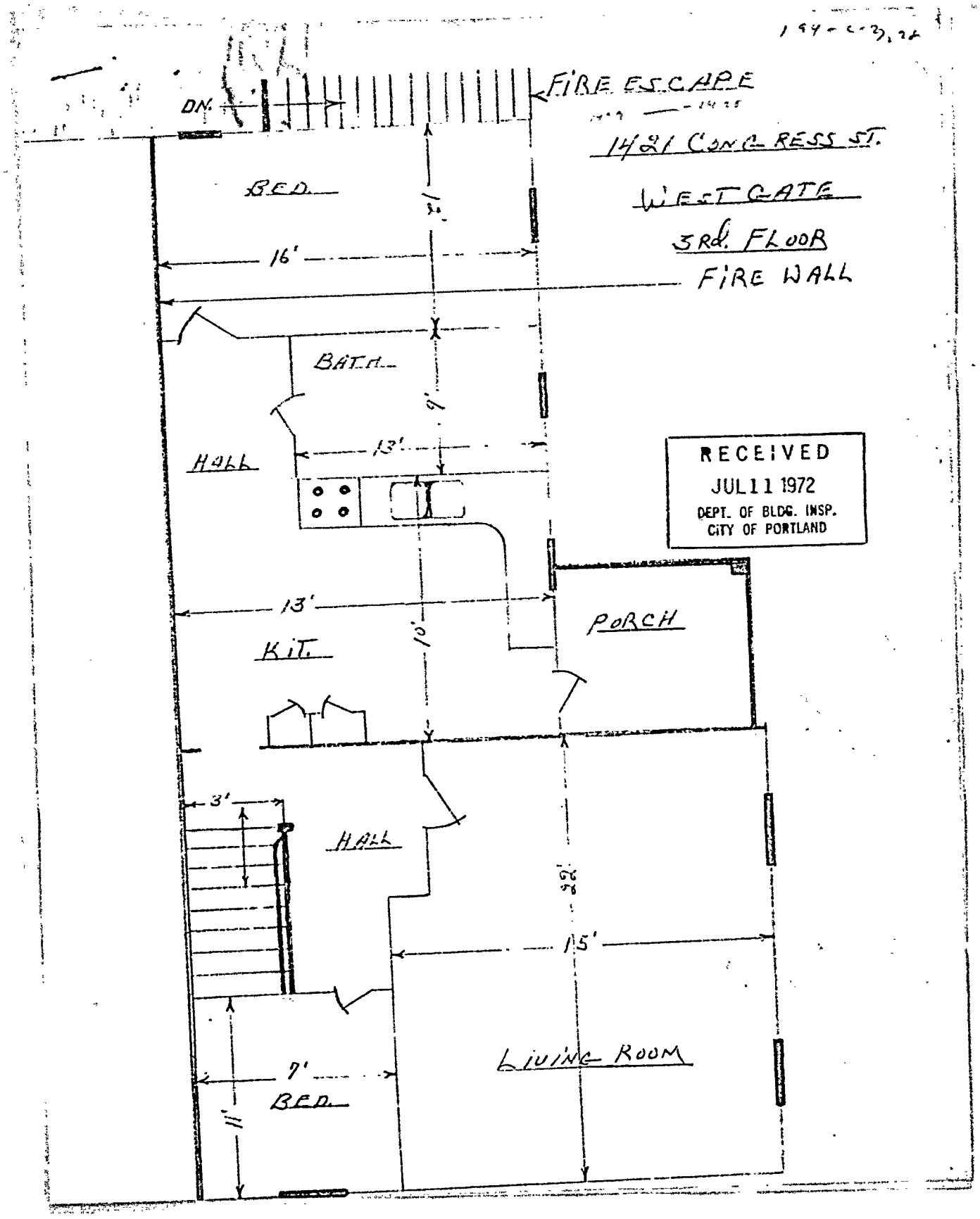
Repair the clean out door to the chimney to the rear furnace.

Secure the thermostat shut off to the rear furnace.

Although not required, it is recommended that the fire escape be altered to provide a landing part way down and the angle of the stairs on this fire escape be changed so that the user will not have such a steep exit.

George S. Howard
George S. Howard
Lieutenant
Fire Prevention Bureau

CSH/j



From the desk of —
A. Allan Soule

7/14/72

George —

I am going to ask for 1 hour separations + solid core doors on 2nd floor — front stairs

R5 RESIDENCE ZONE

APPLICATION FOR PERMIT

Class of Building or Type of Structure _____

Portland, Maine, July 11, 1972

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 1421 Congress Street Within Fire Limits? _____ Dist. No. _____

Owner's name and address Everett Johnston, 55 U.S. #1, Falmouth ~~Wayne Johnston, 200 Oxford Street~~ Telephone _____

Lessee's name and address ~~Box 1061 Portland~~ Telephone _____

Contractor's name and address owner Telephone _____

Architect _____ Specifications _____ Plans yes No. of sheets 1

Proposed use of building Apartment house No families 3

Last use Dwelling No. families 2

Material frame No. stories 3 Heat _____ Style of roof _____ Roofing _____

Other buildings on same lot _____

Estimated cost $ _____ Fee $ _____

General Description of New Work

To Change Use of #1421 side of building from 2-family dwelling to 3-family apartment house - solid fire wall between halves of building.

To partition off new bedroom bathroom and kitchen

Appeal Denied 8/3/72

This application is preliminary to get settled the question of zoning appeal. In the event the appeal is sustained the applicant will give estimated cost and pay fee.

Sent to Fire Dept. 7/14/72
Rec'd from Fire Dept. 7/25/72

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. ***PERMIT TO BE ISSUED TO*** Wayne Johnston, Box 1061 - Portland

Details of New Work

Is any plumbing involved in this work? yes Is any electrical work involved in this work? yes

Is connection to be made to public sewer? _____ If not, what is proposed for sewage? _____

Has septic tank notice been sent? _____ Form notice sent? _____

Height average grade to top of plate _____ Height average grade to highest point of roof _____

Size, front _____ depth _____ No. stories _____ solid or filled land? _____ earth or rock? _____

Material of foundation _____ Thickness, top _____ bottom _____ cellar _____

Kind of roof _____ Rise per foot _____ Roof covering _____

No. of chimneys _____ Material of chimneys _____ of lining _____ Kind of heat _____ fuel _____

Framing Lumber—Kind _____ Dressed or full size? _____ Corner posts _____ Sills _____

Size Girder _____ Columns under girders _____ Size _____ Max on centers _____

Studs (outside walls and carrying partitions) 2x4-16" O. C Bridging in every floor and flat roof span over 8 feet.

Joists and rafters:	1st floor _____	2nd _____	3rd _____	roof _____
On center.	1st floor _____	2nd _____	3rd _____	roof _____
Maximum span:	1st floor _____	2nd _____	3rd _____	roof _____

If one story building with masonry walls, thickness of walls? _____ height? _____

If a Garage

No. cars now accommodated on same lot _____, to be accommodated _____ number commercial cars to be accommodated _____

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? _____

APPROVED:
Eric C. O'Neill 7-25-72

Miscellaneous

Will work require disturbing of any tree on a public street? _____

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Everett Johnston

CS 301

INSPECTION COPY

Signature of owner By: Wayne Johnston

Permit No. 721

Location 1421 Congress St

Owner Everett Johnson

Date of permit 7/ /72

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice

Form Check Notice

NOTES

1419-14.1 Congress St. 7/11/72 — Alla

RF

3 families

194-C-27 2f

CHECK LIST AGAINST ZONING ORDINANCE

Date - Building before 6/5/67

Zone Location RF

~~Interior~~ or corner lot - Brady St

~~40 ft. setback area (Section 21)~~ -

Use - 3 families

~~Sewage Disposal~~ -

~~Rear Yards~~ -

~~Side Yards~~ -

~~Front Yards~~ -

~~Projections~~ -

~~Height~~

Lot Area - 3,534 ft.

~~Building Area~~ -

Area per Family - 3,000 ft. per family req. (9,000 ft.)

~~Width of Lot~~ -

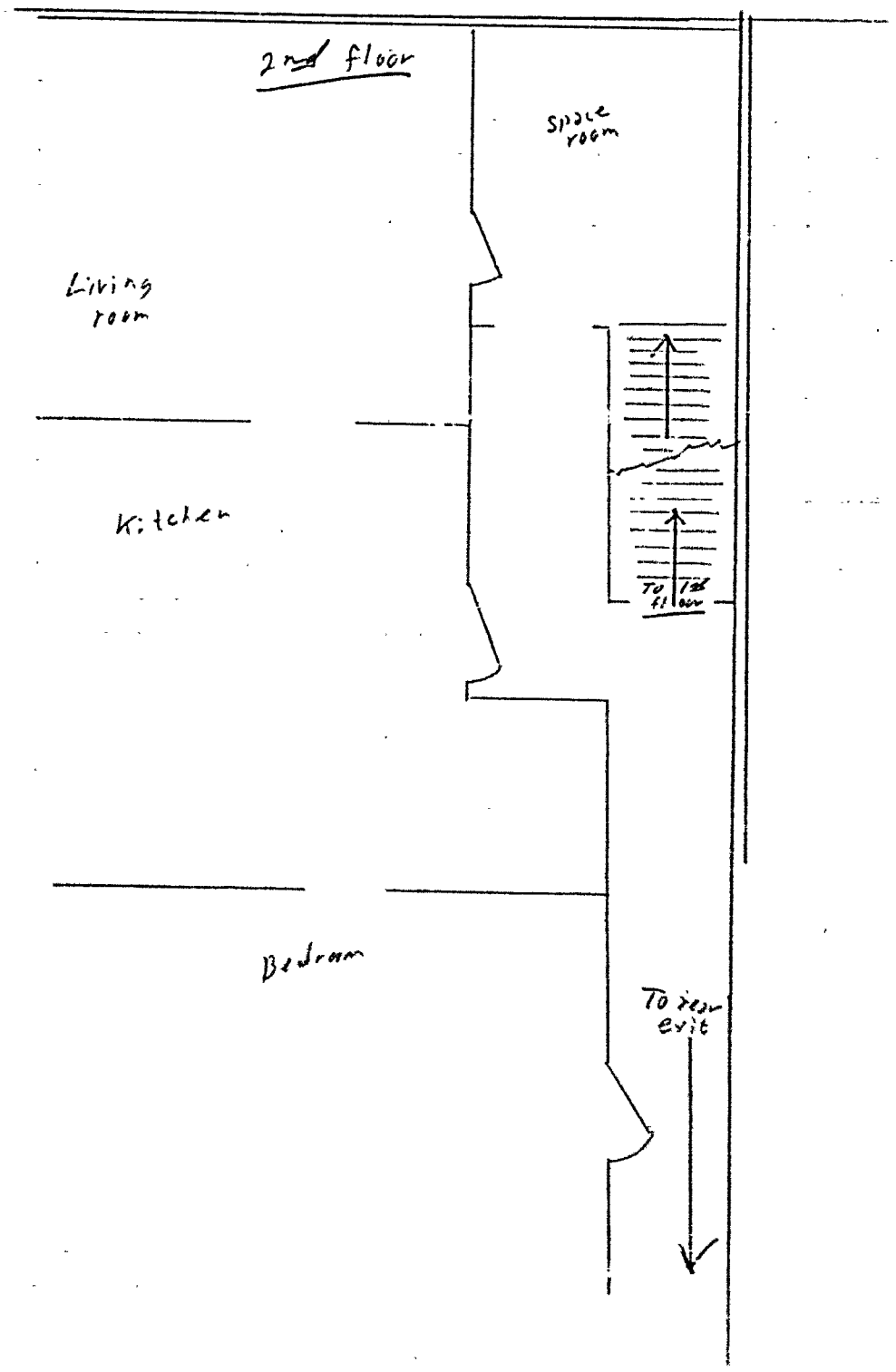
~~Lot Frontage~~

Off-street Parking -

~~Loading bays~~ -

1421 Congress St.

2nd floor



1421 Congress Street 7-14-72

Wayne Johnston, Contractor

PARKING for 6 cars O.K.
Light needed hallway - partition where stairs come down
Handrails needed on front stairs on first to second-second to third
Dormer on third floor needed for light for kitchen area
I understand he has taken out permit for this and will do it shortly.
Solid core fire doors on all rooms on second floor level leading in the hallway to the stairs as well as a fire door on the third floor - he plans to close off the stairways at the very top on the second floor top
Cellar stairs under stairs above need to be enclosed for 1 hour unless they are removed then they will use bulkhead.
Holes in cellar floor will need to be cemented in.
Cleanout door for front chimney ~~will~~ is needed flue cleaned and checked for chimney in the rear.

J-P-60

PROCEDURE OF ZONING APPEALS

	DATE	INITIAL
LOCATION 1419-1421 CONGRESS ST.		
OWNER EVERETT S. JOHNSTON		
FEE PAID FOR APPEAL		
✓ ✓ PLANS & INFORMATION		
DATE OF HEARING	8/3	
$15. APPEAL (~~Conditional~~ (Variance		
Certificate Letter	7/19	ALLAN
List of streets - 500'		
Envelopes - Mail out Monday, 10 days before hearing Date		
Letters mailed out		
Appeal folders (2)		
Notice to owner of property of hearing date - Monday before hearing Date		
Notice to prospective owner (if any)- Monday before hearing Date		
Notice to lawyer, sign hanger, etc. (if any)Monday before hearing Date		
✓ ✓ Pictures and sketch	7/27 7/25	M.C.W.
$5.00 APPEAL		
Notice to abutting property owners (Monday before hearing - Date		
Appeal folders (2)		
Notice to owner of property (Monday before hearing - Date		
Notice to prospective owner (Monday before hearing - Date		
Notice to lawyer (if any)		
Pictures and sketch		
DOCKET - Mailed to appeal board no later than Monday before hearing - Date		
Corp. Counsel Office -Large folder sent upstairs with appeal papers		
Office Copy of Appeal - One copy of appeal put in small folder with Inspection Copy of application with all plans and letters		

All papers for appeals - Docket, Corp. Counsel folders and office folders should be completed Monday before hearing

CITY OF PORTLAND, MAINE
IN THE BOARD OF APPEALS

July 24, 1972

TO WHOM IT MAY CONCERN:

The Board of Appeals will hold a public hearing in Room 209, City Hall, Portland, Maine on Thursday, August 3, 1972 at 4:00 p.m. to hear the appeal of Everett S. Johnston requesting an exception to the Zoning Ordinance to permit changing the use of the right hand side of a duplex building from two families to three (apartment house) with one dwelling unit located on each of the first, second and third floors at 1419-1421 Congress Street.

This permit is presently not issuable under the Zoning Ordinance for the following reasons: (1) The property is located in an R-5 Residential Zone where the proposed use is not allowable: (2)The area of the lot on which the building is located is only about 3,539 square feet instead of the minimum of 9,000 square feet. (3,000 sq. feet per family). Sec. 602.65.e

This appeal is taken under Section 24 of the Zoning Ordinance which provides such variance may be granted only if the Board of Appeals finds that the strict application of the provisions of the Ordinance would result in undue hardship in the development of property which is inconsistent with the intent and purpose of the Ordinance; that there are exceptional or unique circumstances relating to the property that do not generally apply to other property in the same zone or neighborhood which have not arisen as a result of action of the applicant subsequent to the adoption of this Ordinance whether in violation of the provisions of the Ordinance or not; that property in the same zone or neighborhood will not be adversely affected by the granting of the variance; and that the granting of the variance will not be contrary to the intent and purpose of the Ordinance.

All persons interested either for or against this appeal will be heard at the above time and place, this notice of required public hearing having been sent to the owners of property within 500 feet of the property in question as required by Ordinance.

BOARD OF APPEALS

William B. Kirkpatrick
Chairman

CITY OF PORTLAND, MAINE
Legal Department
208 City Hall
Portland, Maine 04111

Naomi P. & Ruth M. Curry
24 Westland Ave.
Portland, Maine 04102

CITY OF PORTLAND, MAINE
Legal Department
208 City Hall
Portland, Maine 04111

RETURNED TO SENDER

☐ Moved, left no address
☐ No such number
☒ Moved, not forwardable
☒ Addressee unknown

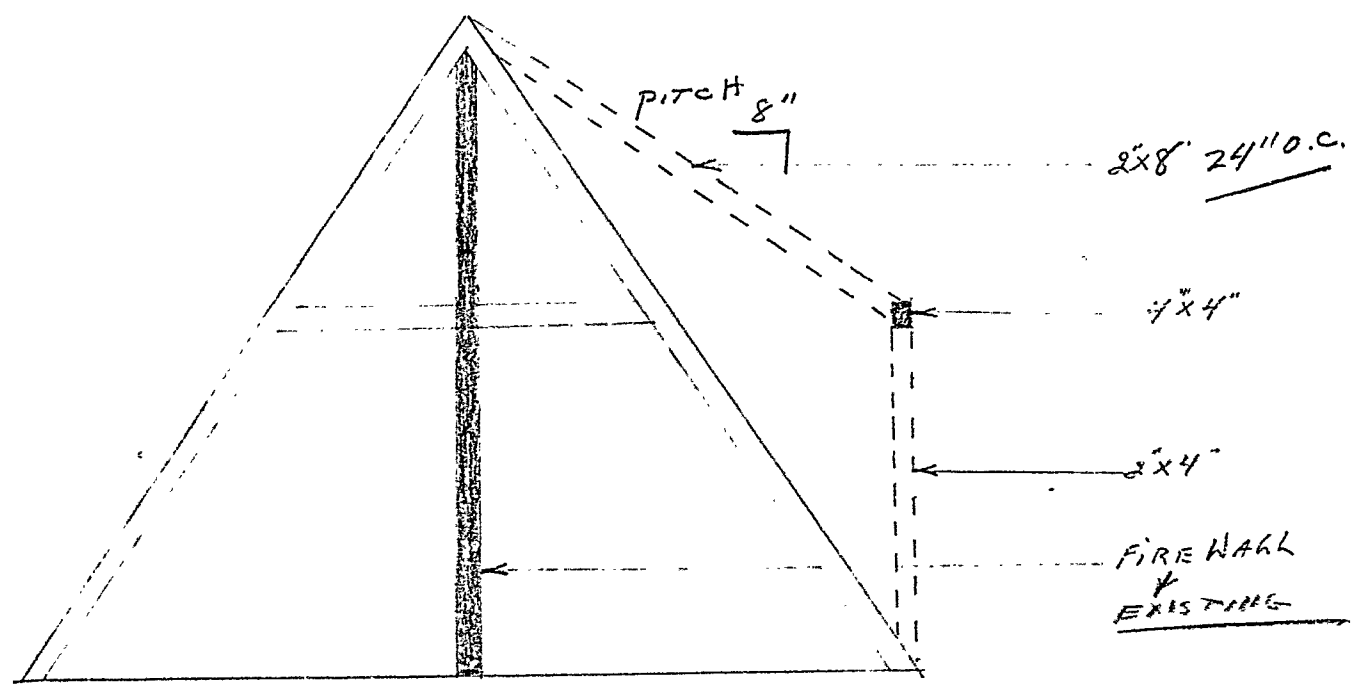
6238

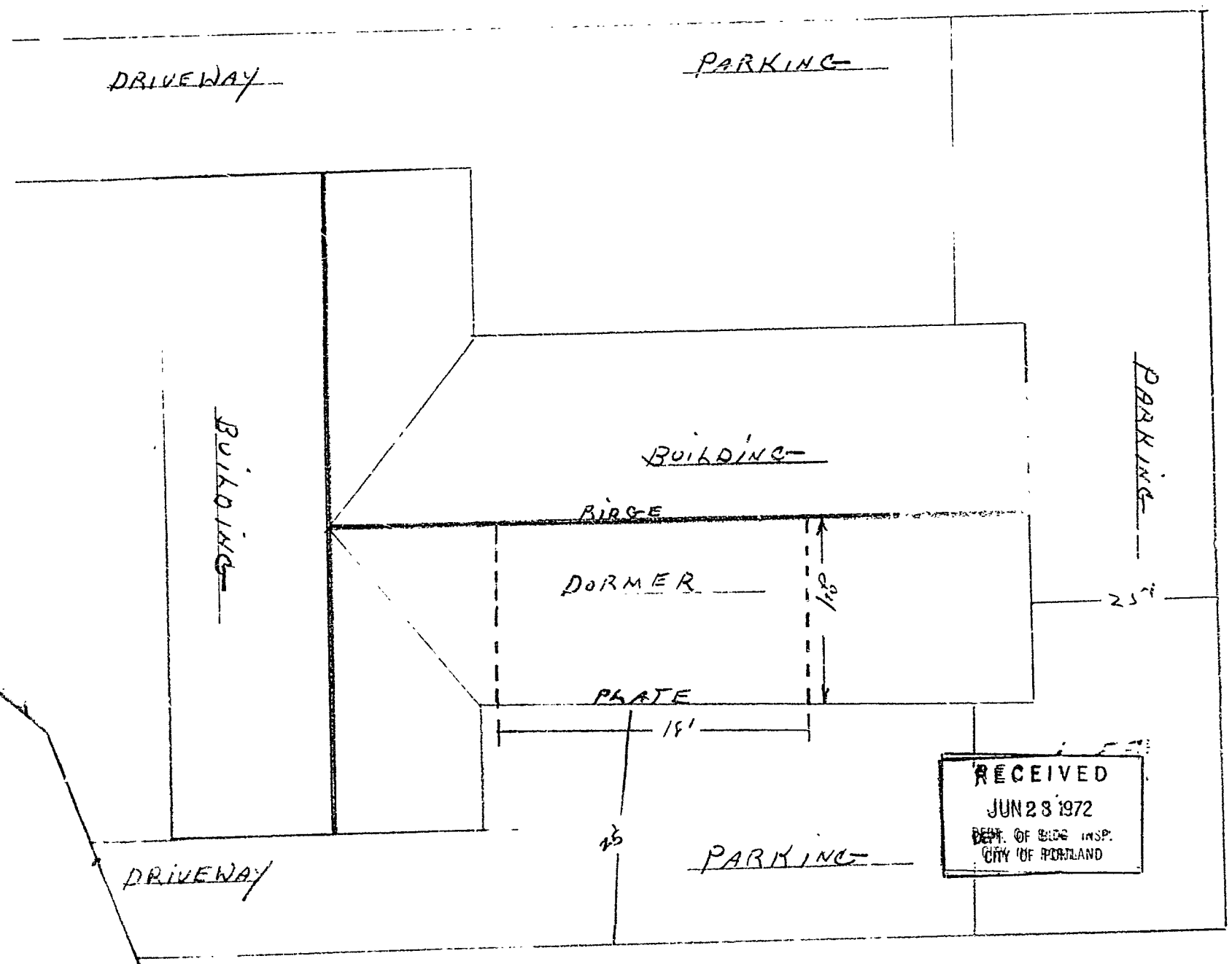
Margaret A. Ellis, Hrs.
23 Westland Ave.,
Portland, Maine 04102

PORTLAND, MAINE
JUL 21 '72

U.S. POSTAGE
08

1121 CONGRESS ST. 4X4" HEADERS ON WINDOWS





R5 RESIDENCE ZONE

PERMIT ISSUED
JUN 30 1972
0762
CITY of PORTLAND

APPLICATION FOR PERMIT

Class of Building or Type of Structure .....

Portland, Maine, June 28, 1972

To the INSPECTOR OF BUILDINGS, PORTLAND, MAINE

The undersigned hereby applies for a permit to erect alter repair demolish install the following building structure equipment in accordance with the Laws of the State of Maine, the Building Code and Zoning Ordinance of the City of Portland, plans and specifications, if any, submitted herewith and the following specifications:

Location 1421 Congress St. Within Fire Limits? ..... Dist. No. .....

Owner's name and address Everett Johnston, 55 -US Rt. 1, Falmouth Telephone .....

Lessee's name and address ..... Telephone .....

Contractor's name and address Wayne Johnston, PO Box ~~XXX~~ 1061, Telephone .....

Architect ..... Specifications ..... Plans ..... No. of sheets .....

Proposed use of building ..... No families .....

Last use dwelling No. families 2

Material ..... No. stories ..... Heat ..... Style of roof ..... Roofing .....

Other buildings on same lot .....

Estimated cost $ ~~XXXX~~ 1000. Fee $ ~~6X00~~ 5.00

General Description of New Work

To construct 18' dormer on right hand side of dwelling.

It is understood that this permit does not include installation of heating apparatus which is to be taken out separately by and in the name of the heating contractor. PERMIT TO BE ISSUED TO Wayne Johnston, Box 1061, Portland

Details of New Work

Is any plumbing involved in this work? ..... Is any electrical work involved in this work? .....

Is connection to be made to public sewer? ..... If not, what is proposed for sewage? .....

Has septic tank notice been sent? ..... Form notice sent? .....

Height average grade to top of plate ..... Height average grade to highest point of roof .....

Size, front ..... depth ..... No. stories ..... solid or filled land? ..... earth or rock? .....

Material of foundation ..... Thickness, top ..... bottom ..... cellar .....

Kind of roof pitch Rise per foot 8" Roof covering asphalt shingles

No. of chimneys ..... Material of chimneys ..... of lining ..... Kind of heat ..... fuel .....

Framing Lumber—Kind spruce Dressed or full size? ..... Corner posts 4x4 Sills .....

Size Girder ..... Columns under girders ..... Size ..... Max on centers .....

Studs (outside walls and carrying partitions) 2x4-16" O. C Bridging in every floor and flat roof span over 8 feet.

Joists and rafters: 1st floor ....., 2nd ....., 3rd ....., roof 2x8

On centers: 1st floor ....., 2nd ....., 3rd ....., roof 24"

Maximum span: 1st floor ....., 2nd ....., 3rd ....., roof 9'

If one story building with masonry walls, thickness of walls? ..... height? .....

If a Garage

No. cars now accommodated on same lot ....., to be accommodated ..... number commercial cars to be accommodated .....

Will automobile repairing be done other than minor repairs to cars habitually stored in the proposed building? .....

APPROVED:
O.K. E.S. 6/28/72

Miscellaneous

Will work require disturbing of any tree on a public street? .....

Will there be in charge of the above work a person competent to see that the State and City requirements pertaining thereto are observed? yes

Wayne Johnston

CS 301

INSPECTION COPY

Signature of owner Wayne Johnston

Permit No. 72/0762

Location 1421 Congress St

Owner Everett Johnston

Date of permit 6/30/72

Notif. closing-in

Inspn. closing-in

Final Notif.

Final Inspn.

Cert. of Occupancy issued

Staking Out Notice Sam

Form Check Notice

NOTES

8-18-72 PERMIT NOT STARTED.

11-28-72 SAME AS ABOVE

1-19-73 SAME

5-25-73 SAME PER MITTED EXPIRED

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

COMPLAINT

Location: 1421-1423 Congress St.

INSPECTION COPY

COMPLAINT NO. 71/37 Date Received Complaint typed 6-1-71

Location 1421-1423 Congress St. Use of Building

Owner's name and address John D. & Catherine Muse Jts Telephone

Tenant's name and address Telephone

Complainant's name and address Neighbors Telephone

Description: Sidewalks covered with gravel in the road that is blocking the street from draining plus no curb cuts/ Have notified Public Works.

NOTES: 6/1/71 I have been by here on an inspection at least twice a week and there has been no change. This has been passed on to public works its up to them to act.
H.
6/7/71 File in C.
any future calls on this should go to public works, this is their responsibility
H.

CITY OF PORTLAND, MAINE
DEPARTMENT OF BUILDING INSPECTION

COMPLAINT

Location: 1421-1423 Congress St.

FILE COPY

COMPLAINT NO. 71/37 Date Received Complaint typed 6-1-71

Location 1421-1423 Congress St. Use of Building

Owner's name and address Telephone

Tenant's name and address Telephone

Complainant's name and address Neighbors Telephone

Description: Sidewalks covered with gravel in the road that is blocking the street from draining plus no curb cuts/ Have notified Public Works.

NOTES:

MAINE PRINTING CO. PORTLAND

CITY OF PORTLAND
HEALTH DEPARTMENT
HOUSING DIVISION

Loc. 1421 Congress St.
Loc w/i S
Bldg X Fire Elec Other
Issued 5/24/68
Expires 6/24/68

Mr. George Ballard
100 Gray Road
West Falmouth, Maine

Dear Sir:

On May 15, 1968 an examination was made of the premises located at 1421 Congress Street, Portland, Maine.

Non-compliance with the ordinances relating to housing conditions was found as detailed below.

In accordance with the provisions of the above ordinance, you are hereby ordered to correct these defects according to specifications within the time limits allowed. Failure to comply with this notice will necessitate legal action.

Some repairs or improvements required will necessitate permits which are to be obtained from the Building Inspector, Health, Fire or other City Departments. These must be obtained before the work is started.

If any additional information is desired, visit or telephone the Housing Supervisor at this Office, Tel. 774-8221, extension 226. Kindly notify this office as soon as all corrections have been completed.

Very truly yours,
John R. Davy, M. D.
Health Director

By_____
Housing Supervisor

VIOLATIONS & SPECIFICATIONS

Responsibility of Owner or Agent ** Responsibility of Occupant

STRUCTURAL

Repair and put in good order all deteriorated and hazardous parts of the structure as follows:

a. Determine the reason and remedy the condition which causes the roof of the side porch to leak.
b. Repair or replace the loose or missing downspouts.
c. Determine the reason and remedy the condition which causes the gutters at the front of the structure to leak.
d. Repair or replace the loose, worn, deteriorated, and hazardous treads of the basement stairs.

The above mentioned conditions are in violation of Chapter 307 of the Municipal Code of the City of Portland and must be corrected on or before June 24, 1968.

PERMIT NUMBER 699

Date Issued [illegible]

PORTLAND PLUMBING INSPECTOR

By [illegible]

APPROVED FIRST INSPECTION

Date Sept 2-1954

By W.B.B.

APPROVED FINAL INSPECTION

Date 9/29/54

By WBB

TYPE OF BUILDING

- ☐ COMMERCIAL
- ☐ RESIDENTIAL
  - ☐ SINGLE
  - ☐ MULTI FAMILY
- ☐ NEW CONSTRUCTION
- ☐ REMODELING

PERMIT TO

Address: [illegible]

Installation For:

Owner of Bldg.: [illegible]

Owner's Address: [illegible]

Plumber: [illegible] Date: [illegible]

NEW	REP'L	PROPOSED INSTALLATIONS	NUMBER	FEE
		SINKS		
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		DRAINS		
		HOT WATER TANKS		
1		TANKLESS WATER HEATERS	1	1.00
		GARBAGE GRINDERS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS (conn. to house drain)		
			Total	$1.00

3

5M 12-53 ☐ PORTLAND HEALTH DEPT. PLUMBING INSPECTION

PERMIT TO INSTALL PLUMBING

Date Issued 3/[illegible]
Portland Plumbing Inspector
By E. R. Goodwin
App. First Insp.
Date 1 1 1966
By ARNOLD R. GOODWIN
CHIEF PLUMBING INSPECTOR
App. Final Insp.
Date APR 1 1 1966
By ARNOLD R. GOODWIN
CHIEF PLUMBING INSPECTOR

☐ Commercial
☐ Residential
☐ Single
☐ Multi Family
☐ New Construction
☐ Remodeling

Address 1421 Congress Street — Permit Number
Installation For: Apt. House
Owner of Bldg. George Bull Rd
Owner's Address: Old Falmouth Road, Falmouth
Plumber: Alan W. [illegible] Date: [illegible]

New	Rep			
		SINK		
		LAVAROMIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		DRAINS FLOOR SURFACE		
		HOT WATER TANKS		
	1	TANKLESS WATER HEATERS		
		GARBAGE DISPOSALS	1	2.00
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS		
		AUTOMATIC WASHERS		
		DISHWASHERS		
		OTHER		
		TOTAL		2.00

BLDG. SERVICES & INSP. DEPT. PLUMBING INSPECTION

PERMIT TO INSTALL PLUMBING

13239
PERMIT NUMBER

Date Issued 9-3-63
PORTLAND PLUMBING INSPECTOR
By J. P. Welch

APPROVED FIRST INSPECTION
Date Sept 3, 1963
By JOSEPH P. WELCH

APPROVED FINAL INSPECTION
Date Sept 3, 1963
By JOSEPH P. WELCH

TYPE OF BUILDING
- ☐ COMMERCIAL
- ☐ RESIDENTIAL
  - ☐ SINGLE
  - ☐ MULTI FAMILY
- ☐ NEW CONSTRUCTION
- ☐ REMODELING

Address: 1421 Congress Street
Installation For: George Ballard
Owner of Bldg. George Ballard
Owner's Address: 100 Gray Road, Falmouth
Plumber: Walter M. Walker
Date: 9-3-63

NEW	REP'L	PROPOSED INSTALLATIONS	NUMBER	FEE
		SINKS		
		LAVATORIES		
		TOILETS		
		BATH TUBS		
		SHOWERS		
		DRAINS		
		HOT WATER TANKS		
		TANKLESS WATER HEATERS		
		GARBAGE GRINDERS		
		SEPTIC TANKS		
		HOUSE SEWERS		
		ROOF LEADERS (Conn. to house drain)		
	1	Waste Line		
			1	$ 2.00
		TOTAL ▶		$ 2.00

PORTLAND HEALTH DEPT. PLUMBING INSPECTION

3