ITEM A

To: Westminster Historic District Commission

From: Andrea Gerhard, Comprehensive Planner

Cc: Mark Depo Planning Director
Andrew Gray, Comprehensive Planner
Sandy Anderson, Main Street Manager

Date: March 4, 2020

Subject: Application for Historic Rehabilitation Property Tax Credits TC #20-01

Overview

On February 3, 2020, Karen Byrd, representing 247 East Main Street LLC. The entity that owns 247-249 East Main Street submitted a pre-construction Application for Historic Rehabilitation Property Tax Credits TC #20-01 (attached). 247-249 East Main Street is located in the Westminster Historic National Register District. According to the Maryland Department of Assessments and Taxation online records, the primary structure was built in 1900 (attached).

Pursuant to Section 143-5. A., the City Code states: "Establishment of historic tax credit program for qualified expenses. In accordance with § 9-204 of the Tax-Property Article of the Annotated Code of Maryland, there is hereby established a City of Westminster real property tax credit in the amount of 10% of the qualified expenses for the restoration and preservation of an eligible historic property, and 5% of the qualified expenses for the construction of an architecturally compatible new structure on an eligible historic property."

Pursuant to Section 143-5 B. Eligible Work includes:

(a) The repair or replacement of exterior features of an existing structure;
(b) Work that is necessary to maintain the physical integrity of an existing structure with regard to safety, durability or weatherproofing; or
(c) Maintenance of the exterior of an existing structure, including routine maintenance;
(d) New construction of an architecturally compatible structure; or
(e) Interior restorations necessary to restore or maintain the historic integrity and efficient or safe functioning of an eligible property, excluding elective and/or cosmetic renovations.

The proposed project consists of scraping, cleaning, adequately preparing, and repainting loose and peeling paint. In addition, all the preexisting white portions of the building will be repainted (all wood, shutters, trim and cornices.), as outlined in the attached application. The total estimated cost of the proposed project is $9,850.00. However, the applicant received a $4,925.00 Façade Improvement Grant that was approved by

the Historic District Commission at the January 2020 meeting, leaving the remaining balance of the project $4,925.00. 10% of the remaining balance is $492.50.

RECOMMENDATION

Staff recommends the Commission consider approval of the proposed painting consistent with Section 143-5.B.(a),(b), and (c), with an estimated cost of $9,850.00 and an estimated tax credit of $492.50, conditioned on whether the Commission finds that the proposed work is historically compatible.

ATTACHMENTS

1. Application for Historic Rehabilitation Property Tax Credits TC #20-01
2. Maryland State Department of Assessments and Taxation, Real Property information for 247-249 East Main Street

City of Westminster, Maryland
Application for Historic Rehabilitation Property Tax Credits

Questions? Please call the Westminster Department of Planning at 410-848-4628

Please check one: ☒ pre-construction application ☐ post-construction application*

Property tax account ID 57-373475

**Post-Construction applications:*
(a) must include the approved pre-construction application plus photos, receipts, etc. to document completion and costs.
(b) must be received within 60 days of the completion of the work described herein.

Property owner Karen Byrd daytime phone (443) 789-8149

Property co-owner _____ daytime phone (____) _____

Property address 747-749 East Main Street Westminster, Md. 21157

Mailing address P.O. Box 1754 Westminster, Md. 21158

(1) In accordance with Tax-Property Article 9-204 of the Maryland Annotated Code and Ordinances 667 and 668 of the City of Westminster, this application is based upon the historic rehabilitation work described by the enclosed narrative and photographs.

(2) Total cost of the project** $ 9,850.00 *(estimated if pre-construction application)*

***Minimum expenditure must be $5,000 within 24 months to be eligible for the tax credits.*

(3) Completion date May 31st 2020 *(estimated if pre-construction application)*

(4) Attachments:
- ☒ photographs *(mandatory)*
- ☒ project narrative *(mandatory)*
- ☐ drawings *(optional, must be to scale if provided)*

Please list any additional attachments: _____

I hereby declare that all information submitted on this application and attachments is, to the best of my knowledge, accurate and true.

Karen Byrd 2/3/2020
(owner signature and date) *(co-owner signature and date)*

(If incorporated, Corporate Officer's printed name, title, signature, and date)

Application received by Historic District Commission on _____ by _____
(signature and title)

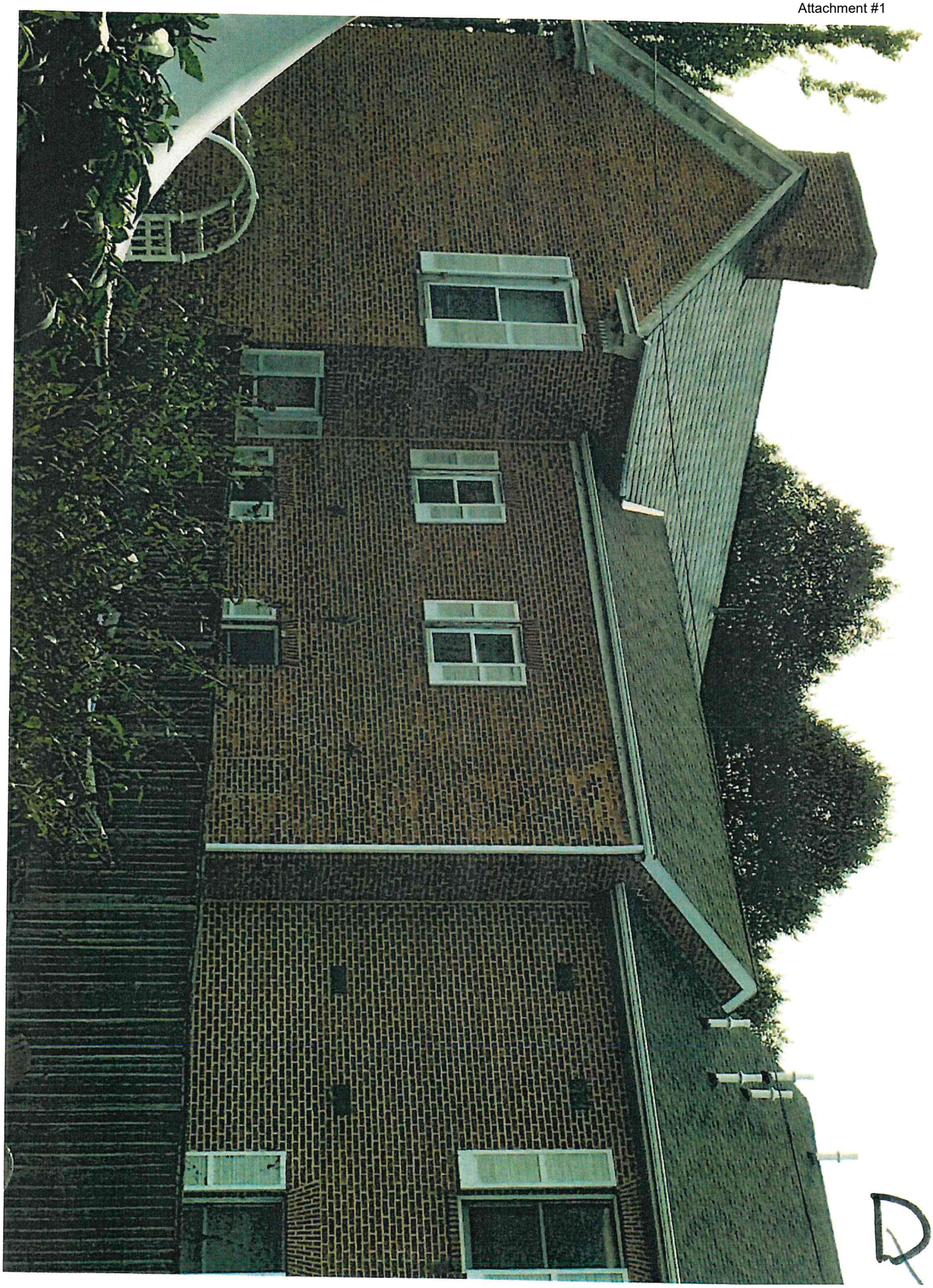
HDC decision:
- ☐ Approved as submitted
- ☐ Denied as submitted
- ☐ Conditional Approval (see Comments, below)

Comments by HDC:

A

RENEWAL
VICES INC.
Behavioral
Health Services
-289-8149
EAST 247 MAIN
B

Application 20-01
Attachment #1

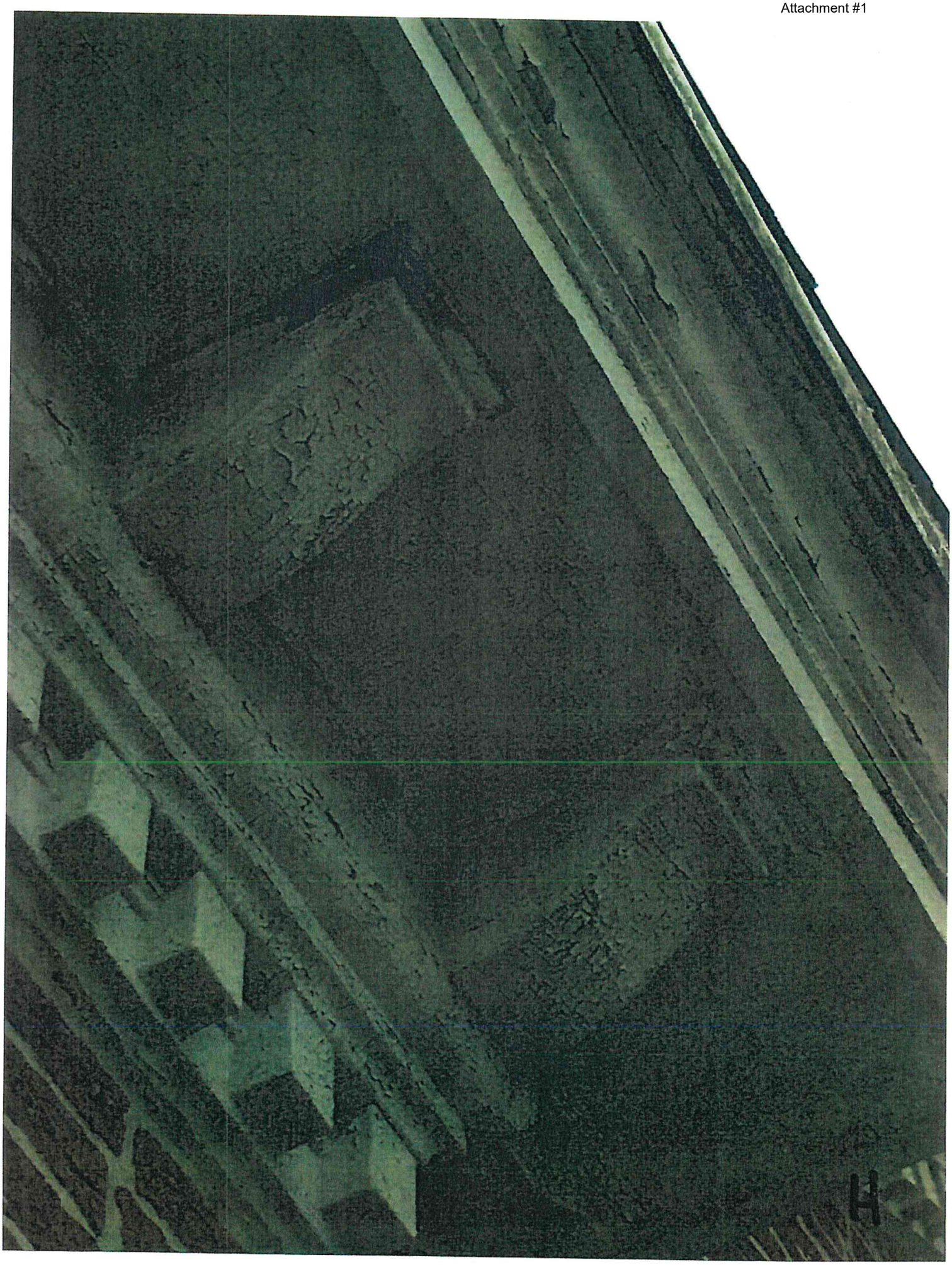


D

LIFE
RENEWAL
SERVICES INC.
247

F

G


H

K

General Information

Name of Applicant: Karen Byrd _____

Name of Business: Life Renewal Services, Inc. _____

Project/Business Address: 247-249 East Main Street Westminster, Md. 21157 _____

_____

Phone Number: (443) 289-8149 _____ **Fax Number: (443) 821-3280** _____

E-mail address: kbyrd@liferenewalservices.com _____

Type of Business: Behavioral Health Outpatient Center _____

Applicant is the:

- ❑ Property Owner **X**
- ❑ Business Owner **X**
- ❑ Other: _____

How long has the business been at the current location? 6 ½ years _____

_____

When does your current lease expire? Not applicable _____

Do you have the option to renew your lease and do you intend to do so? What are the terms?

Not applicable _____

_____

Property owner's name (if different from applicant): _____

_____

Property owner's address: Mailing address – P.O. Box 1254 Westminster, Md. 21158 _____

_____

Property owner's phone number/email: (443) 289-8149 kbyrd@liferenewalservices.com _____

Note: If you are not the property owner, the property owner or an authorized representative must co-sign this application where indicated in the "General Conditions" section of this application.

Project Details

Please describe below, or via a supplemental attachment, the proposed improvements to the property. The following required information must accompany this application:

- Minimum of two color photographs that show existing building conditions
- Detailed sketches or drawings of the proposed improvements (including placement, color, dimensions and materials)
- Minimum of two bids on contractor letterhead detailing the proposed work

Description of proposed improvements (e.g., new doors/windows, signs, lighting, paint, etc.):
We are seeking to improve the overall appearance of the exterior of our building with a fresh coat of white paint on all preexisting white portions which would include all wood, shutters, doors, trim and cornices (please see accompanying pictures A through E). Loose and peeling paint (please see accompanying pictures F through L) needs to be scraped, cleaned, adequately prepared, and repainted using Sherwin-Williams Super Paint Satin Finish (white paint). Out of the two bids received from contractors, if awarded the necessary funding, we would choose Mike Rafferty to execute this proposal (please see accompanying proposal & agreement for details). _____

_____

_____

Proposed Project Budget: $9,850 to paint the whole exterior of building which includes the front façade **(this is the preferred option).** $4,100 for painting the building front façade only (second option). _____

Describe how this project will enhance the downtown, including how it will:

- Improve your business or increase your chances for success
- Facilitate the retention or expansion of an existing business downtown
- Facilitate the establishment of a new business to downtown
- Improve public safety or access
- Enhance downtown Westminster (beautification, foot traffic, etc.)

Life Renewal Services, Inc. (LRS) is a private, state-licensed, Outpatient Mental Health Center which provides comprehensive behavioral treatment interventions for children and adults ages 5 to 64 challenged by serious and persistent mental illness, co-occurring substance abuse disorders, and/or are in need of psychiatric support to cope with an emotional crisis. We are conveniently located to those we serve, and our building is very conspicuous to many who walk along the sidewalk and drive pass this well-travelled section of Westminster. The building we occupy at 247-249 East Main Street address is located in the historic district of Westminster and has an extremely unique and fascinating history which spans over 200 years. Please see the accompanying attachment of a posting obtained when LRS had purchased the building in 2013 titled "Rare Offering – Style and Significance in Westminster" for more information as to the history.

We are thrilled to be given the opportunity to receive much needed funding to help support painting the exterior design portions of our building. As you can see from the accompanying pictures (please see

attachments F through L) years of wear and tear have wreaked havoc on the exterior paint of our building creating an unsightly appearance. Given all the associated expenses with running a business that provides essential behavioral-health programs to the community we have been unable to finance the needed repair to improve the overall appearance of our building. Our preference would be to receive enough money to help finance half the cost of painting the entire building if this proposal is approved, however if the available funding isn't available, are willing to scale back this proposal to painting the front façade only. With the necessary funding in place to partially finance this proposal we believe this project would restore our building's natural beauty and elegance back to its original historic design significantly enhancing the downtown Westminster area. Thank you so much for your consideration to fund this proposal!

How much funding assistance are you requesting?* $4,925.00 to paint all exterior areas of the building identified above (preferred option). $2,050 for painting the building front façade only (second option).

Please see the 2 accompanying proposal/agreements (bids) from local contractors. _____

* Please Note: This is a 50/50 matching grant program

Proposed start date: March 28th, 2020 (This start date is flexible depending on date of award). ___

Estimated completion date: April 26, 2020 (Estimated total time to complete project is 1 month). _

(Note: Any project submitted for funding should commence within two (2) months of the award and be completed within six (6) months of commencement.)

In conjunction with this project, are you completing any other renovation/rehabilitation work to the property (interior or exterior)?

X No

If answer is "yes" to above question, describe additional work:

_____

_____

_____

Estimated cost of additional work to the property: No additional work needed is identified at this time.

_____

Signature of Applicant: Karen Byrd

Date: 9/18/19

City of Westminster use only:

Approval: _____

Date: _____

General Conditions

- It is expressly understood and agreed that grant proceeds are a matching grant at 50% by applicant and 50% from the Maryland Department of Housing and Community Development.
- It is expressly understood and agreed that the applicant shall be solely responsible for all safety conditions and compliance with all safety regulations, building codes, ordinances, and other applicable regulations.
- It is expressly understood and agreed that work completed prior to final approval is ineligible for funding.
- It is expressly understood and agreed that the applicant will not seek to hold the City of Westminster, and/or its agents, employees, officers and/or directors liable for any property damage, personal injury, or other loss relating in any way to the Façade Improvement Program.
- The applicant shall be responsible for maintaining valid and sufficient insurance coverage for property damage and personal injury liability relating to the Façade Improvement Program.0
- The applicant agrees to maintain the property and improvements, including, but not limited to, promptly removing graffiti and trash, and sweeping and shoveling in front of the property.
- The applicant authorizes the City of Westminster to promote an approved project, including but not limited to displaying a sign at the site, during and after construction, and using photographs and descriptions of the project in promotional materials and press releases.
- The applicant has read and understands the "City of Westminster Façade Improvement Program Overview" document outlining program guidelines and procedures.
- The applicant understands that the City of Westminster reserves the right to make changes in conditions of the Façade Improvement Program as warranted.

Signature of applicant: Karen Byrd

Date: 9/18/19

If applicant is not the property owner, the property owner or an authorized representative must review and co-sign this application below.

Owner Authorization

As owner of the property (insert address) _____

I have reviewed the above application and authorize operator of _____ at said address to perform the improvements described above as part of the City of Westminster Façade Improvement Program.

Signature of property owner or authorized representative:

Karen Byrd (owner)

Date: 9/18/19

ARTICLES OF ORGANIZATION
of
247 EAST MAIN, LLC

The Articles of Organization of 247 EAST MAIN, LLC are hereby duly executed, acknowledged and filed by Gregory S. Weiner, being an authorized person as defined in Section 4A-101(c) of the Maryland Limited Liability Company Act of the Corporations and Associations Article of the Annotated Code of Maryland (the "Act"), who certifies to the Maryland State Department of Assessments and Taxation that:

1. Name of Company: The name of the limited liability company (the "Company") is:

"247 EAST MAIN, LLC"

2. Purpose of Company: The purpose for which the Company is formed is to buy, sell, lease, invest in, manage, finance, refinance and otherwise deal in and with real property, and to do any and all things necessary, convenient, or incidental to that purpose, and to perform any act set forth in Section 4A-203 of the Act, including any act not inconsistent with law which is appropriate to promote and attain the purposes set forth herein.

3. Principal Office: The address of the principal office of the Company in the State of Maryland shall be 389 Silver Run Valley Road, Westminster, Maryland 21158.

4. Resident Agent of Company: The name and address of the Resident Agent of the Company shall be Karen Byrd, 389 Silver Run Valley Road, Westminster, Maryland 21158.

5. Restrictions on Authority: The authority of a member of the Company to act for the Company, solely by virtue of being a member, is limited by a separate written Operating Agreement, as amended in writing from time to time. No member of the Company is an agent of the Company, nor has the authority to act for the Company, solely by virtue of being a member.

IN WITNESS WHEREOF, the undersigned organizer of the Company has executed these Articles of Organization on the 19th day of November, 2012 on behalf of the Company and acknowledges these Articles of Organization to be the act of the Company.

Gregory S. Weiner
Authorized Person

I HEREBY CONSENT to my designation in this document as Resident Agent.

Karen Byrd
Resident Agent

Return to:
Gregory S. Weiner, Esquire
Pessin Katz Law, P.A.
901 Dulaney Valley Road
Suite 400
Towson, Maryland 21204

489568.1

OPERATING AGREEMENT
of
247 EAST MAIN, LLC

This Limited Liability Company Agreement (this "**Agreement**") of **247 EAST MAIN, LLC**, a Maryland limited liability company (the "**Company**"), is entered into as of November 27, 2012, by **Karen Byrd**, as its sole member (the "**Member**").

Explanatory Statement

The Company was formed as a limited liability company pursuant to the Maryland Limited Liability Company Act, as amended from time to time (the "**Act**") by the filing of Articles of Organization dated November 19, 2012 (the "**Articles of Organization**") with the Maryland State Department of Assessments and Taxation (the "**SDAT**"), and the Member wishes to enter into this Agreement and hereby agrees with the Company as follows:

1. **Name.** The name of the limited liability company shall be **247 EAST MAIN, LLC**.

2. **Member.** The name and address of the Member is as follows: **Karen Byrd, 389 Silver Run Valley Road, Westminster, Maryland 21158**.

3. **Principal Office/Resident Agent.** The address of the **principal office** of the Company in the State of Maryland is **389 Silver Run Valley Road, Westminster, Maryland 21158**, or such other address as the Member may designate from time to time. The name and address of the **resident agent** of the Company in the State of Maryland is **Karen Byrd, 389 Silver Run Valley Road, Westminster, Maryland 21158**, or such other person as the Member may designate from time to time.

4. **Articles of Organization.** **Gregory S. Weiner** is hereby designated as an Authorized Person with the meaning of the Act to execute, deliver, and file the Articles of Organization with the SDAT. Upon the filing of the Articles of Organization with the SDAT, the powers of **Gregory S. Weiner** as an "Authorized Person" ceased, and the Member thereupon became the designated "Authorized Person" and shall continue as the designated "Authorized Person" within the meaning of the Act with the authority to execute, deliver, and file any amendments or restatements of the Articles of Organization or any Articles of Cancellation or Articles of Dissolution.

5. **Purpose/Powers.** The Company is formed for the object and purpose of, and the nature of the business to be conducted and promoted by the Company is as permitted in the Articles of Organization of the Company (as may be amended from time to time), and engaging in any and all activities necessary or incidental to the foregoing. The Company shall have the power and authority to do any and all acts necessary or convenient to or in furtherance of said purposes, including all power and authority, statutory or otherwise, possessed by, or which may be conferred upon, limited liability companies under the laws of the State of Maryland.

6. **Management.** Management, operation, and policy of the Company shall be vested exclusively in the Member. The Member, acting through his duly authorized agents, is authorized and empowered on behalf and in the name of the Company to perform all acts and

engage in all activities and transactions that the Member may in the Member's sole discretion deem necessary or advisable in order to cause the Company to carry out its purpose and exercise the powers granted to the Company hereunder and under the Act. The Member is an agent of the Company and the actions of such Member in such capacity shall be binding on the Company without liability to the Member so acting.

7. **Agents.** The Member by written instrument signed by the Member shall have the power to appoint agents to act for the Company with such titles as the Member deems appropriate and to delegate to such agents such of the powers as are held by the Member hereunder as the Member may determine. The Member by written instrument signed by the Member may, in the sole discretion of the Member, ratify any act previously taken by an agent acting on behalf of the Company. Except as provided in this Section, the Member shall be the sole person with the power to bind the Company.

8. **Reliance by Third Parties.** Any person or entity dealing with the Company or the Member may rely on a certificate signed by the Member as to: (a) the identity of the Member, (b) the existence or nonexistence of any fact or facts that constitute a condition precedent to acts by the Member or are in any other manner germane to the affairs of the Company, (c) the persons who or entities that are authorized to execute and deliver any instrument or document of or on behalf of the Company, or (d) any act or failure to act by the Company or as to any other matter whatsoever involving the Company or the Member.

9. **Capital Contributions.** The Member has contributed **$10,000.00** in cash as the Member's initial capital contribution to the Company. The Member may make, but shall not be required to make, additional capital contributions to the Company.

10. **Taxation; Allocations; Distributions.** It is the intent of the Member that because the Company has a single owner, the Company shall be disregarded as an entity separate from the Member for federal tax purposes. The Company's profits and losses shall be allocated to the Member. Distributions shall be made to the Member at the times and in the aggregate amounts determined by the Member.

11. **Liability of Member.** The Member shall not have any liability for any obligations or liabilities of the Company except to the extent provided in the Act.

12. **Amendments.** This Agreement may be amended or restated from time to time by the Member.

13. **Governing Law.** This Agreement shall be governed by, and construed under, the laws of the State of Maryland, all rights and remedies being governed by said laws.

[signature page follows]

IN WITNESS WHEREOF, the undersigned, intending to be legally bound hereby, has duly executed this Limited Liability Company Agreement as of the date and year first above written.

MEMBER:

_____(Seal)
Karen Byrd

COMPANY:

247 EAST MAIN, LLC

By:_____(Seal)
Karen Byrd, Member

Real Property Data Search (w1)

Search Result for CARROLL COUNTY

View Map | View GroundRent Redemption | View GroundRent Registration

Special Tax Recapture: None

Account Identifier: **District -** 07 **Account Number -** 063539

Owner Information

Owner Name:	247 EAST MAIN LLC	**Use:**	COMMERCIAL
		Principal Residence:	NO
Mailing Address:	389 SILVER RUN VALLEY RD WESTMINSTER MD 21158-0000	**Deed Reference:**	/07174/ 00450

Location & Structure Information

Premises Address:	249 E MAIN ST WESTMINSTER 21157-0000	**Legal Description:**	LT - 17820 SQ FT 249 E MAIN ST WESTMINSTER

Map:	Grid:	Parcel:	Neighborhood:	Subdivision:	Section:	Block:	Lot:	Assessment Year:	Plat No:
0107	0010	1087	70000.07	0000				2018	Plat Ref:

Town: WESTMINSTER

Primary Structure Built	Above Grade Living Area	Finished Basement Area	Property Land Area	County Use
1900	6,826 SF		17,820 SF	

Stories	Basement	Type	Exterior	Quality	Full/Half Bath	Garage	Last Notice of Major Improvements
		OFFICE BUILDING	/	C4			

Value Information

	Base Value	Value As of 01/01/2018	Phase-in Assessments As of 07/01/2019	Phase-in Assessments As of 07/01/2020
Land:	182,500	182,500		
Improvements	500,200	505,000		
Total:	682,700	687,500	685,900	687,500
Preferential Land:	0			0

Transfer Information

Seller: MUTUAL FIRE INS CO CC	**Date:** 01/09/2013	**Price:** $700,000
Type: ARMS LENGTH IMPROVED	**Deed1:** /07174/ 00450	**Deed2:**
Seller:	**Date:**	**Price:** $0
Type:	**Deed1:** /00062/ 00130	**Deed2:**
Seller:	**Date:**	**Price:**
Type:	**Deed1:**	**Deed2:**

Exemption Information

Partial Exempt Assessments:	Class	07/01/2019	07/01/2020
County:	000	0.00	
State:	000	0.00	
Municipal:	000	0.00|0.00	0.00|0.00

Special Tax Recapture: None

Homestead Application Information

Homestead Application Status: No Application

Homeowners' Tax Credit Application Information

Homeowners' Tax Credit Application Status: No Application **Date:**

1. This screen allows you to search the Real Property database and display property records.
2. Click **here** for a glossary of terms.
3. Deleted accounts can only be selected by Property Account Identifier.

Application #20-1
Attachment #2

4. The following pages are for information purpose only. The data is not to be used for legal reports or documents. While we have confidence in the accuracy of these records, the Department makes no warranties, expressed or implied, regarding the information.