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## STAFF COMMENTS FOR HISTORIC PRESERVATION ADVISORY COMMITTEE

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**Meeting Date:** May 7, 2009

**Title:** Historic Preservation Tax Credits

**Request:** Various Tax Credit Requests

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### **Background**

In September 1984, the Montgomery County Council passed legislation providing for a tax credit against County real property taxes in order to encourage the restoration and preservation of privately owned structures designated on the *Master Plan for Historic Preservation*, either individually or within a historic district (Chapter 52, Art. VI). In October, 1989, this legislation was extended to properties within municipalities which regulate historic structures under Maryland Annotated Code Article 66B, 8.01 et seq. The tax credit is ten percent (10%) of documented expenses for exterior maintenance, restoration, or preservation work. The work must be certified eligible by the Historic District Commission (HDC).

### **Discussion of the tax credits**

The list of tax credit applications (TCE 61- TCE 68) to be reviewed is attached.

### **Compliance with Guidelines**

The list of eligible and non-eligible tax credit work is attached.

## **Tax Credit Applications - 2009**

### **TCE 61 – 10 Brookes Avenue**

- Storm windows
- Basement vinyl windows
- Exterior paint

Eligible -

- Storm windows
- Exterior paint

Not Eligible -

- Basement Vinyl Windows (installation of new non-historic features)

### **TCE 62 – 105 Russell Avenue**

- Paint Garage
- Repair roof leak

All work is eligible

### **TCE 63 – 20 Walker Avenue**

- Furnace chimney liner

Work is eligible

### **TCE 64 – 22 Walker Avenue**

- Chimney Liner
- Tree Removal (property was in danger from tree)
- Roof repair

All work is eligible

### **TCE 65 – 19 Walker Avenue**

- Exterior Painting
- Termite Damage Repair
- Window Repair

All work is eligible

### **TCE 66 – 104 Chestnut Street**

- Exterior Painting
- Back Porch Roof Repair/replacement

All work is eligible

### **TCE 67 – 104 Chestnut Street (2007 submission)**

- Driveway repair
- Roof replacement
- Window frame repair
- Tree Removal (property was in danger from tree)

Eligible –

- Tree Removal (property was in danger from tree)
- Roof replacement

Not Eligible -

- Driveway repair (driveway repairs not eligible)
- Window frame repair (not done by contractor)

**TCE 68 – 24 Walker Street**

- Replace exterior water line

Work is eligible

**WORK ELIGIBLE FOR TAX CREDIT MUST MEET THE FOLLOWING CRITERIA:**

1. Be certified by the Historic District Commission (HDC) as contributing to restoration or preservation of sites listed on the *Master Plan for Historic Preservation in Montgomery County*, or on a municipal official zoning map, either individually or as a historic resource located within a historic district. "Non-historic" or "non-contributing" resources in a designated district may also be eligible on a case-by-case basis;
2. Be exterior work only;
3. a. Be undertaken with a previously approved Historic Area Work Permit (HAWP) if alterations that require a HAWP are proposed; or  
b. Be ordinary maintenance exceeding \$ 1,000 in expense; the work must be subsequently certified (at the time the tax credit application is reviewed by the HDC) as being consistent with the purposes of the City's historic preservation ordinance;
4. Be performed by a licensed contractor. Repairing and maintaining outbuildings such as barns and garages

**WORK ELIGIBLE FOR THE TAX CREDIT:**

Eligible work includes repairs, restoration, or preservation of exterior features of designated structures. Examples of eligible projects would include (but not be limited to):

1. Painting
2. Repairing roofs or replacing them in-kind
3. Repairing or restoring windows
4. Repairing architectural trim or ornament
5. Uncovering and repairing original siding
6. Repointing brick or stone foundations or chimneys

**WORK NOT ELIGIBLE FOR THE TAX CREDIT:**

Examples of ineligible expenditures include:

1. New construction of a structure, or a new addition to an historic building
2. Work requiring an approved HAWP that is completed without the approval of the HDC
3. Interior work
4. The value of labor unless performed by licensed contractor
5. Landscaping

6. Repaving driveways
7. Replacing features (such as windows) with new features that are not identical in size and material, and repairing mechanical equipment
8. Tool and equipment purchases
9. Professional services (design fees, annual pest control, structural reports). Restoring a documented feature such as a dormer or porch that was previously altered or removed