

## DUAL USE APPLICATION

### BACKGROUND:

In July 2017 Fells Point commercial properties became part of an expanded Waterfront Management District {WMD}, following an extensive period of consensus building within the community. As Fells Point property owners were building support for the expansion of the Waterfront Management District which is operated by Waterfront Partnership {WPB}, it became apparent there was a type of property use unique to Fells Point that warranted special treatment.

Currently the WMD only assesses a surcharge on commercial properties, as designated by the Maryland Department of Assessments and Taxation {SDAT}. Residential properties with 4 or fewer units are exempt. Through the expansion process it was learned that Fells Point had a number of “Dual Use” properties – properties where the homeowner also operated a small business on the first floor.

This property use was more akin to a residential homeowner occupied property, which is otherwise exempt from the Waterfront Management Authority (WMA) surcharge; however because these properties had a non-residential use on the first floor {even though the homeowner operated that non-residential use}, the SDAT classified these properties as commercial.

As a result, Fells Point owners and WPB sought through Ordinance 18-143 a process whereby these affected owners could seek an exemption from the WMA surcharge.

This exemption is available only for properties where the property owner lives on the premises; the primary use is residential; and the property owner/homeowner operates a business on the first or ground floor. This exemption is not intended for or eligible for properties with a vacant first floor commercial use.

### APPLICATION FOR EXEMPTION FROM THE WMA SURCHARGE

Only applications for properties where the property owner can show evidence of meeting the following criteria will be considered:

1. Properties with 4 or fewer residential units
2. Property owner must live in one of the units
3. Property includes a non-residential use on the ground floor only
4. Property owner must operate the non-residential use
5. The property must be listed in the homeowners name on the Maryland SDAT website
6. The homeowner’s driver’s license must show the same address as the subject property
7. The business name must be visible from the exterior of the property

### RULES/GUIDELINES

Property owners may apply any time, however approved exemptions will only become effective for the next surcharge billing, which typically occurs just after July 1 of any given year.

Owners that have received an exemption are obligated to inform Waterfront Partnership of any changes in circumstances that might affect the exemption – e.g. moving out of the property; selling the property or closing or selling the business.

The WMA is renewed every 4 years. Owners that have received exemptions will be required to submit new/updated exemption applications whenever the WMA is renewed for another 4 year period {next period would be spring 2023}.

## APPLICATION

Please respond to all questions; applications missing responses or any requested supporting documents will not be considered.

1. Date of Application:
2. Exemption being sought for this address – street address and block and lot
3. Current property assessment:
4. Number of residential units in property:
5. Number of non-residential units in property:
6. Is commercial or non-residential unit only on first or ground floor? Y/N
7. Property Owner name according to SDAT:
8. Actual property owner name {if different than on SDAT}:
9. Please explain the difference in ownership name on SDAT and actual name, if there is any:

## PLEASE SEND COPIES OF THE FOLLOWING:

1. Driver's license
2. Evidence of the property/owner qualifying for the State Homestead Tax Credit {available only to homeowners}
3. Copy of the homeowner's business/traders license for the business owned and operating out of the subject property
4. A copy of the businesses' Articles of Incorporation showing ownership of the business

## LIST OF ABBREVIATIONS USED IN THIS APPLICATION:

WMD: Waterfront Management District

WPB: Waterfront Partnership of Baltimore Inc.

SDAT: Maryland State Department of Assessments and Taxation

## PLEASE SEND YOUR APPLICATION AND COPIES OF DOCUMENTS TO:

Laurie Schwartz, President

Waterfront Partnership of Baltimore Inc.

650 S. Exeter St #200

Baltimore, Maryland 21202

## ANY QUESTIONS SHOULD BE DIRECTED TO:

Laurie Schwartz, President

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