



# Agenda

CITY CLERK'S OFFICE

DATE 10/7/15 TIME 10:15am

SERVED BY M. C. Kelly

RECEIVED BY Livia Hartung

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, October 13, 2015 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2<sup>nd</sup> FLOOR CITY HALL

## HISTORIC DISTRICTS REVIEW BOARD HEARING

TUESDAY, October 13, 2015 at 5:30 P.M.

CONVENTION CENTER SECOND FLOOR NAMBE ROOM

\*\*\*AMENDED\*\*\*

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: September 22, 2015
- E. FINDINGS OF FACT & CONCLUSIONS OF LAW

Case #H-15-067B. 700 Acequia Madre.

Case #H-15-056B. 461 Camino de las Animas.

Case #H-15-086. 927 Canyon Road.

Case #H-15-087. 331, 333, 335, and 337 East de Vargas Street

Case #H-15-090. 110 West Santa Fe Avenue/610 Don Gaspar.

Case #H-12-030. 494 Camino Don Miguel.

Case #H-15-085. 538 East Palace Avenue.

Case #H-15-089. 121 Aviation Drive.

Case #H-15-088. 128 Grant Avenue.

- F. COMMUNICATIONS
- G. BUSINESS FROM THE FLOOR
- H. ACTION ITEMS

1. Case #H-11-081. 449 Camino Monte Vista. Downtown & Eastside Historic District. Elisabeth Wagner, agent for Theodora Portago, owner, proposes to amend a previous approval to construct a 1,641 sq. ft. residential structure to the maximum allowable height of 18' with square footage, massing, and other changes. (David Rasch).
2. Case #H-09-022. 1301 Canyon Road Unit B. Downtown & Eastside Historic District. Mark Little, agent for Elizabeth Keefer, owner, proposes to amend a previous approval to remodel a non-contributing residential structure. (David Rasch).
3. Case #H-15-073B. 800 Gildersleeve Street. Don Gaspar Area Historic District. Andrew Lyons, agent for Roxanne and Brian Morgan, owners, proposes to construct a 177 sq. ft. carport addition to a height of 10'7" on a primary façade, a yardwall with pedestrian gates and vehicle gates, and change windows on a contributing residential structure, and to construct a 659 sq. ft. addition to a height of 19'2" where the maximum allowable height is 15' 1" on a contributing accessory structure. Five exceptions are requested to construct an addition on a primary elevation (Section 14-5.2(D)(2)(c)) and less than 10' back from another primary elevation (Section 14-5.2(D)(2)(d)), to make a new opening on a primary elevation (Section 14-5.2(D)(5)(a)(ii)), to exceed the 50% footprint standard (Section 14-5.2(D)(2)(d)), and to exceed the maximum allowable height (Section 14-5.2(D)(9)). (David Rasch).
4. Case #H-15-092. 540 East Alameda Street Unit 7. Downtown & Eastside Historic District. Carlos Kinsey, agent for Gayle Mill and Philip Haworth, owners, proposes to construct a 971 sq. ft. free-standing accessory structure to a height of 12'6" where the maximum allowable height is 16'4" and to remove fencing and yardwalls on a contributing residential property. (David Rasch).

5. Case #H-15-093. 125 West Coronado Street. Don Gaspar Area Historic District. Clyde Gossert, agent/owner, proposes to increase height of yardwalls from 34" to the maximum allowable height of 41" and construct a yardwall to 6' high with pedestrian gates on a non-contributing residential property. (David Rasch).
6. Case #H-15-094. 458 Camino de las Animas. Downtown & Eastside Historic District. Dan Boone, agent for Robbin and Alice Dawson, owners, proposes to construct a stuccoed yardwall to the maximum allowable height of 5'6" and a coyote fence to a height of 8' on a non-contributing residential property. (David Rasch).
7. Case #H-15-095. 805 Apodaca Hill. Downtown & Eastside Historic District. D. Maahs Construction, agent for Lori Robinson, owner, proposes to remove non-compliant windows and replace them with compliant windows on a non-contributing residential structure. (David Rasch).
8. Case #H-15-096. 1005 East Alameda Street Unit B. Downtown & Eastside Historic District. Eric Enfield, agent for James and Jean Wickstead, owners, proposes to construct 2,883 sq. ft. of additions to a height of 13' where the maximum allowable is 16' on a non-contributing residential structure. (David Rasch).
9. Case #H-15-097. 302 Sena Street. Don Gaspar Area Historic District. Sofia Marquez, agent for Mark Khano and Julie Gallegos owners, proposes to construct a 1,451 sq. ft. residential structure to a height of 15' where the maximum allowable height is 15'8". (David Rasch).
10. Case #H-15-091A. 1133 East Alameda Street. Downtown & Eastside Area Historic District. Salomon Velasquez, agent for Paul Rochford and Michael Violante, owners, requests designation of primary elevations on a contributing residential structure. (David Rasch).
11. Case #H-15-091B. 1133 East Alameda Street. Downtown & Eastside Area Historic District. Salomon Velasquez, agent for Paul Rochford and Michael Violante, owners, proposes to construct additions totaling 638 sq. ft., a 4' high yardwall and vehicle gate, replace windows, and remove an overhang on a contributing residential structure. Two exceptions are requested to change a window to a door (Section 14-5.2(D)(5)(a)(i)) and to construct an addition within 10' of a primary façade (Section 14-5.2(D)(2)(d)). (David Rasch).

**I. MATTERS FROM THE BOARD**

**J. ADJOURNMENT**

Cases on this agenda may be postponed to a later date by the Historic Districts Review Board at the noticed meeting. Please contact the Historic Preservation Division at 955-6605 or check [http://www.santafenm.gov/historic\\_districts\\_review\\_board\\_hearing\\_packets](http://www.santafenm.gov/historic_districts_review_board_hearing_packets) for more information regarding cases on this agenda.



# Agenda

CITY CLERK'S OFFICE

DATE 9/24/15 TIME 9:50am

SERVED BY M. Kelly

RECEIVED BY Alina Harty

## HISTORIC DISTRICTS REVIEW BOARD FIELD TRIP

TUESDAY, October 13, 2015 at 12:00 NOON

HISTORIC PRESERVATION DIVISION, 2<sup>nd</sup> FLOOR CITY HALL

## HISTORIC DISTRICTS REVIEW BOARD HEARING

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CONVENTION CENTER SECOND FLOOR NAMBE ROOM

- A. CALL TO ORDER
- B. ROLL CALL
- C. APPROVAL OF AGENDA
- D. APPROVAL OF MINUTES: September 22, 2015
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- G. BUSINESS FROM THE FLOOR
- H. ACTION ITEMS

1. Case #H-11-081. 449 Camino Monte Vista. Downtown & Eastside Historic District. Elisabeth Wagner, agent for Theodora Portago, owner, proposes to amend a previous approval to construct a 1,641 sq. ft. residential structure to the maximum allowable height of 18' with square footage, massing, and other changes. (David Rasch).
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9. Case #H-15-097. 302 Sena Street. Don Gaspar Area Historic District. Sofia Marquez, agent for Mark Khano and Julie Gallegos owners, proposes to construct a 2,160 sq. ft. residential structure to a height of 15' where the maximum allowable height is 15'8". (David Rasch).
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**HISTORIC DISTRICTS REVIEW BOARD**

October 13, 2015

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2. <b><u>Case #H-09-022</u></b> 1301 Canyon Road Unit B	Approved as recommended	5-7
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**MINUTES OF THE**  
**CITY OF SANTA FÉ**  
**HISTORIC DISTRICTS REVIEW BOARD**  
**October 13, 2015**

**A. CALL TO ORDER**

A regular meeting of the City of Santa Fé Historic Districts Review Board was called to order by Chair Cecilia Rios on the above date at approximately 5:30 p.m. in the Nambé Room at the Civic Conference Center, Santa Fé, New Mexico.

**B. ROLL CALL**

Roll Call indicated the presence of a quorum as follows:

**MEMBERS PRESENT:**

Ms. Cecilia Rios, Chair  
Mr. Frank Katz, Vice Chair  
Ms. Meghan Bayer  
Ms. Jennifer Biedscheid  
Mr. Edmund Boniface  
Mr. William Powell  
Mr. Buddy Roybal

**MEMBERS EXCUSED:**

None.

**OTHERS PRESENT:**

Mr. Zach Shandler, Assistant City Attorney  
Mr. David Rasch, Historic Planner Supervisor  
Ms. Theresa Gheen, Assistant City Attorney  
Ms. Lisa Martínez, Land Use Department Director  
Mr. Carl Boaz, Stenographer

**NOTE: All items in the Committee packet for all agenda items are incorporated herewith by reference. The original Committee packet is on file in the Historic Planning Department.**

**C. APPROVAL OF AGENDA**

There were no amendments requested by staff.

**Member Boniface moved to approve the agenda as published. Member Katz seconded the motion and it passed by unanimous voice vote.**

**D. APPROVAL OF MINUTES: September 22, 2015**

Mr. Rasch noted that in one of the cases asked that the minutes be reviewed for Case #H-15-067B at 700 Acequia Madre.

Chair Rios requested the following changes to the minutes:

On page 8, under Questions to Staff, the first sentence should read, "Chair Rios stated that if the array would be lowered by 2' 6" the public visibility would be minimized from Acequia Madre and Calle Corvo."

On page 9, third paragraph, the second sentence should read, "Chair Rios announced to the public that the jurisdiction of this Board is over design. If anyone was here to talk about the benefits of solar energy, she would not allow that. She allowed it last time because there was such a crowd and over 22 people spoke, but at this hearing, they would only address the design of the project."

On page 10, under Public Comment, delete "it" between "would" and "stairs."

On page 25, delete the sentence that starts, "So things back then... perfect." The next sentence should read, "So on the one hand, she was sorry that she didn't a permit, which complicates things for the applicant and the Board. But in this particular case, the applicant created something that is appropriate for the neighborhood."

Member Biedscheid asked for a change on page 39, under Action of the Board in the second paragraph, to put a period after "criterion C. Then Member Bayer added ..."

Member Katz requested a change on page 12 in his motion, to say, "Make a finding that the basis for the exception is met to not build in Santa Fe style (not "replace")."

Mr. Rasch asked to hear the audio of that motion on page 12. He wanted to draw attention to two issues: first, it does state about a wall possibly being built and he wondered if that could be tweaked into a fence as well, but the two important issues are: Did the Board say that the wall shall be built or it can be built? And on whose property? In the minutes, the motion says a wall be built, so that is a shall; and it says "on school property."

Mr. Boaz played the audio

[Stenographer's note: The play back indicated that Member Katz did not say the basis was to not built in Santa Fe style but merely that it was met.]

The audio revealed that the motion said "That an eight-foot six-inch wall can be built, separating the school property – the school from the neighbors to the north."

Mr. Rasch reiterated that the motion is that a wall can be built; not shall be built, and it doesn't designate on whose property. He asked if the Board wanted to change the minutes, which would also force a change in the findings, or to leave it as is.

Member Biedscheid thought they should clarify if it is a wall or a fence.

Member Katz guessed it could be either. He didn't remember whether it was a wall or a fence. It

certainly could be either he thought was what they were concerned with.

Mr. Rasch was proposing to tweak it even without changing the motion, as long as it is 8.5' high, it is blocking visual access and that was the issue.

Chair Rios clarified that it was not determined who would build the wall. She was under the impression that the neighbor was going to build the wall.

Mr. Rasch agreed and said Staff has not posted this so the Board could not talk much about it. But to clarify the process, if the wall or fence was on the school property, they could build it and would be permitted through the state. If it would be built on the neighbor's property, that project would come before the HDRB.

**Member Katz moved to approve the minutes as amended. Member Roybal seconded the motion and it passed by unanimous voice vote.**

#### **E. FINDINGS OF FACT & CONCLUSIONS OF LAW**

Case #H-15-067B. 700 Acequia Madre.

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The only findings at issue were for Case #H-15-067B as a result of the previous discussion.

Member Katz said it should be amended to say what the minutes said as amended.

Chair Rios said that amendment was sent to the Board by e-mail.

**Member Boniface moved to approve the findings of fact and conclusions of law as presented except Case #H-15-067B which is as amended in keeping with the changed motion. Member Biedscheid seconded the motion and it passed by unanimous voice vote.**

#### **F. COMMUNICATIONS**

There were no communications.

#### **G. BUSINESS FROM THE FLOOR**

Present and sworn was Ms. Stefanie Beninato, P. O. Box 1601, Santa Fe, who said that a building at 610B Galisteo Street is actually melting. This building was owned by her neighbor, Ms. Bruchman, who recently had been in touch with her about the problems she is having with water coming into the walls. Ms. Beninato believed that the City actually has contributed to this problem by failing to enforce its zoning



codes. One of the things that has been allowed to happen is that the shape or configuration of the driveway changed from a U to an inverted U – meaning that instead of having the water run down the middle of the driveway back to a holding pond, it now runs off, into and onto the sides of the building.

She said that Ms. Bruchman also at one point, even though it was not on her permit put up about 22 to 24 inches of dirt on her north wall, obscuring what she called “the bump out” and also ...

Chair Rios interrupted her statement to ask if what she was addressing, if it was in reference to a design. It sounded to her like Ms. Beninato was addressing zoning issues.

Ms. Beninato said, “I believe, if I am allowed to speak, I believe it has to do with design because there was dirt added that obscured a feature on the house that is typical characteristic<sup>4</sup> on that house and of historic adobes. I have brought it to the attention of the City and on 12/12/12 Mike Purdy went out there and said there was only eight inches of dirt so there was a deliberate misrepresentation in the record by Mr. Purdy as to what he actually saw. It was never waterproofed so the wall was never initially waterproofed when the stucco went on. And then it was not waterproofed with the dirt was added either to the house wall or the yard wall. I’m bringing it to your attention because this is a contributing adobe structure and it is, in fact, as she said, melting on three of her walls. I am ... She is coming here in November. She is not a full-time resident. We are going to discuss it. I have some suggestions for her. But it would have been really helpful had the City actually enforced the residential uniform residential code and required it to be waterproofed. It may be that Ms. Bruchman would not be having these problems today. She wanted to bring that to the attention of the board and ask that when the Board does look at these design issues, that you are careful about what you are approving. And again, I hear a lot of you asking Mr. Rasch what he thinks. You are the Board. You are the ones with the expertise. Mr. Rasch does technical review. You also should ask him often what he thinks about a law when you should be asking the legal advisor who is sitting here; not Mr. Rasch, who is a lay person.”

She said she was bringing it to the Board’s attention so that when there is a controversy; when a case will get appealed, that the Board will not be in the position of relying on Staff to make a decision for the Board on Staff’s decision. Because they are not hearing officers; they are simply technical review people at this point. So to say that it complies with everything that should be approved, it complies with everything – it is up to you as a Board whether you accept the decision and should approve it.

There were no other speakers from the public.

## **H. ACTION ITEMS**

- 1. Case #H-11-081. 449 Camino Monte Vista. Downtown & Eastside Historic District. Elisabeth Wagner, agent for Theodora Portago, owner, proposes to amend a previous approval to construct a 1,641 sq. ft. residential structure to the maximum allowable height of 18’ with square footage, massing, and other changes. (David Rasch).**

Mr. Rasch presented the staff report as follows:

## **BACKGROUND & SUMMARY:**

449 Camino Monte Vista is a single-family residence that was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The original southeast corner was infilled, one bay of the garage was infilled on the south elevation, and a non-historic portal was constructed. The structure is listed as non-contributing to the Downtown & Eastside Historic District.

On April 28, 2015, the HDRB approved demolition of the non-contributing structure and approved construction of a 1,568 square foot residential structure to the maximum allowable height of 18' with a pitched roof exception request.

Now, the applicant proposes to amend the previous approval with the following four items.

1. The total square footage has increased slightly to 1,641 with a decrease in the size of the entry portal.
2. A cross gable will be added to the previously approved pitched roof with a metal standing seam finish.
3. Fenestration design has been changed. Non-divided lites on the west elevation will not be publicly visible.
4. Exterior lights will be a lantern-styled sconce.

## **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

### **Questions to Staff**

There were no questions to Staff.

### **Applicant's Presentation**

Present and sworn was Mr. Karl Sommer, P.O. Box 2476, Santa Fe, who had nothing to add to the Staff report except they are in agreement with the Staff recommendations. He explained he was here tonight because the case was tabled last time related to a fence issue.

Chair Rios clarified that the fence issue is not at issue at this meeting.

### **Questions to the Applicant**

Member Boniface said that at the prior application the finishes, materials, colors were presented but that is not in this application. He asked to be clear about the intent to continue with those4 same materials, colors and finishes.

Mr. Sommer confirmed that all of them would be the same and none were being changed.

Chair Rios asked if this application has no rooftop appurtenances.

Mr. Sommer agreed.

### **Public Comment**

There were no public comments for this case.

### **Action of the Board**

Member Boniface, after reviewing the amended application, felt it was a much better design with the details around all the windows, the pediments, the sills, the overall design which has evolved in a very nice direction.

**Member Boniface moved in Case #H-11-081 at 449 Camino Monte Vista to approve this application as presented with the understanding that previous materials, trim, colors, and finishes will be as presented in the previous application and that there will be no visible rooftop appurtenances. Member Roybal seconded the motion and it passed by unanimous voice vote.**

- 2. Case #H-09-022. 1301 Canyon Road Unit B. Downtown & Eastside Historic District. Mark Little, agent for Elizabeth Keefer, owner, proposes to amend a previous approval to remodel a non-contributing residential structure. (David Rasch).**

Mr. Rasch presented the Staff report as follows:

### **BACKGROUND & SUMMARY:**

1301-B Canyon Road is a single-family residence that was constructed by 1946 in a simplified Spanish-Pueblo Revival style. Major remodeling has occurred including additions and replacement of historic materials. The building is listed as non-contributing to the Downtown & Eastside Historic District.

On May 26, 2015, the Board approved additional remodeling, including a height exception on the downslope north elevation for a 1,500 square foot addition and a river rock retaining wall.

Now, the applicant proposes to amend the previous approval to infill the second floor corner deck with a bathroom expansion. The expansion will include windows closer than 3' to an outside corner to match existing adjacent character in the master bedroom where there is no public visibility and deletion of another window. Finishes will match existing conditions.

#### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

#### **Questions to Staff**

Chair Rios asked if the proposed addition could not be seen from a public way.

Mr. Rasch agreed.

#### **Applicant's Presentation**

Present and sworn was Mr. Mark Little, 1000 Cordova Place, Suite 369, Santa Fe who had nothing to add to the Staff report.

#### **Questions to the Applicant**

There were no questions to the Applicant.

#### **Public Comment**

There were no speakers from the public regarding this case.

#### **Action of the Board**

Member Katz moved in Case #H-09-022 at 1301 Canyon Road, Unit B, to follow Staff's recommendation and approve the application as submitted, which complies with the General Design Standards. Member Roybal seconded the motion and it passed by unanimous voice vote.

3. **Case #H-15-073B.** 800 Gildersleeve Street. Don Gaspar Area Historic District. Andrew Lyons, agent for Roxanne and Brian Morgan, owners, proposes to construct a 177 sq. ft. carport addition to a height of 10'7" on a primary façade, a yardwall with pedestrian gates and vehicle gates, and change windows on a contributing residential structure, and to construct a 659 sq.

ft. addition to a height of 19'2" where the maximum allowable height is 15' 1" on a contributing accessory structure. Five exceptions are requested to construct an addition on a primary elevation (Section 14-5.2(D)(2)(c)) and less than 10' back from another primary elevation (Section 14-5.2(D)(2)(d)), to make a new opening on a primary elevation (Section 14-5.2(D)(5)(a)(ii)), to exceed the 50% footprint standard (Section 14-5.2(D)(2)(d)), and to exceed the maximum allowable height (Section 14-5.2(D)(9)). (David Rasch).

Mr. Rasch presented the Staff report as follows:

### **BACKGROUND & SUMMARY:**

800 Gildersleeve Street is a single-family residential building that was constructed before 1928 in the Spanish-Pueblo Revival style. A freestanding historic garage on the south side may have been constructed at the same time. The front portal was infilled and the garage was probably converted to living space in 1977. The residence is listed as contributing to the Don Gaspar Area Historic District and the complete east and south facades are primary. The converted garage is listed as contributing to the District and the east facade is primary.

The applicant proposes to remodel the property with the following eight items.

#### **RESIDENCE:**

1. A 177 square foot carport will be constructed to a height of 11' 8" on the south primary elevation of the residence. The carport is designed in a minimal fashion with stuccoed columns and parapets and exposed headers. Two exceptions are requested to place an addition on the south primary elevation (14-5.2(D)(2)(c)) and at less than 10' back from the east primary elevation (14-5.2(D)(2)(d)) and the required exception criteria responses are at the end of this report.

2. The large non-historic window on the south elevation will be removed and replaced with French doors in the same opening height and width. Trim color will be sage green. No exception is needed for this item. Stairs to grade with a balustrade will be constructed in aluminum that is powder coated to match the stucco color.

3. A window will be installed on the basement level of the south primary elevation. Trim color will be sage green. An exception is requested to create an opening where an opening does not exist (14-5.2(D)(5)(a)(ii)) and the required exception criteria responses are at the end of this report.

4. Historic windows and door on the south primary elevation will be repaired and retained. Storm windows and door will be installed. Trim color will be sage green.

5. Non-historic windows and doors will be replaced in the same locations and opening dimensions, except for several locations where ingress/egress dimensions will be provided. No exceptions are needed for this item.

**CASITA:**

6. A 659 square foot addition will be constructed on the west elevation of the casita at 19' 2" high where the maximum allowable height is 15' 1". Two exceptions are requested to exceed the 50% footprint standard (14-5.2(D)(2)(d)) and to exceed the maximum allowable height (14-5.2(D)(9)) and the required exception criteria responses are at the end of this report.

7. The non-historic door on the east elevation and the non-historic window on the north elevation will be replaced.

**SITE:**

8. The wire fencing will be removed and replaced with stuccoed yardwalls along both street frontages that will comply with the visibility standards and the historic districts maximum allowable heights of 46" on Gildersleeve and 59" on Berger. A 19' wide bileaf vehicle gate and a 4' wide pedestrian gate will be installed on the Gildersleeve frontage. A 12' wide vehicle gate and a 3' wide pedestrian gate with a stuccoed arch to 8' high will be installed on the Berger frontage. The 1999 wall and fence standards will be met with changes in height and plain.

**EXCEPTION FOR ADDITION ON SOUTH PRIMARY ELEVATION**

*(i) Do not damage the Character of the streetscape;*

The carport is in keeping with the other dwellings on both Gildersleeve St. and the cross street, Berger St, in close proximity to 800 Gildersleeve Street. This can be seen from the photographs of the houses across the street, next door and behind 800 Gildersleeve St. All of these dwellings have similar carports. Because the carport is open, it does not unduly occlude the view of the south elevation of the house. The existing driveway will have parked cars that will cover more of the view than the carport itself. No perfect view of the south elevation will ever be available when cars are present in the drive. The height of the carport is less than the height of the house. The carport is approximately 11 feet and 8 inches tall and is, therefore, less than the 15 feet and 1-inch maximum.

**Staff response:** Staff agrees with this statement.

*(ii) Prevent a hardship to the applicant or an injury to the public welfare;*

In order to provide a safe unloading and passage from the carport to the house for individuals who need to avoid extreme weather conditions, the carport is necessary. Otherwise, all individuals would be required to venture onto the uncovered sidewalk in the front of the house in bad weather, struggling with shopping, children or pets. A carport is necessary to allow shopping and carrier bags to be safely carried into the main dwelling from the car regardless of weather. But more importantly, the carport provides for movement of people of any age, including children and seniors, into the house without the inherent dangers related to slick surfaces created from exposure to rain, snow and ice.

**Staff response:** Staff agrees with this statement.

*(iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts;*

The proposed carport is designed to be in keeping with the character and design of other carports attached to current dwellings across the city, maintaining the "pueblo" character of the dwelling. It will also create a more finished period look for the property than the rather bleak stand-alone house. The "pueblo" style is one of the many styles which make up the heterogeneous Santa Fe character including "territorial", "mission", Spanish revival and other types of architecture.

**Staff response:** Staff agrees with this statement.

*(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;*

Because of the design of the house, there is no other way to enter the dwelling under cover without the carport. The carport is necessary to provide cover for unloading and ingress to the dwelling without being exposed to the extremes of the weather.

**Staff response:** Staff agrees with this statement.

*(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant; and*

The special conditions or circumstances result from the lack of cover for entering and exiting the house. The design of the house without cover for ingress and egress is not due to Applicant's actions. The dwelling was built and modified decades before Applicant purchased it.

**Staff response:** Staff agrees with this statement.

*(vi) Provide the least negative impact with respect to the purpose of this section as set forth in City Code section 14-5.2 (A)(1)*

The least negative impact is an open carport in keeping with the design of the street, which would include the proposed carport. This would bring the drive under the design of the house making for a more cohesive and historically relevant driveway that is in keeping with others in the neighbourhood.

**Staff response:** Staff agrees with this statement.

## **EXCEPTION FOR ADDITION NOT 10' BACK FROM EAST PRIMARY ELEVATION**

*(i) Do not damage the Character of the streetscape;*

The carport is in keeping with the other dwellings on both Gildersleeve St. and the cross street, Berger St, in close proximity to 800 Gildersleeve Street. This can be seen from the photographs of the houses across the street, next door and behind 800 Gildersleeve St. All of these dwellings have similar carports. Because the carport is open, it does not unduly occlude the view of the south elevation of the house. The existing driveway will have parked cars that will cover more of the view than the carport itself. No perfect view of the south elevation will ever be available when cars are present in the drive and the addition of the carport does not damage that view.

**Staff response: Staff agrees with this statement.**

*(ii) Prevent a hardship to the applicant or an injury to the public welfare;*

In order to provide a safe unloading and passage from the carport to the house for individuals who need to avoid extreme weather conditions, the carport is necessary. Otherwise, all individuals would be required to venture onto the uncovered sidewalk in the front of the house in bad weather, struggling with shopping, children or pets. A carport is necessary to allow shopping and carrier bags to be safely carried into the main dwelling from the car regardless of weather. The carport provides for movement of people of any age, including children and seniors, into the house without the inherent dangers related to slick surfaces created from exposure to rain, snow and ice.

**Staff response: Staff agrees with this statement.**

*(iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts;*

The proposed carport is designed to be in keeping with the character and design of other carports attached to current dwellings across the city, maintaining the "pueblo" character of the dwelling. It will also create a more finished period look for the property than the rather bleak stand-alone house. The "pueblo" architecture is one of the types of architecture inherent in the Santa Fe character.

**Staff response: Staff agrees with this statement.**

*(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;*

Because of the design of the house, there is no other way to enter the dwelling under cover without the carport. The carport is necessary to provide cover for unloading and entrance to the dwelling without being exposed to the extremes of the weather.

**Staff response: Staff agrees with this statement.**

*(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant; and*

The special conditions or circumstances result from the lack of cover for entering and exiting the house. The design of the house without cover for ingress and egress is not due to Applicant's actions. The dwelling was built and modified decades before Applicant purchased it.

**Staff response: Staff agrees with this statement.**

*(vi) Provide the least negative impact with respect to the purpose of this section as set forth in City Code section 14-5.2 (A)(1)*

The least negative impact is an open carport in keeping with the design of the street, which would include the proposed carport. This would bring the drive under the design of the house making for a more cohesive and historically relevant driveway.



Staff response: Staff agrees with this statement.

### **EXCEPTION TO CREATE OPENING IN SOUTH PRIMARY ELEVATION**

*(i) Do not damage the character of the district;*

The additional window is of the same size and type as the other proposed windows in the lower level of the south elevation. Once the window is added, greater symmetry is achieved reinforcing the design of the dwelling. The current windows in the lower level of the south elevation are not original windows and are not in keeping with the look and feel of the age of the house. Accordingly, by replacing these windows with windows which mimic the district, including the additional window requested herein, the character of the district is better served than the windows as they currently look and the overall appearance of the dwelling is improved.

Staff response: Staff agrees with this statement.

*(ii) Are required to prevent a hardship to the applicant or an injury to the public welfare; and*

Without the addition of the window, the living area in the downstairs living room is very dark requiring extensive artificial lighting in order to make it useable and safe. An additional window would help to create a living room with more natural light, decreasing the need for artificial lights during the day and providing a more healthful atmosphere, free from gloom.

Staff response: Staff agrees with this statement.

*(iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts.*

The proposed window would be in keeping with the character of the City by adhering to the design proposed for the adjacent windows. The proposed design is similar to the original windows on the upper floor and the original door on the south elevation, taking from those features the cross design which shall be used in the lower windows.

The proposed window would reinforce the character of the City and improve the look of the dwelling with a new window which is in keeping with the period of the house. The "pueblo" style architecture is one of the styles that are part of the Santa Fe historical look along with the territorial style, the revivals of both Spanish Pueblo and Territorial, and a mixture of those styles. The current proposal is an example of the "pueblo revival" style of architecture and is part of the heterogeneous character of the city.

Staff response: Staff agrees with this statement.

### **EXCEPTION TO EXCEED 50% FOOTPRINT STANDARD**

*(i) Do not damage the Character of the streetscape;*

Many of the dwellings in the neighborhood have casitas including the house across the street and the house next door. The house next door has a much larger casita than the one proposed herein and is also a two-story casita. The enlargement of the casita would be of a design to mimic the

current casita and would therefore be in keeping with the neighborhood look and feel. The casita's protected front, or east elevation, facade would not be altered by the enlargement.

**Staff response:** Staff agrees with this statement.

*(ii) Prevent a hardship to the applicant or an injury to the public welfare;*

The casita does not provide adequate living space. In order to provide adequate living space in a sought-after area, the casita must be enlarged. The downtown area of Santa Fe is better served by the provision of suitable accommodation in the surrounding neighborhoods, allowing for pedestrian travel to and from the downtown area and museum district.

Applicant hopes to create a historically relevant property which will also be a property that is beautiful. The house across the street from Applicant's property is a lovely territorial style house that has been renovated to a high standard creating a pleasant oasis for the house and casita on the property. Applicant plans to provide the same level of renovation to the long-neglected property at 800 Gildersleeve. This type of renovation, to a high level of authentic design, is very costly. There needs to be commercial justification for incurring the costs of the substantial and necessary restoration, and renovation inside and outside, particularly the cost of the renovation to the primary facades. We would like to complete these renovations and maintain the historic value of the building. The value of the property once restored, must at least cover the costs incurred or the proposition is not commercially viable. The rent from the enlarged casita would also help to offset and recover some of those costs. If only a studio property is allowed in the casita, the rental income would be less and would not help to defer the costs sufficiently to make the expensive renovation project worthwhile. The enlargement of the Casita is key to the entire restoration and renovation project.

**Staff response:** Staff agrees with this statement.

*(iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts;*

The area has many casitas as rental dwellings. The style of the proposed casita would be in keeping with the current casita and the area in general. Additionally, the proposed renovation of the casita would include the removal of the current doors on the protected east elevation of the casita and removal of the windows in the casita. None of the existing doors or windows are in keeping with the historical nature of the property. Replacement of those doors and windows with those more suited to the "pueblo" design of the casita, and the age of the main dwelling, will enhance the historic appearance. The "pueblo" style is but one of the main styles characteristic of Santa Fe and contributes to the Santa Fe character of the city, along with the territorial and mixed design architecture.

**Staff response:** Staff agrees with this statement.

*iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;*

Because the current dwelling is on the boundary with the neighboring property without a five-foot setback, the proposed addition must be shifted away from the boundary making the addition offset from the main casita. A change in the laws pertaining to buildings and setbacks since the

original casita was built, makes this shift to the north necessary. An addition with the setback and without the shift would create an addition that is too narrow to provide for usable rooms and a hallway. The Applicant's lot is actually 3 city lots making it more conducive to a larger casita than some of the lots in the area where the casitas are more congested.

**Staff response:** Staff agrees with this statement.

*(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant; and*

The casita on this property was built very small compared to those on properties in close proximity to the property. The Casita was rented as a studio and renovated to a poor degree many years prior to the purchase of the property by Applicant. None of these actions are a result of Applicant's actions. The Applicant wishes to bring the casita in line with its historic heritage.

**Staff response:** Staff agrees with this statement.

*(vi) Provide the least negative impact with respect to the purpose of this section as set forth in City Code section 14-5.2 (A)(1)*

The least negative impact would be a renovated casita with doors and windows that reflect the historical nature of the area, including the enlargement which is in keeping with the design of the dwelling and the neighborhood. Otherwise, the casita continues to be a building without the design characteristics of the neighborhood.

**Staff response:** Staff agrees with this statement.

## **EXCEPTION TO EXCEED MAXIMUM ALLOWABLE HEIGHT**

*(i) Do not damage the Character of the streetscape;*

The prevailing style of the neighborhood is the "pueblo" architecture. The "pueblo" architecture contains multiple levels of flat roofs as can be seen on local homes, famous hotels and public buildings in the area. The roof line of the addition would be 19 feet and 5 inches from the lowest point at the door dugout to the roof top. The addition would be only one foot higher than the rear of the current casita and 12 inches higher than the front of the current casita. This small increase of 12 inches over the front of the casita would not be intrusive or overbearing to the current buildings on the property. The two properties on the same side of the street and closest to 800 Gildersleeve have historic two story dwellings at the rear. The height of the addition would, therefore, be in keeping with the character already established in the streetscape.

**Staff response:** Staff agrees with this statement.

*(ii) Prevent a hardship to the applicant or an injury to the public welfare;*

The current casita has a backdoor that opens over a drop-off with stairs leading to the lower level. The proposed addition would encompass the drop-off and provide interior stairs making for a safer descent out of the bottom floor of the casita, especially at night and during bad weather. If an addition is not allowed at its proposed height, Applicant will suffer hardship because Applicant will not be able to extend the casita due to the difference in elevation between the back and front of the lot. If Applicant cannot extend the casita, Applicant cannot realize the

financial potential of the 3 city lots or recoup funding for renovations to the overall property to the degree desired.

**Staff response:** Staff agrees with this statement.

*(iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts;*

The height of the addition is only twelve inches above the height of the front of the current casita and the character and design of the casita addition is in keeping with the multi-level nature of the "pueblo" style. This multi-level roofline is prevalent in most pueblos of Native Americans from which this design draws its characteristics. The proposed addition to the casita would create a dwelling with the "pueblo" character which is an integral part of the Santa Fe Historic District.

Many other homes of this Historic District also contain the same multi-level characteristic as the proposed casita addition would have. Some of these multi-level casitas are also built on varying elevations with hills and hollows, such as the proposed addition.

There are no adjacent homes below the casita which would be overlooked by the addition.

**Staff response:** Staff agrees with this statement.

*(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;*

In order to put an addition onto the casita, the addition must be two levels because directly behind the casita the land drops away substantially into a hollow, making the back portion of the property many feet lower than the front. If a ground floor and an upper floor are added to the current elevation, the roof of the casita addition on the side built in the hollow will need to be above the 15'-1" allowance as measured from the ground floor dugout.

**Staff response:** Staff agrees with this statement.

*(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant; and*

The special conditions that require the elevation of the roofline of the casita addition are geographical and not due to the actions of Applicant. The drop-off at the back of the property requires a two-story addition. In order to accommodate the geography and add the two-story addition, the addition would exceed the 15' -1" height maximum as shown in the drawings.

**Staff response:** Staff agrees with this statement.

*(vi) Provide the least negative impact with respect to the purpose of this section as set forth in City Code section 14-5.2 (A)(1)*

The least negative impact would be to provide for a building that is in keeping with the characteristics of others found in the Historical District with the "pueblo" characteristics. The proposed casita addition including the height addition would reflect those "pueblo" characteristics.

**Staff response:** Staff agrees with this statement.

Mr. Rasch pointed out the primary elevations on the house and casita for the Board.

### **STAFF RECOMMENDATION:**

Staff recommends approval of the requested exceptions and recommends approval of the application which otherwise complies with Section 14-5.2(C) Regulation of Contributing Structures, (D) General Design Standards, and (H) Don Gaspar Area Historic District.

### **Questions to Staff**

Chair Rios asked if both the main residence and the casita are designated Contributing?

Mr. Rasch agreed.

Chair Rios asked, with the changes being proposed, if his opinion was that the Contributing status would remain on both buildings.

Mr. Rasch said if the Board accepts all the exceptions, they would remain Contributing.

Member Boniface said in reviewing the elevation drawings of the Casita, it appears that the lower floor is probably buried about three feet at least on three sides and even steps up on the north and south sides as well. So the only spot where there is actually 19'+ wall is just right where the French doors at the entry on the ground floor on the north elevation and the entire west elevation. It looks like all three sides – the fourth side being contained by the existing casita/garage. He understood the Board still needs to make an exception for that but wanted to clarify that it is the case.

Mr. Rasch said that is correct.

### **Applicant's Presentation**

Present and sworn was Mr. Andrew Lyons, who said they are deleting the stained glass in favor of regular clear glass. He added that the stairway coming out on the south elevation would not be spiral shaped but come straight out. He briefly explained how the left side of the double door there would be a fixed door and the stairs be placed on the left side. He proposed to work out that detail with Mr. Rasch. It would come out south, straight out from the building. He showed an example of the paint color and also of the powder-coated aluminum to be used.

### **Questions to the Applicant**

Chair Rios asked what type of stucco he would be using.

Mr. Lyons said he would use cementitious in the same color as existing.

Member Boniface asked how tall the proposed ceilings are in the casita.

Mr. Lyons thought it was nine feet but wasn't sure about it.

Mr. Rasch retrieved the full-sized drawings to measure that dimension.

Member Katz said a door is being added on the bottom floor of the main house and it goes into a dining room. It also is not centered under the window above it. He wondered if it wouldn't be more aesthetically pleasing to have it centered under the window and also more functional as one wouldn't walk into the door and face the table in the middle of the room but walk into the door to the wide of the table.

Mr. Lyons replied but was away from the microphone and it was inaudible.

Member Katz asked next about the parapet on the addition to the guest house. He asked if there is room to have it step up so it looks better with the parapet that exists on the existing portion of the guest house. It is on the north façade of the addition to the guest house on the eastern portion of the north façade where it doesn't meet the same level as the roof of the existing façade of the guest house. He asked if that could be stepped down to meet that so it looked not quite so fraught.

Mr. Lyons made an inaudible comment.

He asked for clarification if Member Katz was referring to where the parapet goes south or along the north.

Member Katz clarified he was referring to the part along the north façade.

Mr. Lyons said 14" TJRs and about a 12" parapet above that so there is not much room to step down.

Mr. Rasch reported on the proposed ceiling height which from finished floor to "this line" is eight feet; then a foot of structure and from "this line" to "this line" is eight feet. And from the ceiling to the top of the parapet is two feet. So it is pretty tight.

Mr. Lyon commented further, mostly inaudible, pointing out features on the elevation drawing.

Member Boniface said with regard to what Member Katz just brought up, that he actually liked the fact that they didn't line up so you can actually tell the difference between what is a contributing building and then what was added later. So he actually wanted to see the difference.

Member Biedscheid agreed with that comment.

Member Biedscheid asked, in reference to the south façade of the main house. On the existing doors that are part of the infilled portal, she asked if those replacement doors are functional. It appears the stairs are centered at just one half of that door.

Mr. Lyons agreed. He explained that the left-hand door was not a functioning door. The right-hand door is the one that operates and the left half is fixed.

Member Biedscheid asked if there is a reason that the stairs couldn't be extended to cover both doors and be the same width as both doors.

Mr. Lyons agreed that they could be.

Member Biedscheid asked regarding the staircase for the new door, that the client would like for it to come straight out with the door over the window below.

Mr. Lyons agreed.

The owner wanted to make a statement.

Present and sworn was Ms. Roxanne Morgan, who said they wanted the staircase going out including the window as drawn and coming down to her left. The staircase would actually come down that way instead of as a spiral. It would just be straight stair steps down and no windows would be included.

### **Public Comment**

Ms. Beninato (previously sworn) said she had issues with the carport. She didn't think it was a necessary item and was on a primary façade and was not set back 10 feet from another primary façade. It is sort of an optional feature and people like carports but these are primary façades and there are already several changes being made to that primary façade. She understood the openings aren't different but the functionality of those doors proposed now as an alternative now to the steps on her right for those doors. And then a spiral staircase that may become a straight out staircase, again, coming to the left or west side of that opening. She thought it was a little bit intrusive to have the stair case come out straight rather than a spiral staircase. She really wondered about allowing carports on primary façades, especially when they are not set back from another primary façade.

There were no other speakers from the public regarding this case.

Mr. Lyons said Roxanne and Brian Morgan wanted to be able to access the house through that doorway in a protected environment. That was their concern. He also said that in going down that street, one could see many other carports in the neighborhood.

### **Action of the Board**

Member Boniface congratulated Mr. Lyons on his responses to the exception criteria. They were very thorough. He made a good case specifically about the carport and on the drive by, the Board noticed how many other carports there are in that neighborhood. What is presented certainly does fit in with the neighborhood.

Member Boniface moved in Case #H-15-073B at 800 Gildersleeve Street, to accept Staff's recommendation and approve this application as presented and recognizing that the applicant has met all of the exception criteria for 1) an addition on a primary façade, south, 2) an addition less than ten feet back from a primary façade, east, 3) to create an opening on a primary façade, south, for a window, 4) an increase to maximum allowable height, and 5), an increase to exceed the 50% footprint standard. In addition, he added the following conditions: 1) that the stair be taken to staff for their approval; 2) the existing stairs on the south elevation which go into the entry portal be extended in width to match the same opening as the doors leading into the portal. Member Bayer seconded the motion.

Chair Rios stated that the windows would be Hemlock Green in color and stucco as presented. Member Boniface accepted the amendment as friendly and the motion passed by unanimous voice vote.

4. Case #H-15-092. 540 East Alameda Street Unit 7. Downtown & Eastside Historic District. Carlos Kinsey, agent for Gayle Mill and Philip Haworth, owners, proposes to construct a 971 sq. ft. free-standing accessory structure to a height of 12'6" where the maximum allowable height is 16'4" and to remove fencing and yardwalls on a contributing residential property. (David Rasch).

Mr. Rasch presented the Staff report for this case as follows:

#### **BACKGROUND & SUMMARY:**

540 East Alameda Street Unit 7 is part of a condominium association located behind the contributing residence at 530. That historic building was constructed between 1928 and 1934 in the California Mission Revival style with a clay tile finished gable roof. In the 1980s, a Spanish-Pueblo Revival addition was constructed on the south side of the residence.

The applicant proposes to remove an existing stuccoed yardwall, relocate an existing coyote fence, and construct a free-standing garage and storage room on a vacant area to the southeast of the residence.

The 971 square foot structure is designed in a mixture of Spanish-Pueblo Revival and California Mission Revival elements to harmonize with the residence. It will be 12' 6" high, where the maximum allowable height is 16' 4", and feature stepped massing, rounded edges, clay tile finished shed roof overhangs and portal, and divided lite windows and doors. The garage doors will be carriage-style with divided-lite windows in the upper quarter. Exterior light fixtures will be Minka Lavery Mallorca lantern sconces in an iron finish. Finishes will be El Rey cementitious "Desert Rose" and Pella trim color "Stormy Blue".

In addition, stuccoed pilasters and wooden pedestrian gates will be constructed in the relocated coyote fence.

#### **STAFF RECOMMENDATION:**



Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

### **Questions to Staff**

There were no questions to Staff.

### **Applicant's Presentation**

Present and sworn was Mr. Carlos Kinsey, 372 Garcia Street, who had nothing to add to the Staff report.

### **Questions to the Applicant**

There were no questions to the Applicant.

### **Public Comment**

There were no speakers from the public regarding this case.

### **Action of the Board**

Member Biedscheid moved in Case #H-15-092 at 540 East Alameda Street, Unit 7 to approve the application as recommended by Staff, noting that it complies with Section 14-5.2 D (9) and E. Mr. Powell seconded the motion and it passed by unanimous voice vote.

5. **Case #H-15-093. 125 West Coronado Street. Don Gaspar Area Historic District. Clyde Gossert, agent/owner, proposes to increase height of yardwalls from 34" to the maximum allowable height of 41" and construct a yardwall to 6' high with pedestrian gates on a non-contributing residential property. (David Rasch).**

Mr. Rasch presented the staff report for this case as follows:

### **BACKGROUND & SUMMARY:**

125 West Coronado Street is a single-family residential structure and free-standing garage that were constructed in a vernacular manner by 1947. On November 26, 2013 and October 14, 2014, the HDRB approved remodeling of the property, including an addition that connects the two structures into one. The building is listed as non-contributing to the Don Gaspar Area Historic District.

The applicant proposes to remodel the property with the following three items.

1. The street-facing stuccoed yardwall will be increased in height from 34" to 41", the maximum allowable height. A 3' wide wooden pedestrian gate will be installed at the walkway.

2. The west lotline stuccoed yardwall along the driveway will be increased in height from 34" to 41".

3. A stuccoed yardwall will be constructed along the east lotline at 41" high from the street to parallel with the front façade of the house and then at 6' high to the rear of the property. Also, a 6' high stuccoed yardwall with a 4' wide wooden pedestrian gate will be constructed from the southeast corner of the house to the east lotline.

### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (H) Don Gaspar Area Historic District.

### **Questions to Staff**

Chair Rios asked Mr. Rasch to point out where the walls would be located and their height.

Mr. Rasch said the photo didn't show the entire project but pointed out the yard wall going along the east side of the driveway, the south, street-facing yardwall, and at the far east end of the driveway, along the entire east line would be a yardwall. All of it in front of the house would be 41" high, the maximum allowable height. Then, as you get to the end of the house, the east wall will increase to six feet high to enclose the rear of the property.

Member Boniface said the four-foot-wide, five-foot-high gate that is in the six-foot-high wall was not evident on the site plan.

Mr. Rasch located it for him on a spur yardwall that has the gate.

Member Boniface realized that it comes off of the corner of the house and intersects the wall on the property line.

Mr. Rasch agreed.

### **Applicant's Presentation**

Present and sworn was Mr. Clyde Gossert, 125 West Coronado Road, Santa Fe, who had nothing to add to the Staff report. He clarified that they have a three-foot requirement on five feet of the west wall and 15' of the front wall that are required by Zoning. He said he has talked with the neighbors next door – both the tenants and the trustee and they agreed with the proposal.

### **Questions to the Applicant**

Chair Rios asked if they would continue with the cap on the wall as it is on the west side.

Mr. Gossert agreed.

Chair Rios asked him to describe the proposed gate.

Mr. Gossert said it would be a wooden gate out of the same wood color as on the portal beams.

### **Public Comment**

There were no speakers from the public regarding this case.

### **Action of the Board**

**Member Roybal moved in Case #H-15-093 at 125 West Coronado Street, to approve the application per staff recommendations. Member Boniface seconded the motion and it passed by unanimous voice vote.**

- 6. Case #H-15-094. 458 Camino de las Animas. Downtown & Eastside Historic District. Dan Boone, agent for Robbin and Alice Dawson, owners, proposes to construct a stuccoed yardwall to the maximum allowable height of 5'6" and a coyote fence to a height of 8' on a non-contributing residential property. (David Rasch).**

Mr. Rasch presented the staff report for this case as follows:

### **BACKGROUND & SUMMARY:**

458 Camino de las Animas is a single-family residence that was constructed at approximately the 1940s the Spanish-Pueblo Revival style. The building is listed as non-contributing to the Downtown & Eastside Historic District, although the property is eligible for a historic status review and potential upgrade to contributing status.

The applicant proposes to remodel the property with the following two items.

1. A stuccoed yardwall will be constructed along the street-frontage to the maximum allowable height of 5' 6". The stucco will match existing conditions in El Rey cementitious "Coral". A wooden pedestrian door and window, both with exposed headers, will be installed in the wall.

2. A coyote fence will be constructed along the west lotline at 5' 6" high near the street to an increase at 8' high in two steps. The drawing shows equal-cut latilla tops.

### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

### **Questions to Staff**

Chair Rios said this house is approximately 75 years old. She asked Mr. Rasch if he felt it was not contributing at this time but if it went through a historic status review, if he thought the proposal would impede a possible upgrading.

Mr. Rasch didn't think this proposal would limit its status. Upgrade.

### **Applicant's Presentation**

Present and sworn was Mr. Dan Boone, who had nothing to add to the Staff report.

### **Questions to the Applicant**

Member Katz said it looks as though there is currently a slope there on the western side and intended to be flattened out.

Mr. Boone agreed. He said he was attempting to show the before or existing and elevation #4 is the finished grade.

Member Katz if the finished grade would be at the same level at the back, as the neighbor's wall.

Mr. Boone agreed.

Member Katz asked if it was intended that the latillas on the coyote fence would be irregular instead of flat.

Mr. Boone agreed.

Member Powell asked if the stucco wall is to be constructed "right there."

Mr. Rasch said it is to be behind the dressed stone wall.

Member Powell noted that according to the plan, it is 5', 5" back.

Mr. Rasch agreed.

Member Powell said when it gets to the western stone wall, it will run right on top of it.

Mr. Rasch pointed it out on the display.

Member Powell asked where it would start.

Mr. Rasch pointed it out and said it would be five feet back.

Member Powell asked if there was anything that would keep the coyote fence from being set back more in order to mirror what is happening on the north façade.

Mr. Rasch said no.

Member Powell wondered if the applicant would agree to step it back since it doesn't need to be 5' 5" but maybe 2 feet. Or whether that would impede the design he is striving for.

Mr. Boone asked if he was requesting a two foot opening between the stucco wall and ...

Member Powell said, "It is doing what you're doing. It is just on the west part of the wall.

Mr. Rasch displayed the site plan and pointed out that the stucco wall is set back from the rock wall at the street frontage and goes all the way to the side lot line wall and you want to put the coyote fence right on top of it. The board is asking if they could set that coyote fence slightly back.

Mr. Boone said the coyote fence will be inside the existing wall.

Member Powell explained that the Board wants to not disturb the historic wall so he is saying the coyote fence will be just behind the historic wall.

Mr. Boone agreed. It will be inside.

Member Powell asked if it would be touching the wall.

Mr. Boone said it would probably be set back an inch or so off of it.

Member Powell didn't know if the Board members would want to include it in the motion but personally, he felt he would have a better design if he stepped it back even further – a foot or two.

Mr. Boone said that would just create a well that could collect trash and all kinds of stuff.

Member Powell understood.

Member Boniface said the stepped stucco fence is on the neighbor's property.

Mr. Boone agreed.

Member Boniface reasoned that by setting the coyote fence he was proposing back, it would create a funky little space that as he said, would become a place where trash to collect. And he understood what Member Powell was saying about differentiating between existing and new which he had said earlier and now was contradicting himself a little bit. But in the case of this fence, he thought it made more sense to just simply put it there. That stucco fence is also very low and hard to really see. Going back to the photograph, it is way back there. There are already two stepped walls and this would make three. So he was not in agreement with it. He would like to keep it simpler.

### **Public Comment**

Ms. Beninato (previously sworn) said she found the idea of an eight-foot fence to be very unfriendly in a residential area. She understood the intention was to lower the grade and that it wouldn't be higher from the other side than the back of that wall. At the back, the neighbor's wall is at six feet. The questions Member Katz asked about it being level with a two-foot drop in that slope, so that the 8' wall will match the six-foot height on the neighbor's property. However, from the owner's property, it would seem to be very large and not a very friendly thing to look at – an eight-foot fence. Other people are not getting away with an 8' fence in residential zones. She found this to be an unfortunate pattern, just like it is unfortunate that the Board isn't really enforcing primary façade requirements and allowing a need for a carport as somehow a hardship. She hoped this historic ordinance gets revised soon so we can have consistent standards as to what hardship really means rather than doing it on a lot-by-lot basis but then comparing it to existing lots in the neighborhood and not just "the lot." Although not on point with this one, it is an eight-foot clearance that she found unnecessary and unfriendly.

Chair Rios commented on that statement that each case is judged on its own merits and it is also very important to look at the streetscape in the neighborhood. The Board wants these new projects to be compatible and in harmony with the rest of the streetscape.

There were no other speakers from the public regarding this case.

### **Action of the Board**

**Member Boniface moved in Case #H-15-094 at 458 Camino de las Animas to approve the application as recommended by Staff with the condition that the individual latillas comprising the coyote fence vary in height. Member Katz seconded the motion and it passed by unanimous voice vote.**

- 7. Case #H-15-095. 805 Apodaca Hill. Downtown & Eastside Historic District. D. Maahs Construction, agent for Lori Robinson, owner, proposes to remove non-compliant windows and replace them with compliant windows on a non-contributing residential structure. (David Rasch).**

Mr. Rasch presented the staff report for this case as follows:

## **BACKGROUND & SUMMARY:**

805 Apodaca Hill is a single-family residence that was constructed at an unknown date in the mid-1960s in the Spanish-Pueblo Revival style. The building is listed as non-contributing to the Downtown & Eastside Historic District. A Historic Cultural Property Inventory was not found for this structure.

The applicant proposes to remodel the property with the following three items.

1. The publicly-visible second floor window openings that are less than 36" from corners will be brought into compliance with stuccoed mass.
2. Non-compliant windows on the second floor north, east, and west elevations will be removed and replaced with simulated divided-lite windows. The elevations show single-lite windows, but the window specification sheet shows 30" compliant windows.
3. A stained glass window on the east elevation will be removed and the opening infilled with stuccoed wall.

## **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District with the condition that both the 3-foot corner standard and the 30-inch divided lite standard shall be met where these features are publicly-visible.

## **Questions to Staff**

There were no questions to Staff.

## **Applicant's Presentation**

Present and sworn was Mr. Douglas Maahs, 708 Tecolote, who said he was in agreement with Staff conditions. He explained that the reason for the remodel was that the property was in such a state of disrepair that was actually causing damage to the first floor with leaking water.

## **Questions to the Applicant**

Member Katz noted in the elevations it doesn't show that the replacement windows would be divided lites and asked if they would be.

Mr. Maahs agreed and referred to the schedule included in the packet. The size of change in order to meet the 36" requirement for the corners – the windows will be the same as that schedule.

Mr. Rasch said it was page 20 in the packet.

### **Public Comment**

Ms. Beninato (previously sworn) wanted to thank the applicant for actually making it compliant with the historic standards rather than claiming it as pre-existing and should be allowed to continue with work that isn't in harmony with that layout.

There were no other speakers from the public regarding this case.

### **Action of the Board**

**Member Katz moved in Case #H-15-095 at 805 Apodaca Hill to accept the Staff recommendation as complying with the General Design Standards and approve the application with the condition that both the three-foot corner standard and 30" divided life standard shall be met. Member Roybal seconded the motion and it passed by unanimous voice vote.**

- 8. Case #H-15-096. 1005 East Alameda Street Unit B. Downtown & Eastside Historic District. Eric Enfield, agent for James and Jean Wickstead, owners, proposes to construct 2,883 sq. ft. of additions to a height of 13' where the maximum allowable is 16' on a non-contributing residential structure. (David Rasch).**

Mr. Rasch presented the staff report for this case as follows:

### **BACKGROUND & SUMMARY:**

1005 East Alameda Street Unit G is a single-family residence in the Spanish-Pueblo Revival style that was constructed at an unknown date in the 20<sup>th</sup> century. Many exterior alterations have occurred and William Lumpkins performed the latest alterations in 1970. The building is listed as non-contributing to the Downtown & Eastside Historic District. No Historic Cultural Property Inventory was found.

The applicant proposes to extensively remodel the property, including two large additions totaling 2,883 square feet with a total overall height of 13' 8" where the maximum allowable height is 16'. The west addition includes a master suite, living room, library, and main entry. The northeast addition includes a three-car garage, studio, and mechanical room. In addition, the existing main entry will be removed and infilled with stuccoed wall, a paired window will be removed, French doors installed, and a portal constructed on the east elevation, reconfiguring the main entry steps and walkway with construction of an entry portal on the south elevation, installation of more skylights, and construction of a low stone retaining wall at the northwest corner.

Finishes will match existing conditions including exposed headers and iron window grilles. The entry door and garage vehicle door will have decorative wood in chevron patterns. Exterior light fixtures appear to be lantern sconces.



### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

### **Questions to Staff**

Chair Rios asked Mr. Rasch to describe the location of the project and the public visibility.

Mr. Rasch pointed out East Alameda Street on the site plan and the driveway into the large subdivision. The original unit is Unit G and the large additions that are visible. On Alameda is a very tall stuccoed yardwall with a coyote fence extension. So while standing at the sidewalk, you cannot see anything of the property. But while on the street and in the van, the Board members could probably see the top of this house.

Chair Rios noted they are proposing skylights and asked Mr. Rasch if they are low-profile.

Mr. Rasch was not sure.

### **Applicant's Presentation**

Present and sworn was Mr. Eric Enfield, 612 Old Santa Fe Trail, Santa Fe, who said he was very familiar with this property when it was owned by the father of a classmate in high school and spent time in it. It was once one residential property when a local architect purchased it and divided it into condominiums. He said he had been before the Board regarding this property about five or six times.

He said this is his client's second home and they are looking at converting it to a primary residence and moving here. They have parents to accommodate. It has a two-car garage with one bay that is extended for two small sports cars. So it is not a three bay garage per se.

Mr. Enfield believed he has paid attention to the existing aesthetic of the house. They chose to go only 13' high. The site slopes up to the north so they have some extensive work in the back. He commented on the space at the back of the house where a gate would be. He included in the packet the homeowner association approval. They met with neighbors four times and made adjustments concerning visibility of the unit above over this house.

He added that all skylights are low profile and not publicly visible.

### **Questions to the Applicant**

Chair Rios asked how many skylights are proposed.

Mr. Enfield said there are five existing skylights and he is proposing six new skylights. He added that he is putting windows on the garage to make it look more like the residence.

Chair Rios asked if the proposal would complement the existing building in terms of stucco color, etc.

Mr. Enfield agreed. It will match all existing colors. Stucco is a Fawn color with sand finish in traditional stucco. They are also using adobe construction in most of the house. The existing structure is mostly adobe. He said it was once a chicken coop and many architects have worked on it. He named some of them, including Bill Lumpkins, Lorn Tryk and himself. He thanked Mr. Tryk for getting it ready to become contributing. He explained that the owners hired both Lorn Tryk and himself to do designs, compared them, and hired Mr. Enfield as giving them the best design.

Mr. Rasch corrected the earlier statement – there are nine proposed skylights in addition to existing ones.

Member Boniface said the entire site is very steep, sloping up to the north and wondered what the neighbor to the immediate north of this building would see on the roof of the additions such as rooftop mechanical equipment, ducts, compressors, etc.

Mr. Enfield said it is going to be “a really pretty roof.” He added that he has walked it with the neighbor. It has a low coyote fence running along there that was set as their sight lines for the roof lines. That was why they brought everything down and why he worked with the neighbors on visibility concerns.

Member Roybal asked about the new proposed mechanical room.

Mr. Enfield said it is larger than normal because it houses the entire water service for the whole compound complex.

Chair Rios pointed out that this compound has a lot of vegetation.

Mr. Enfield said that was one of the agreements with neighbors adjacent to the property. After Construction, they will do a walk-through and determine areas where evergreen shrubbery should be added.

### **Public Comment**

Ms. Beninato (previously sworn) said she was really pleased that this plan actually shows and calls out the color of the stucco, placement of the lights, as was required by the Board to have a window schedule, a light schedule but no longer seems to be required. Her only concern was the large number of skylights and visibility to the neighbor. Even using low profile skylights, they could be seen from above that. She asked if there was some way to eliminate the reflective glare from them to not interfere with the neighbor. It is a huge addition on this compound property and wondered how much total lot coverage is there. She understood that was not regulated by the Board. The additions are in keeping with the existing structure.

There were no other speakers from the public regarding this case.

Mr. Enfield said Lorn Tryk is a good friend and he "didn't mean to mention that he beat him out."

### **Action of the Board**

Member Roybal moved in Case #H-15-096 at 1005 East Alameda Street, Unit B, to approve per staff recommendations. Member Boniface seconded the motion and asked for a friendly amendment that light fixtures be taken to Staff for review and approval and the condition that all skylights will be low profile and cementitious stucco. Member Roybal accepted the amendments as friendly and the motion passed by unanimous voice vote.

9. **Case #H-15-097. 302 Sena Street. Don Gaspar Area Historic District. Sofia Marquez, agent for Mark Khano and Julie Gallegos owners, proposes to construct a 1,451 sq. ft. residential structure to a height of 15' where the maximum allowable height is 15'8". (David Rasch).**

Mr. Rasch presented the staff report for this case as follows:

### **BACKGROUND & SUMMARY:**

302 Sena Street is a 2,902 square foot vacant lot in the Don Gaspar Area Historic District. The applicant proposes to remove a chain link fence and construct a 1,451 square foot single-family residence to a height of 15' where the maximum allowable height is 15' 8". The building is designed in the Spanish-Pueblo Revival style with room-block massing, rounded edges, a river rock base on the north, east, and west sides, portals with viga posts, carved corbels, exposed headers, and clay-tile finished shed roofs, and true-divided lite windows and doors. Walls will be finished with an "Adobe" or "Buckskin" stucco. Metal-clad exteriors of windows and doors will be a medium brown color. Exterior light fixture designs were not submitted.

### **STAFF RECOMMENDATION:**

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (H) Don Gaspar Area Historic District.

### **Questions to Staff**

Chair Rios asked Mr. Rasch if this neighborhood has a lot of clay tile roofs.

Mr. Rasch said it does; especially on this streetscape there were a handful of buildings with a mixture of styles.

### **Applicant's Presentation**

Present and sworn was Ms. Sofia Marquez, 17351 G, Antonito Colorado, who said she had nothing more to add to the staff report.

### **Questions to the Applicant**

Member Boniface said on the north elevation, the centered mass of the building, it looked like they would have trouble with the flashing when taking the tile roof up to the top of the parapet. He thought they would probably want to raise it a little more than what was drawn.

Ms. Marquez agreed that was a good observation. She was trying to get a couple of feet there and keep it under the maximum allowed by City ordinance.

Member Boniface appreciated that intent to have different shapes in between the massing but he thought by default, it would be raised another six inches.

Chair Rios asked how far back from the sidewalk the project started.

Ms. Marquez said it is 12 feet. The fireplace in the living room is at 12.

Chair Rios asked about the percentage of lot coverage.

Mr. Rasch looked it up and said on page 4, lot coverage is 50% and open space is 578 square feet.

Chair Rios asked if that is in compliance.

Mr. Rasch believed it was. Zoning Staff did sign off on it on September 17<sup>th</sup>.

Chair Rios asked if she was proposing anything on the roof that would be publicly visible.

Ms. Marquez said no, although there may be some low profile skylights but well hidden behind the parapets.

Chair Rios asked if she was using traditional cementitious stucco.

Ms. Marquez agreed – three coat stucco in Buckskin color by El Rey. The window color would match existing. Both houses have the same owner. It is a medium brown.

### **Public Comment**

Ms. Beninato (previously sworn) said she lives in the neighborhood and often wondered what they were going to do with this part of their property. Although she liked the design, it is a 40% lot coverage requirement and didn't know how they got away with 50% coverage. The other thing she noticed is that it is a single driveway and apparently would only allow one car to park off street. Current zoning requirements require two off-street parking places unless it is a guest unit but this is a separate lot. And it has to be done in such a way that the cars can move without having to move both. She thought that could easily be

achieved here, given that there is a twelve setback, by having a circular driveway with pull outs. She noted another place where that was a big problem and caused a lot of congestion on the street.

Chair Rios pointed out that all of the relevant departments at the City have to sign off on the project before certificates of occupancy can be issued. She was sure everything would be properly addressed on this one.

Member Boniface said current driveway appears to be on the adjoining property, not on this one.

Ms. Marquez said there are two of them and they are side by side.

Member Boniface asked if that was the no-build area that is the driveway.

Ms. Marquez agreed.

There were no other speakers from the public regarding this case.

### **Action of the Board**

**Member Katz moved in Case #H-15-097 at 302 Sena Street to approve the application as recommended by staff which is in compliance with Section 14-5.2 D (9). Member Boniface seconded the motion. Chair Rios asked that the motion include that all skylights are low profile and not publicly visible. Member Katz agreed and it passed by unanimous voice vote.**

- 10. Case #H-15-091A, 1133 East Alameda Street. Downtown & Eastside Area Historic District. Salomon Velasquez, agent for Paul Rochford and Michael Violante, owners, requests designation of primary elevations on a contributing residential structure. (David Rasch).**

Mr. Rasch presented the staff report for this case as follows:

### **BACKGROUND & SUMMARY:**

1133 East Alameda is an 1,849 square foot residence constructed in the 1930s with a 214 square foot study and 306 square foot attached carport that were constructed in the late 1980s. The residence features a blend of Spanish Pueblo and Territorial Revival elements, including rounded stuccoed massing, portals with painted wood posts and beams, and divided lite steel windows with pedimented lintels. The residence listed as contributing to the Downtown and Eastside Historic District.

The applicant requests designation of primary facades and has provided a window and door assessment for the residence. According to the window assessment, the outswing steel casement windows are probably not original but were likely historically installed in the 1950s or 1960s. The window sills and pedimented lintels are of unique construction, featuring light gauge painted aluminum frames filled with concrete. Three of the historic windows do not meet egress standards, and all have some condition issues. All four exterior doors were replaced in the 1980s or 1990s. The south façade is the principal façade of the

building, facing the street frontage and exhibiting the majority of the character-defining features of the building, including two portals and a chimney flanked by identical windows placed symmetrically.

### **STAFF RECOMMENDATION:**

Staff recommends designating the south façade as primary, excluding the non-historic carport, in compliance with Section 14-5.2(C) Regulation of Contributing Historic Structures.

### **Questions to Staff**

Chair Rios asked if the windows there are steel casement windows and approximately 55 years old.

Mr. Rasch agreed.

Chair Rios said then they were kind of altered.

Mr. Rasch said apparently the surrounds are not original or historic.

### **Applicant's Presentation**

Present and sworn was Ms. Sharon Woods, who said she did a little research on the building and just finished it. She provided a handout for the Board members. Most of her presentation was not audible as she was not speaking into the microphone. She identified several features that had been changed and were not historic.

### **Questions to the Applicant**

There were no questions to the Applicant.

### **Public Comment**

Ms. Beninato asked for clarification on what had been changed and what has not.

Chair Rios clarified that this case was a review of the status, not on changes being proposed. The Board is trying to decide what the primary façade should be on this contributing house. Ms. Woods just updated the Board on the changes, e.g., on the porches. In the 1980s they were different than they are now.

There were no other speakers from the public regarding this case.

Member Powell said since it has been a contributing structure, it surely has had a primary façade and it would just be an attempt to figure out which once that was. It seemed to him that it should be the south façade.

Chair Rios agreed and said that is what Staff is recommending.

### **Action of the Board**

**Member Powell moved in Case #H-15-091A at 1133 East Alameda Street, to continue the contributing status of the house and designate the south façade as primary excluding the non-historic porches. Member Boniface seconded the motion and it passed by unanimous voice vote.**

- 11. Case #H-15-091B. 1133 East Alameda Street. Downtown & Eastside Area Historic District. Salomon Velasquez, agent for Paul Rochford and Michael Violante, owners, proposes to construct additions totaling 638 sq. ft., a 4' high yardwall and vehicle gate, replace windows, and remove an overhang on a contributing residential structure. Two exceptions are requested to change a window to a door (Section 14-5.2(D)(5)(a)(i)) and to construct an addition within 10' of a primary façade (Section 14-5.2(D)(2)(d)). (David Rasch).**

Mr. Rasch presented the staff report for this case as follows:

### **BACKGROUND & SUMMARY:**

1133 East Alameda is an 1,849 square foot residence constructed in the 1930s with a 214 square foot study and 306 square foot attached carport that were constructed in the late 1980s. The residence features a blend of Spanish-Pueblo Revival and Territorial Revival elements, including rounded stuccoed massing, portals with painted wood posts and beams, and divided-lite steel windows with pedimented lintels. The residence listed as contributing to the Downtown & Eastside Historic District with the south façade designated as primary.

The applicant proposes to remodel the property with the following seven items.

- 1) Demolish the existing non-historic carport and replace it with a 253 square foot dining room addition and attached 385 square foot single car garage and laundry room, which will sit proud of the south primary elevation. The addition will be 6" lower than the massing of the residence and will feature white painted garage doors, two windows on the west façade, and a window on the east façade. The total proposed non-historic footprint will not exceed 50% of the historic footprint of the residence. However, an exception is requested to place an addition within 10 feet of a primary façade, and the relevant code citation and exception criteria are provided below.
- 2) Construct pergolas between the proposed dining room addition and the existing study and off the west side of the dining room addition.
- 3) Replace all windows on the residence with white clad divided lite wood windows, and replace the Territorial style window trim with white painted wood trim with no pediments. An exception as not requested to alter the character of the window trim but may be needed.

- 4) Replace the non-historic front door of the residence with a new white French door.
- 5) Replace the south window under the southwest portal with a white French door in order to meet egress requirements and provide access to the front yard from the bedroom. An exception is requested to alter historic opening dimensions on a primary façade, and the relevant code citation and exception criteria can be found below.
- 6) Remove the roof overhang on the north façade and replace it with a parapet and canales in order to improve drainage.
- 7) Add a 15' metal vehicle gate at a height of 4' in natural antique bronze finish and flanked by 4'6" stuccoed pilasters, and replace the existing yardwall with a 4' high stuccoed yard wall with garage enclosure at the southeast corner of the lot and white painted pedestrian gate at the east wall.

**EXCEPTION #1, RELEVANT CODE CITATION: Section 14-5.2(D)(2)(d)**

*Additions are not permitted to the side of the existing footprint unless the addition is set back a minimum of ten (10) feet from the primary façade.*

**EXCEPTION #1, CRITERIA AND RESPONSES:**

- (i) Do not damage the character of the streetscape.

**Applicant Response:** No other home on the streetscape is listed as historic. All the homes have been extensively remodeled in the last 50 years or are new. This home is like most other homes on the streetscape and has a wall at the street. The existing non-historic carport currently is what is visible from the street. The new proposed single car garage will be set back 20' from the street and will not in any way damage the character of the streetscape and will be more in keeping with the architecture of the home than the current non historic carport. In addition, allowing the homeowner to house their car in a garage will positively impact the streetscape because the car will not be visible from the street.

**Staff Response:** Staff generally agrees, but disputes the notion that there are no other historic homes in the streetscape. The Board should consider whether the presence of the garage in this location is harmonious to the character of the streetscape, which contains several other properties with garages, yardwalls and vehicle gates.

- (ii) Prevent a hardship to the applicant or an injury to the public welfare.

**Applicant Response:** Allowing the homeowners to build their garage will prevent a hardship by giving them an enclosed and secure space to protect their car from the elements and from theft as well as provide space to store outdoor garden equipment.



Staff Response: Staff agrees.

- (iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts.

Applicant Response: The owner of this home is a native Santa Fean and has owned this home for 15 years. He loves his home and wants to remain in it for many years however he needs a garage for his car and for storage. The lot is relatively small and the only other available space on the lot has several cottonwoods that should not be cut down for a garage when the current driveway is available.

Staff Response: Staff agrees.

- (iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other land or structures in the related streetscape.

Applicant Response: The lot is small and there is no room or accessibility from the street except on the south side of the lot. By locating the laundry room/garage as currently shown in the existing driveway, no trees would need to be removed. We cannot locate the garage 10' from the primary façade because zoning requires that the structure be set back 20' from the front property line. Because of these special conditions and after careful consideration, there is no other place to locate the laundry/garage.

Staff Response: Staff agrees.

- (v) Are due to special conditions and circumstances which are not the result of the actions of the applicant.

Applicant Response: The home is sited on the back half of the lot which is quite small. The west façade of the home is within 10 feet of the west property line and there is no street access. The north façade already encroaches on the rear yard setback, and there is no street access. The grade on the east side of the property is more than 4' below the road making access impossible. The only place to locate a garage is within the current driveway or the south facing yard however the yard has several huge old cottonwoods that would have to be removed if the garage was to be located in the south yard and the garage would block the primary façade of the house. Because of the size and grade of the lot and the location of the house, the only place to build the laundry/garage and have the least impact on this contributing home is in front of the non-historic carport which is adjacent to the primary façade.

Staff Response: Staff agrees.

- (vi) Provide the least negative impact with respect to the purpose of this section as set forth in 14-5.2(A)(1).

Applicant Response: The intent of the code is to not lose the historic status of a contributing building. Locating the laundry/garage within 10' of the primary façade has the least impact on this contributing home and does not change the historic status. Currently a non-historic carport is on the same plane as the primary façade. It is our opinion that the placement of the garage as we have shown is an improvement and separates the primary façade from the non-historic structure.

Staff Response: Staff agrees, with the caveat that although the garage placement does intensify an existing non-conformity, in that the existing carport is also within 10 feet of the primary façade, it is the least impactful solution, short of not building a garage.

#### EXCEPTION #2, RELEVANT CODE CITATION: Section 14-5.2(D)(5)(a)(i)

*Historic windows shall be repaired or restored whenever possible. Historic windows that cannot be repaired or restored shall be duplicated in size, style, and material of the original. Thermal double pane glass may be used. No opening shall be widened or narrowed.*

#### EXCEPTION #2, CRITERIA AND RESPONSES:

- (i) Do not damage the character of the streetscape.

Applicant Response: The current window on the primary façade that we wish to change to a French door is not visible from the streetscape on East Alameda. There is a 5' yard wall at the street. A six-foot coyote fence that defines an inner courtyard. The window in question is under a historic portal and behind both the yard wall and the coyote fence; the proposed French door, from the street, has no public visibility and absolutely no impact on the streetscape.

Staff Response: Staff agrees.

- (ii) Prevent a hardship to the applicant or an injury to the public welfare.

Applicant Response: The current bedroom window is not an egress window. By replacing the window in kind, the home would not meet code because a bedroom must have an egress window in case of a fire. By allowing the window to be replaced with a French door, there would be egress in case of a fire and the applicant would be able to use the existing patio off the bedroom.

Staff Response: Staff agrees.

- (iii) Strengthen the unique heterogeneous character of the city by providing a full range of design options to ensure that residents can continue to reside within the historic districts.

Applicant Response: Admittedly an egress window could be located on the west wall which is not the primary façade. However, this would not allow access to the existing patio/courtyard. The current windows are not original and there is no evidence that the historic window openings were maintained when all the windows were replaced. Under the circumstances, the design option we have requested ensures that this resident will want to continue to reside in the historic district.

Staff Response: Staff agrees.

- (iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other land or structures in the related streetscape.

Applicant Response: The peculiar circumstance is that there is a courtyard within a courtyard that was built by the previous owner with no access from the bedroom. In addition, as stated previously the window in that bedroom does not meet the egress code. Both of these circumstances are unique to this property.

Staff Response: Staff agrees.

- (v) Are due to special conditions and circumstances which are not the result of the actions of the applicant.

Applicant Response: The previous response is applicable to this exception criterion as well. When the applicant bought the property, the bedroom window did not meet egress and the little courtyard within the courtyard existed.

Staff Response: Staff agrees.

- (vi) Provide the least negative impact with respect to the purpose of this section as set forth in 14-5.2(A)(1).

Applicant Response: The intent of the code is to not lose the historic status of a contributing building. We do not believe that replacing a non-historic, not publicly visible window on the primary façade with a traditional French door will impact the contributing status of the structure. It will allow access to a courtyard and the door that we are proposing is a 5-0x6'8" true divided light, French door emulating the mullion pattern of most of the current windows.

Staff Response: Staff agrees, with the caveat that the window to be replaced is historic, even if not original to the home.

**STAFF RECOMMENDATION:**

Staff recommends approval of the exceptions to alter the primary elevation and recommends approval of this application which otherwise complies with Section 14-5.2 (D) General Design Standards and (E) Downtown and Eastside Historic District.

**Questions to Staff**

Chair Rios asked if Mr. Rasch had said the windows on the primary south elevation will be replaced.

Mr. Rasch said yes.

Ms. Woods said an evaluation of those windows was done by Mr. Ra Patterson who recommended replacement.

Chair Rios asked if the openings would remain the same on the south elevation.

Ms. Woods pointed out a change on top of the window to the west on the south elevation but otherwise agreed.

Chair Rios remembered regarding steel casement windows that Board members, long ago, would fight to keep those windows because they reflected a specific time period but she knew they were very bad in terms of energy efficiency. She personally no longer supporting keeping steel casement windows.

Mr. Rasch said that over the years, there were many exceptions filed to replace historic steel casement windows and every time the exception request was made, the Board has granted it.

**Applicant's Presentation**

There was no further presentation made.

**Questions to the Applicant**

Member Biedscheid asked for a clarification on item 3 why she didn't comply with what is required at this time.

Mr. Rasch explained that HPD has three certified window assessors and one of them was hired for this project. And he has made a statement that these windows are not historic.

Ms. Woods made an inaudible statement about the assessed windows.

Member Katz asked about the gate in front of the garage.

Ms. Woods explained it.

Member Powell asked about the operation of the gate which he didn't catch earlier

Ms. Woods described the operation of the gate to him.

Member Powell noted there was no pediment for the window.

Ms. Woods' response was inaudible.

Mr. Rasch said because it doesn't change the character of the architectural style, he didn't see any need for an exception.

### **Public Comment**

Ms. Beninato made an inaudible statement about the windows and energy efficiency. She recalled that in the past, the Board had required applicants to use storm windows to increase energy efficiency.

Chair Rios said regarding the windows on the south elevation that the window being changed to be a door is allowed by the ordinance

Mr. Rasch agreed that could be done without an exception but in this case, the applicant was asking to widen the opening.

Present and sworn was Mr. Paul Rochford, 1133 East Alameda Street, who said he and his husband would be living in the house and are passionate about this property. He indicated they have been here a long time and have tremendous respect for Santa Fe and its historic buildings. He pointed out that it is only an 1,800 square foot house and briefly described its character. He described it as their "keeper house." They really wanted to make it special.

There were no other speakers from the public regarding this case.

Chair Rios asked Ms. Woods to describe the vehicular gate – dimensions and appearance.

Ms. Woods described it as a low gate.

### **Action of the Board**

**Member Katz moved in Case #H-15-091B at 1133 East Alameda Street moved to accept Staff recommendation and approve the application, finding that the exception criteria to alter the primary façade have been met. Member Roybal seconded, noting the window assessment report. Member Biedscheid asked for a friendly amendment to accept the exception criteria to place an addition less than ten feet from a primary façade. Member Katz accepted the amendment as friendly and the motion passed by unanimous voice vote.**

## **I. MATTERS FROM THE BOARD**

Mr. Shandler introduced his co-worker, Ms. Theresa Gheen, an Assistant City Attorney who will eventually be the liaison for the HDRB.

Chair Rios and the Board welcomed her.

Mr. Shandler announced that tomorrow at City Council there will be two historic matters considered. One is the appeal on the property at 535 E. Alameda and the details are on the City website. In the afternoon session agenda is the remand request of the West Manhattan property. The owner has new information he wanted to share with the Board about the garage. Then on October 28<sup>th</sup>, the City Council would hear an appeal on the Camino Pequeño property.

Mr. Rasch said he would be providing dates for lunch hour presentation of the Santa Fe Style power point and then 5-10 minutes' maximum per hearing of little sessions of educational components.

Chair Rios announced that she would not be present for the next meeting.

Member Boniface said he would not be present for the next meeting also.

Member Katz said he would not be present for the first meeting in November.


## **J. ADJOURNMENT**

The meeting was adjourned at 7:35 p.m.

Approved by:

  
Cecilia Rios, Chair

Submitted by:

  
Carl Boaz for Carl G. Boaz, Inc.