

# Findings of Fact and Conclusions of Law

**City of Santa Fe  
Historic Districts Review Board  
Findings of Fact and Conclusions of Law**

**Case #2020-2819-HDRB**

**Address** – 425 Hillside

**Agent's Name** – Martinez Architecture Studio

**Owner/Applicant's Name** – Marian and Daniel Knowles

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on November 24, 2020.

**BACKGROUND**

425 Hillside Street is a noncontributing residential structure constructed in the Spanish Pueblo Revival style. The house is located above the hill out of the public right of way with no public visibility. It was built in 1984 with subsequent additions.

The Applicant proposes to construct an attached carport to the northeast side of the structure. The north wall will be stuccoed in the same color as the existing structure, El Rey "Pueblo." Wood elements will be stained a dark brown color. The carport will be 14 feet high, which is lower than the maximum height of the structure, and will have an area of 500 square feet.

**FINDINGS OF FACT**

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Land Use Department Staff conducted a preliminary zoning review ("PZR") and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code ("SFCC").
2. Historic Preservation Division Staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings ("Staff Report"), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff recommended approval of the proposed project and found that the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to the requirements and general design standards set forth in SFCC Section 14-5.2(D), General Design Standards.
5. The property is located in the Downtown and Eastside Historic District and is subject to the district design standards set forth in SFCC Section 14-5.2(E).
6. Under SFCC Sections 14-2.6(B)-(C), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), 14-5.2(C)(4), 14-5.2(C)(5), and 14-5.2(D), the Board has authority to review, approve,

with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.

7. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new drawings or documentation, satisfactory to the Board, have been submitted.
8. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable requirements for Board review as herein described have been met.
9. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable design criteria have been met.

### **CONCLUSIONS OF LAW**

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board approves the Application, as recommended by Staff.

**IT IS SO ORDERED ON THIS 8th DAY of DECEMBER, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

\_\_\_\_\_  
Chair

\_\_\_\_\_  
Date

FILED:

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Yolanda Y. Vigil  
City Clerk

\_\_\_\_\_  
Date

APPROVED AS TO FORM:



Sally A. Paez  
Assistant City Attorney

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December 8, 2020

\_\_\_\_\_  
Date

**City of Santa Fe  
Historic Districts Review Board  
Findings of Fact and Conclusions of Law**

**Case #2020-0022820-HDRB**

**Address** – 1369 Cerro Gordo

**Agent's Name** – Doug McDowell

**Owner's Name** – J. Midyette

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on November 24, 2020.

**BACKGROUND**

1369 Cerro Gordo is a large lot located away from the public way that has three structures listed as noncontributing to the Downtown and Eastside Historic District. The property's structures include an adobe residence and an adobe shop and garage, all in Spanish-Pueblo Revival style. The Board approved a garage addition to the main house in 2016.

At this hearing, the Applicant proposed the following changes:

**Main House**

- Add on to the kitchen on the north elevation. The north wall will be extended to enlarge the kitchen by 260 square feet. Two new windows will be installed on this wall. The expanded kitchen will have a portal with corbels and beams.
- Revise the main entry. The new entry will feature double doors with windows. Patio will be reconfigured around the remodeled entry.

**Guest House**

- Addition of a 148 square foot portal on the west side of the guesthouse. The portal will have wood beams and corbels. The existing doors and windows of the guesthouse will remain.
- The house's gate entry and yard wall will be shifted to the south, realigning the exterior gate and walkway to the proposed portal addition to the west elevation of the guesthouse. The gate and yard wall will not change in material or style.

**Exterior Lights**

- Add exterior lights that will be night sky-approved.

**FINDINGS OF FACT**

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Land Use Department Staff conducted a preliminary zoning review ("PZR") and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code ("SFCC").

2. Historic Preservation Division Staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings ("Staff Report"), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff recommended approval of the proposed project and found that the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to the requirements and general design standards set forth in SFCC Section 14-5.2(D), General Design Standards.
5. The property is located in the Downtown and Eastside Historic District and is subject to the district design standards set forth in SFCC Section 14-5.2(E).
6. Under SFCC Sections 14-2.6(B)-(C), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), 14-5.2(C)(4), 14-5.2(C)(5), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
7. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new drawings or documentation, satisfactory to the Board, have been submitted.
8. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable requirements for Board review as herein described have been met.
9. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable design criteria have been met.

### **CONCLUSIONS OF LAW**

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board approves all items in the Application, as recommended by Staff.

**IT IS SO ORDERED ON THIS 8<sup>TH</sup> DAY of December, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

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Chair

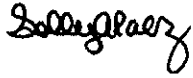
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FILED:

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Yolanda Y. Vigil  
City Clerk

\_\_\_\_\_  
Date

APPROVED AS TO FORM:



Sally A. Paez  
Assistant City Attorney

December 8, 2020  
Date

**City of Santa Fe  
Historic Districts Review Board  
Findings of Fact and Conclusions of Law**

**Case #2020-2483-HDRB**

**Address** – 524 Calle Corvo

**Agent's Name** – Courtenay Mathey

**Owner/Applicant's Name** – Glynis Dohn

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on November 24, 2020.

**BACKGROUND**

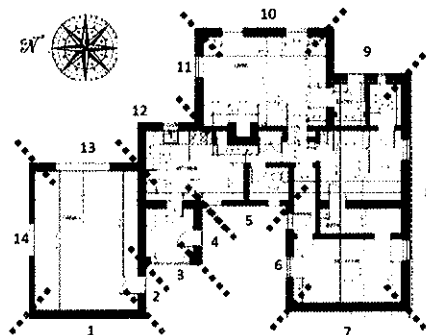
524 Calle Corvo is a contributing residential structure located in the Downtown and Eastside Historic District. The structure was constructed as part of the “Hughes Subdivision,” probably between 1949 and 1951. The subdivision is an exceptional example of urban design in Santa Fe. The subdivision contains twenty lots, sixteen of which are essentially rectangular, and four of which curved along the street. The curved lots are lined by walls placed directly on the lot boundary to create a serpentine streetscape. The subject property is one of these curving lots, with a streetscape defining wall that takes up the full width of the view as one moves through the subdivision.

The Board designated the house and the yard wall as contributing at a hearing held October 13, 2020 (Case #2020-002609-HDRB). The Board also designated Facades 9, 10, 11, and 12 as the primary façades. Facades 9 through 14 are publicly visible.

The contributing house is a one-story structure, originally with only one bedroom, with Spanish Pueblo Revival Style elements such as rounded parapets, exposed vigas, and asymmetrical stepped massing. The street-lining wall, also a contributing structure, has a vertically symmetrical form that steps down toward the center to a central driveway opening. This stepping vertical symmetry is presented in a varied form in the internal yard wall separating the front garden from the driveway.

At this hearing, the Applicant proposed the following Items:

1. Convert the existing garage (facades 1, 2, 13, and 14) to a new bedroom/bathroom space, and raise the roof and parapets 12 inches on a portion of the existing garage. The garage is set back about 8 feet from primary façade 12, but as a remodel does not qualify as an addition. Item



- 1 includes changes to the openings (garage door and steel casement window).
2. Expand the kitchen (façade 5) by converting 84 square feet of existing portal to heated area and relocating the portal further west (facades 4, 5, and 6).
3. Restucco the entire structure. The color will be “Sandalwood” cementitious stucco from El Rey, which is a light earth tone.
4. Reroof the existing structure.
5. Construct new interior yard walls and coyote fencing.
6. Construct a new detached 445 square-foot single-car garage at the north end of the property. New windows and doors will be aluminum clad colored Sierra Pacific “Aqua Mist,” which is a subdued green color.
7. Create a new 12-foot wide driveway opening in the north portion of the existing contributing street yard wall to serve as access to the proposed driveway.
8. Repave the existing driveway with concrete brick pavers and create new patio areas, one to the north of the house of 120 square feet, and one to the west of the house, which would include a new portal of 160 square feet.

### **FINDINGS OF FACT**

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Historic Preservation Division Staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable Santa Fe City Code (“SFCC”) requirements and provided the Board with a written report of its findings (“Staff Report”), which evaluates the factors relevant to the Application.
2. Historic Preservation Division Staff Recommendation: Staff recommended approval of Items 1 – 6 and 8 and found with regard to those items that the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards. For Item 7, staff did not find that all the exception criteria had been met in the Application and submitted materials but recommended that the Board may find the exception criteria met upon further testimony.
3. The project is subject to the requirements and general design standards set forth in SFCC Section 14-5.2(D), General Design Standards.
4. The project is subject to SFCC Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The property is located in the Downtown and Eastside Historic District and is subject to the district design standards set forth in SFCC Section 14-5.2(E).
6. Under SFCC Section 14-5.2(D)(1)(a), the removal of historic materials or alteration of architectural features and spaces that embody the status shall be prohibited.



7. In Item 7, the Applicant proposes to remove historic materials and alter the architectural features and spaces that embody the status of the street yard wall, a contributing structure.
8. Staff determined that an exception to SFCC Section 14-5.2(D)(1)(a) would be required for approval of the Application, and the Applicant requested an exception.
9. To obtain an exception, the Applicant must conclusively demonstrate that the three exception criteria set forth in SFCC Section 14-5.2(C)(5)(b) have been met.
10. In response to the exception criterion in SFCC Section 14-5.2(C)(5)(b)(i), the Applicant asserted that granting the exception would not damage the character of the historic district because the proposed new wall opening was designed to blend in with the existing design. The new opening would carry the theme of stepping the wall down as the street moves north and would be located fifty feet away from the existing driveway opening. Accordingly, the proposal would not damage the character of the district or the property.
11. In response to the exception criterion in SFCC Section 14-5.2(C)(5)(b)(ii), the Applicant asserted that the exception is required to prevent a hardship to the Applicant for the following two reasons:
  - a. Using the existing driveway opening to access the new garage would require the creation of a turnaround space, which would eliminate two parking spaces that now exist that would need to be used for circulation instead.
  - b. Choosing "Design Option A," an alternative to the proposed design that was presented on page 46 of the hearing packet, would increase the distance from the garage to the house from 15 feet (proposed design) to 40 feet (Design Option A).
12. In response to the exception criterion in SFCC Section 14-5.2(C)(5)(b)(iii), the Applicant asserted that granting the exception would 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 because the proposed design would allow for a closer connection between the house and new garage and would architecturally tie the structures together in a manner that is in keeping with the compound and cluster patterns common in the neighborhood. Granting the exception would allow for a design that would respond to the constrictions of the site, create and maintain better access between the parking and the house, and retain the character and use of the existing driveway and parking design.
13. Staff did not agree with the Applicant's responses to the exception criteria.
14. At the hearing, individual members of the Board expressed concerns about proposed changes to the contributing yard wall and about the proposal to have more than one opening in the contributing yard wall.
15. At the hearing, the Board found "Design Option A," as set forth on page 46 of the hearing packet, preferable because it would better preserve the integrity of the design of the contributing house, minimize the change in the contributing wall, and maintain separation between the historic house and the new garage structure.
16. At the hearing, individual members of the Board acknowledged that the unusual shape of the lot, and the location of the existing driveway and garage, limit options for additions and development on the lot.
17. At the hearing, the Board determined that "Design Option A" was the preferable alternative and that the driveway opening in the yard wall should be moved further north to accommodate this location for the new garage.
18. Under SFCC Sections 14-2.6(B)-(C), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), 14-5.2(C)(4), 14-5.2(C)(5), and 14-5.2(D), the Board has authority to review, approve,

with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.

19. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new drawings or documentation, satisfactory to the Board, have been submitted.
20. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable requirements for Board review as herein described have been met.

### **CONCLUSIONS OF LAW**

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board approves Items 1, 2, 3, and 4, as recommended by staff.
3. The Board postpones a decision on Items 5, 6, 7, and 8.
4. For Items 5, 6, 7, and 8, the Board requests that the Applicant return to the Board with a redesigned proposal based on the design option identified as "Design Option A" on page 46 of the hearing packet, which closes the existing driveway opening in the yard wall and creates a new driveway opening in the yard wall. The new driveway opening should be the same width as the existing driveway opening and should be moved to the north by a distance equal to the width of the existing driveway.

**IT IS SO ORDERED ON THIS 8th DAY of DECEMBER, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

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Chair

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Date

FILED:

\_\_\_\_\_  
Yolanda Y. Vigil  
City Clerk

\_\_\_\_\_  
Date

APPROVED AS TO FORM:



Sally A. Paez  
Assistant City Attorney

December 8, 2020

\_\_\_\_\_  
Date

**City of Santa Fe  
Historic Districts Review Board  
Findings of Fact and Conclusions of Law**

**Case #2020--HDRB**

**Address** – 312 Catron Street

**Agent's Name** – Wayne Lloyd, Lloyd and Associates

**Owner/Applicant's Name** – Johnathon Plaza

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on November 24, 2020.

**BACKGROUND**

312 Catron Street is single story, approximately 960 square foot, southwestern vernacular office building designated as noncontributing to the Downtown and Eastside Historic District. Built between 1935 and 1937, the building has undergone substantial alterations that include enclosing the front portal. There is a detached storage shed located to the south of the main structure.

The Applicant proposes to add onto the south elevation, connecting it to the existing storage shed on the south end of the lot, and to add a second story. Total square footage of the ground floor addition would be 629 square feet; the second story addition would be 387 square feet. The addition is set back from the front façade 34’-6”. The proposed addition steps up to 19’. The two masses would read as separate facades on the north elevation of the addition versus one planed façade.

The Applicant requests an exception to the maximum allowable height for the second floor. Heights of the existing office are 12’-6” on the south and 11’-8’ at Catron Street. The proposed height of the second story is 19’ from grade to top of parapet. The maximum allowable height in this streetscape is 15’. The Applicant, therefore, requests 4’ of additional height above the allowable height.

The addition will be styled the same as the existing building, which is characterized by a flat roof and is wall-dominated. New windows will match existing and will be wood turquoise metal clad true divided lites; smaller (2’-3’) fixed windows will be simulated divided lite. The addition will feature exposed stained wood lintels. Proposed doors will be six-panel true-divided lite panels. Wood will be stained to match the existing door on the north façade, also turquoise. Stucco will be cementitious to match the existing building, El Rey’s “Buckskin” in a sand finish.

**FINDINGS OF FACT**

After conducting a public hearing and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:

1. Land Use Department Staff conducted a preliminary zoning review (“PZR”) and determined that the Application appears to meet the underlying zoning standards set forth in the Santa Fe City Code (“SFCC”).
2. Historic Preservation Division Staff reviewed the Application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with a written report of its findings (“Staff Report”), which evaluates the factors relevant to the Application.
3. Historic Preservation Division Staff Recommendation: Staff found that the Applicant had adequately addressed five of the six exception criteria and deferred to the Board for its final determination in considering this application. Staff otherwise recommended approval of the proposed project and found that the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts; and 14-5.2(E), Downtown and Eastside Design Standards.
4. The project is subject to the requirements and general design standards set forth in SFCC Section 14-5.2(D), General Design Standards.
5. The property is located in the Downtown and Eastside Historic District and is subject to the district design standards set forth in SFCC Section 14-5.2(E).
6. Under SFCC Section 14-5.2(D)(5)(a), a proposed addition cannot be approved if the proposed height exceeds the maximum allowable height without an exception.
7. The Applicant proposes to construct a two-story addition that exceeds the maximum allowable height in this streetscape.
8. Staff determined that an exception to SFCC Section 14-5.2(D)(9) would be required for approval of the Application, and the Applicant requested an exception.
9. To obtain an exception, the Applicant was required to conclusively demonstrate that the six exception criteria set forth in SFCC Section 14-5.2(C)(5)(c) have been met.
10. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board finds that the Applicant has conclusively demonstrated that all six exception criteria have been met.
11. Pursuant to SFCC Section 14-5.2(C)(5)(c)(i), the Board finds that granting the exception would not damage the character of the streetscape because the streetscape includes parking lots and other buildings of greater heights. The increase in height visible from Jefferson Street is in keeping with the streetscape, which has homes that were converted into businesses, residential structures, residential complexes, and institutional buildings. The proposed second floor makes little to no visual impact on the Catron streetscape.
12. Pursuant to SFCC Section 14-5.2(C)(5)(c)(ii), the Board finds that the exception is required to prevent a hardship to the Applicant or an injury to the public welfare because the Applicants are dentists who are married and wish to practice together. They need more space to accommodate three dental hygienist chairs and a breakroom, while still meeting underlying zoning requirements, including parking. The continuance of a dental office in this location furthers the public welfare.
13. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iii), the Board finds that granting the exception would 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 owners purchased the only property available for a dental office in the downtown. Allowing a second floor space gives the ability for a design which maximizes the building’s

- setback from Jefferson Street and creates a terraced massing across the façade. It is important to maintain a dental office in this location.
14. Pursuant to SFCC Section 14-5.2(C)(5)(c)(iv), the Board finds that there are special conditions or circumstances that are peculiar to the land or structure involved that are not applicable to other lands or structures in the related streetscape. The site is part of an irregular pie-shaped lot, and the property's west side occupies a utility easement.
  15. Pursuant to SFCC Section 14-5.2(C)(5)(c)(v), the Board finds that an exception is warranted due to special conditions and circumstances that are not a result of the actions of the Applicant. The subject property is sited on an unusual lot with limited options for additions and is located at the intersection of the Building Capitol District and the Historic District.
  16. Pursuant to SFCC Section 14-5.2(C)(5)(c)(vi), the Board finds that granting the exception would provide the least negative impact with respect to the purposes set forth in SFCC Section 14-5.2(A)(1) because the project is designed within the context of the historic district's design standards, and the proposal improves the Jefferson Street streetscape.
  17. Under SFCC Sections 14-2.6(B)-(C), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), 14-5.2(C)(4), 14-5.2(C)(5), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
  18. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no permit is to issue until new drawings or documentation, satisfactory to the Board, have been submitted.
  19. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable requirements for Board review as herein described have been met.
  20. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable design criteria have been met.

### **CONCLUSIONS OF LAW**

Under the circumstances and given the evidence and testimony submitted during the hearing, the Board acted upon the Application as follows:

1. The Board has the authority to review and approve the Application.
2. The Board grants the exception requested in the Application.
3. The Board grants the Application, as recommended by Staff.
4. The Board recommends, as a design suggestion, that the Applicant add an "eyebrow" or shallow cover over the exit door on the addition. Of the Applicant is going to add an eyebrow, the Applicant must submit updated drawings to staff before seeking permits.

**IT IS SO ORDERED ON THIS 8th DAY OF DECEMBER, 2020, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

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Chair

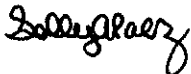
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Date

FILED:

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Yolanda Y. Vigil  
City Clerk

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

  
Sally A. Paez  
Assistant City Attorney

December 8, 2020  
Date