

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

Case # 2024-9399-HDRB

Address – 465 Camino Manzano

Agent’s Name – Richard Martinez, Martinez Architecture Studio, P.C.

Owner/Applicants’s Name – Craig Smith and Carolyn Kenney

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on December 10, 2024.

BACKGROUND

The single-family residence at 465 Camino Manzano is listed as contributing to the Downtown and Eastside Historic District. The main residential structure, originally built in 1947 on a 0.47-acre lot, now totals approximately 3,270 square feet of heated space. The partial two-story structure was built in the Spanish Pueblo Revival and Territorial architectural design styles, as seen by the adobe block and wooden viga construction materials, flat roof with rounded parapets, recessed doors and windows, and wooden casement, divided-lite windows. The north façade has a wooden two-story portal which once overlooked an orchard on the property.

February 27, 2024, the HDRB upgraded the historic status of the structure from non-contributing to contributing, and designated the north façade as primary, as recommended by the author of a 2023 Historic Cultural Properties Inventory, John W. Murphey. The north-side primary façade designation excluded the east-end dining room addition and the two-car garage on the western end. The Board found that the north façade was part of the original, pre-1958 core structure, including the two-story portal, and had features that define the character of the structure’s architecture.

At this hearing, the Applicants request Board approval of the following items:

- 1) Front portal and balcony remodel by the addition of stucco walls to the front and sides, and the addition of canales and downspouts. Two exceptions are requested to SFCC Section 14-5.2(D)(2)(c), prohibiting additions on primary façades of a contributing structure.
- 2) Raise courtyard wall to 8’0” and replace existing gate with 6’8” door. An exception is requested to SFCC Section 14-5.2(D)(2)(d), prohibiting additions to the side of the existing footprint of a contributing structure unless the addition is set back a minimum of 10 feet from the primary façade.
- 3) Add an exterior fireplace on the south elevation of the garage in the courtyard.
- 4) Create a recess for the garage doors on the north elevation of the garage (which is excluded from the primary façade designation).
- 5) Document the existing coyote fence on top of the retaining wall along south/rear property line and document the existing replacement coyote fence on top of the retaining wall along the east/side property boundary, for which the property owner

received a violation for constructing the coyote fence without construction permit or Historic Preservation Staff review.

- 6) Remove and replace all windows on non-primary façades.
- 7) Add two new windows on a non-primary (south) facade.
- 8) Interior remodel.

FINDINGS OF FACT

After conducting a public hearing and having heard from the Applicants 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 Applicants 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 a finding that the Applicants did not meet the exception criteria for the first two exceptions (alterations to the portal and addition of canales and downspouts on the north, primary façade) and recommended denial of those exceptions. Staff recommended a finding that the Applicants met the criteria for the third exception (elevation of courtyard wall and replacement of gate) and recommended approval of that exception. Staff recommended approval of the other items in the application as they comply 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 SFCC Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The project is subject to the requirements and general design standards set forth in SFCC Section 14-5.2(D), General Design Standards.
6. 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).
7. 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), and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicants’ proposed design to assure overall compliance with applicable design standards.

Portal/Balcony Alterations

8. Under SFCC Section 14-5.2(D)(2)(c), additions are not permitted to the primary façades of contributing, significant or landmark structures.
9. The Applicants propose to remodel the entrance portal and balcony, and add canales and downspouts, on the north-facing primary façade. The Staff determined that exceptions to SFCC Section 14-5.2(D)(2)(c) would be required for approval of these two project elements, and the Applicants requested the exceptions.

10. To obtain these exceptions, the Applicants were required to conclusively demonstrate that the exception criteria set forth in SFCC Section 14-5.2(C)(5)(b) have been met.
11. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board agrees with the Staff's recommendation that the Applicants have not conclusively demonstrated all exception criteria have been met with respect to alterations to the portal/balcony:
 - a. Pursuant to SFCC Section 14-5.2(C)(5)(b)(i), the Board finds that granting the exception would damage the character of the district because this is an alteration to distinctive characteristics of the primary façade, the most visible elevation and facing the public right-of-way;
 - b. Pursuant to SFCC Section 14-5.2(C)(5)(b)(ii), the Board finds that the exception is not required to prevent a hardship to the Applicants or an injury to the public welfare because the Applicants have not presented evidence of a hardship remediable by a repair with a less negative impact; and
 - c. Pursuant to SFCC Section 14-5.2(C)(5)(b)(iii), the Board finds that granting the exception would not 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.
12. The Board finds that the Applicants have failed to conclusively demonstrate that all of the exception criteria have been met with respect to alterations of the portal/balcony on the north, primary façade.

Alterations to Courtyard Wall

13. Under SFCC Section 14-5.2(D)(2)(d), additions to contributing, significant or landmark structures must be set back a minimum of 10 feet from any primary façade.
14. The Applicants propose to raise the wall of the courtyard, south of the garage and inside the original 1958 footprint, from 5 feet to 8 feet, and to replace the existing gate. The wall is set back from the north primary façade less than 10 feet. The Staff determined that an exception to SFCC Section 14-5.2(D)(2)(d) would be required for approval of this project element, and the Applicants requested the exception.
15. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board agrees with the Staff's recommendation that the Applicants have conclusively demonstrated that all exception criteria have been met with respect to alterations to the courtyard wall and gate:
 - a. 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: Although the wall is not set back 10 feet from the primary façade, it is set back 10 feet from the front of the portal on the primary façade, giving the appearance of the required setback; the wall is concealed by another, privacy wall that extends east from the east façade of the garage, and has minimal visibility from the public right-of-way;
 - b. 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 Applicants or an injury to the public welfare: The wall is intended to exclude non-residents from the courtyard, where large windows look out from the master bedroom, and the wall in its present configuration permits persons standing at the front door of the structure to view the courtyard, compromising the privacy of the occupants; and

- c. 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 residents can continue to reside within the historic districts: The alteration proposed for this wall is minimal and consistent with the existing design, and enhancing the privacy and safety of the residents promotes the full occupancy and use of this contributing structure.
- 16. The Board finds that the Applicants have conclusively demonstrated that all of the exception criteria have been met with respect to elevation of the courtyard wall and replacement of the gate.
- 17. 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.
- 18. 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 with respect to the project elements that are approved.

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 denies Item # 1 as set forth in the application.
- 3. The Board denies the exception to SFCC Section 14-5.2(D)(2)(c) requested in the application for alterations to the north-façade portal and balcony (Item # 1).
- 4. The Board approves Items # 2-8 as set forth in the application.
- 5. The Board grants the exception to SFCC Section 14-5.2(D)(2)(d) requested in the application for alterations to the courtyard wall (Item # 2).

IT IS SO ORDERED ON THIS 8th DAY of APRIL, 2025, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Cecilia Rios, Chair

Date

FILED:

Andréa Salazar, City Clerk

Date

APPROVED AS TO FORM:

Frank Ruybalid, Assistant City Attorney

Date