

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

**Case # 2024-9323-HDRB**

**Address** – 312 Pino Rd.

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

**Owner/Applicant’s Name** – Bonny and Byron Goldstein

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on January 14, 2025.

**BACKGROUND**

The single-family residence at 312 Pino Rd. is designated as contributing to the Downtown and Eastside Historic District. The main residence was built in the late 1920s on a 0.07-acre lot with approximately 1,230 square feet of roofed area. The vernacular structure reflects the quintessential Santa Fe Style, as seen by the adobe-block construction materials, shed roof, and recessed doors and windows.

According to the 2024 Historic Cultural Properties Inventory, the builders shoehorned the structure into a tight space between an acequia and an angled lane. The north façade abuts Pino Road with no front yard, and entry steps to the north door likely were removed to make way for larger vehicles. The building remained with its unadorned six-sided plan until the late 1950s when the owners added a porch across its west façade. This porch was reconstructed and changed in design in 2016. Additions to the rest of the building arrived in the 1970s, and it appears most of the windows were replaced in the 1990s and 2000s. The long, plain façade on Pino Road holds the most integrity and is one of four primary façades.

In a status review hearing December 8, 2015, the Board affirmed the contributing status of the structure and designated the entire northeast, the two northwest and the southwest facing façades at the north end of the structure as primary. See Case # H-15-109(A). The Board approved re-stuccoing, the removal of two aluminum-slider windows in the laundry room, replacement of windows on the non-primary elevations with clad-wood, divided-lite windows, elevation of the south yard walls to 5’6”, and reconfiguration of 18 feet of the stone wall, using existing material. See Case # H-15-109(B).

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

- 1) Replace non-historic windows and doors (windows G, H and I, and door # 4) on the north primary façade. This would require removal of the historic window frames imbedded in the walls. An exception to remove historic materials is requested under Santa Fe City Code (“SFCC”) Section 14-5.2(D)(1)(a).
- 2) Install a security gate on the French doors on the north facade. An exception is requested to add an architectural feature to a primary façade, which is restricted by SFCC Sections 14-5.2(C)(1)(a) and (D)(5)(b).

- 3) Replace non-historic French doors (door # 1) on the west elevation to lower the sill to ground level.
- 4) Replace historic corner windows (window A) on the southwest corner. An exception is requested to replace historic windows that can be restored, which is restricted by SFCC Section 14-5.2(D)(5)(a)(i).
- 5) Relocate the cellar access entrance currently on the west portal floor to inside the house.
- 6) Screen the meters on the south elevation.
- 7) Replace a window with a metal door painted to match the stucco on the south elevation.
- 8) Install ground mounted HVAC with concealed line sets on the east elevation.
- 9) Stucco residence using cementitious stucco in a color to match the existing.

### **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.
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 exception criteria have been met and recommended approval of the application as it 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 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 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.

#### North Façade Windows

8. 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 is prohibited.
9. The Applicants propose to remove historic window buck frames to facilitate the replacement of non-historic windows on the north primary façade. The Staff has determined that an exception to remove historic materials is required under SFCC Section 14-5.2(D)(1)(a), and the Applicants requested this exception.

10. To obtain this exception, the Applicants were required to conclusively demonstrate that the three 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 finds that the Applicants have conclusively demonstrated that all exception criteria have been met:
  - 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 because the window bucks to be removed are not distinctive, they do not embody the contributing status of the structure, and the removal of historic material will be minimal and will not adversely impact the status of the structure or Historic Districts standards;
  - 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 because the removal of the old window frames is necessary to replace the deteriorating existing windows with new windows, which will provide better thermal qualities and better protect the house from moisture, condensation and seepage;
  - 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 that residents can continue to reside within the Historic Districts, because the habitability of the structure will be improved by more thermodynamic windows and the primary façade will be better protected from deterioration caused by ineffective windows.
12. The Board finds that the Applicants have conclusively demonstrated that all of the exception criteria have been met with respect to project item # 1.

#### North Façade Security Gate

13. Under SFCC Sections 14-5.2(C)(1)(a) and (D)(5)(b), conjectural features and architectural elements shall not be added to a contributing structure unless they are supported by historic documentation.
14. The Applicants propose to install a wrought-iron security gate on the French doors on the north façade where there is no historic documentation of its prior existence. The Staff has determined that an exception to add this architectural element is required under SFCC Sections 14-5.2(C)(1)(a) and (D)(1)(a), and the Applicants requested this exception.
15. To obtain this exception, the Applicants were required to conclusively demonstrate that the three exception criteria set forth in SFCC Section 14-5.2(C)(5)(b) have been met.
16. 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 Applicants have conclusively demonstrated that all exception criteria have been met:
  - 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 because there are wrought-iron and metal security elements elsewhere on this streetscape, where most of the houses have walls and doors that abut the street;
  - 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 because the north-facing French doors open directly onto Pino Road and

- are elevated about one foot off the grade, creating an unusual safety hazard and security risk, and the screen will protect the entrance while permitting ventilation;
- 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 that residents can continue to reside within the Historic Districts, because Pino Road is unusually narrow, design options are therefore limited, and the proposed wrought-iron screen will safeguard the occupants while permitting use of an otherwise useless feature of the home.
17. The Board finds that the Applicants have conclusively demonstrated that all the exception criteria have been met with respect to project item # 2.

#### Southwest Corner Window

18. Under SFCC Section 14-5.2(D)(5)(a)(i), historic windows shall be repaired or restored wherever possible on primary façades of contributing structures.
19. The Applicants propose to replace a steel-casement window unit on the southwest corner of the house. The Staff has determined that an exception to replace this window is required under SFCC Section 14-5.2(D)(5)(a)(i), and the Applicants requested this exception.
20. To obtain this exception, the Applicants were required to conclusively demonstrate that the three exception criteria set forth in SFCC Section 14-5.2(C)(5)(b) have been met.
21. 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 Applicants have conclusively demonstrated that all exception criteria have been met:
  - a. Pursuant to SFCC Section 14-5.2(C)(5)(b)(i), the Board finds that granting the exception would not damage the character of the district because the 1960s steel casement window will be replaced in kind, it will match the existing lite pattern and color, the south-facing part of the corner window is not on a primary façade, and the replacement will not adversely impact the status of the structure;
  - b. Pursuant to SFCC Section 14-5.2(C)(5)(b)(ii), the Board finds that the exception is required to prevent a hardship to the Applicants or an injury to the public welfare because the existing window is over 60 years old, is nearing the end of its life-span, no longer opens, and, having single-pane glass, has a low thermal quality; and
  - c. Pursuant to SFCC Section 14-5.2(C)(5)(b)(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, because an upgraded replacement window will provide better thermal qualities, reduce condensation and damage to the surrounding stucco, and make the house more habitable.
22. The Board finds that the Applicants have conclusively demonstrated that all the exception criteria have been met with respect to project item # 4.
23. 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.

24. 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.
25. 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, subject to the condition imposed by the HDRB, as described below.

**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 # 1-9 as set forth in the application, as recommended by Staff, with the following additional condition:
  - a. The drawings be updated to reflect the new door detail on the south façade prior to seeking a permit.
3. The Board grants the exceptions requested in the application with respect to project items # 1, 2 and 4.

**IT IS SO ORDERED ON THIS 27<sup>th</sup> DAY of MAY, 2025, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

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Cecilia Rios, Chair

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Date

FILED:

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Andréa Salazar  
City Clerk

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Date

APPROVED AS TO FORM:

\_\_\_\_\_  
Frank Ruybalid  
Assistant City Attorney

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Date