

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

Case # 2024-9652-HDRB

Address – 829-A W. Manhattan Ave.

Agent’s Name – Ju Tan, Architect, Juice Kitchen Design Workshop, LLC

Owner/Applicant’s Name – Brenda Baletti

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

BACKGROUND

The single-family residence at 829-A W. Manhattan Ave. is a former garage, built in the 1950s and listed as contributing to the Westside-Guadalupe Historic District. A 506-square-foot addition approved by the Board in 2017 converted the garage into a residential structure. The western elevation of the original garage is the primary elevation. The present structure comprises approximately 1,088 square feet of roofed area. The original architectural design style of the garage was Spanish Pueblo Revival in a vernacular form.

Previous Historic Districts Review Board cases include:

- November 10, 2015, in Case # H-15-077-A, the Board maintained the contributing historic status of the garage, with the west elevation designated as primary.
- January 26, 2016, Case # H-15-077-B, the Board approved the proposed remodel of the garage with a 506-square-foot addition. Two exceptions were requested: to place an addition less than 10 feet from the primary elevation, and to exceed 50 percent of the existing footprint. The Board imposed conditions of approval, that the addition be set off from the south elevation by 4 feet, and set off from the west elevation by 3 feet.

At the hearing January 14, 2025, the Applicant requested Board approval of the following item:

- 1) Construct a 160-square-foot portal on the north elevation of the non-historic addition to a height of 10’2” with stained walnut wood posts and red corrugated metal roof.

The Applicant requested the portal addition as a needed element for safety while entering and exiting the structure from inclement weather. The portal would attach to the historic original garage structure on its southwest corner, and extend about three feet across the west, primary façade. The Applicant requested two exceptions to Santa Fe City Code (“SFCC”) Section 14-5.2(D)(2)(c), which prohibits additions to primary façades, and 14-5.2(D)(2)(d), prohibiting additions to the side of the existing footprint unless the addition is set back a minimum of 10 feet from the primary façade.

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. The 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: The Staff recommended a finding that the exception criteria had not been met and recommended denial of the exceptions, as the application did not comply with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts, and 14-5.2(I), Westside-Guadalupe Historic District Design Standards. The Staff recommended conditional approval of the portal addition if the Applicant modified the dimensions so that the primary western elevation would not be adversely impacted.
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 Westside-Guadalupe Historic District and is subject to the district design standards set forth in SFCC Section 14-5.2(I).
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 Applicant’s proposed design to assure overall compliance with applicable design standards.
8. Under SFCC Section 14-5.2(D)(2)(c), additions are not permitted to primary facades. Under SFCC Section 14-5.2(D)(2)(d), additions to contributing structures must be set back a minimum of 10 feet from any primary façade.
9. The Applicant proposes to construct a 160-square-foot portal addition which would attach to the west-facing primary façade. The Staff determined that two exceptions, to SFCC Section 14-5.2(D)(2)(c) and 14-5.2(D)(2)(d), would be required for approval of the application, and the Applicant requested the exceptions.
10. To obtain an exception, the Applicant was 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 the exhibits, evidence and testimony presented at the hearing, the Board found that the Applicant has conclusively demonstrated that all criteria have been met for both exceptions, subject to the conditions specified in the Conclusions of Law, below:
 - 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 it is aesthetically harmonious with existing structures on that streetscape. Other nearby properties have corrugated sheet-metal and standing-seam pitched roofs;

- 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 Applicant or an injury to the public welfare because an entry portal is necessary to protect the entry and front door from the elements, the existing front door is unprotected and is showing advanced wear, and there is no alternative location for an entry portal; 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 the existing front entry door is 4 feet from the primary façade of the contributing part of the house, there is no alternative to locate an entry portal 10 feet away, as required by SFCC Section 14-5.2(D)(2)(d), and the design of the portal roof and gutter will divert precipitation from the north façade entryway, which becomes icy in the winter.
12. The Board finds that the Applicant has conclusively demonstrated that all of the criteria for both exceptions have been met.
 13. 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.
 14. 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.
 15. 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 conditions 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 the project proposal set forth in the application, with the following additional conditions:
 - a. The depth of the portal be reduced to 6 feet;
 - b. The west end of the portal be inset 6 inches from the west façade of the non-historic structure; and
 - c. The Applicant shall submit revised drawings reflecting these revisions for Staff approval.
3. The Board grants the exceptions requested in the application.

IT IS SO ORDERED ON THIS 27th DAY of MAY, 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