

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

Case # 2024-9613-HDRB

Address – 1182 Cerro Gordo Rd.

Agent’s Name – High Desert Contractors, LLC

Owner/Applicant’s Name – Lanalee Lewis Revocable Trust

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on February 11, 2025.

BACKGROUND

The single-family residence at 1182 Cerro Gordo Rd. is listed as contributing to the Downtown and Eastside Historic District. Tucked behind and below the grade of the residence sits an accessory structure and retaining walls which the HDRB designated as contributing in a hearing on November 26, 2024. See Case # 2024-9372-HDRB. According to a 2024 Historic Cultural Properties Inventory (“HCPI”), the main residence was constructed prior to 1914 in adobe with a stucco finish. It holds a red-ribbed panel, gabled roof. The building was originally constructed in a C-shape and remained in that form through the early 1960s. Additions were done in the 1960’s, 1970’s and in the early 2000’s. To the rear of the residence there are several sections of stone retaining wall holding back the slope. The most extensive of these is an 80-linear-feet, roughly 6-foot-high wall section located directly below the house.

Attached to the upper retaining wall is a three-walled stone structure of indeterminate age, designated on plat maps as the “Rock Shed,” according to the HCPI. The stone structure does not appear in the 1948 aerial photograph as indicated in the HCPI. A structure in this relative location is shown on the 1960 aerial but is smaller and narrower. It achieved its current size and shape by 1966 as shown in the HCPI. According to the HCPI, the 84-square-foot building is constructed of quartzite and other local and imported stones. The entrance to the structure is on the east through double, wood doors of an older vintage. The interior is one room with an earthen floor. The matter currently before the board involves the removal of the shed’s red standing seam metal roof and installation under a new wood joist ceiling and deck.

The Applicant began construction of the deck which extends over the roof of the shed in 2024 without a permit and was issued a Stop Work Order (Red Tag) in June, 2024. While at the site visit with the Applicant, the Staff identified that other work on the property had not been approved. Staff requested that the other unapproved work (items 1, 2 and 5 of the Applicants’ proposal) be a part of this application, even with the understanding that some of it was performed by the previous owner and had been completed years ago.

The Applicant requests retroactive approval for work that was done without approval:

1. Construction of an exterior staircase leading from the level of the residence to the lower level of the retaining walls. While the staircase is necessary to reach the lower section of

the yard, it is constructed attached to the contributing retaining wall which was not designated at the time of the staircase construction. The applicant is requesting an exception to SFCC Section 14-5.2(D)(5)(b) for placement of an additional architectural feature on a contributing structure.

2. Remove the red metal roof from the contributing shed structure.
3. Install a BRAI or modified bitumen roof system on the shed structure under the deck system.
4. Construct a 134-square-foot deck on the south side of the residence which will serve as the new roof for the shed structure. The applicant is requesting an exception to SFCC Section 14-5.2(D)(6) for replacing a roof not in-kind.
5. Replace 110 linear feet of coyote fencing and surround the new deck with a thin-profile, 42-inch-high metal safety rail. This railing will be along the top of the retaining wall and on the deck serving as the roof to the shed.

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 a finding that the exception criteria for SFCC Section 14-5.2(D)(6) to replace a roof not in-kind had been met, and the exception criteria for SFCC Section 14-5.2(D)(5)(b) to place an architectural feature on a retaining wall that has contributing status, have been met. Therefore, Staff 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 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 Applicant’s proposed design to assure overall compliance with applicable design standards.
8. Under SFCC Section 14-5.2(D)(6), existing roof styles and materials shall be maintained or replaced in kind if necessary.

9. The Applicant proposes to replace the red standing seam roof with a modified bitumen or thermoplastic polyolefin roof.
10. Staff determined that an exception to SFCC Section 14-5.2(D)(6) would be required for approval of the application, and the Applicant requested an exception.
11. 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.
12. 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 Staff's finding that the Applicant has conclusively demonstrated that all exception criteria have been met for replacement of the shed roof with a material that is not in-kind:
 - 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 new roofing material and deck design will prevent the deterioration of the stone structure. It is situated on the back of the residence and has low public visibility, and no visibility from the street;
 - 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 the roof is at the ground level of the rear yard, it will be situated under a deck, and placing a deck above the roof will prevent damage to the contributing shed structure; 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 placing a roofing system so that it protects the structure is crucial and the planned system which includes a deck above the roof will prevent damage to the shed..
13. The Board finds that the Applicant has conclusively demonstrated that all of the exception criteria for SFCC Section 14-5.2(D)(6) have been met.
14. Under SFCC Section 14-5.2(D)(5)(b), for all façades of a contributing structure, placement of new architectural features shall be substantiated by documentation, physical or pictorial evidence of their prior existence.
15. The Applicant proposes to place an architectural feature (exterior stairs) on a contributing yard wall.
16. The Staff determined that an exception to SFCC Section 14-5.2(D)(5)(b) would be required for approval of the application, and the Applicant requested an exception.
17. 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.
18. 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 finding that the Applicant has conclusively demonstrated that all exception criteria have been met for placement of stairs where there were no stairs previously:
 - 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 stairs are situated behind the house, have no visibility from the street and constructed so as not to damage the retaining wall;

- 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 the lot is steeply sloped and terraced, the stairs are the only means for descending from the top terrace to the lower terraced area of the rear yard; 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 stairs to the lower area of the sloped lot are the most practical means of access.
19. The Board finds that the Applicant has conclusively demonstrated that all of the exception criteria for section 14-5.2(D)(5)(b) 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 requirements for Board review as herein described have been met.
 21. 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 Items # 1-5 as set forth in the application, as recommended by Staff.
3. The Board grants the two exceptions requested in the application.

IT IS SO ORDERED ON THIS 26th DAY of AUGUST, 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