

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

**Case #H-11-081**

**Address-449 Camino Monte Vista.**

**Agent's Name- Elisabeth Wagner**

**Owner/Applicant's Name- Theodora Portago**

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on October 13, 2015.

**BACKGROUND & SUMMARY:**

449 Camino Monte Vista is a single-family residence that was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The original southeast corner was infilled, one bay of the garage was infilled on the south elevation, and a non-historic portal was constructed. The structure is listed as non-contributing to the Downtown & Eastside Historic District.

On April 28, 2015, the HDRB approved demolition of the non-contributing structure and approved construction of a 1,568 square foot residential structure to the maximum allowable height of 18' with a pitched roof exception request.

Now, the applicant proposes to amend the previous approval with the following four items.

1. The total square footage has increased slightly to 1,641 with a decrease in the size of the entry portal.
2. A cross gable will be added to the previously approved pitched roof with a metal standing seam finish.
3. Fenestration design has been changed. Non-divided lites on the west elevation will not be publicly visible.
4. Exterior lights will be a lantern-styled sconce.

FINDINGS OF FACT

1. After conducting public hearings and having heard from the Applicant and all interested persons, the Board hereby FINDS, as follows:
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff Recommendation: Staff recommends approval of this application which complies with Section 14-5.2(D)(g) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.
4. The project is subject to requirements of the following sections of the Santa Fe Land Development Code: Section 14-5.2(D)(g) General Design Standards, Height Pitch Scale and Massing and Section 14-5.2(E) Downtown & Eastside Historic District.
5. The property is located in the following district:
  - Downtown and Eastside Historic District
  - Historic Review District
  - Historic Transition District
  - Don Gaspar Area Historic District
  - Westside-Guadalupe Historic District
6. An Exception Request was Applicable to this Application:
  - No Exception Request Applicable
  - Exception Request Applicable:
    - Exception criteria were met
    - Exception criteria were not met
7. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 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 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 exhibits, satisfactory to the Board, have been submitted.
9. The information contained in the Application, and provided in testimony and evidence establishes that all applicable requirements 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 approved the Application as submitted.
  - a.        No additional conditions.
  - b.   X   Additional Conditions, which are:
    - i. Condition that there will be no visible rooftop appurtenances.

IT IS SO ORDERED ON THIS 27<sup>th</sup> DAY OF October 2015, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Cecilia Kios

Chairperson

10.27.15

Date:

FILED:

Jolanda Y. Vigil  
City Clerk

10/28/15

Date:

APPROVED AS TO FORM

Theresa [Signature]

Assistant City Attorney

10.27.15

Date:



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

*Javier M. Gonzales, Mayor*

## Councilors:

Peter N. Ives, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Signe I. Lindell, Dist. 1

Joseph M. Maestas, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Ronald S. Trujillo, Dist. 4

Bill Dimas, Dist. 4

Project description: Elisabeth Wagner, agent for Theodora Portago, owner, proposes to amend a previous approval to construct a 1,641 sq. ft. residential structure to the maximum allowable height of 18' with square footage, massing, and other changes.

Case number: H-11-081

Project Type: HDRB

**PROJECT LOCATION (S): 449 Camino Monte Vista**

## PROJECT NAMES:

OW – Theodora Portago  
Santa Fe, NM 87501

449 Camino Monte Vista  
505-920-2928

AP – Elisabeth Wagner  
Santa Fe, NM 87505

518 Old Santa Fe Trail Ste. one #628

## BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on October 13, 2015. The decision of the Board was to approve the application with the conditions that the previously approved materials, finishes, and colors shall not be changed and that there shall be no publicly-visible rooftop appurtenances. For further information please call 955-6605.

Sincerely,

David Rasch  
Supervising Planner, Historic Preservation Division

**NOTE:** Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. Please attach copies of this letter to all sets when submitting for construction permits.

September 15, 2015

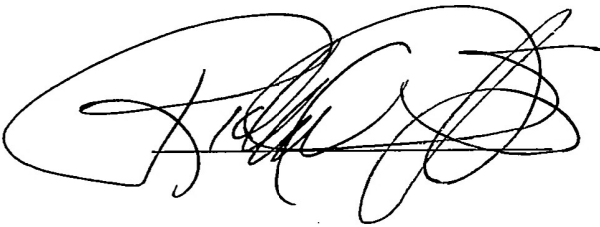
To Whom It May Concern:

My name is Richard Stump and I am constructing a fence for my daughter, Theodora Portago, at 449 Camino Monte Vista. We applied for permission to construct a six (6) foot high coyote fence with an uneven top and received approval from the board.

The cedar posts we ordered could only be ordered as seven (7) footers, so we will need to cut them down to the height that my daughter requested and the height that was approved, six (6) feet. We are not finished with the fence. We recently finished tying the majority of the posts, and will begin cutting the posts unevenly once we set the gate posts and finish up the back side of the fence which was also approved by the board. Due to my personal work schedule, the final work on the fence will not be completed until November, 2015.

When the work is complete, the fence will comply with what was approved, and we have every intention of making changes to the fence so that it complies.

If you have any questions you can call me at 505-470-0616.

A large, stylized handwritten signature in black ink, appearing to read 'Richard Stump'.

Richard Stump

A smaller, stylized handwritten signature in black ink, appearing to read 'Theodora Portago'.

Theodora Portago, Owner

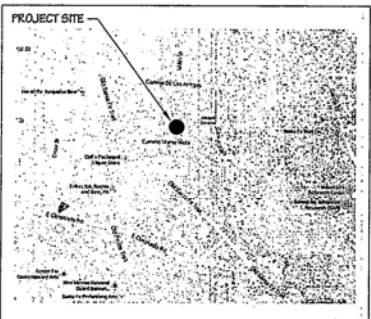
# PORTAGO RESIDENCE

449 CAMINO MONTE VISTA, SANTA FE, NM

RECEIVED  
AUG 11 2015

AREA & LOT COVER CALCULATIONS	
ZONING: RC25	
AREA IN GROSS SQ. FT.	TOTAL
HEATED AREA TOTAL	1,256 SQ. FT.
UNHEATED AREA	77 SQ. FT.
MECH/STORAGE PORTAL	528 SQ. FT.
ROOFED AREA	1,855 SQ. FT.
ROOFED AREA = 1,855 SQ. FT.	
STORMWATER RETAINING REQUIREMENTS: (1,855 X 0.16 = 297)	
STORMWATER STORAGE	297 CU. FT.
LOT COVERAGE (IN ACRES)	
LOT SIZE:	0.724 ACRES (31,537 SQ. FT.)
NEW PERCENT OF LOT COVERAGE	(1,855 SQ. FT. / 31,537 SQ. FT. x 100 = 6.2%)

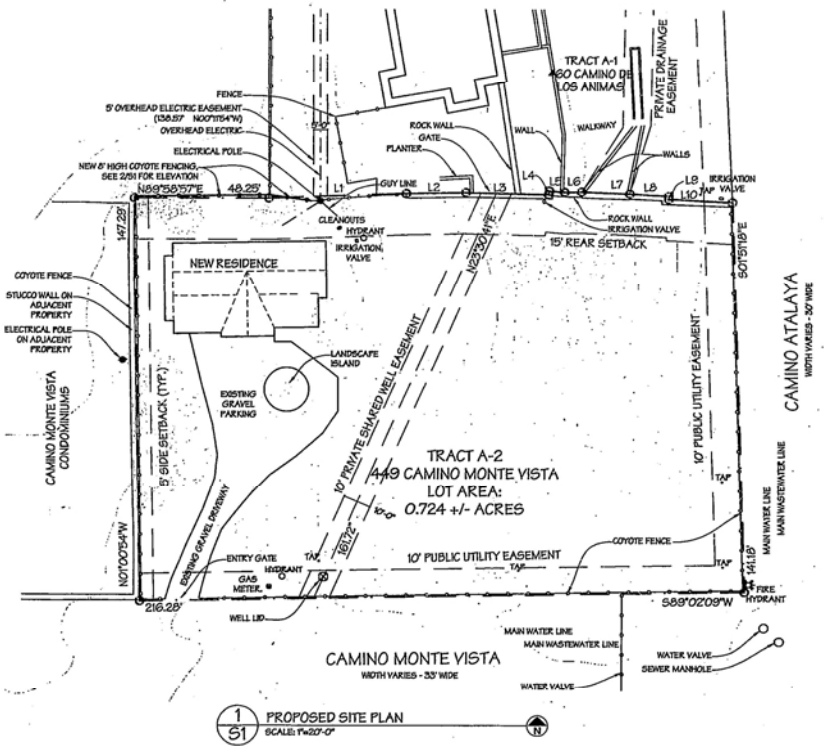
## VICINITY MAP



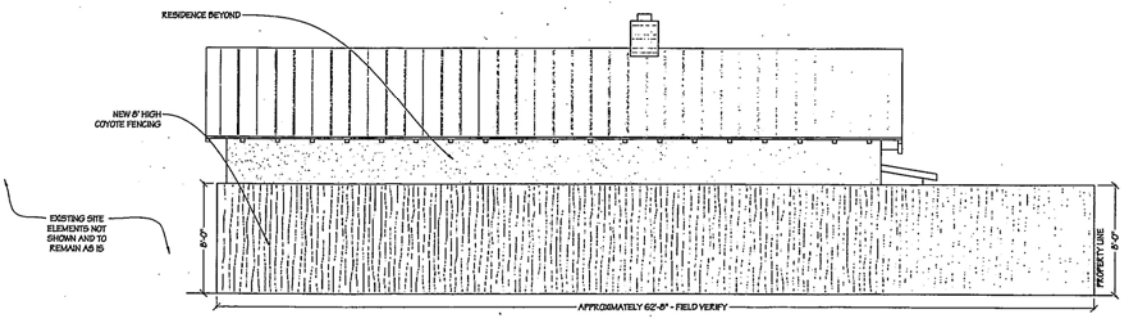
**GENERAL NOTES**

1. SITE PLAN PER LOT SPLIT SURVEY PLAT PREPARED BY SHARON SURVEYS INC. FILE #050045 DATED 04/11/2012.
2. TOPOGRAPHY LINES AND ELEVATIONS SHOWN ARE PER THE CITY OF SANTA FE GIS MAPPING SYSTEM. FIELD VERIFY AS NECESSARY.

LINE TABLE	
L1	N87°58'22"E 49.26'
L2	S88°29'42"W 21.33'
L3	N88°41'38"W 29.62'
L4	S10°13'37"W 1.40'
L5	
L6	N88°43'31"E 6.14'
L7	N87°33'53"W 17.56'
L8	N86°37'41"W 13.23'
L9	N00°22'51"E 1.08'
L10	S87°10'15"E 22.56'
L11	S02°38'18"E 1.44'

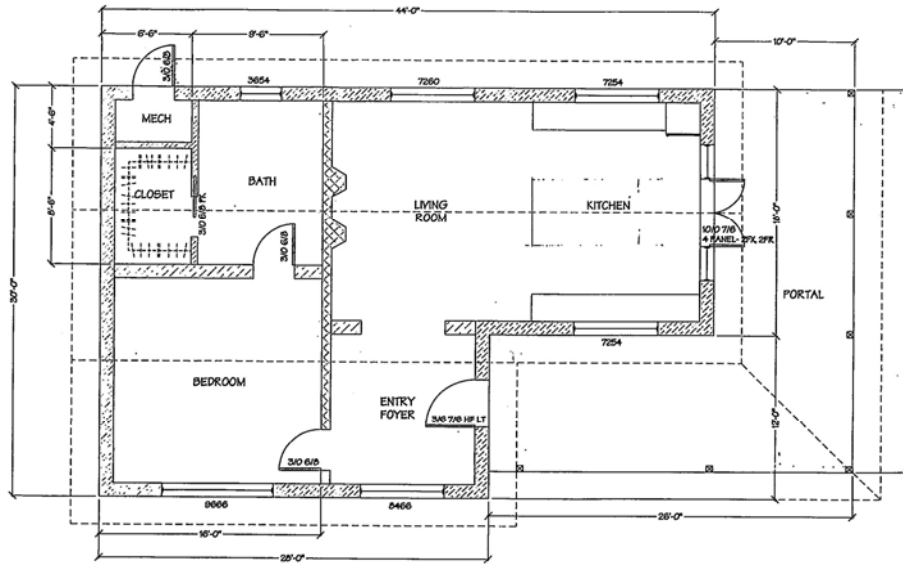


1 PROPOSED SITE PLAN  
SCALE: 1/8" = 1'-0"

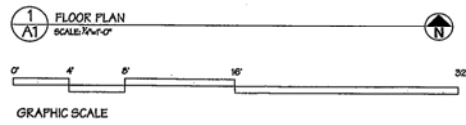


2 NORTH ELEVATION - COYOTE FENCING  
SCALE: 3/4" = 1'-0"

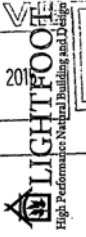
27 8-13-15



*approved*



RECEIVED  
AUG 1 2015



PORTAGO RESIDENCE  
448 CAMINO MONTE VISTA, SANTA FE, NEW MEXICO

MARCH 22nd, 2015

FLOOR PLAN

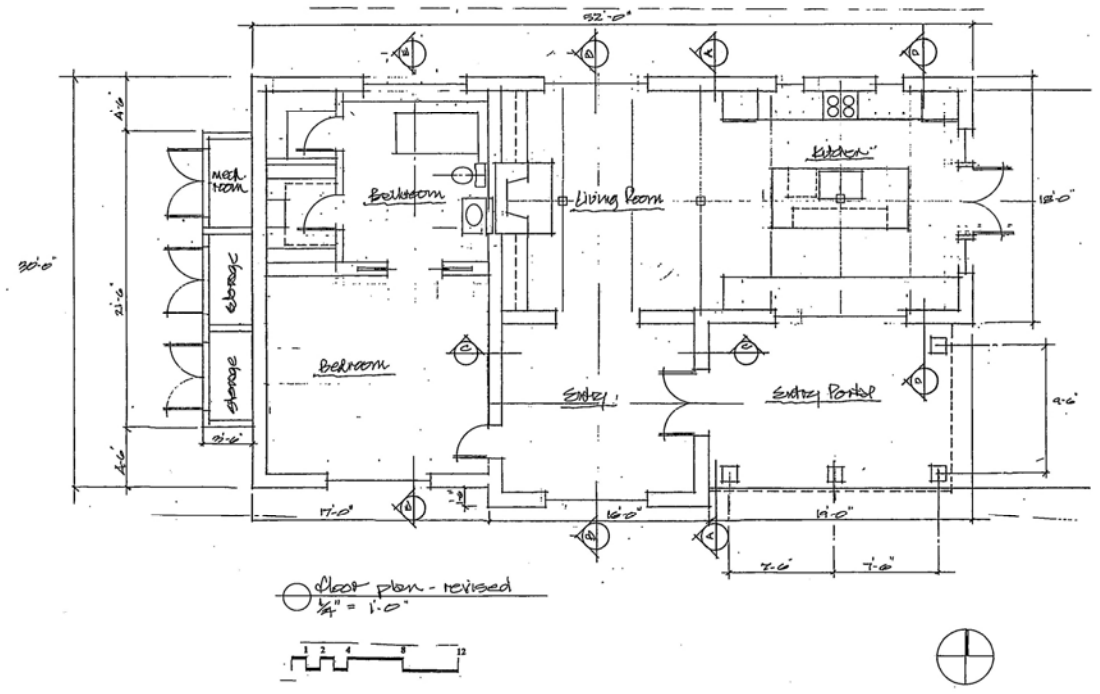
A1

21 8-13-15

RECEIVED  
AUG 11 2015

ELISABETH WAGNER-ARCHITECT  
SANTA FE, NEW MEXICO

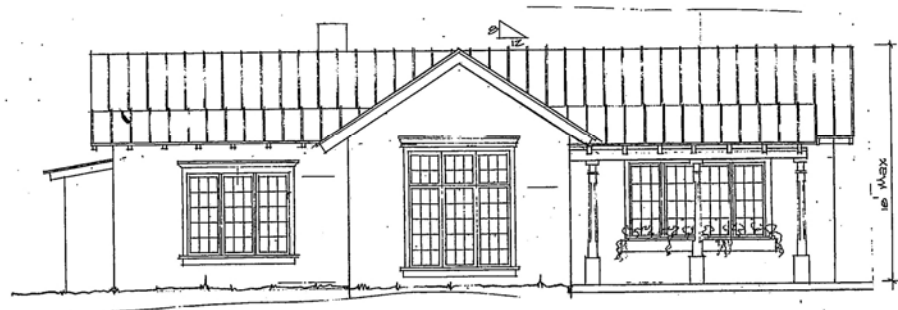
THE PORTAGO RESIDENCE  
449 CAMINO MONTE VISTA



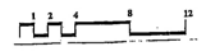
27 8-13-15

RECEIVED  
AUG 11 2015

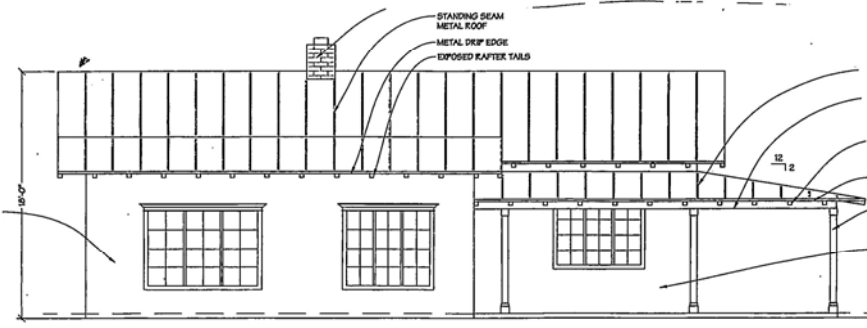
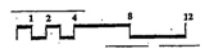
ELISABETH WAGNER-ARCHITECT  
SANTA FE, NEW MEXICO



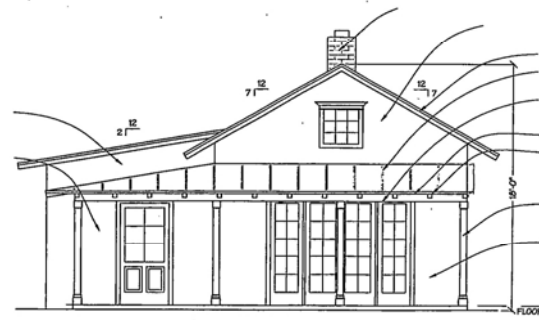
PROPOSED SOUTH ELEVATION  
1/4"=1'-0"



PROPOSED EAST ELEVATION  
1/4"=1'-0"



2 SOUTH ELEVATION  
SCALE: 1/4"=1'-0" approved



1 EAST ELEVATION  
SCALE: 1/4"=1'-0" approved

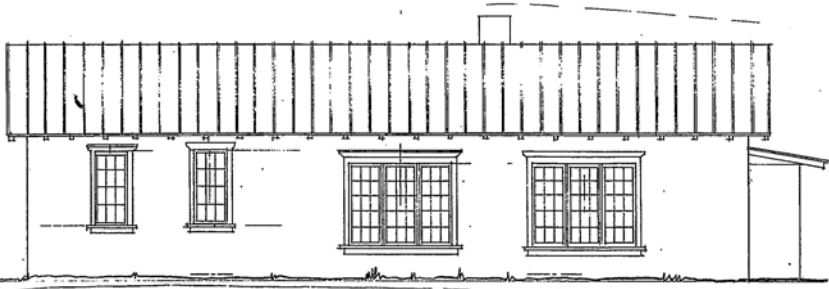
THE PORTAGO RESIDENCE  
449 CAMINO MONTE VISTA

25 8-11-15

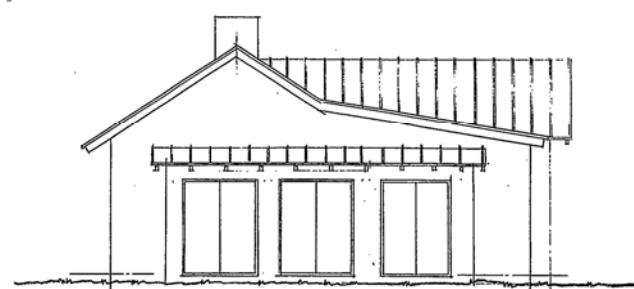
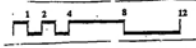
RECEIVED  
AUG 11 2015

ELISABETH WAGNER-ARCHITECT  
SANTA FE, NEW MEXICO

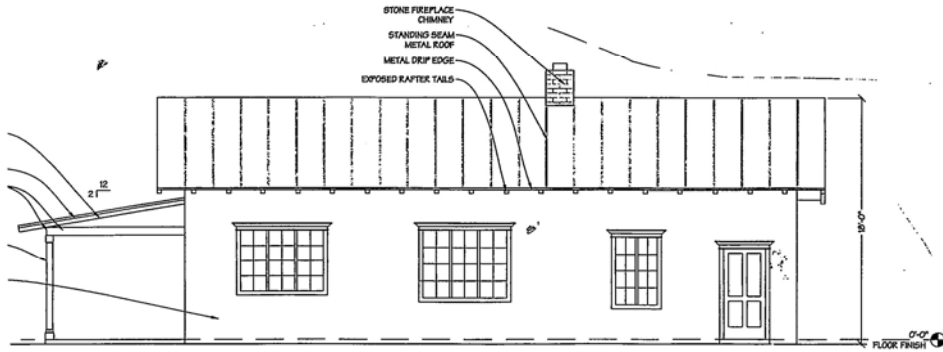
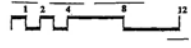
THE PORTAGO RESIDENCE  
449 CAMINO MONTE VISTA



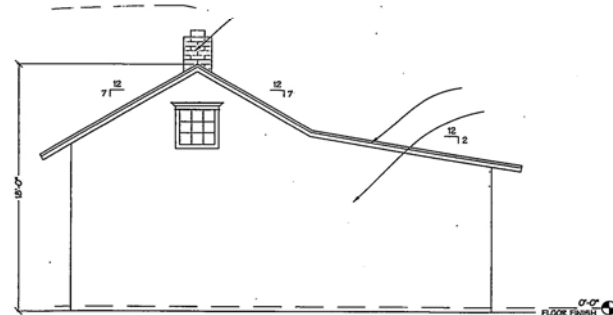
PROPOSED NORTH ELEVATION  
1/4"=1'-0"



PROPOSED WEST ELEVATION  
1/4"=1'-0"



3 NORTH ELEVATION  
SCALE: 1/4"=1'-0" *approved*



4 WEST ELEVATION  
SCALE: 1/4"=1'-0" *approved*

21 8-13-15



Exhibit B

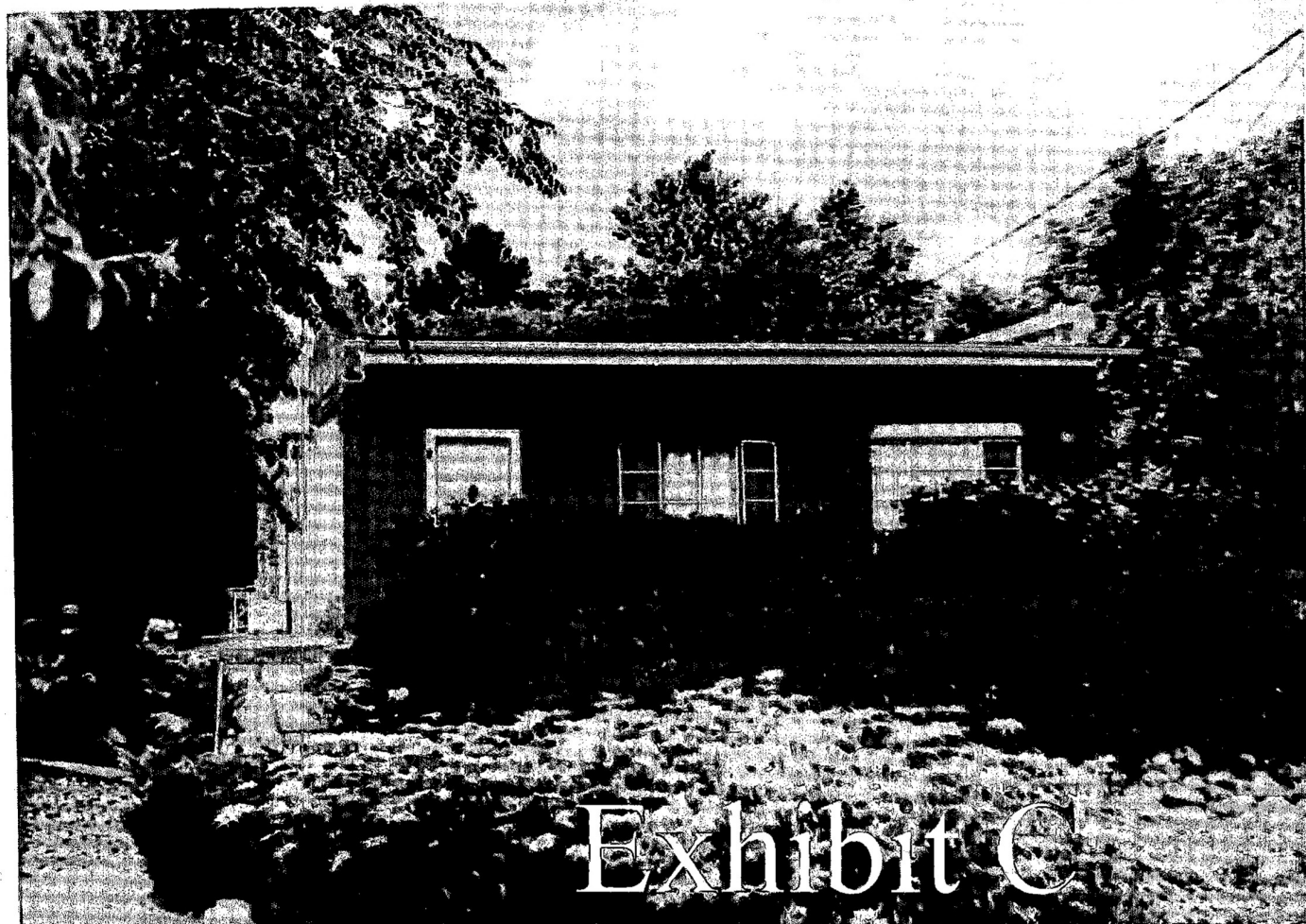
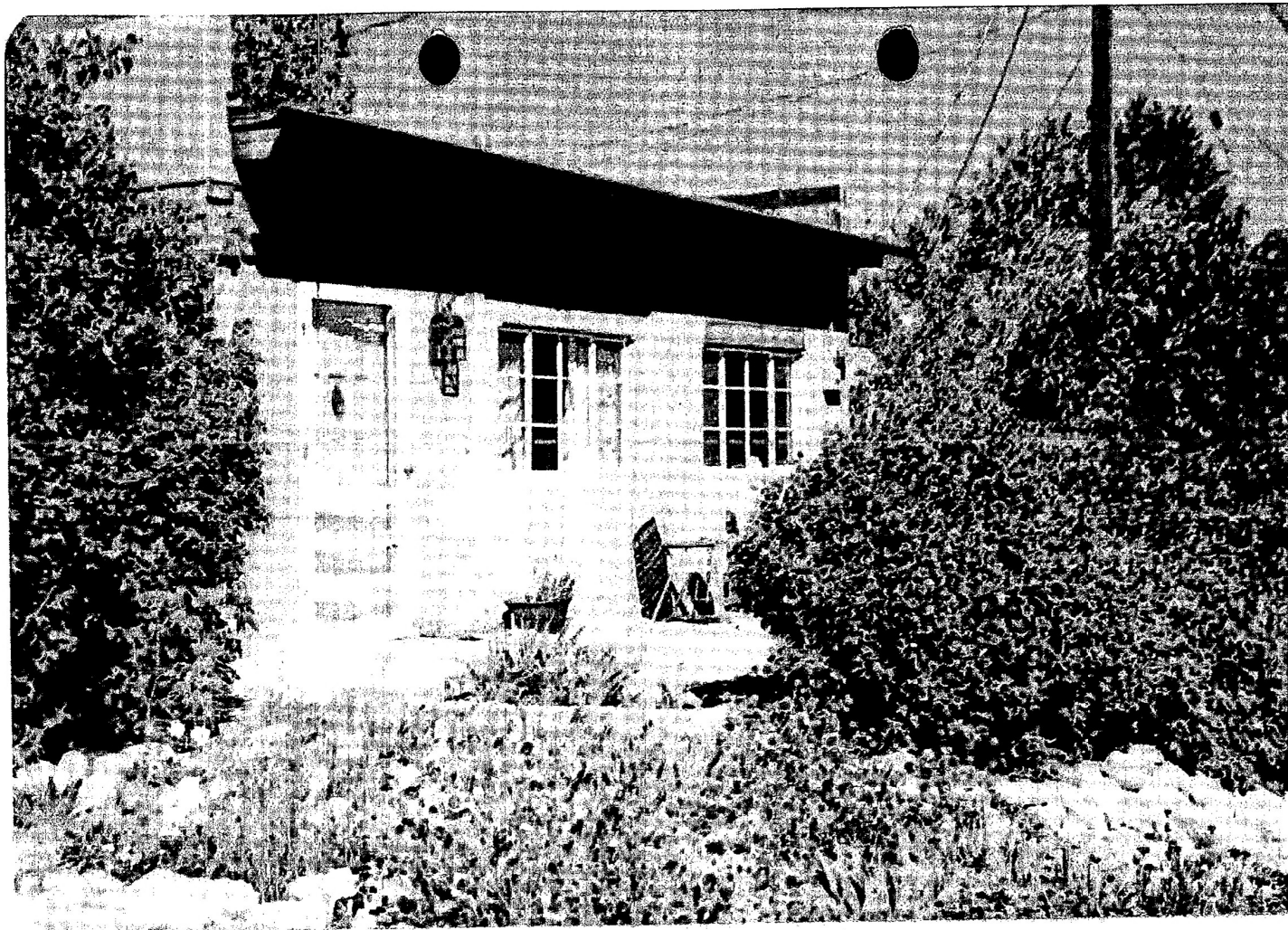
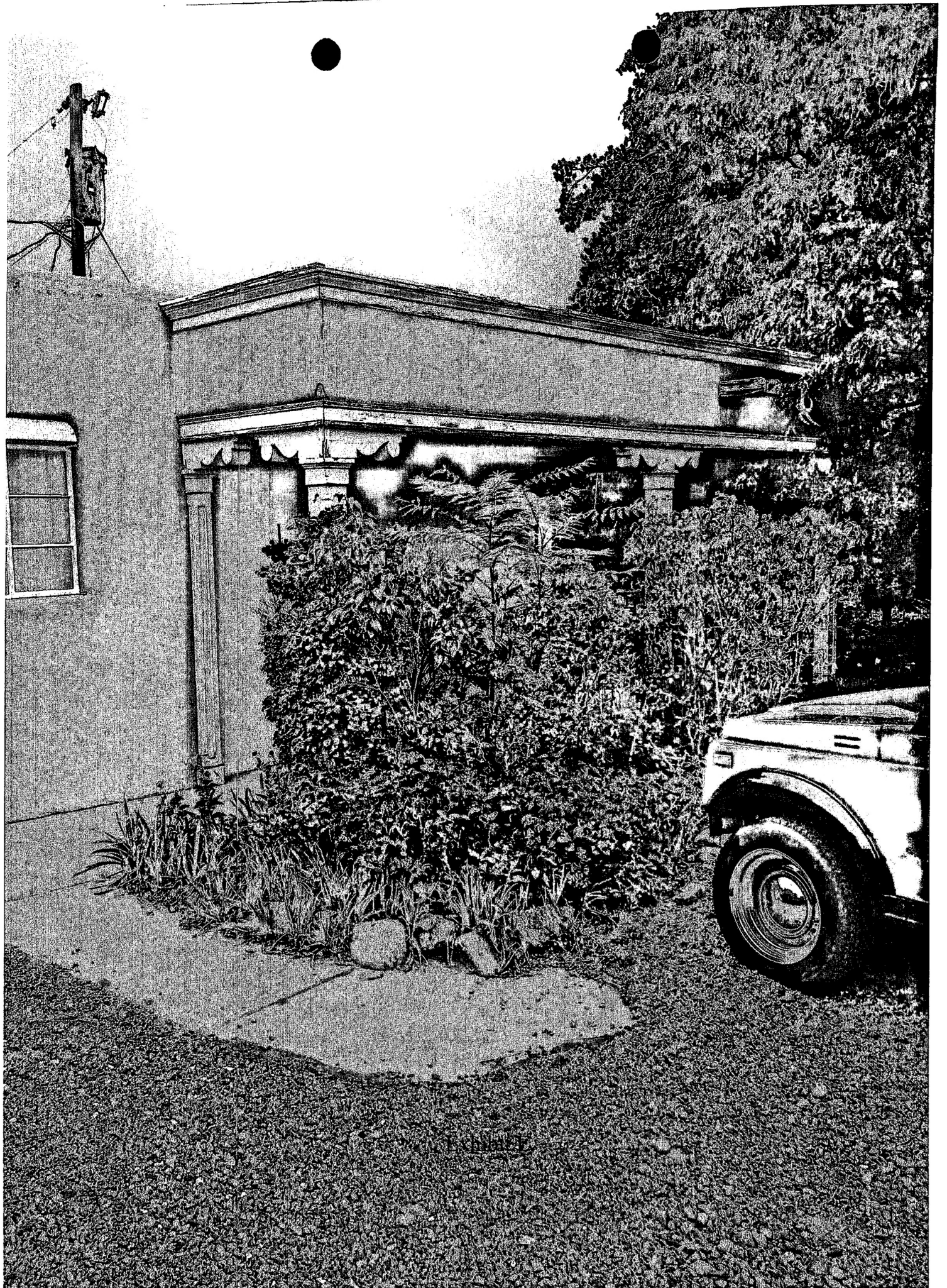
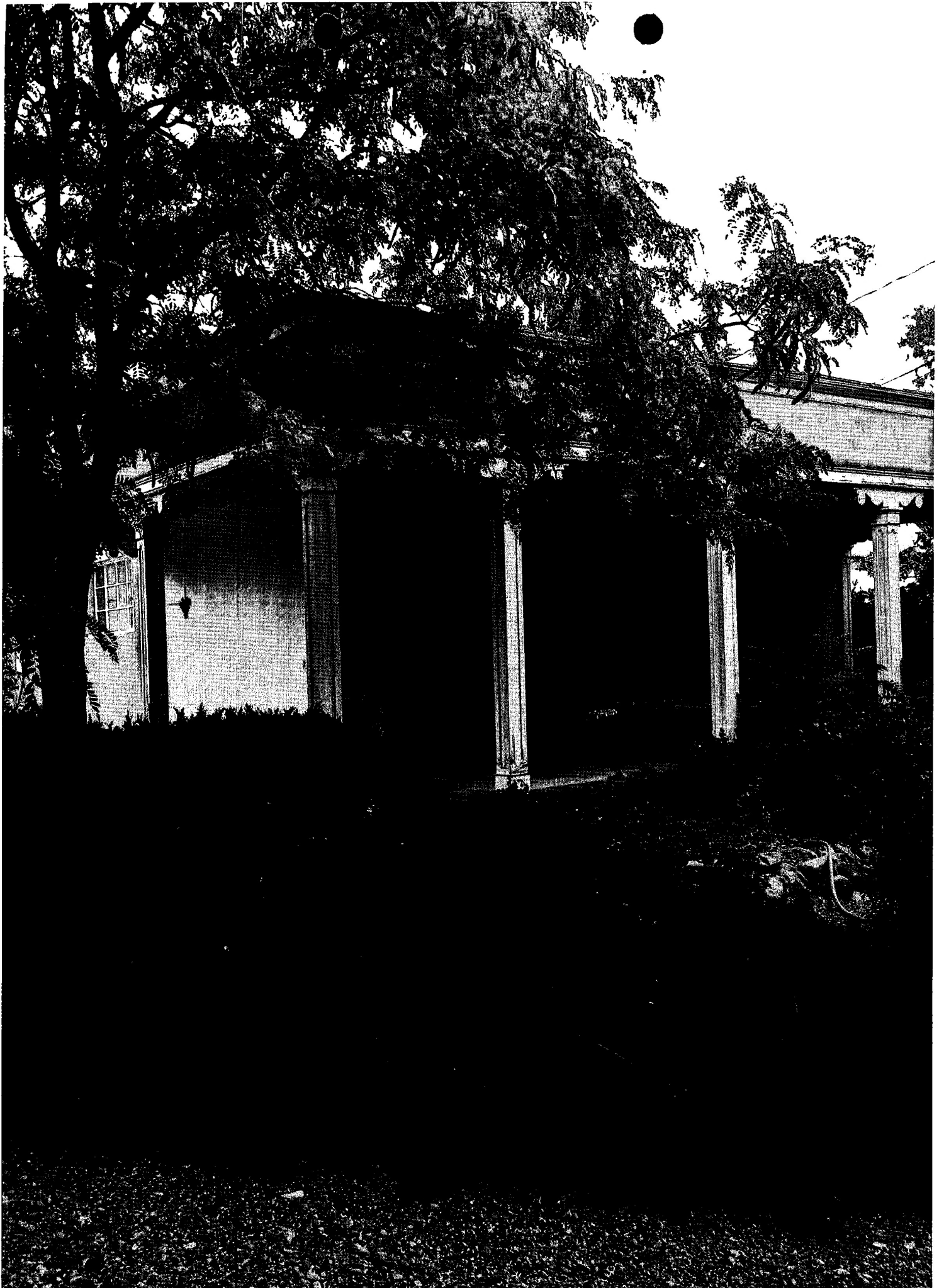
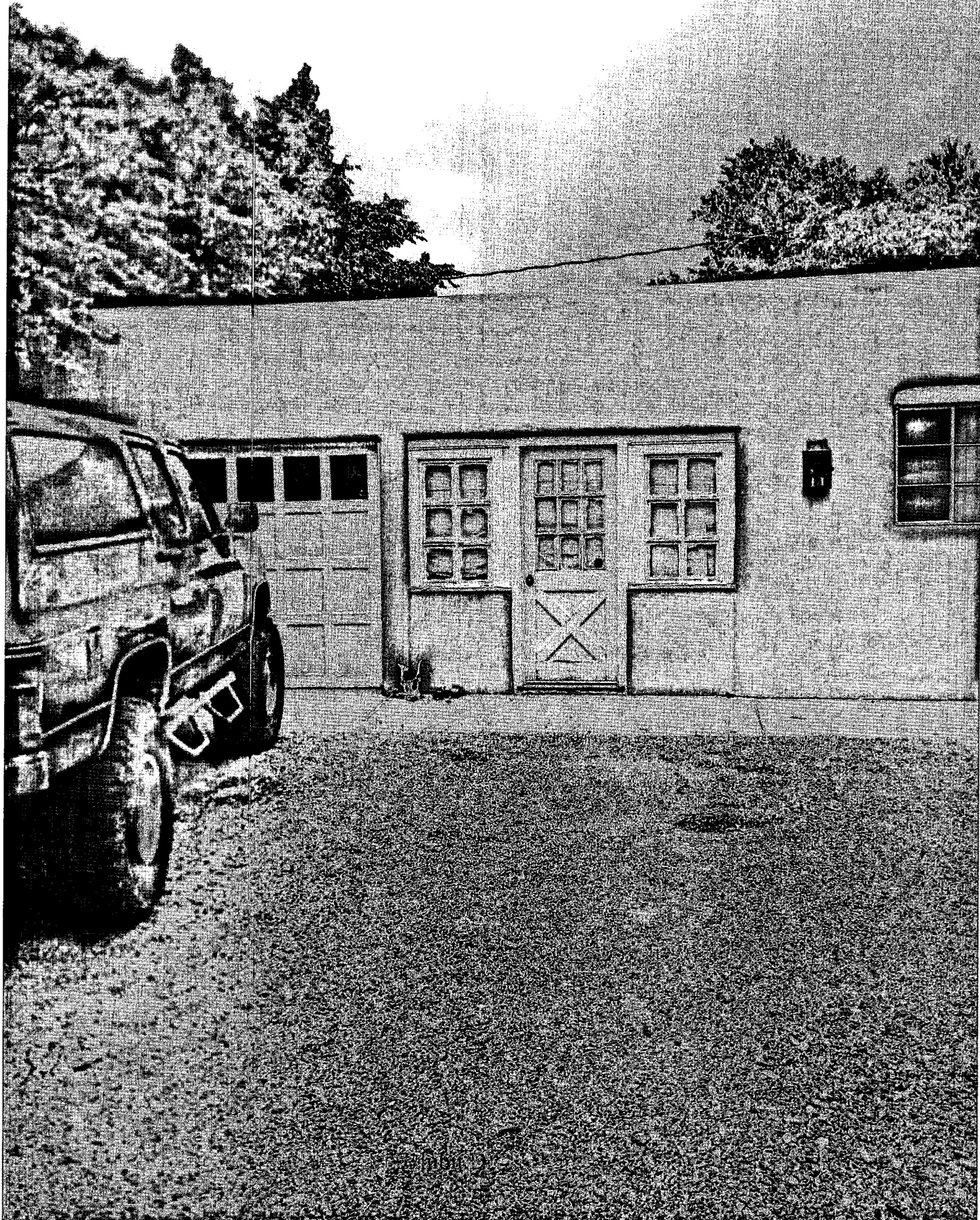


Exhibit C









# Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

<b>To Be Completed By Applicant:</b>		Site Address:
Date Submitted: 8/13/15		449 Camino Monte Vista
Property Owner of Record: Theodora Portugal	Proposed Construction Description:	
Applicant/Agent Name: Elisabeth Wagner	Remove Existing Residence + Build New	
Contact Person Phone Number: (505) 920-2928	TOTAL ROOF AREA:	
Zoning District: RC-5	Lot Coverage: 5% <input type="checkbox"/> Open Space Required: _____	
Overlay: <input type="checkbox"/> Escarpment <input type="checkbox"/> Flood Zone* <input type="checkbox"/> Other: _____	Setbacks: Proposed Front: _____ Minimum: _____ 2 <sup>nd</sup> Front? _____ Proposed Rear: _____ Minimum: _____ Proposed Sides: L _____ R _____ Minimum: _____	
Submittals Reviewed with PZR: <input checked="" type="checkbox"/> Legal Lot of Record <input type="checkbox"/> Development Plan <input type="checkbox"/> Building Plans <input checked="" type="checkbox"/> Existing Site Plan <input checked="" type="checkbox"/> Proposed Site Plan <input checked="" type="checkbox"/> Elevations	Height: Proposed _____ Maximum Height: _____ or <input type="checkbox"/> Regulated by Historic Districts Ordinance <input type="checkbox"/> Regulated by Escarpment District	
Supplemental Zoning Submittals Required for Building Permit: <input type="checkbox"/> Zero Lot Line Affidavit	Parking Spaces: Proposed _____ Accessible _____ Minimum: _____	
Access and Visibility: <input type="checkbox"/> Arterial or Collector** <input type="checkbox"/> Visibility Triangle Required	Bicycle Parking**: Proposed: _____ Minimum: _____ ** Commercial Requirement	
Use of Structure: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial Type of Use: _____		
Terrain: <input type="checkbox"/> 30% slopes _____		

\* Requires an additional review conducted by Technical Review Division.  
\*\* Requires an additional review conducted by the Traffic Engineering Division.

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

Theodora Portugal PRINT NAME  OWNER  APPLICANT  AGENT

hereby certifies that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

SIGNATURE

DATE

<b>To Be Completed By City Staff:</b>
<b>Additional Agency Review if Applicable:</b>
<input type="checkbox"/> Escarpment Approval by _____ Date: ___/___/___
<input type="checkbox"/> Flood Plain Approval by _____ Date: ___/___/___
<input type="checkbox"/> Traffic Engineering Approval by _____ Date: ___/___/___
Notes: _____
<b>Zoning Approval:</b>
<input checked="" type="checkbox"/> Preliminary Approval <input type="checkbox"/> with conditions <input type="checkbox"/> Rejected
Comments/Conditions: _____
REVIEWER: <u>Zach Thomas</u>
DATE: <u>8/13/15</u>

# City of Santa Fe, New Mexico

# memo

DATE: October 13, 2015  
TO: Historic Districts Review Board Members  
FROM: David Rasch, Supervising Planner in Historic Preservation DR

CASE # H-11-081

ADDRESS: 449 Camino Monte Vista  
Historic Status: NA  
Historic District: Downtown & Eastside

## REFERENCE ATTACHMENTS (Sequentially):

### CITY SUBMITTALS

- Case Synopsis  
 District Standards & Yard wall  
& fence standards.  
 Historic Inventory Form  
 Zoning Review Sheet  
 Other:

### APPLICANT SUBMITTALS

- Proposal Letter  
 Vicinity Map  
 Site Plan/Floor Plan  
 Elevations  
 Photographs  
 Other:

## STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

## **BACKGROUND & SUMMARY:**

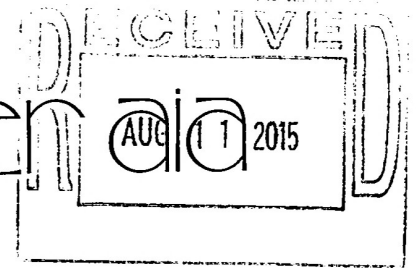
449 Camino Monte Vista is a single-family residence that was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The original southeast corner was infilled, one bay of the garage was infilled on the south elevation, and a non-historic portal was constructed. The structure is listed as non-contributing to the Downtown & Eastside Historic District.

On April 28, 2015, the HDRB approved demolition of the non-contributing structure and approved construction of a 1,568 square foot residential structure to the maximum allowable height of 18' with a pitched roof exception request.

Now, the applicant proposes to amend the previous approval with the following four items.

1. The total square footage has increased slightly to 1,641 with a decrease in the size of the entry portal.
  2. A cross gable will be added to the previously approved pitched roof with a metal standing seam finish.
  3. Fenestration design has been changed. Non-divided lites on the west elevation will not be publicly visible.
  4. Exterior lights will be a lantern-styled sconce.
-

eLisabeth wagner



August 11, 2015

Historic Design Review Board  
City of Santa Fe  
P.O. Box 909  
Santa Fe, NM 87504

RE: 449 Camino Monte Vista

Members of the Board:

It is our pleasure to submit a proposal for the house to be built at 449 Camino Monte Vista. The project was submitted and approved at your hearing on April 28, 2015. In the interim, Ms. Portago has hired me to assist in developing the details of her house and we propose the following changes:

Change of Massing:

-In order to delineate the entry of the house, we propose a cross gable at the South Elevation.

-We have reduced the size of the Entry Portal.

Final Window Design:

-We have developed window placement, size, and Territorial trim details

-We have detailed the Entry Portal and posts.

Change of Floor Plan

-The Floor Plan is now 1356 square feet heated, 285 square feet unheated with a footprint of 1641 square feet.

Light Fixtures:

-Exterior Sconces have been chosen and tear sheet submitted.

We respectfully submit our proposal and look forward to a favorable response.

Cordially,  
Elisabeth Wagner

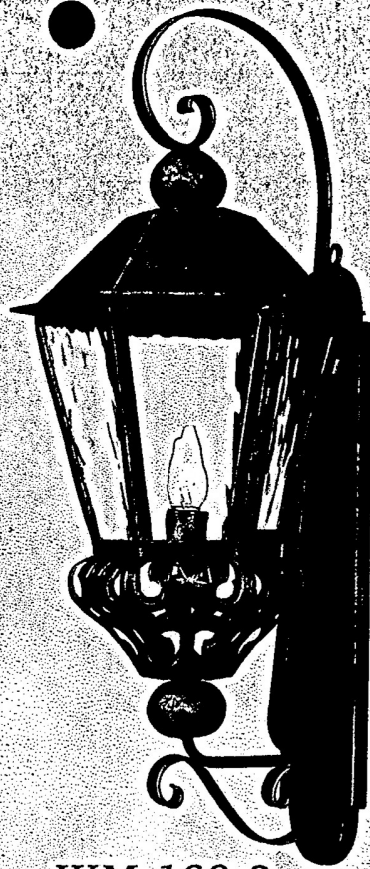
518 Old Santa Fe Trail  
Suite One #628  
Santa Fe, New Mexico 87505



**WM 168-1**

Fixture Size: 10" W, 10" D, 23" H  
1 x 75W - MED.

Shown in #52p- Premium Burnished Copper



**WM 168-2**

Fixture Size: 12" W, 11" D, 28" H  
1 x 100W - MED.

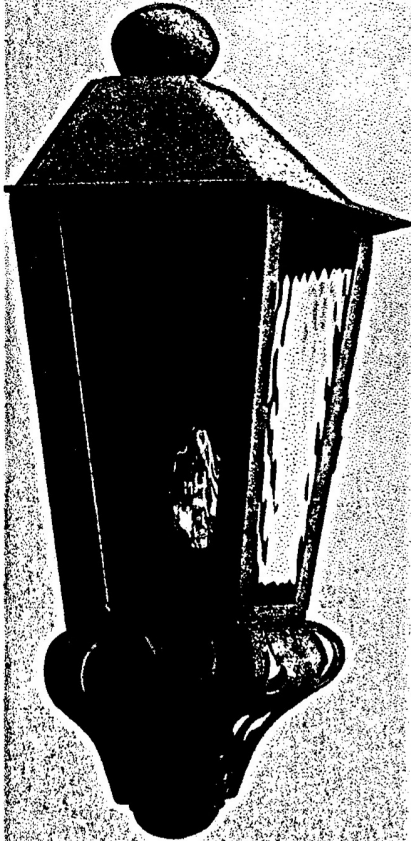
Shown in #54p- Premium Copper Rust



**WM 168-3**

Fixture Size: 14"W, 13"D, 33"H  
1 x 100W - MED.

Shown in #32- Antique Green



**WM 168-4**

Fixture Size: 14" W, 7" D, 22" H  
1 x 60W - MED.

Shown in #50p- Premium Mocha



**WM 168-5**

Fixture Size: 12" W, 6" D, 18" H  
1 x 60W - MED.

Shown in #40p- Premium Antique Bronze



**WM 168-6**

Fixture Size: 10"W, 5"D, 14"H  
1 x 60W - MED.

Shown in #48- Black Rust

**ARTE DE MEXICO.**

1000 Chestnut Street, Burbank, CA 91506 • (818) 753-4559, Phone • (818) 563-1015, Fax  
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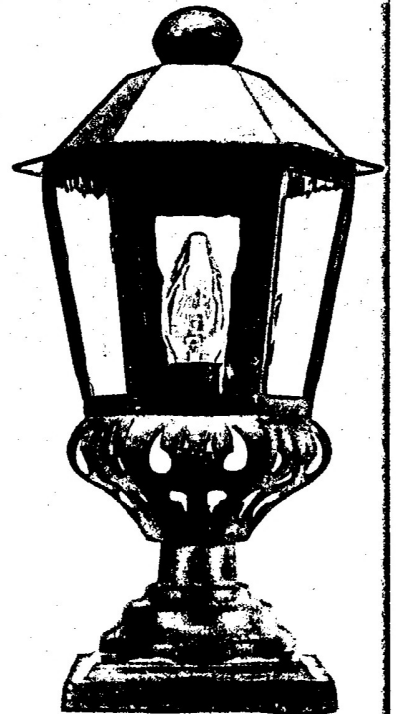
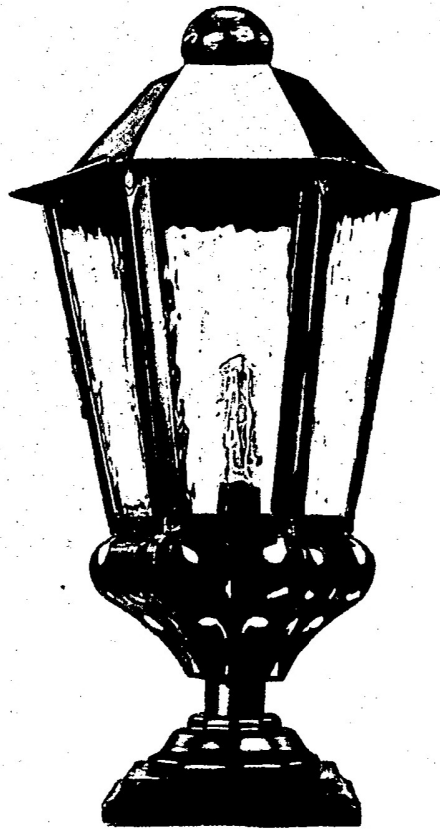
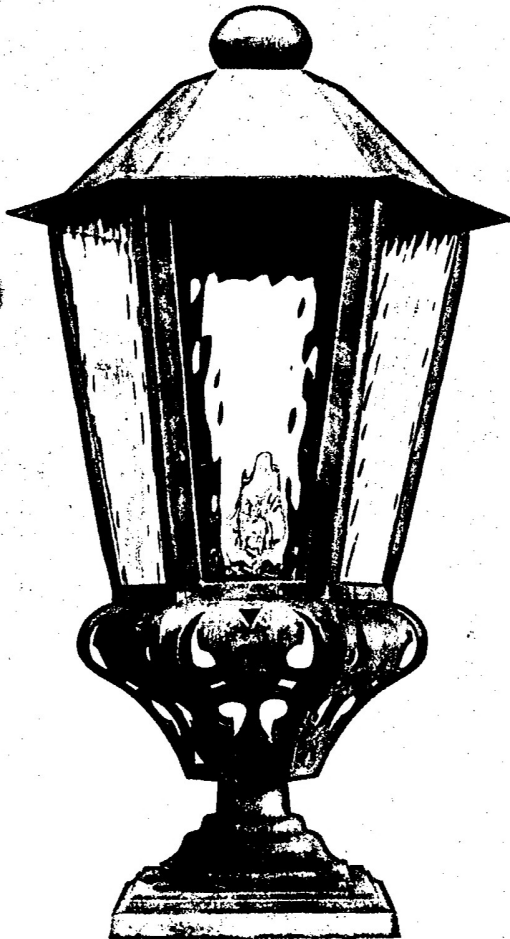
**HF 169-1**

Fixture Size: 12" DIA, 20" H  
1 x 100W - MED.  
Shown in #38- Verde



**HF 169-2**

Fixture Size: 10" DIA, 16" H  
1 x 60W - MED.



**PM 169-3**

Fixture Size: 14" DIA, 26" H  
1 x 100W - MED.  
Shown in #44- Antique Umber

**PM 169-4**

Fixture Size: 12" DIA, 21" H  
1 x 100W - MED.  
Shown in #48- Black Rust

**PM 169-5**

Fixture Size: 10" DIA, 18" H  
1 x 75W - MED.  
Shown in #42p- Premium Vintage Rust

**ARTE DE MEXICO.**

1000 Chestnut Street, Burbank, CA 91506 • (818) 753-4559, Phone • (818) 563-1015, Fax  
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# City of Santa Fe, New Mexico

# memo

DATE: September 8, 2015  
TO: Historic Districts Review Board Members  
FROM: David Rasch, Supervising Planner in Historic Preservation DR

CASE # H-11-081

ADDRESS: 449 Camino Monte Vista  
Historic Status: NA  
Historic District: Downtown & Eastside

REFERENCE ATTACHMENTS (Sequentially):

**CITY SUBMITTALS**

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- District Standards & Yard wall & fence standards.
- Historic Inventory Form
- Zoning Review Sheet
- Other:

**APPLICANT SUBMITTALS**

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- Site Plan/Floor Plan
- Elevations
- Photographs
- Other:

STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

## **BACKGROUND & SUMMARY:**

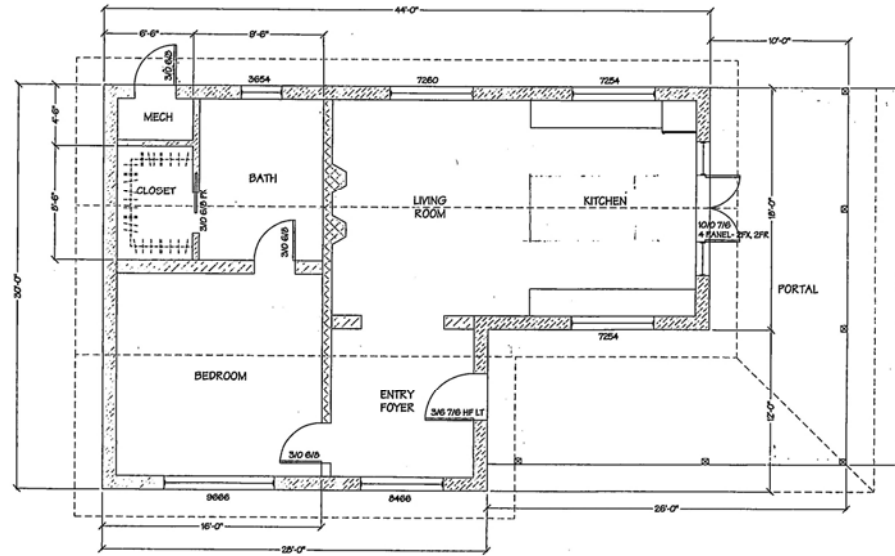
449 Camino Monte Vista is a single-family residence that was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The original southeast corner was infilled, one bay of the garage was infilled on the south elevation, and a non-historic portal was constructed. The structure is listed as non-contributing to the Downtown & Eastside Historic District.

On April 28, 2015, the HDRB approved demolition of the non-contributing structure and approved construction of a 1,568 square foot residential structure to the maximum allowable height of 18' with a pitched roof exception request.

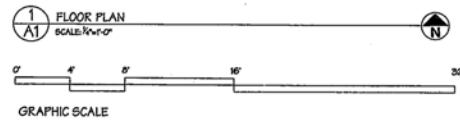
Now, the applicant proposes to amend the previous approval with the following four items.

1. The total square footage has increased slightly to 1,641 with a decrease in the size of the entry portal.
  2. A cross gable will be added to the previously approved pitched roof with a metal standing seam finish.
  3. Fenestration design has been changed. Non-divided lites on the west elevation will not be publicly visible.
  4. Exterior lights will be a lantern-styled sconce.
-





*approved*



RECEIVED  
AUG 1 2015

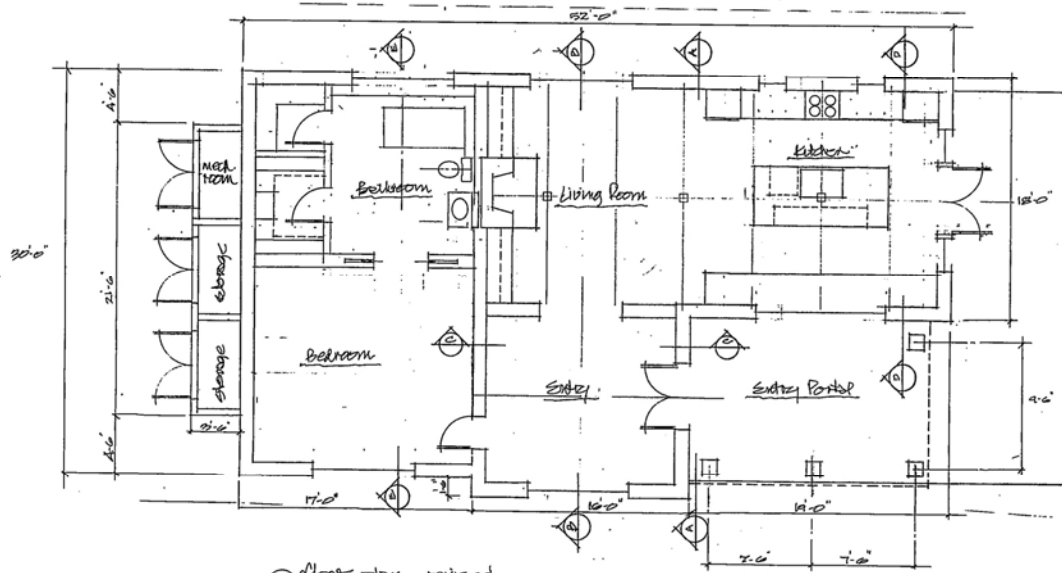


PORTAGO RESIDENCE  
449 CAMINO MONTE VISTA, SANTA FE, NEW MEXICO

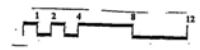
MARCH 23rd, 2015  
FLOOR PLAN

A1

21 8-13-15



○ floor plan - revised  
 1/4" = 1'-0"



RECEIVED  
 AUG 11 2015

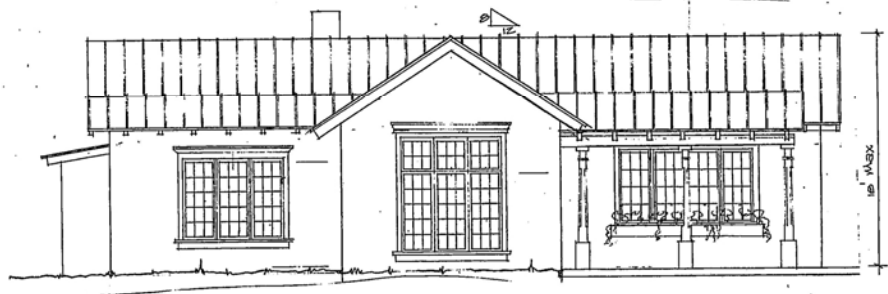
ELISABETH WAGNER-ARCHITECT  
 SANTA FE, NEW MEXICO

THE PORTAGO RESIDENCE  
 449 CAMINO MONTE VISTA

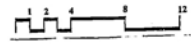
ZT B-13-15

RECEIVED  
AUG 11 2015

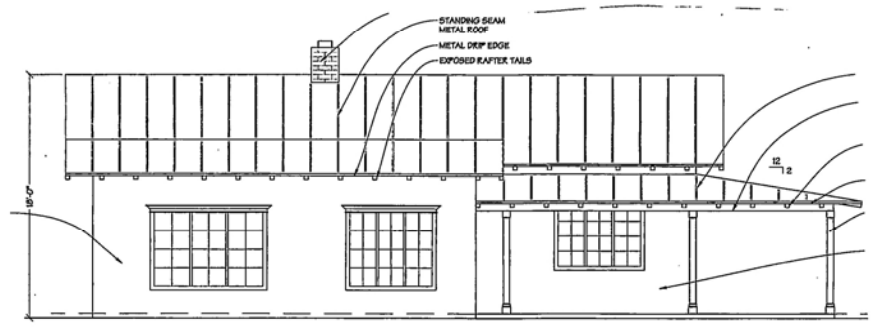
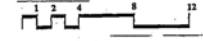
ELISABETH WAGNER-ARCHITECT  
SANTA FE, NEW MEXICO



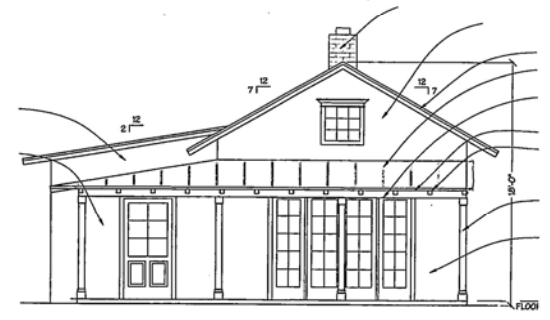
PROPOSED SOUTH ELEVATION  
1/4"=1'-0"



PROPOSED EAST ELEVATION  
1/4"=1'-0"



2 SOUTH ELEVATION  
SCALE: 1/4"=1'-0" approved



1 EAST ELEVATION  
SCALE: 1/4"=1'-0" approved

THE PORTAGO RESIDENCE  
449 CAMINO MONTE VISTA

12-11-18

RECEIVED  
AUG 11 2015

ELISABETH WAGNER-ARCHITECT  
SANTA FE, NEW MEXICO

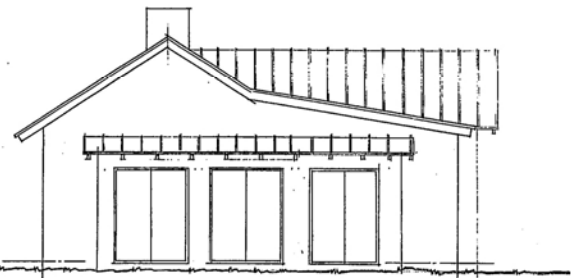
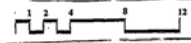
THE PORTAGO RESIDENCE  
449 CAMINO MONTE VISTA



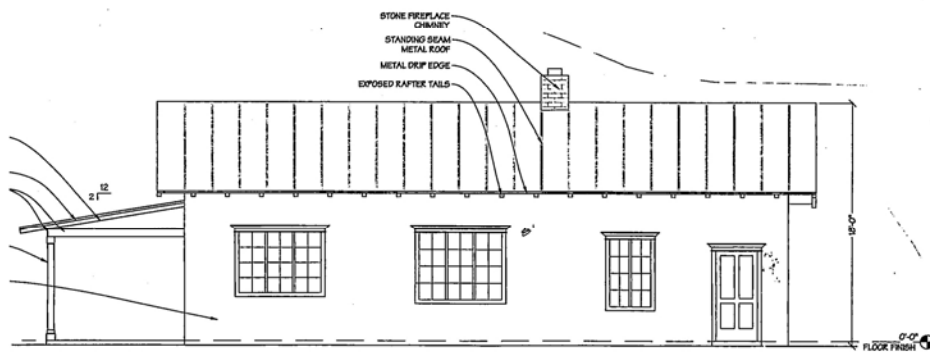
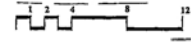
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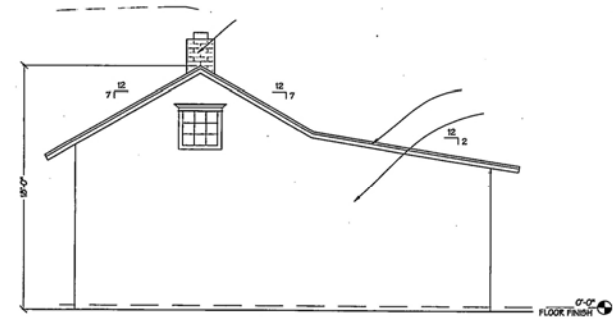
PROPOSED NORTH ELEVATION  
1/4"=1'-0"



PROPOSED WEST ELEVATION  
1/4"=1'-0"



3 NORTH ELEVATION  
SCALE: 1/4"=1'-0" *approved*



4 WEST ELEVATION  
SCALE: 1/4"=1'-0" *approved*

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

**Case #H-11-081**

**Address-449 Camino Monte Vista**

**Owner/Applicant's Name-Theodora Portago**

**Agent's Name-Sommer Karnes & Associates**

THIS MATTER came before the Historic Districts Review Board ("Board") for hearing on April 28, 2015 upon the application ("Application") of **Sommer Karnes & Associates** as agent for **Theodora Portago**, owner ("Applicant").

449 Camino Monte Vista is a single-family residence that was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The original southeast corner was infilled, one bay of the garage was infilled on the south elevation, and a non-historic portal was constructed. The structure is listed as non-contributing to the Downtown & Eastside Historic District.

The Applicant proposes to remodel the property with the following three items.

1. The non-contributing structure will be demolished. The building is not historically important, it does not represent a unique block section, and the building official cites structural and code compliance issues.

2. A 1,568 square foot residential structure will be constructed to the maximum allowable height of 18'. It is designed in the northern New Mexico Territorial Revival style with a pitched roof. The building will feature a standing-seam metal roof, portals with square posts, Territorial cornices above windows and doors, and an earthen plaster finish on walls. While there are pitched roof structures in the streetscape, the code requirement of 50% is not met. Therefore, an Exception is requested to construct a pitched roof (Section 14-5.2(D)(9)(d)).

3. A yardwall will be constructed at the northwest corner to the maximum allowable height of 8'.

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

**FINDINGS OF FACT**

1. The Board heard testimony from staff, Applicant, and other people interested in the Application.
2. Zoning staff determined that the Application meets underlying zoning standards.
3. Staff recommends approval of the exception request to construct a pitched roof and recommends approval of this application which complies with Section 14-5.2(D)(9)

General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

4. The property is located in the Downtown and Eastside Historic District and the project is subject to requirements of the following sections of the Santa Fe Land Development Code:
  - a. Section 14-3.14(G), Demolition of Historic Structures
  - b. Section 14-5.2(D), General Design Standards
  - c. Section 14-5.2(C)(5)(c)(i-vi), Height, Pitch, Scale, Massing and Floor Stepbacks Exceptions.
  - d. Section 14-5.2(E), Downtown and Eastside Historic District
5. Under Sections 14-2.6(C), 14-2.7(C)(2), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f) and 14-5.2(C)(3)(b), 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.
6. Under 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 exhibits, satisfactory to the Board, have been submitted.
7. Under Section 14-3.14(C), City staff must provide information to the Board on a structure under consideration for demolition.
8. Under Section 14-3.14(G), the general rule is that Board shall consider the historic importance of the structure, whether the structure is an essential part of the unique street section/block front, whether the street section/block front will be reestablished by a proposed new structure and the state of repair and structural stability of the structure.
9. The structure is not an essential part of the unique street section/block front.
10. Under Section 14-5.2(D)(9)(d), the general rule is: "If the determined *streetscape* includes over fifty percent *buildings* with pitched roofs, the proposed *building* may have a pitched roof. A pitched roof is defined as a gable, shed, or *hipped roof*. The pitch of the roof shall match the predominant pitch extant in the *streetscape*."
11. The Exception meets the Section 14-5.2(C)(5)(c)(i) criterion because the request will not alter the character of the streetscape because five other pitched roof structures already exist within the streetscape and the proposed pitched roof is in keeping with those and others historically built in the area.
12. The Exception meets the Section 14-5.2(C)(5)(c)(ii) criterion because a pitched roof remedies hardship to the Applicant and prevents an injury to the public welfare because the Applicant requires a natural healthy home, and the materials needed to construct the home require the protection of a pitched roof in order to preserve their integrity.
13. The Exception meets the Section 14-14-5.2(C)(5)(c)(iii) criterion because the project will strengthen the heterogeneous character of the City because a pitched roof, territorial-style structure of Light Straw-Clay and natural earth stucco would strengthen the unique heterogeneous character of the City.
14. The Exception meets the Section 14-14-5.2(C)(5)(c)(iv) criterion because there are special circumstances due to the need for building materials to be used for health and environmental reasons.

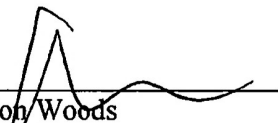
15. The Exception meets the Section 14-14-5.2(C)(5)(c)(v) criterion because there are special circumstances that are not the fault of the Applicant because there is a need for building materials to be used for health and environmental reasons.
16. The Exception meets the Section 14-14-5.2(C)(5)(c)(vi) criterion because there is no negative impact as the roof is being modified to the style that best embodies and represents the unique character of Santa Fe architectural vernacular to benefit the neighborhood, while simultaneously allowing the Applicant to meet her health and welfare requirements.
17. The Applicant at the hearing stated roof color would be slate grey and the chimney would be light tan sandstone veneer.
18. The information contained in the Application, and provided in testimony and evidence, establishes that all applicable requirements 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:

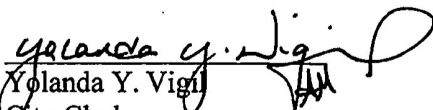
1. The Board has the authority to review and approve the Application.
2. The Board approved the Application and the Exception with the conditions: (a) the Applicant's selection of materials shall be considered as part of the application and (b) exterior lighting shall be submitted to staff for review and approval.

**IT IS SO ORDERED ON THIS 12<sup>th</sup> DAY OF MAY 2015, THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

  
 Sharon Woods  
 Chair

12 May 2015  
 Date:

FILED

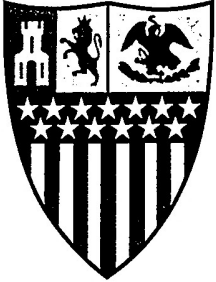
  
 Yolanda Y. Vigil  
 City Clerk

5/13/15  
 Date:

APPROVED AS TO FORM

  
 Zachary Shandler  
 Assistant City Attorney

5/14/15  
 Date:



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

*Javier M. Gonzales, Mayor*

## Councilors:

Peter N. Ives, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Signe I. Lindell, Dist. 1

Joseph M. Maestas, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Ronald S. Trujillo, Dist. 4

Bill Dimas, Dist. 4

Project description: Sommer Karnes & Associates, agents for Theodora Portago, owner, proposes to demolish a non-contributing residential structure and construct a 1,568 sq. ft. residential structure to a height of 18' where the maximum allowable height is 18'. An exception is requested to construct a pitched roof. (Section 14-5.2(D)(9)(d)).

Case number: H-11-081

Project Type: HDRB

**PROJECT LOCATION (S): 449 Camino Monte Vista**

## PROJECT NAMES:

OW – Theodora Portago  
Santa Fe, NM 87501

449 Camino Monte Vista  
505-920-2928

AP – Sommer Karnes & Associates  
Santa Fe, NM 87504

200 W. Marcy Street  
505-989-3800

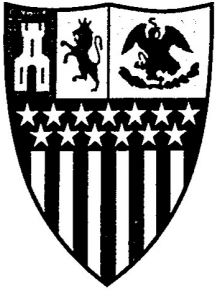
## BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on April 28, 2015. The decision of the Board was to approve your exception request to construct a pitched roof and also to approve your application as submitted with the conditions that the final window and light fixture designs shall be approved by staff before a construction permit application is submitted. For further information please call 955-6605.

Sincerely,

David Rasch  
Supervising Planner, Historic Preservation Division

**NOTE:** Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. Please attach copies of this letter to all sets when submitting for construction permits.



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

*Javier M. Gonzales, Mayor*

## Councilors:

Peter N. Ives, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Signe I. Lindell, Dist. 1

Joseph M. Maestas, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Ronald S. Trujillo, Dist. 4

Bill Dimas, Dist. 4

Project description: Summer Karnes and Associates, agents for Theodora Portago, owner, propose a historic status review of a contributing residential structure.

Case number: H-11-081

Project Type: HDRB

**PROJECT LOCATION(S):** 449 Camino Monte Vista

## PROJECT NAMES:

OW – Theodora Portago  
Santa Fe, NM 87501

460 Camino de las Animas  
505-920-2928

AP – Summer Karnes & Associates  
Santa Fe, NM 87504

P.O. Box 2476  
505-989-3800

## BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on October 28, 2014. The decision of the Board was to downgrade the historic status of the residence from contributing to non-contributing. For further information please call 955-6605.

Sincerely,

David Rasch  
Supervising Planner, Historic Preservation Division

**NOTE:** Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. Please attach copies of this letter to all sets when submitting for construction permits.



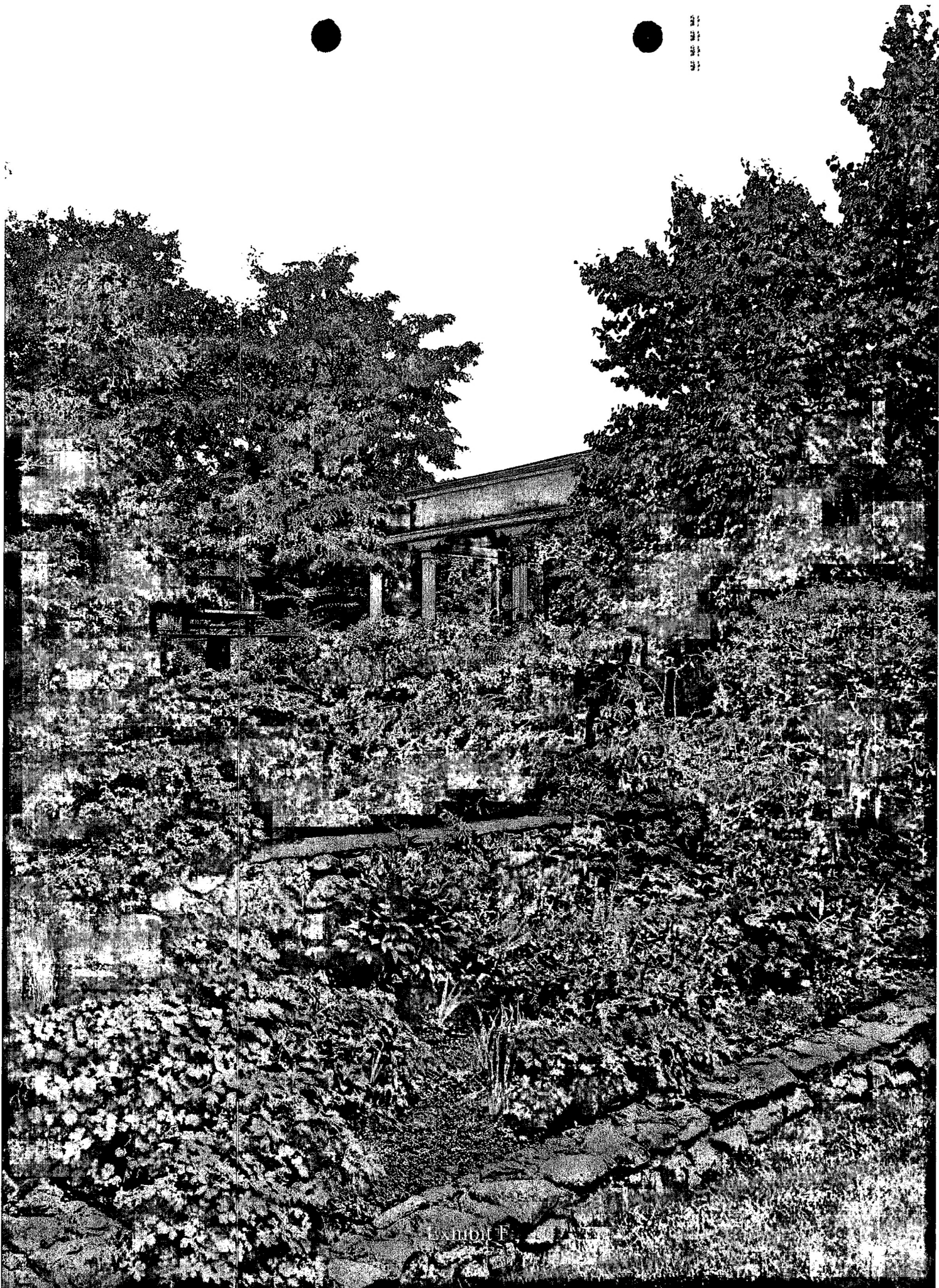
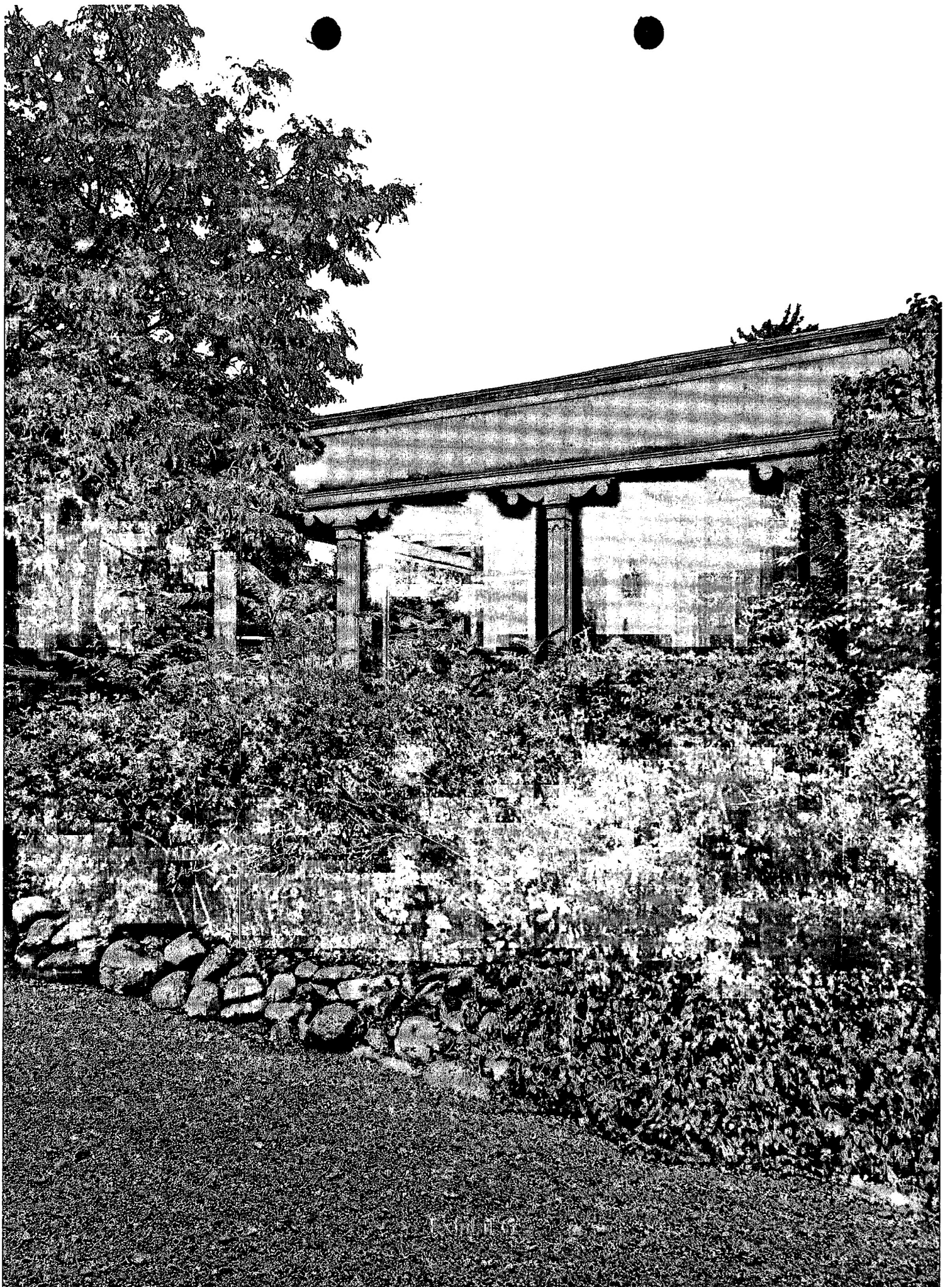


EXHIBIT F



# City of Santa Fe, New Mexico

# memo

DATE: October 28, 2014  
TO: Historic Districts Review Board Members  
FROM: David Rasch, Supervising Planner in Historic Preservation DR

CASE # H-11-081

ADDRESS: 449 Camino Monte Vista  
Historic Status: Contributing  
Historic District: Downtown & Eastside

## REFERENCE ATTACHMENTS (Sequentially):

### CITY SUBMITTALS

- Case Synopsis
- District Standards & Yard wall  
& fence standards.
- Historic Inventory Form
- Zoning Review Sheet
- Other:

### APPLICANT SUBMITTALS

- Proposal Letter
- Vicinity Map
- Site Plan/Floor Plan
- Elevations
- Photographs
- Other:

## STAFF RECOMMENDATION:

Staff recommends downgrading the historic status from contributing to non-contributing due to non-historic alterations in compliance with Section 14-5.2(C) Regulation of Historic Structures.

## **BACKGROUND & SUMMARY:**

449 Camino Monte Vista is a single-family residence that was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The structure is listed as contributing to the Downtown & Eastside Historic District.

The 2007 Historic Cultural Property Inventory recommends contributing historic status for this structure, recognizing that the original portal on the southeast corner was infilled, one bay of the garage was infilled on the south elevation, and a non-historic portal was constructed. The applicant requests an historic status review of this structure.

---

# SOMMER KARNES & ASSOCIATES LLP

---

**Mailing Address**

Post Office Box 2476  
Santa Fe, New Mexico 87504-2476

**Street Address**

200 West Marcy Street, Suite 133  
Santa Fe, New Mexico 87501

Telephone: (505) 989.3800  
Facsimile: (505) 982.1745

September 16, 2014

David Rasch  
City of Santa Fe Historic Preservation Division  
200 Lincoln  
Santa Fe, NM 87501

Re: Request for Status Review – 449 Camino Monte Vista  
Submitted under Old Business – Case #11-081

Dear David:

On behalf of property owner Theodora Portago, we request that a status review be carried out for the above-referenced property and placed on the next available agenda, which I understand is October 14.

Attached are copies of the Historic Cultural Properties Inventory for the property dated 5/22/07, the plat and the deed. Please note that since the deed was recorded prior to the lot split shown on the plat, it covers both 460 Camino de las Animas and the subject property at 449 Camino Monte Vista.

Please confirm that the matter will be heard on the October 14 agenda. We plan to submit additional materials by this Friday, September 19. If we don't make the deadline, we will request that the matter be heard on the following agenda.

Sincerely,

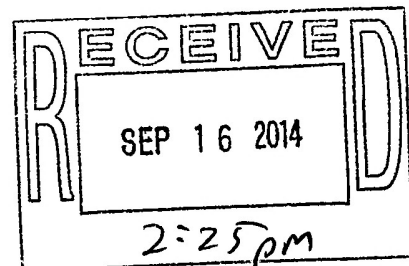
  
Joseph M. Karnes

Karl H. Sommer, Attorney at Law  
khs@sommer-assoc.com  
Joseph M. Karnes, Attorney at Law  
jmk@sommer-assoc.com

Mychal L. Delgado, Certified Paralegal  
mld@sommer-assoc.com

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James R. Hawley, Attorney at Law  
Of Counsel  
Licensed in New Mexico and California  
jrh@sommer-assoc.com



**BRENDA L. BINGHAM**

425 Camino Monte Vista  
Santa Fe, NM 87505  
October 23, 2014

Historic District Review Board  
Santa Fe, NM

RE: Request to Change Historic Designation of 449 Camino Monte Vista

Gentlemen:

We understand that at your October 28, 2014 meeting you will discuss the request to change the Historic Designation of the property at 449 Cam Monte Vista.

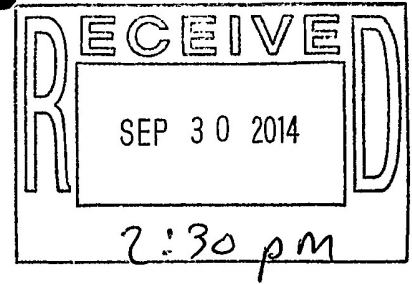
My husband, Hartley, and I are opposed to this change as it will change the texture of our neighborhood. CMV is one of the few dirt roads in Santa Fe and additional traffic will destroy it. There is already more traffic than the road was designed to carry. In addition building outside of the historic code will override the "charm" of the existing homes.

If, however, the plan is to remodel the home at 429, cleaning it up and making it more attractive in a "Santa Fe way", we would not oppose the change.

Sincerely,

*Brenda Bingham*

STATE OF NEW MEXICO )  
 ) ss.  
COUNTY OF SANTA FE )



**AFFIDAVIT OF JOSETTE DE LA HARPE**

I, Josette De La Harpe, being first duly sworn and under oath, do hereby depose and state as follows:

1. I am over 18 years of age, and I make the following statements upon my personal knowledge.
2. My late husband, Volker De La Harpe, and I purchased the property at the corner of Miller Street and Camino de las Animas on June 20, 1963.
3. I have lived in the house on that property continuously since that date to the present.
4. I have been familiar with the property known as 460 Camino de las Animas (the "Tract A-1") and 449 Camino Monte Vista (the "Tract A-2") shown the certain plat of survey entitled "Lot Split Plant of Survey Prepared for Theodora Portage of Tract A, 460 Camino de las Animas," recorded in the records of the Santa Fe County Clerk, on May 15, 2012, at Plat book 745, Page 012, which plat is attached hereto as Exhibit A.
5. Victor and Marjorie Hansen purchased Tract A-1 and Tract A-2 for less than a year. However, at that time the two Tracts properties comprised a single tract of land.
6. The Hansens were very good friends of ours, and our family spent a great deal of time together in their house and on their property. I remained friends with the Hansens for the remainder of their lives.

7. After we moved into our house, the Hansens made various additions and renovations to their property, and I am personally familiar with all of the renovations, additions and remodeling that the Hansens made to their property.

8. In addition to many changes on the main residence on their property, the Hansens made many changes to the Guesthouse/Garage (See Exhibit A) after we moved into our property.

9. Specifically, prior to any renovations by the Hansens to the Guesthouse/Garage shown on Tract A-2, I was familiar with what existed on that Tract.

10. First, they enclosed the open portal on the southeast corner of the guesthouse/garage, adding a wall on the newly created south façade, and a door and window to the newly created east façade. (the "Portal Enclosure" on Exhibit A).

11. Second, they converted an enclosed one of the garage bays, adding a door and two windows on the south façade (the "Garage Conversion and Window and Door Installations" on Exhibit A).

12. Third, and sometime after the changes described above, they added a portal on the south and east façade of the guesthouse (the "Portal Addition" on Exhibit A).

13. The photo attached as Exhibit B shows the open portal on the Guesthouse/Garage prior to its enclosure. The portal was open on two sides, namely the south and east sides were open.


14. The photos attached as Exhibit C show the south and east façades after the Portal Enclosure.

15. The photos attached as Exhibit D shows the Garage Conversion Window and Door Installations on the south façades.

16. The photos attached as Exhibits E, F, G and H show the Portal Addition to the east and south façades.

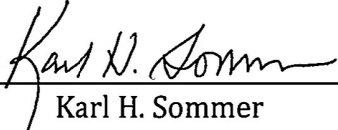
17. All of the changes described above in this affidavit to the Guesthouse/Garage or made after the Hansens moved on to their property in 1971.

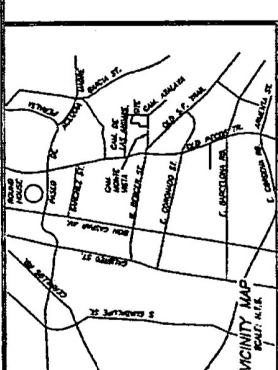
Further Affiant sayeth naught.

  
\_\_\_\_\_  
Josette De La Harpe

The foregoing was subscribed and sworn to before me by Josette De La Harpe on this 30<sup>th</sup> day of September 2014.

My Commission expires: 3-11-15

  
\_\_\_\_\_  
Karl H. Sommer  
Notary Public  
State of New Mexico



**FLOOD ZONE**  
 THE PROPERTY IS NOT IN A FLOOD ZONE AS DETERMINED BY THE STATE OF NEW MEXICO. THE FLOOD ZONE MAP IS ON FILE IN THE COUNTY CLERK'S OFFICE.

**CURRENT ZONING**  
 THE PROPERTY IS ZONED R-1. THE ZONING MAP IS ON FILE IN THE COUNTY CLERK'S OFFICE.

**LEGEND**

- 1. SHOWN IN RED: PROPERTY OWNED BY THE VENDOR & WARRANTED HEREIN TO BE FREE FROM ALL LIENS AND ENCUMBRANCES.
- 2. SHOWN IN GREEN: PROPERTY OWNED BY THE VENDOR & WARRANTED HEREIN TO BE FREE FROM ALL LIENS AND ENCUMBRANCES.
- 3. SHOWN IN BLUE: PROPERTY OWNED BY THE VENDOR & WARRANTED HEREIN TO BE FREE FROM ALL LIENS AND ENCUMBRANCES.
- 4. SHOWN IN BLACK: PROPERTY OWNED BY THE VENDOR & WARRANTED HEREIN TO BE FREE FROM ALL LIENS AND ENCUMBRANCES.

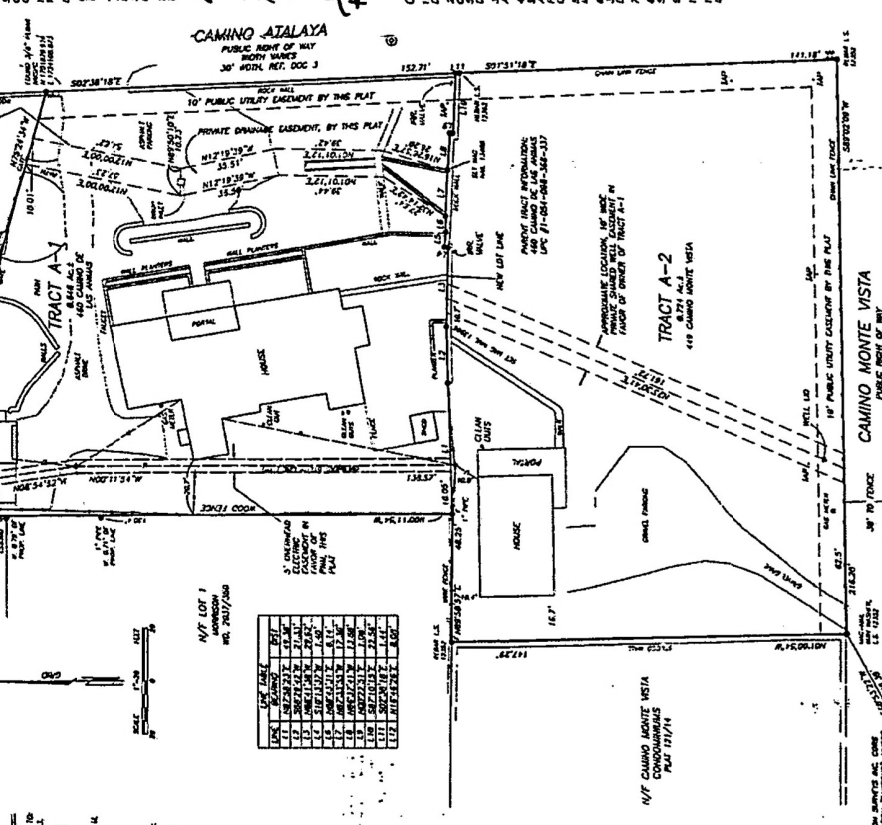
**ATTORNEY'S CERTIFICATE**  
 I, the undersigned, being duly qualified in and a member of the bar of the State of New Mexico, do hereby certify that I am a duly qualified attorney at law in and for the County of Santa Fe, New Mexico, and that I am duly qualified to practice law in and for the County of Santa Fe, New Mexico.

**NOTARY PUBLIC**  
 My Comm. Expires: 12/31/2012

**CONDITIONS OF APPROVAL**  
 1. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES.  
 2. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES.  
 3. THE DEVELOPER SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES AND AGENCIES.

**DEED AND ATTORNEY'S CERTIFICATE**  
 I, the undersigned, being duly qualified in and a member of the bar of the State of New Mexico, do hereby certify that I am a duly qualified attorney at law in and for the County of Santa Fe, New Mexico, and that I am duly qualified to practice law in and for the County of Santa Fe, New Mexico.

**NOTARY PUBLIC**  
 My Comm. Expires: 12/31/2012



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**NOTARY PUBLIC**  
 My Comm. Expires: 12/31/2012

**THEODORA PORTAGO**  
 OF TRACT A, 460 CAMINO DE LAS ANIMAS WARRANTY  
 LYMC WITHIN THE CITY AND COUNTY OF SANTA FE, N.M.  
 PROJECTED SECTION 25, 117N, R9E, N.M.P.M.

**LOT SPLIT SURVEY PLAT**  
 PREPARED FOR  
 THEODORA PORTAGO  
 OF TRACT A, 460 CAMINO DE LAS ANIMAS WARRANTY  
 LYMC WITHIN THE CITY AND COUNTY OF SANTA FE, N.M.  
 PROJECTED SECTION 25, 117N, R9E, N.M.P.M.

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**NOTARY PUBLIC**  
 My Comm. Expires: 12/31/2012



UPC# PARENT TRACT A: 1-054-098-368-337

**FLOOD\_ZONE**

THIS PROPERTY LIES WITHIN "OTHER AREAS ZONE X", AREAS DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD AS GRAPHICALLY DEPICTED FROM ELECTRONIC GIS FILES AND DRFM ISSUED 5/17/2008 PANEL # 35049C0416D. ALSO REFER TO FEMA FIRM MAP; FLOOD INFORMATION PORTAL, SANTA FE NM PRELIMINARY DRFM ISSUED 2/18/2011 PANEL # 35049C0416E(2011-02-18).

**CURRENT ZONING**

THESE PROPERTIES ARE CURRENTLY ZONED NC-5.

**VICINITY MAP**

SCALE: N.T.S.

**REFERENCE DOCUMENTS**

1. WARRANTY DEED FROM MARGORY HANSEN AS TRUSTEES OF THE VICTOR & MARGORY HANSEN TRUST U/A TO THEODORA PORTAGO, RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK, AS INSTRUMENT #1574523.
2. PLAT TITLED BOUNDARY SURVEY PREPARED FOR VICTOR H. HANSEN, MARGORY M. HANSEN AND THEODORA PORTAGO, BY EDWARD M. TRUBALD N.M.P.L.S. 12352, RECORDED IN THE OFFICE OF THE SANTA FE COUNTY CLERK ON AUG. 16, 2006, IN Bk.702, Pg.001.
3. MAP SHOWING ATALAYA ADDITION TO THE CITY OF SANTA FE DATED MAY 16, 1922, PREPARED BY GEORGE M. NEEL.
4. ALL OTHER DOCUMENTS REFERRED TO ON THE FACE OF THIS PLAT.

**LEGEND**

BEARINGS ARE REFERRED TO THE NEW MEXICO STATE PLANE COORDINATE SYSTEM, NAD83 CENTRAL ZONE. DISTANCES SHOWN ARE GROUND LEVEL. REFERENCES TO 6600' AMSL DATUM, TO CONVERT DISTANCES TO GRID DISTANCES MULTIPLY BY A SCALE FACTOR OF 0.999588. COORDINATES ARE NAD83 CENTRAL ZONE.

- DENOTES FOUND MOVEMENT AS SHOWN
- DENOTES SET BACK/SIDEWALK REAR OR AS SHOWN
- DENOTES SEWER MANHOLE
- DENOTES UTILITY POLE
- DENOTES UTILITY POLE
- DENOTES BOUNDARY OF LANDS DEALT WITH BY THIS PLAT INFORMATION OUTSIDE OF THIS BOUNDARY IS BACKGROUND INFORMATION ONLY. NOT VERIFIED FOR ACCURACY AND IS NOT PART OF THIS PLAT.

**UTILITY COMPANIES**

SEWER NOTE: NO FENCES, WALLS OR OTHER OBSTRUCTIONS SHALL BE PLACED OR CONSTRUCTED ACROSS OR WITHIN PUBLIC SANITARY SEWER EASEMENTS.

*Theresa Portago* DATE 4-27-12  
CITY OF SANTA FE (AGENT)

*R. A. O'Connell* DATE 4-30-12  
CITY OF SANTA FE (AGENT)

*Robert J. Miller* DATE 4-27-12  
SANTO FE CRESTO WATER CO.

*John A. ...* DATE 4-27-12  
NEW GAS COMPANY

*John A. ...* DATE 4-27-12  
CENTURY LINK

*John A. ...* DATE 4-27-12  
ELECTRIC SERVICE

*John A. ...* DATE 4-27-12  
NEW GAS COMPANY

*John A. ...* DATE 4-27-12  
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ELECTRIC SERVICE

*John A. ...* DATE 4-27-12  
NEW GAS COMPANY

*John A. ...* DATE 4-27-12  
CENTURY LINK

LINE	BEARING	DIST
L1	N82°28'21"W	49.34'
L2	S89°29'42"W	71.23'
L3	N84°11'00"W	79.65'
L4	S10°13'32"W	1.60'
L5	N88°42'37"W	6.14'
L6	N82°13'00"W	12.80'
L7	N85°27'41"W	12.80'
L8	N00°22'31"W	1.08'
L9	S87°10'17"W	22.55'
L10	S02°58'18"W	1.44'
L11	N18°46'26"W	8.08'

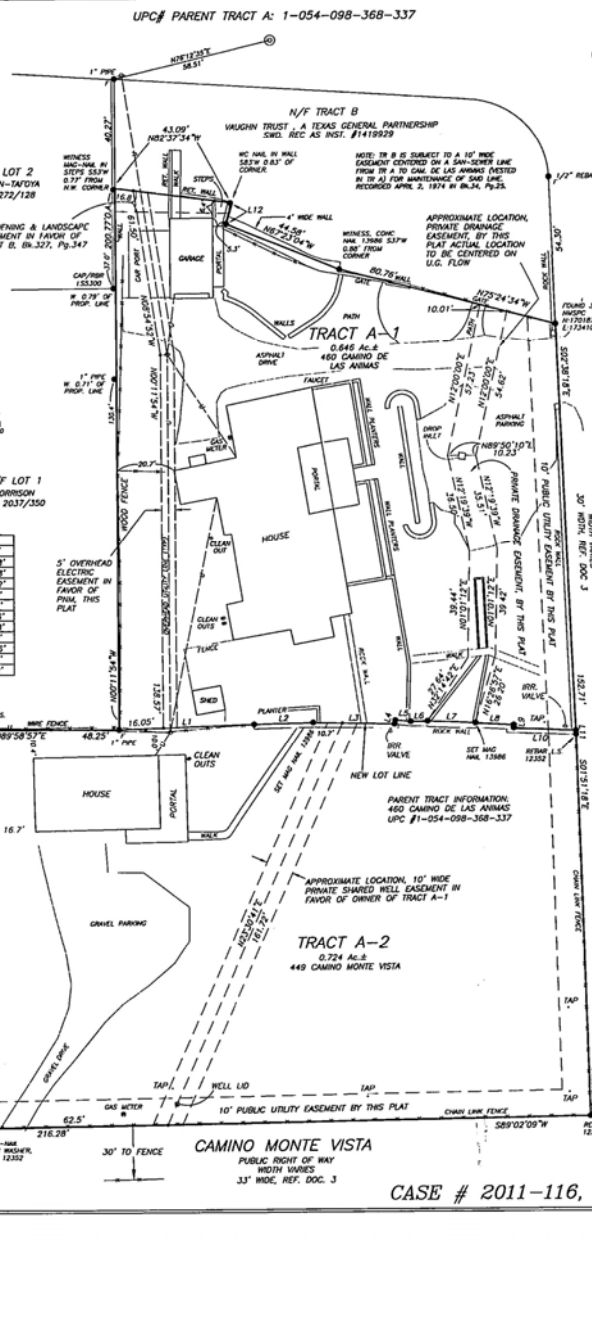
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**DEDICATION AND AFFIDAVIT**

KNOW ALL MEN BY THESE PRESENTS THAT THE UNDERSIGNED OWNER(S) HAVE GAUGED TO BE OWNED THOSE LANDS SHOWN HEREON. THIS SAID LOT SPLIT IS MADE WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRES OF SAID OWNER(S). THIS LOT SPLIT CONTAINS 33.68 ACRES, MORE OR LESS. THIS LOT SPLIT LIES WITHIN THE PLATTING JURISDICTION OF THE CITY OF SANTA FE, N.M.

UTILITY COMPANIES ARE HEREBY GRANTED EASEMENTS AS SHOWN HEREON FOR THE CONSTRUCTION, OPERATION & MAINTENANCE OF UTILITIES INCLUDING BUT NOT LIMITED TO THE RIGHT TO ACCESS & EGRESS, (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY, AND THE RIGHT TO REMOVE OBSTRUCTIONS INTERFERING WITH THE USE OR PURPOSE OF SAID EASEMENT.

A 10' WIDE PRIVATE SEWER EASEMENT IS HEREBY GRANTED AS SHOWN HEREON IN FAVOR OF TRACT A-1 FOR THE CONSTRUCTION, OPERATION & MAINTENANCE OF THE WELL AND WATER LINES INCLUDING BUT NOT LIMITED TO THE RIGHT TO ACCESS & EGRESS, (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY, AND THE RIGHT TO REMOVE OBSTRUCTIONS INTERFERING WITH THE USE OR PURPOSE OF SAID EASEMENT. GENERAL MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE EDOMOUNT ESTATE UNLESS SAID ESTATE IMPEDES OR RESTRICTS THE FLOW, IN WHICH CASE THE SERVIENT ESTATE SHALL BEAR RESPONSIBILITY OF REMOVAL.

THE PRIVATE DRAINAGE EASEMENT IS HEREBY GRANTED IN FAVOR OF TRACT A-2 FOR THE MITIGATION OF STORM WATER RUN-OFF, INCLUDING BUT NOT LIMITED TO THE RIGHT TO ACCESS & EGRESS FOR MAINTENANCE, (BOTH SURFACE AND SUBSURFACE) FOR CREWS AND MACHINERY, AND THE RIGHT TO REMOVE OBSTRUCTIONS INTERFERING WITH THE USE OR PURPOSE OF SAID EASEMENT. GENERAL MAINTENANCE SHALL BE THE RESPONSIBILITY OF THE EDOMOUNT ESTATE UNLESS SAID ESTATE IMPEDES OR RESTRICTS THE FLOW, IN WHICH CASE THE SERVIENT ESTATE SHALL BEAR RESPONSIBILITY OF REMOVAL.

NEW MEXICO GAS COMPANY IS HEREBY GRANTED EASEMENTS AS SHOWN FOR THE INSTALLATION, MAINTENANCE, AND SERVICE OF NATURAL GAS LINES, VALVES AND OTHER EQUIPMENT AND FACILITIES REASONABLY NECESSARY TO PROVIDE NATURAL GAS. INCLUDED IS THE RIGHT TO BUILD, REBUILD, CONSTRUCT, RECONSTRUCT, LOCATE, RELOCATE, CHANGE, REMOVE, REPAIR, OPERATE AND MAINTAIN FACILITIES FOR THE PURPOSE DESCRIBED ABOVE, TOGETHER WITH FREE ACCESS TO AND OVER SAID RIGHT OF WAY AND EASEMENT WITH THE RIGHT AND PRIVILEGE OF GOING UPON, OVER AND ACROSS ADJOINING LANDS OF WHATEVER CHARACTER SET FORTH HEREIN AND WITH THE RIGHT TO UTILIZE THE RIGHT OF WAY AND EASEMENT TO EXTEND SERVICES TO CUSTOMERS OF GRANTEE, AND TO TRIM AND REMOVE TREES, SHRUBS OR BUSHES WHICH INTERFERE WITH THE PURPOSES SET FORTH HEREIN. NO BUILDING, SIGN, POOL (ABOVE GROUND OR BELOW), HOT TUB, CONCRETE OR WOOD POOL DECKING, OR OTHER STRUCTURE SHALL BE ERRECTED OR CONSTRUCTED ON SAID EASEMENTS, NOR SHALL ANY WELL BE DRILLED OR OPERATED THEREIN.

THERE ARE NO PUBLIC SANITARY SEWER EASEMENTS CREATED BY THIS PLAT OR FOUND BY PREVIOUS RECORDS WITHIN THE SUBJECT PROPERTIES. EASEMENTS SHALL BE BINDING UPON THE UNDERSIGNED AND THEIR SUCCESSORS AND ASSIGNS (OWNERS).

THEODORA PORTAGO (PARENT TRACT A) 745012

STATE OF NEW MEXICO )  
COUNTY OF SANTA FE )

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED AND SUBSCRIBED BEFORE ME BY THEODORA PORTAGO THIS 23<sup>RD</sup> DAY OF May, 2012.

*Rose Stalis* MY COMMISSION EXPIRES

SUMMARY COMMITTEE APPROVAL CASE # 2011-116  
APPROVED BY THE SUMMARY COMMITTEE AT THEIR MEETING OF JANUARY 31ST 2012

*John A. ...* DATE 5/9/12  
SUMMARY COMMITTEE CHAIRMAN

*John A. ...* DATE 5/9/12  
SUMMARY COMMITTEE SECRETARY

CITY OF SANTA FE APPROVAL  
*Rose Stalis* 05/14/12  
CITY ENGINEER FOR LAND USE

*Rose Stalis* 5-11-12  
CITY PLANNER

CONDITIONS OF APPROVAL  
1. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH APPLICABLE PROVISIONS OF CHAPTER 14, LAND DEVELOPMENT CODE, SFCC 2001 AND SUBSEQUENT AMENDMENTS.

2. PROPERTY DEVELOPMENT IS REQUIRED TO COMPLY WITH THE PROVISIONS OF EACH CITY OF SANTA FE ORDINANCE ADOPTED PRIOR TO PLAT AND OR DEVELOPMENT PLAN RECORDING WITH THE COUNTY CLERK OR SUBMITTAL FOR A BUILDING PERMIT APPLICATION THAT MODIFIES ANY PROVISION OF CHAPTER 14, LAND DEVELOPMENT CODE, SFCC 1987 AND SUBSEQUENT AMENDMENTS.

3. BUILDABLE AREAS FOR PLATTED PARCELS WILL BE DETERMINED AT THE TIME OF BUILDING PERMIT APPLICATION AS DETAILED IN THE LAND DEVELOPMENT CODE.

4. NEITHER RESULTING LOT HAS A METERED WATER SERVICE CONNECTION. AN AGREEMENT FOR METERED SERVICE(S) (AMS) CONTRACT WITH THE CITY WATER DIVISION WILL BE REQUIRED PRIOR TO THE ISSUANCE OF ANY CONSTRUCTION PERMIT ON EITHER LOT, AS REQUIRED BY CHAPTER 25 AND CHAPTER 14, FOR A NEW PRIMARY OR ACCESSORY DWELLING UNIT ON EITHER LOT, AND SUCH CONNECTION SHALL NOT REQUIRE THE CAPPING OR DISCONNECTION OF THE WELL. EACH LOT SHALL BE SERVED WITH SEPARATE SEWER SERVICES.

5. PRIOR TO ANY NEW CONSTRUCTION, PLAT WILL BE SUBMITTED TO FIRE DEPARTMENT FOR COMPLIANCE WITH INTERNATIONAL FIRE CODE.

6. BOTH THE FIRM PANEL 35049C0416D DATED JUNE 17, 2008 AND THE PRELIMINARY FIRM PANEL 35049C0416E(2011-02-18) SHOW, THIS PROPERTY LIES IN OTHER AREAS "ZONE X", AREAS OUTSIDE A DESIGNATED 100 YEAR FLOOD.

7. WASTEWATER USE CHARGES SHALL BE PAID AT THE TIME OF BUILDING PERMIT APPLICATION.

8. EACH LOT IS RESPONSIBLE FOR MANAGEMENT OF ON-SITE RAIN WATER IN CONFORMANCE WITH SECTION 14-6-1 (F)(2)(C).

9. EACH LOT SHALL BE SERVED BY SEPARATE WATER AND SEWER SERVICES.

10. WASTEWATER UTILITY EXPANSION CHARGES (UEC) SHALL BE PAID AT TIME OF BUILDING PERMIT APPLICATION.

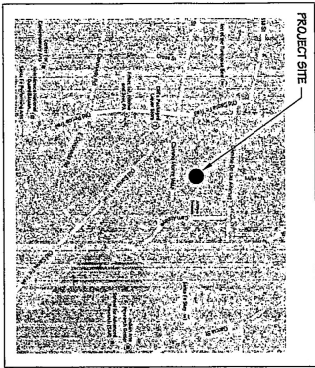
11. AT THE TIME OF THE RECORDATION OF THE LOT SPLIT PLAT, THE APPLICANT SHALL BE REQUIRED TO INSTALL A METER ON THE WELL AT THE PROPERTY OWNERS EXPENSE.

TITLE AND LOCATING INFORMATION FOR THE COUNTY CLERK  
LOT SPLIT SURVEY PLAT  
PREPARED FOR  
**THEODORA PORTAGO**  
OF TRACT A, 460 CAMINO DE LAS ANIMAS WARRANTY DEED, INST. #1574523  
LYING WITHIN THE CITY AND COUNTY OF SANTA FE, NM, PROJECTED SECTION 25, T17N, R9E, N.M.P.M.

THE PURPOSE OF THIS PLAT IS TO SPLIT TRACT A INTO TWO SEPARATE TRACTS.

DAWSON SURVEYS INC.  
PROFESSIONAL LAND SURVEYORS  
3502 S CAMINO ENTRADA  
SANTA FE, N.M. 87507  
PL#18959LS DATE: 4/11/2012

CASE # 2011-116, 460 CAMINO DE LAS ANIMAS LOT SPLIT



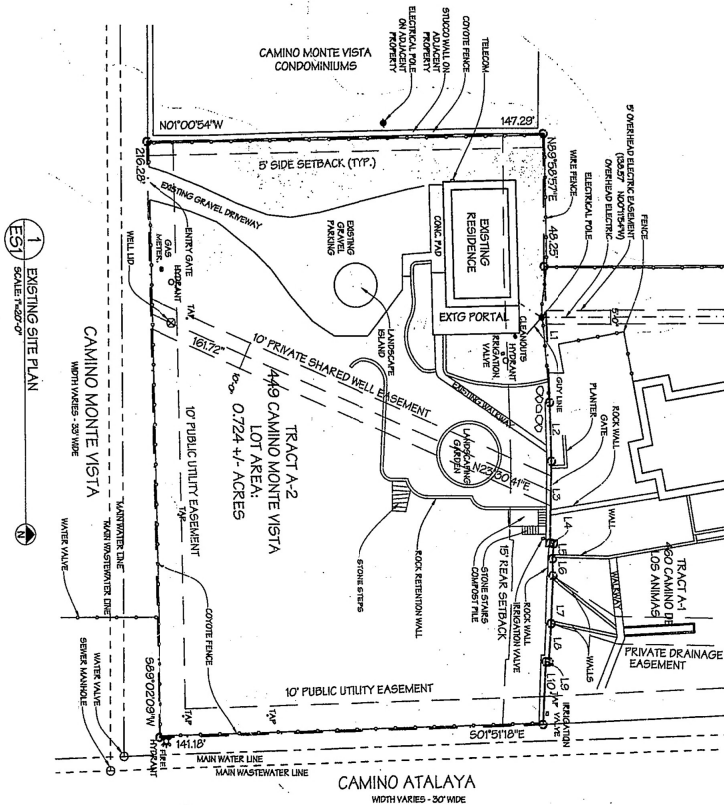
VICINITY MAP

**GENERAL NOTES**

1. OVERLAP ELECTRIC LOGS AND OVERLAP OVERLAP ELECTRIC LOGS.
2. OVERLAP ANY LINES AND EASIMENTS ON OVERLAP ELECTRIC LOGS.
3. OVERLAP ANY LINES AND EASIMENTS ON OVERLAP ELECTRIC LOGS.
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11. OVERLAP ANY LINES AND EASIMENTS ON OVERLAP ELECTRIC LOGS.

**LINE TABLE**

LINE	DESCRIPTION	LENGTH
L1	N87°59'23"E	48.33
L2	S89°29'42"W	21.83
L3	N88°41'32"W	29.02
L4	S10°15'07"W	14.0
L5	N89°43'03"E	6.14
L6	N87°33'55"W	17.86
L7	N86°07'41"W	13.89
L8	N87°22'21"E	10.8
L9	S07°02'05"W	14.2
L10	S07°02'05"E	14.4



1 EXISTING SITE PLAN  
SCALE: 1"=30'-0"

21-3-20-15

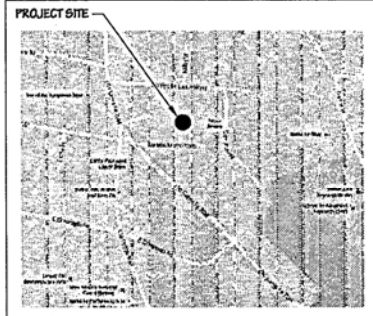
<p>ES1</p>	<p>EXISTING SITE PLAN</p>	<p>MAR 01 2016 2:05 PM</p>	<p><b>PORTAGO RESIDENCE</b> 449 CAMINO MONTE VISTA, SANTA FE, NEW MEXICO</p>	 <p><b>LIGHTFOOT</b> High Performance Natural Building and Design MAR 31 2016</p>
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# PORTAGO RESIDENCE

449 CAMINO MONTE VISTA, SANTA FE, NM

AREA & LOT COVER CALCULATIONS	
ZONING: RCS	
AREA IN GROSS SQ. FT.	TOTAL
HEATED AREA TOTAL	1,128 SQ. FT.
UNHEATED AREA (PORTAL)	440 SQ. FT.
ROOFED AREA	1,800 SQ. FT.
GUEST HOUSE ROOF	1,440 SQ. FT.
PORTAL ROOF	460 SQ. FT.
ROOFED AREA TOTAL	1,800 SQ. FT.
ROOFED AREA = 1,800 SQ. FT.	
STORMWATER RETAINING REQUIREMENTS: (1,800 X 0.16 = 304)	
STORMWATER STORAGE	304 CU. FT.
LOT COVERAGE (IN ACRES)	
LOT SIZE:	0.724 ACRES
NEW PERCENT OF LOT COVERAGE (1,800 SQ. FT. / 3,1257 SQ. FT. X 100 = 5%)	

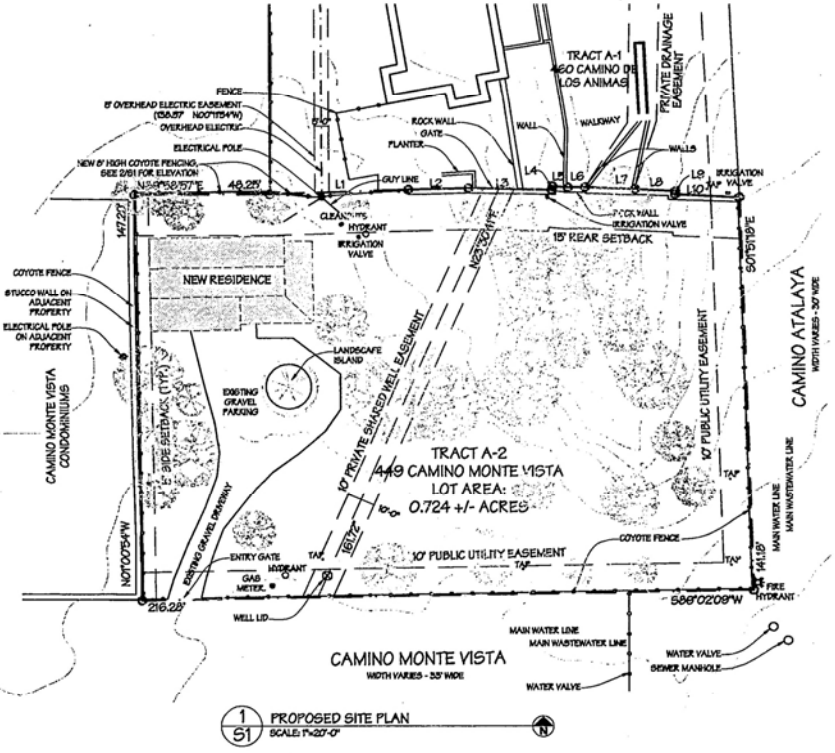
## VICINITY MAP



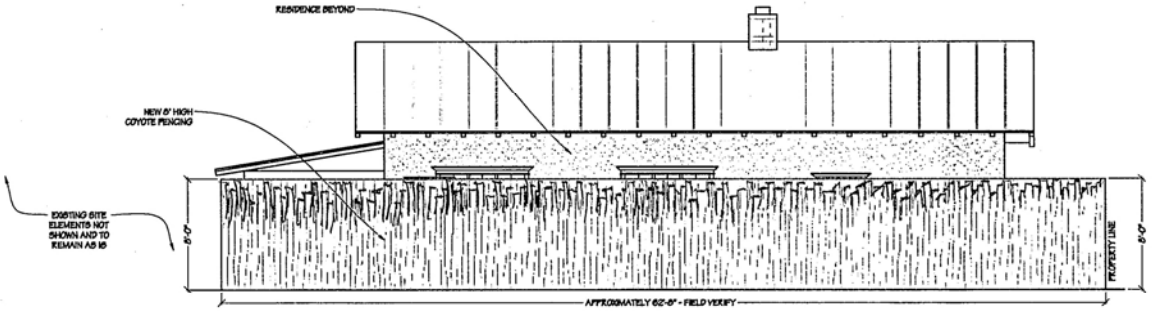
**GENERAL NOTES**

1. SITE PLAN PER LOT SPLIT SURVEY PLAN PREPARED BY SHANNON SURVEYS INC. FILE #A96615 DATED 04/11/2022.
2. TOPOGRAPHY LINES AND ELEVATIONS SHOWN ARE PER THE CITY OF SANTA FE GIS MAPPING SYSTEM. FIELD VERIFY AS NECESSARY.

LINE TABLE		
L1	N87°58'23"E	49.58'
L2	S88°28'42"W	21.33'
L3	N88°41'38"W	29.62'
L4	S10°19'37"W	1.40'
L5		
L6	N88°43'31"E	6.14'
L7	N87°33'55"W	17.36'
L8	N86°37'41"W	15.83'
L9	N00°22'51"E	1.08'
L10	S87°10'15"E	22.56'
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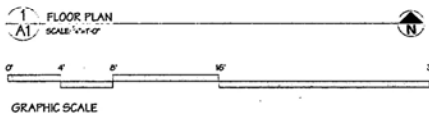
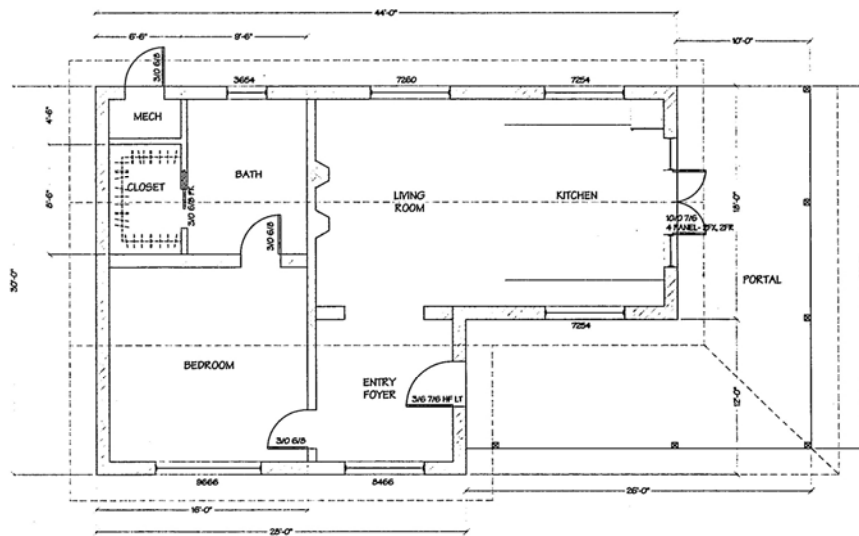
1 PROPOSED SITE PLAN  
SCALE: 1"=20'-0"



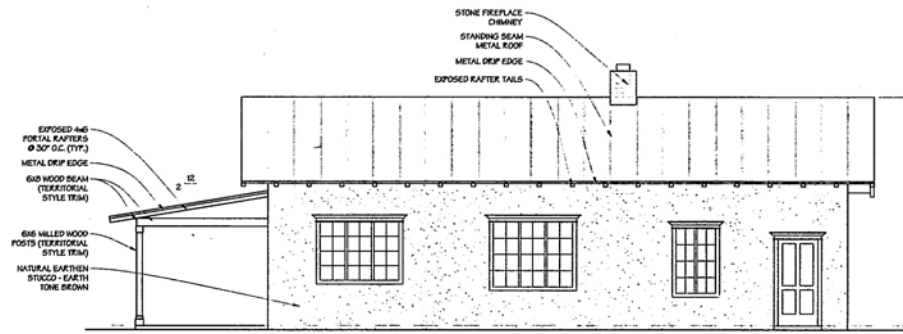
2 NORTH ELEVATION - COYOTE FENCING  
SCALE: 1/4"=1'-0"

27 7-31-15

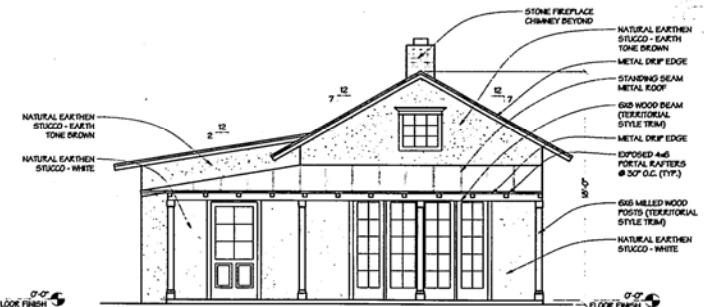
LIGHTFOOT.  
 High Performance Natural Building and Design  
 PORTAGO RESIDENCE  
 449 CAMINO MONTE VISTA, SANTA FE, NEW MEXICO  
 MARCH 26th, 2019  
 COVER SHEET & SITE PLAN  
 S1



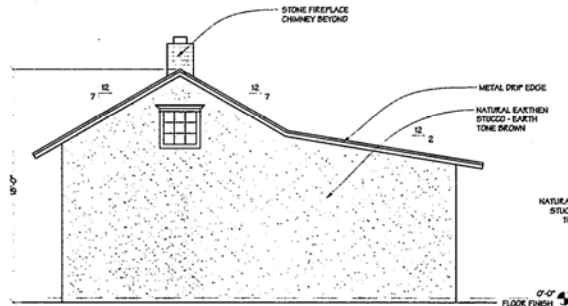
2T 3-30-15



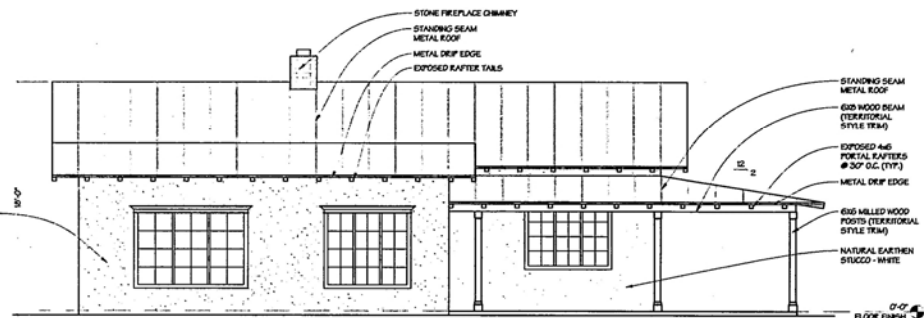
3 NORTH ELEVATION  
SCALE: 1/8" = 1'-0"



1 EAST ELEVATION  
SCALE: 1/8" = 1'-0"



4 WEST ELEVATION  
SCALE: 1/8" = 1'-0"



2 SOUTH ELEVATION  
SCALE: 1/8" = 1'-0"

Proposed

27-3-30-15



# Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

<b>To Be Completed By Applicant:</b>		Site Address:
Date Submitted: 3/30/15	449 Camino Monte Vista	
Property Owner of Record: Theodora Portago	Proposed Construction Description:	
Applicant/Agent Name: Scott Cherry Lightfoot Inc.	Remove Existing Residence & Build New	
Contact Person Phone Number: (505) 577-9546	TOTAL ROOF AREA: 1900 SF	
Zoning District: RC-5	Lot Coverage: 5 %	
Overlay: <input type="checkbox"/> Escarpment <input type="checkbox"/> Flood Zone* <input type="checkbox"/> Other: _____	<input type="checkbox"/> Open Space Required: _____	
Submittals Reviewed with PZR:	Setbacks:	
<input checked="" type="checkbox"/> Legal Lot of Record <input type="checkbox"/> Development Plan <input type="checkbox"/> Building Plans <input checked="" type="checkbox"/> Existing Site Plan <input checked="" type="checkbox"/> Proposed Site Plan <input checked="" type="checkbox"/> Elevations	Proposed Front: _____ Minimum: _____ 2 <sup>nd</sup> Front? _____	
Supplemental Zoning Submittals Required for Building Permit:	Proposed Rear: _____ Minimum: _____ Proposed Sides: L _____ R _____ Minimum: _____	
<input type="checkbox"/> Zero Lot Line Affidavit	Height: Proposed _____ Maximum Height: _____ or <input type="checkbox"/> Regulated by Historic Districts Ordinance <input type="checkbox"/> Regulated by Escarpment District	
Access and Visibility: <input type="checkbox"/> Arterial or Collector** <input type="checkbox"/> Visibility Triangle Required	Parking Spaces:	
Use of Structure: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial Type of Use: _____	Proposed _____ Accessible _____ Minimum: _____	
Terrain: <input type="checkbox"/> 30% slopes _____	Bicycle Parking**:	
* Requires an additional review conducted by Technical Review Division. ** Requires an additional review conducted by the Traffic Engineering Division.	Proposed: _____ Minimum: _____ ** Commercial Requirement	

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

R. L. Scott Cherry [  OWNER  APPLICANT  AGENT ]  
PRINT NAME

hereby certifies that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

SIGNATURE [Signature] DATE 3/30/15

<b>To Be Completed By City Staff:</b>	
<b>Additional Agency Review if Applicable:</b>	
<input type="checkbox"/> Escarpment Approval by _____ Date: ___/___/___	
<input type="checkbox"/> Flood Plain Approval by _____ Date: ___/___/___	
<input type="checkbox"/> Traffic Engineering Approval by _____ Date: ___/___/___	
Notes: _____	
<b>Zoning Approval:</b>	
<input checked="" type="checkbox"/> Preliminary Approval <input type="checkbox"/> with conditions <input type="checkbox"/> Rejected	
Comments/Conditions: _____	
REVIEWER: <u>Zach Thomas</u>	DATE: <u>3/30/15</u>

# City of Santa Fe, New Mexico

# memo

DATE: October 28, 2014  
TO: Historic Districts Review Board Members  
FROM: David Rasch, Supervising Planner in Historic Preservation DR

CASE # H-11-081

ADDRESS: 449 Camino Monte Vista  
Historic Status: Contributing  
Historic District: Downtown & Eastside

## REFERENCE ATTACHMENTS (Sequentially):

### CITY SUBMITTALS

- Case Synopsis
- District Standards & Yard wall & fence standards.
- Historic Inventory Form
- Zoning Review Sheet
- Other: bldg. official rpt.  
bldg. ht. calc.

### APPLICANT SUBMITTALS

- Proposal Letter
- Vicinity Map
- Site Plan/Floor Plan
- Elevations
- Photographs
- Other: exception responses

## STAFF RECOMMENDATION:

Staff recommends approval of the exception request to construct a pitched roof and recommends approval of this application which complies with Section 14-5.2(D)(9) General Design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

## **BACKGROUND & SUMMARY:**

449 Camino Monte Vista is a single-family residence that was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The original southeast corner was infilled, one bay of the garage was infilled on the south elevation, and a non-historic portal was constructed. The structure is listed as non-contributing to the Downtown & Eastside Historic District.

The applicant proposes to remodel the property with the following three items.

1. The non-contributing structure will be demolished. The building is not historically important, it does not represent a unique block section, and the building official cites structural and code compliance issues.

2. A 1,568 square foot residential structure will be constructed to the maximum allowable height of 18'. It is designed in the northern New Mexico Territorial Revival style with a pitched roof. The building will feature a standing-seam metal roof, portals with square posts, Territorial cornices above windows and doors, and an earthen plaster finish on walls. While there are pitched roof structures in the streetscape, the code requirement of 50% is not met. Therefore, an exception is requested to construct a pitched roof (Section 14-5.2(D)(9)(d)) and the required exception responses are at the end of this report.

3. A yardwall will be constructed at the northwest corner to the maximum allowable height of 8'.

### **EXCEPTION TO CONSTRUCT A PITCHED ROOF (14-5.2(D)(9)(d))**

(i) Do not damage the character of the streetscape;

Five other pitched roof structures already exist within the streetscape and the proposed pitched roof is in keeping with those and others historically built in the area and, therefore, does not damage the streetscape.

Staff response: Staff agrees with this statement.

(ii) Prevent a hardship to the applicant or an injury to the public welfare;

The owner requires a natural healthy home, and the materials needed to construct the home require the protection of a pitched roof in order to preserve their integrity.

Staff response: Staff agrees with this statement.

(iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that the residents can continue to reside within the Historic Districts;

---

We believe that a pitched roof, territorial-style structure of Light Straw-Clay and natural earth stucco would strengthen the unique heterogeneous character of the City and the neighborhood in particular. The genuine authenticity of the material would enhance the range of design options in a beneficial way while respecting the historic character of the area.

Staff response: Staff agrees with this statement.

(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;

The pitched roof will protect the integrity of the straw-clay and earth stucco, the building materials to be used for health and environmental reasons.

Staff response: Staff agrees with this statement.

(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant;

Current historic code prevents us from building a structure with a pitched roof that is necessary to meet the health and welfare requirements of the owner.

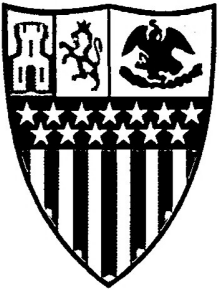
Staff response: Staff agrees with this statement.

(vi) Provide the least negative impact with respect to the purpose of this section as set forth in section 14-5.2(A)(1).

We have chosen a roof design that provides the least negative impact and modified it to the style that best embodies and represents the unique character of Santa Fe architectural vernacular to benefit the neighborhood, while simultaneously allowing the owner to meet her health and welfare requirements.

Staff response: Staff agrees with this statement.

---



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

*Javier M. Gonzales, Mayor*

Councilors:

Patti J. Bushee, Dist. 1

Signe I. Lindell, Dist. 1

Peter N. Ives, Dist. 2

Joseph M. Maestas, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Ronald S. Trujillo, Dist. 4

Bill Dimas, Dist. 4

April 2, 2015

David Rasch,  
Historic Preservation

Re: 449 Camino Monte Vista

On April 1, 2015, I conducted an inspection of an existing single family dwelling at the above referenced address. The structure is approximately 1565 square feet; the heated area is 935 square feet, the garage is 280 square feet and the portal is 350 square feet. The residence is constructed of concrete block with wood roof framing.

My inspection was a visual observation only and it appears that the structure was constructed in the early 1950's. The structure does not conform to energy codes or standards as the windows are single pane and no insulation on the exterior walls. There are some signs of structural problems with the portal supports that are rotting at the bottom and the condition of the roof is poor and in disrepair. The building does not comply with the current electrical codes as it has a fifty amp service. The grading on the site is graded toward the foundation of the structure and does not comply with building code requirements.

Sincerely,

Bobby Padilla,  
Building Inspector Supervisor  
Inspection & Enforcement Division  
Land Use Department

## Proposal Letter

Owner is seeking approval to remove the existing structure at 449 Camino Monte Vista and replace it with a new straw-clay structure.

### 1. Demolition

Owner is proposing to remove the existing structure. The structure was built sometime between 1949 and 1953, with several significant alterations occurring after 1972. On October 28th, 2014, during a status review, the Historic Districts Review Board designated the structure as non-contributing.

### 2. New Construction

Owner is proposing to replace the existing structure with a new straw-clay, pitched roof structure.

### 3. Square Footage

The new structure is proposed to be approximately one thousand one hundred twenty-eight (1,128) heated square feet. The portal area is proposed to be approximately four hundred forty (440) square feet.

### 4. Height and Other Dimensions

A height of eighteen (18) feet is proposed, which is the maximum allowable building height calculated for the property. *(See, Exhibit 1, Lisa Roach's 12/15/14 Email to Joseph Karnes, and, Exhibit 2, 449 Camino Monte Vista Max Building Height.)*

The structure is proposed to be fifty-four (54) feet, as viewed from the south and west facades, by thirty (30) feet, as viewed from the east and north facades. The portal area is included in these dimensions.

### 5. Materials, Colors and Finishes

Owner is proposing that the structure be built out of straw-clay with natural earth stucco and a metal colored grey standing seam roof. White lime stucco is proposed for the areas under the portal. The portal posts are proposed to be territorial in style and painted white; the roof rafters, beams and decking are also

proposed to be painted white. The flooring of the portal is proposed to be brick and the owner is proposing a natural stone chimney.

6. Windows and Doors

Owner is proposing french and half french doors; and casement windows are proposed. The windows and doors are proposed to be white metal clad wood with territorial-style white wood trim.

7. Fence  
Owner is requesting to build an 8' regular latilla fence along the northwest side of the property where the max allowable height is 8'. Thank you! 😊  
Thank you for your consideration of the above.

## Exception Request

Owner is requesting an exception for a pitched roof. It is believed that this request for an exception complies with all the criteria listed as follows:

**(i) Do not damage the character of the streetscape;**

Three other pitched roof structures already exist within the streetscape and the proposed pitched roof is in keeping with those and others historically built in the area and, therefore, does not damage the streetscape.

**(ii) Prevent a hardship to the applicant or an injury to the public welfare;**

The owner requires a natural healthy home, and the materials needed to construct the home require the protection of a pitched roof in order to preserve their integrity.

**(iii) Strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that the residents can continue to reside within the Historic Districts;**

We believe that a pitched roof, territorial-style structure of Light Straw-Clay and natural earth stucco would strengthen the unique heterogeneous character of the City and the neighborhood in particular. The genuine authenticity of the material would enhance the range of design options in a beneficial way while respecting the historic character of the area.

**(iv) Are due to special conditions and circumstances which are peculiar to the land or structure involved and which are not applicable to other lands or structures in the related streetscape;**

The pitched roof will protect the integrity of the straw-clay and earth stucco, the building materials to be used for health and environmental reasons.

**(v) Are due to special conditions and circumstances which are not a result of the actions of the applicant; and**

Current historic code prevents us from building a structure with a pitched roof that is necessary to meet the health and welfare requirements of the owner.

- (vi) Provide the least negative impact with respect to the purpose of this section as set forth in section 14-5.2(A)(1).**

We have chosen a roof design that provides the least negative impact, and modified it to the style that best embodies and represents the unique character of Santa Fe architectural vernacular to benefit the neighborhood, while simultaneously allowing the owner to meet her health and welfare requirements.

Thank you for your consideration of the above.

Hi, Joseph –

I have been revisiting the height calculation for 449 Camino Monte Vista, as you requested. I appreciate your pointing out to me that the lot is at a Y-intersection rather than just on the corner and directing me to the section of the code that describes exclusions. I recalculated a maximum height of 18 feet, with the following changes: 1) extended the applicable streetscape 300 ft down Camino Atalaya, and 2) excluded obvious out-buildings. I did not exclude the two structures you indicated to me were “multi-unit” because I interpret the intention of that clause to mean large apartment complexes rather than duplexes or single family homes that have been converted to house 2 or 3 units. Since it is impractical to drive out to examine each streetscape when doing a height calculation, we have to rely on our interpretations based upon the building footprints in the official map. In looking at the two footprints you pointed out were “multi-unit”, it did not seem likely to me that these were built as multi-unit complexes, and so I did not exclude them. It’s not a perfect system, but in the interest of equal treatment, I went with this methodology. I hope that the extra foot of height will allow your client to build to their satisfaction.

Let me know if you’d like to discuss further.

**Lisa G. Roach**

Senior Planner – Historic Preservation

City of Santa Fe

P.O. Box 909

200 Lincoln Ave.

Santa Fe, NM 87504-0909

Direct Line: 505-955-6660

Email: [lgroach@santafenm.gov](mailto:lgroach@santafenm.gov)

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This message has been scanned for viruses and dangerous content by **MailScanner**, and is believed to be clean.

# SOMMER KARNES & ASSOCIATES LLP

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**Mailing Address**

Post Office Box 2476  
Santa Fe, New Mexico 87504-2476

**Street Address**

200 West Marcy Street, Suite 133  
Santa Fe, New Mexico 87501

Telephone: (505) 989.3800  
Facsimile: (505) 982.1745

March 31, 2015

Karl H. Sommer, Attorney at Law  
khs@sommer-assoc.com  
Joseph M. Karnes, Attorney at Law  
jmk@sommer-assoc.com

Mychal L. Delgado, Certified Paralegal  
mld@sommer-assoc.com

---

James R. Hawley, Attorney at Law  
Of Counsel  
Licensed in New Mexico and California  
jrh@sommer-assoc.com

VIA HAND DELIVERY

David Rasch  
City of Santa Fe Historic Preservation  
200 Lincoln Ave.  
Santa Fe, NM 87501

Re: 449 Monte Vista, Santa Fe, New Mexico

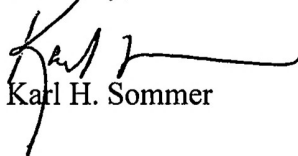
Dear David:

In accordance with our conversation last week, please find enclosed the Application (and all attachments) on behalf of Theodora Portago for an exception to the standards related to pitched roofs in Downtown Eastside Historic Standards.

I am also enclosing the e-mail establishing the allowable height received from your office. I provide this for your reference.

Please confirm that the application is complete and that nothing more is required.

Sincerely,

  
Karl H. Sommer



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

*Javier M. Gonzales, Mayor*

**Councilors:**

Peter N. Ives, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Signe I. Lindell, Dist. 1

Joseph M. Maestas, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Ronald S. Trujillo, Dist. 4

Bill Dimas, Dist. 4

Project description: Proposal to construct a 6' high coyote fence along the west lot line of a contributing residential property.

Case number: H-11-081

Project Type: HDRB

**PROJECT LOCATION (S):** 449 Camino Monte Vista

**PROJECT NAMES:**

OW – Theodora Portago  
Santa Fe, NM 87501

449 Camino Monte Vista

AP – Sommer, Karnes & Associates, LLP  
Santa Fe, NM 87504-2476

P.O. Box 2476  
505-989-3800

**BOARD ACTION**

This is to certify that the Historic Districts Review Board (HDRB) acted on your request at their hearing on July 22, 2014. The decision of the Board was to approve your application with the recommendation that the coyote fence latillas shall be spaced and tapered in a similar manner to the fence at the Water History Park and Museum on Upper Canyon Road, for which staff can provide a photo for design assistance. For further information please call 955-6605.

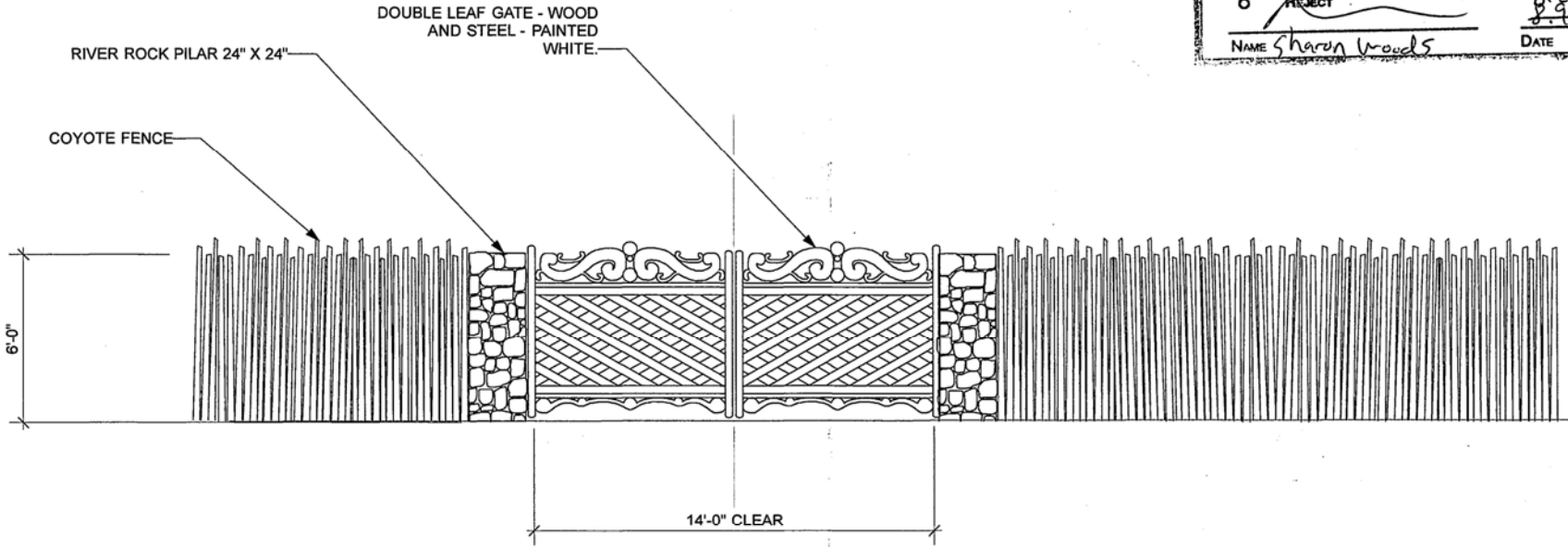
Sincerely,

David Rasch  
Planner Supervisor, Preservation Division

**NOTE:** Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerk's office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. Please attach copies of this letter to all sets when submitting for construction permits.

**- PLANNING & LAND USE -**

<input checked="" type="checkbox"/>	HISTORIC DESIGN REVIEW	REMARKS: <i>See action letter</i>
<input type="checkbox"/>	LANDSCAPE REVIEW	
<input type="checkbox"/>	ESCARPMENT ARCH. REVIEW	
<input type="checkbox"/>	APPROVAL	
<input checked="" type="checkbox"/>	CONDITIONAL APPROVAL	<i>8.23.11</i>
<input type="checkbox"/>	REJECT	<i>8.9.11</i>
NAME <i>Sharon Woods</i>		DATE



GATE AND FENCE ELEVATION

1/4" = 1' - 0"

**Spears Architects**

**DE PORTAGO FENCE REPLACEMENT**  
JUNE 8, 2011

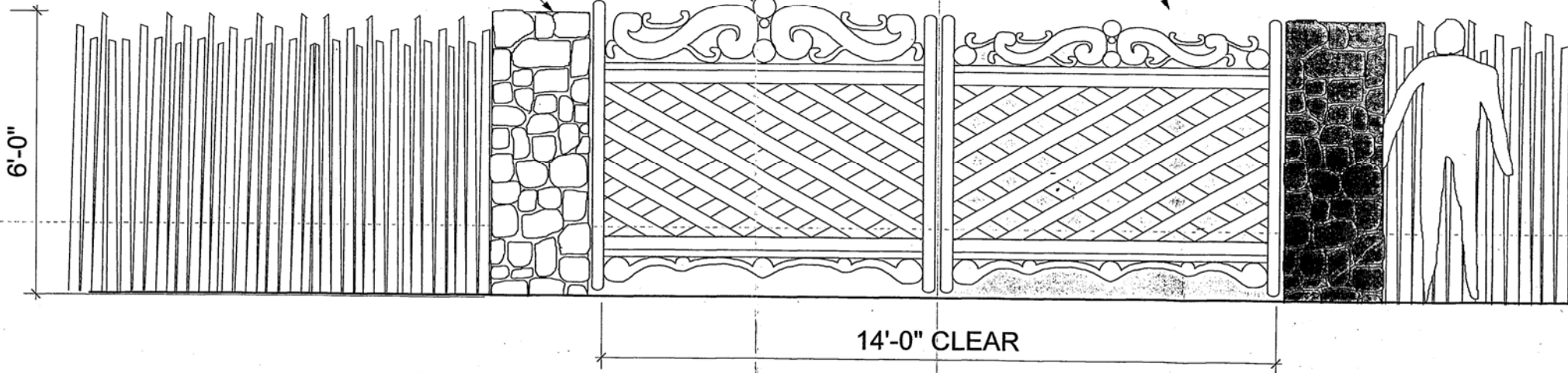
RIVER ROCK  
PILAR 24" X  
24"

OLD DESIGN

NEW DESIGN  
DOUBLE LEAF  
GATE - WOOD  
AND STEEL -  
PAINTED  
WHITE.

- PLANNING & LAND USE -	
<input checked="" type="checkbox"/> HISTORIC DESIGN REVIEW	REMARKS <i>withdrawn applicant</i>
<input type="checkbox"/> LANDSCAPE REVIEW	
<input type="checkbox"/> ESCARPMENT ARCH. REVIEW	
<input type="checkbox"/> APPROVAL	
<input type="checkbox"/> CONDITIONAL APPROVAL	
<input type="checkbox"/> REJECT	
NAME <i>Sharon Woods</i>	DATE <i>9.27.11</i>

COYOTE  
FENCE



**Spears Architects**

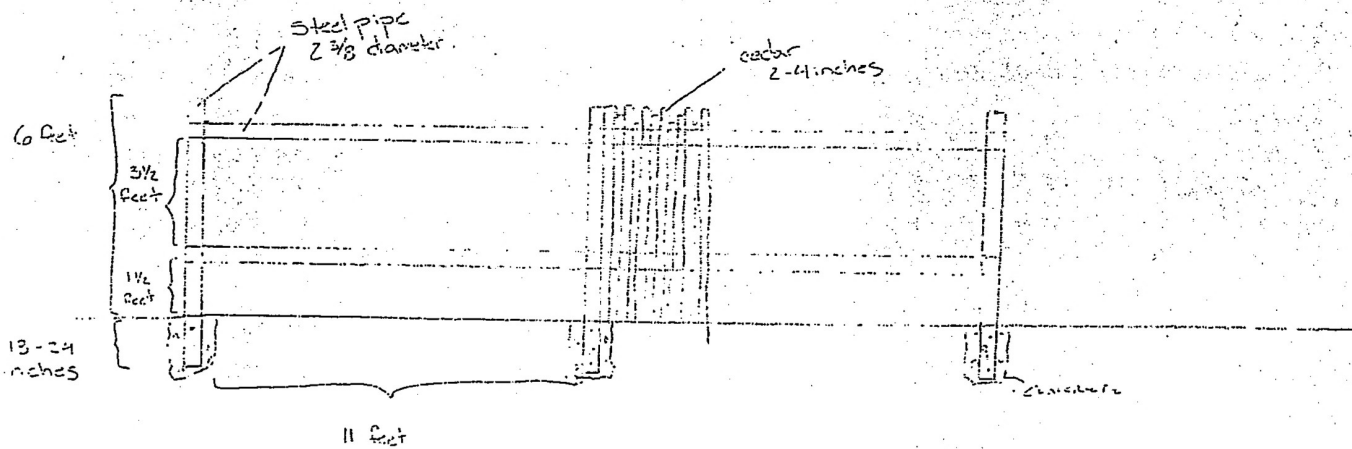
**PORTAGO GATE**

SEPTEMBER 7, 2011

1/2" = 1' - 0"

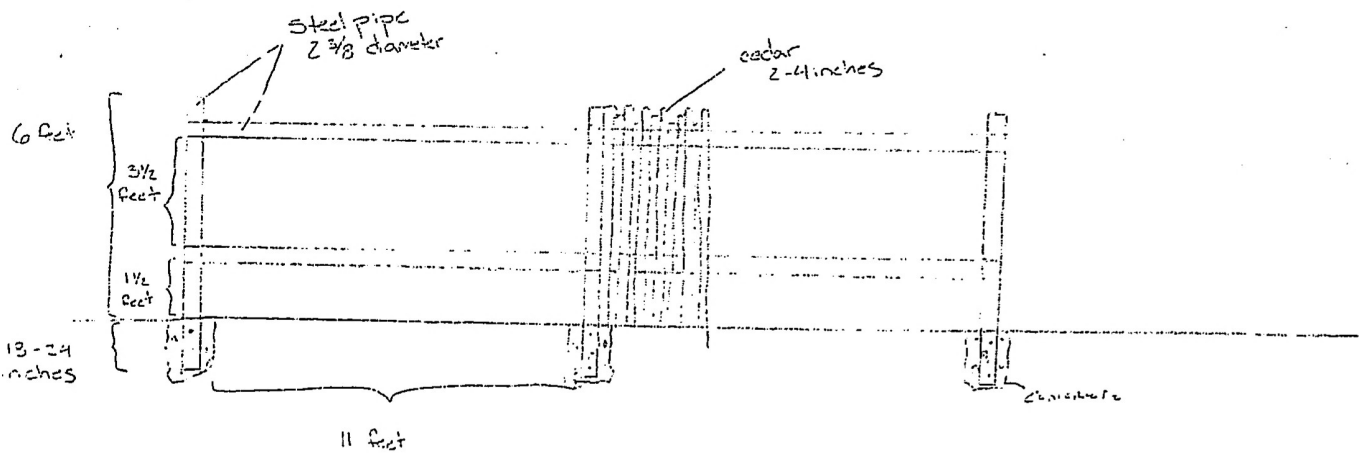
HISTORIC PRESERVATION & LAND USE	
<input checked="" type="radio"/> HISTORIC DISTRICTS REVIEW	REMARKS: See action Postponed 7.22.14 5.13.14
<input type="radio"/> APPROVAL	
<input type="radio"/> CONDITIONAL APPROVAL	
<input type="radio"/> REJECT	
NAME <u>Sharon Woods</u>	

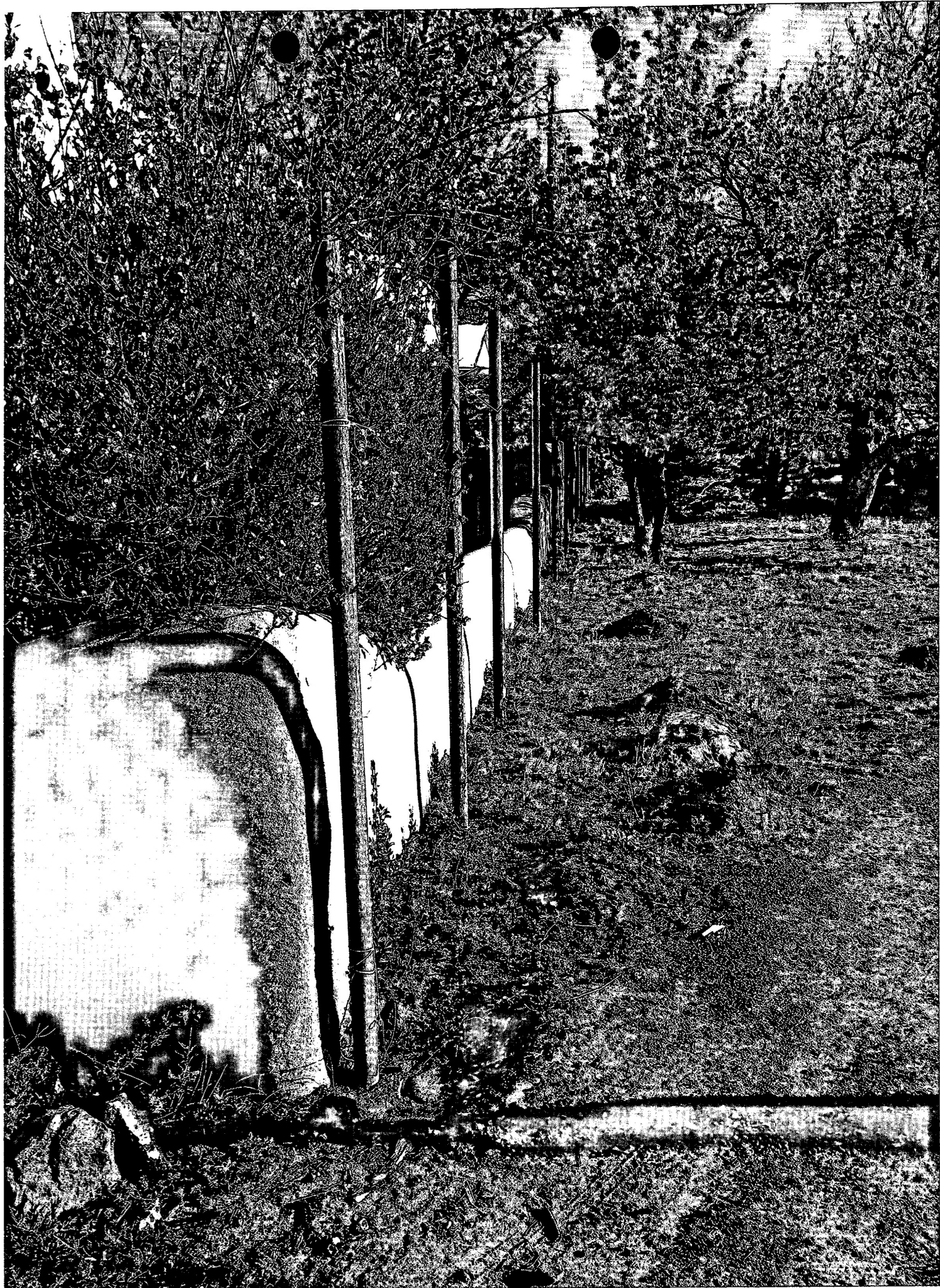
LANDUSE / HISTORIC DIV.	
<input type="radio"/> Historic Design Review	REMARKS:
<input type="radio"/> Administrative Approval	
<input checked="" type="radio"/> Approval	
<input type="radio"/> Conditional Approval	
<input type="radio"/> Reject	
NAME <u>[Signature]</u>	DATE <u>5/1/13</u>

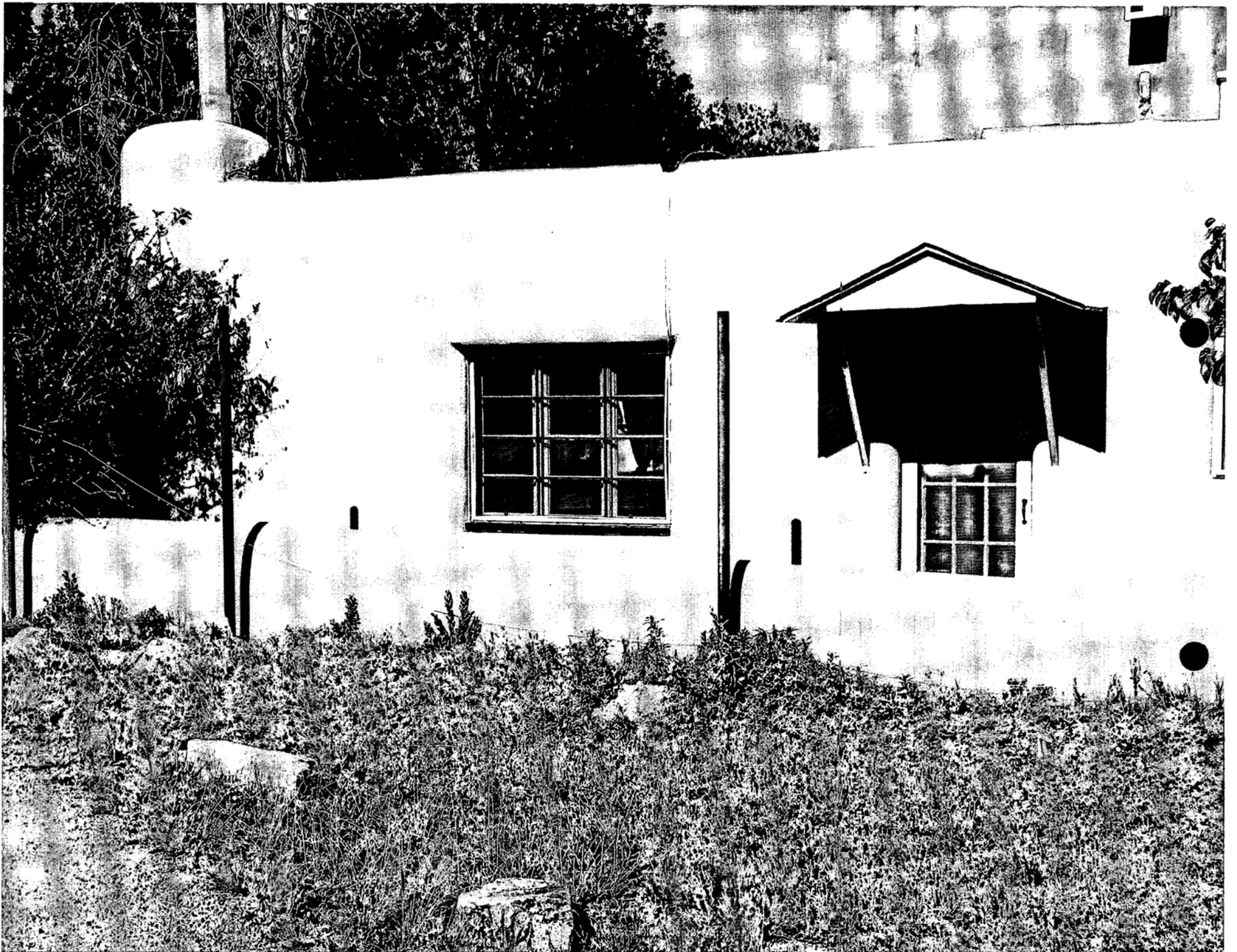




LANDUSE / HISTORIC DIV.	
<input type="checkbox"/> Historic Design Review	Remarks:
<input checked="" type="checkbox"/> Administrative Approval	
<input checked="" type="checkbox"/> Approval	
<input type="checkbox"/> Conditional Approval	
<input type="checkbox"/> Reject	
NAME <i>[Signature]</i>	DATE <u>5/1/13</u>

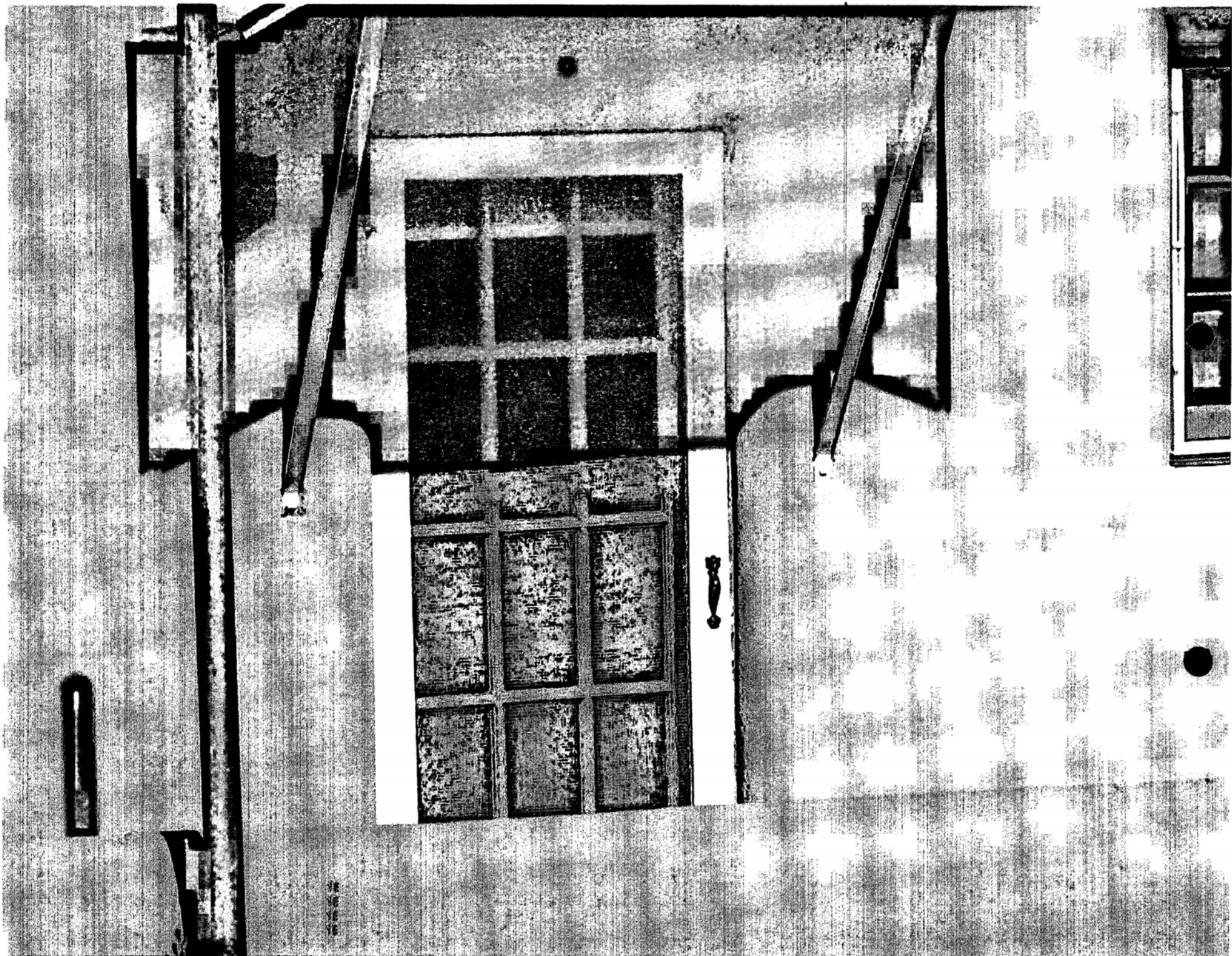












## Attachment 1

### Photograph 1

On Camino Monte Vista looking west toward Old Santa Fe Trail. Units 441 through 447 ½ Camino Monte Vista are on the north side (right), and 448 Camino Monte Vista is on the south side (left).

### Photograph 2

On Camino Monte Vista looking west toward Old Santa Fe Trail. 448 Camino Monte Vista is on the south side (left).

### Photograph 3

On Camino Monte Vista looking east. Units 447 and 447 ½ Camino Monte Vista are on the north side (left), and 448 Camino Monte Vista is on the south side (right).

### Photograph 4

On Camino Monte Vista looking east. Units 441 through 447 ½ Camino Monte Vista are on the north side (left).

### Photograph 5

On Camino Monte Vista looking west at Unit 447 ½ showing the fence posts where fence construction is proposed at 449 Camino Monte Vista.



Photograph 4  
On Camino Monte Vista looking east. Units 441 through 447 1/2 Camino Monte Vista are on the north side (left).



Photograph 3  
On Camino Monte Vista looking east. Units 447 and 447 1/2 Camino Monte Vista are on the north side (left), and 448 Camino Monte Vista is on the south side (right).



Photograph 2  
On Camino Monte Vista looking west toward Old Santa Fe Trail.  
4478 Camino Monte Vista is on the south side (left).

Photograph 1  
On Camino Monte Vista looking west toward Old Santa Fe Trail. Units 441 through 447 1/2  
Camino Monte Vista are on the north side (right), and Camino Monte Vista is on  
the south side (left).





Photograph 5  
On Camino Monte Vista looking west at Unit 447½ showing the fence posts where  
fence construction is proposed at 449 Camino Monte Vista.



# Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

<b>To Be Completed By Applicant:</b>		Site Address:
Date Submitted: 5/6/14	Property Owner of Record: TAECDORA PORTAGA	449 CAMINO MONTE VISTA
Applicant/Agent Name: KARL H. SOMMER	Contact Person Phone Number: 505 989-3800	Proposed Construction Description: FENCE
Zoning District: H-R-5		TOTAL ROOF AREA:
Overlay: <input type="checkbox"/> Escarpment <input type="checkbox"/> Flood Zone* <input type="checkbox"/> Other: _____	Submittals Reviewed with PZR: <input type="checkbox"/> Legal Lot of Record <input type="checkbox"/> Development Plan <input type="checkbox"/> Building Plans <input type="checkbox"/> Existing Site Plan <input type="checkbox"/> Proposed Site Plan <input type="checkbox"/> Elevations	Lot Coverage: _____ % <input type="checkbox"/> Open Space Required: _____
Supplemental Zoning Submittals Required for Building Permit: <input type="checkbox"/> Zero Lot Line Affidavit	Access and Visibility: <input type="checkbox"/> Arterial or Collector** <input type="checkbox"/> Visibility Triangle Required	Setbacks: Proposed Front: _____ Minimum: _____ 2 <sup>nd</sup> Front? _____ Proposed Rear: _____ Minimum: _____ Proposed Sides: L _____ R _____ Minimum: _____
Use of Structure: <input type="checkbox"/> Residential <input type="checkbox"/> Commercial Type of Use: _____	Terrain: <input type="checkbox"/> 30% slopes _____	Height: Proposed _____ Maximum Height: _____ or <input type="checkbox"/> Regulated by Historic Districts Ordinance <input type="checkbox"/> Regulated by Escarpment District
* Requires an additional review conducted by Technical Review Division. ** Requires an additional review conducted by the Traffic Engineering Division.		Parking Spaces: Proposed _____ Accessible _____ Minimum: _____
		Bicycle Parking**: Proposed: _____ Minimum: _____ ** Commercial Requirement

THIS REVIEW DOES NOT GRANT ZONING APPROVAL FOR BUILDING PERMIT. FINAL ZONING REVIEW WILL BE PERFORMED AT THE TIME OF BUILDING PERMIT APPLICATION.

KARL H. SOMMER  
PRINT NAME

OWNER  APPLICANT  AGENT

hereby certifies that the information provided for preliminary zoning review is accurate and will not be modified without consulting Land Use Department staff prior to submittal for Historic Districts Review Board review.

*[Signature]*  
SIGNATURE

5/6/14  
DATE

<b>To Be Completed By City Staff:</b>
<b>Additional Agency Review if Applicable:</b>
<input type="checkbox"/> Escarpment Approval by _____ Date: ___/___/___
<input type="checkbox"/> Flood Plain Approval by _____ Date: ___/___/___
<input type="checkbox"/> Traffic Engineering Approval by _____ Date: ___/___/___
Notes: _____
<b>Zoning Approval:</b>
<input checked="" type="checkbox"/> Preliminary Approval <input type="checkbox"/> with conditions <input type="checkbox"/> Rejected
Comments/Conditions: Site inspection made by Robert Montoya 5/5/14 6' high fence wall will be allowed.
REVIEWER: <i>[Signature]</i> DATE: ___/___/___

# City of Santa Fe, New Mexico

# memo

DATE: July 22, 2014  
TO: Historic Districts Review Board Members  
FROM: David Rasch, Supervising Planner in Historic Preservation DR

CASE # H-11-081

ADDRESS: 449 Camino Monte Vista  
Historic Status: Contributing  
Historic District: Downtown & Eastside

## REFERENCE ATTACHMENTS (Sequentially):

### CITY SUBMITTALS

- Case Synopsis
- District Standards & Yard wall & fence standards.
- Historic Inventory Form
- Zoning Review Sheet
- Other: letter from neighbor

### APPLICANT SUBMITTALS

- Proposal Letter
- Vicinity Map
- Site Plan/Floor Plan
- Elevations
- Photographs
- Other:

## STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

**BACKGROUND & SUMMARY:**

449 Camino Monte Vista is a single family residence was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The structure is listed as contributing to the Downtown & Eastside Historic District.

The applicant proposes to construct a 6' high coyote fence along the west lotline beside a stuccoed retaining wall. The fence will have irregular latilla tops.

---

# SOMMER, KARNES & ASSOCIATES, LLP

---

**Mailing Address**

Post Office Box 2476  
Santa Fe, New Mexico 87504-2476

**Street Address**

200 West Marcy Street, Suite 139  
Santa Fe, New Mexico 87501

Telephone:(505)989.3800

Facsimile:(505)982.1745

Karl H. Sommer, Attorney at Law  
khs@sommer-assoc.com

Joseph M. Karnes, Attorney at Law  
jmk@sommer-assoc.com

Mychal L. Delgado, Certified Paralegal  
mld@sommer-assoc.com

---

James R. Hawley, Attorney at Law  
jrh@sommer-assoc.com  
Of Counsel  
Licensed in New Mexico and California

April 9, 2014

VIA HAND DELIVERY

David Rasch  
Historic Design Review Board Staff  
P. O. Box 909  
Santa Fe, New Mexico 87504

**Re: Administrative Approval of Amendment**

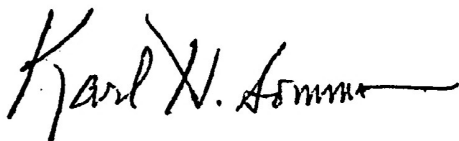
Property Address: 449 Camino Monte Vista  
Owner: Theodora Portago  
Property Legal: Lot 6, Blk 127  
Existing Permit: 13-00000778

Dear David:

By this letter, we request the Board approval for a six-foot fence on the referenced property, which property has already received approval for a fence along the east boundary of the property. Our client requests that the Board allow the fence along with south and west sides at 6' as approved by the HDRB along the east side of the property. Enclosed are the site plan and the elevations.

We look forward to hearing from you.

Sincerely,



Karl H. Sommer

To: Historical Districts Review Board

200 Lincoln Avenue, Santa Fe, NM87501

From: Anne and James Thomson

447 ½ Camino Monte Vista, Santa Fe, NM87505

**Reference:** Application No. 13-00000778; dated 05/29/13 and subsequent fence construction on the west side of 449 Camino Monte Vista; Notice to stop work: dated 03/25/14.

Dated: 04/17/14

Dear HDRB, please see below a copy of the contents of a letter to David Rasch, Planning Supervisor, dated 04/17/14 ...

"David, we are following up on the e-mails and informal meeting with you on 04/03/14 regarding application no. 13-00000778. The intent of this letter is to make formal our position in regard to the non-permitted fence construction (and subsequent red tag) on the west side of 449 Camino Monte Vista.

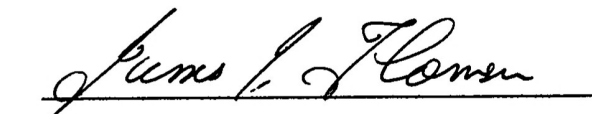
Our objections remain the same and we wish to make formal our position as stated in the e-mail to you, dated 04/02/14 ... We have already stated that we have no wish to object to the existing permit # 13-00000778; replacing the chain link fence on the south and east side of the said property. We are however objecting to a six (6) feet high fence being built on the west side (on the boundary between, 449 and 447 ½ Camino Monte Vista). We reiterate our proposal that we would have no objection to the construction of a coyote fence no higher than four (4) feet in height (as measured from the grade level of 447 ½ Camino Monte Vista).


We feel that the negative impact of a six feet high fence leaves us little choice but to object in the strongest terms to its continued construction. We will therefor appeal any decision that permits a fence higher than the four feet that we have proposed.

We further request that the six feet posts which are in place at this time (unpermitted), either be removed or cut down to match our proposal of four feet in height (as measured from our grade level).

We would appreciate a response to our proposal and would invite you or one of your colleagues to visit our home to see (in person) the negative impact of a six feet high coyote fence".

Yours sincerely,

  
James Thomson

  
Anne Thomson

June 17, 2014

Eric M. Cole  
439 ½ Camino Monte Vista  
Santa Fe, NM 87505

Mr. David Rasch, Supervising Planner  
Historic Preservation Division  
P.O. Box 909  
Santa Fe, NM 87504-0909  
E-Mail: [darasch@santafenm.gov](mailto:darasch@santafenm.gov)

Subject: Comments on Proposed Fence Construction at 449 Camino Monte Vista/460 Camino de Las Animas

Dear Mr. Rasch:

I reside at 439 ½ Camino Monte Vista and have done so for over 17 years. I was born in the Santa Fe/Los Alamos area and have resided in Santa Fe as a renter or homeowner continuously since 1973, during which time I lived predominately on the eastside of Santa Fe. For my entire life, I have had a great appreciation for the historic nature of the Santa Fe area, and it's the primary reason I live in Santa Fe, so much so that I commuted outside of Santa Fe on a daily basis for 37 years.

It has come to my attention that a coyote fence is proposed to be constructed along the property at 449 Camino Monte Vista/460 Camino de Las Animas. It is my understanding that the fence is intended to be six feet in height. I believe that a solid, uninterrupted, six-foot coyote fence would not be conducive to promoting the general welfare of the property and not in keeping with the historic character of the neighborhood. In addition, it is not harmonious with the historic layout of the neighborhood. I would like to submit the following comments, and I respectfully request the consideration of the Historic Districts Review Board.

Over the years, Camino Monte Vista has developed a historic character that consists of a mixture of walls of different heights, ranging from low walls interspersed with some intermediate and higher walls. Generally, there is not an extensive span along the street that is not broken up by low walls, vegetation, or access openings to properties. There is a common theme throughout the area which provides the historic sense of the neighborhood, which I would hope to see maintained. I believe that an uninterrupted six-foot-high coyote fence is not in keeping with the historic character of the area, is not conducive to promoting the general welfare of the property, and is not harmonious with the historic layout of the neighborhood. The extensive continuous fence is incompatible with the nature and general welfare of the area from a historic perspective.

I believe that the fence is not in the best interest of the area. However, if the fence construction is to proceed, then in order to provide a sense of compatibility with the rest of the Camino Monte Vista neighborhood and to protect the historic value of the property, I respectfully request that the fence be variable in height, and I respectfully request that the coyote fence have the supporting posts and

bracing facing inward toward the 449 property and that the latillas be variable in height, not squared off at the top.

In addition, if the fence is constructed at the six-foot height, the property at 447 ½ will be significantly impacted in that the view, air flow, light, and potentially the monetary value will be severely compromised. While I recognize that this is not a historic issue, I would appreciate consideration that the fence be no more than 4-feet high at the southwest corner of the 449 property, adjacent to the length of the 447 ½ Camino Monte Vista property, or that some other mutually acceptable design be considered.

I have provided photographs (described in Attachment 1 to this letter) of the neighborhood to show the general openness of the neighborhood as described in the statements above. Unfortunately, the photographs are not of the quality that I would have desired, but hopefully they will give you some idea of the character of the neighborhood.

I thank you for your assistance in this matter, and I thank the Historic Districts Review Board for their consideration of my comments.

Sincerely,



Eric M. Cole  
439 ½ Camino Monte Vista  
Santa Fe, NM 87505  
Telephone: (505) 982-9474

**RASCH, DAVID A.**

---

**From:** Karl H. Sommer <karl@sommer-assoc.com>  
**Sent:** Tuesday, June 17, 2014 10:42 AM  
**To:** RASCH, DAVID A.  
**Cc:** Mychal Delgado  
**Subject:** Confirmation of Application

Dear David:

This will confirm that we are requesting approval of the fence on the western boundary, understanding the east and south boundaries have been approved.

*~ Karl H. Sommer*

Contact information:

200 W. Marcy Street Suite 142  
P. O. Box 2476  
Santa Fe, New Mexico 87504-2476  
Phone: (505) 989-3800  
Fax: (505) 982-1745  
e-mail [karls@sommer-assoc.com](mailto:karls@sommer-assoc.com)

## RASCH, DAVID A.

---

**From:** Eric Cole <ecole7@comcast.net>  
**Sent:** Wednesday, June 18, 2014 7:52 PM  
**To:** RASCH, DAVID A.  
**Cc:** ecole7@comcast.net  
**Subject:** 449 Camino Monte Vista/460 Camino de Las Animas Proposed Fence Construction - Comments to HDRB

Dear Mr. Rasch,

I just wanted to let you know that yesterday I attempted to e-mail written comments to you for the Historic Districts Review Board on the proposed fence construction at 449 Camino Monte Vista/460 Camino de Las Animas. I attached a letter and some supporting photos to the e-mail as well. I received a notice that the e-mail was aborted, which I believe was due to the file size of the attachments (~12MB). So, this morning I gave a hard copy of the letter and the photos to Matt O'Reilly who very kindly and thoroughly explained the process to me. I would appreciate it if you would see that my comments and photos are submitted to the Historic Districts Review Board, and I appreciate any consideration that the Board may have concerning my comments. Thank you for your assistance in this matter.

Also, if it's not too much trouble, I would appreciate it if you could please reply to this e-mail indicating that you have received the package that I delivered this morning. Thanks.

Best regards,

Eric Cole  
439 ½ Camino Monte Vista  
Santa Fe, NM 87505  
Telephone: (505) 982-9474



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

www.santafenm.gov

*Javier M. Gonzales, Mayor*

## Councilors:

Peter N. Ives, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Signe I. Lindell, Dist. 1

Joseph M. Maestas, Dist. 2

Carmichael A. Dominguez, Dist. 3

Christopher M. Rivera, Dist. 3

Ronald S. Trujillo, Dist. 4

Bill Dimas, Dist. 4

Project description: Proposes to construct a 6' high coyote fence along the west lotline of a contributing residential property.

Project Number: 11-110081

Case number: H-11-081

Project Type: HDRB

**PROJECT LOCATION (S): 460 Camino de las Animas & 449 Camino Monte Vista**

## PROJECT NAMES:

OW – Theodora Portago  
Santa Fe, NM 87501

460 Camino de las Animas  
505-920-2928

AP – Karl Sommer  
Santa Fe, NM 87504

200 W. Marcy Street  
505-989-3800

## BOARD ACTION

This is to certify that the Historic Districts Review Board (HDRB) at their hearing on May 13, 2014, the decision of the Board was to postpone your request to the June 10, 2014 hearing pending reconsideration of the proposal. For further information please call 955-6605.

Sincerely,

David Rasch  
Planner Supervisor, Preservation Division

**NOTE:** Applicant can use this action letter to apply for construction permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerks office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. Please attach copies of this letter to all sets when submitting for construction permits.

# City of Santa Fe, New Mexico

# memo

DATE: May 13, 2014  
TO: Historic Districts Review Board Members  
FROM: David Rasch, Supervising Planner in Historic Preservation DR

CASE # H-11-081

ADDRESS: 449 Camino Monte Vista  
Historic Status: Contributing  
Historic District: Downtown & Eastside

## REFERENCE ATTACHMENTS (Sequentially):

### CITY SUBMITTALS

- Case Synopsis
- District Standards & Yard wall & fence standards.
- Historic Inventory Form
- Zoning Review Sheet
- Other: letter from neighbor

### APPLICANT SUBMITTALS

- Proposal Letter
- Vicinity Map
- Site Plan/Floor Plan
- Elevations
- Photographs
- Other:

## STAFF RECOMMENDATION:

Staff recommends approval of this application which complies with Section 14-5.2(D)(9) General design Standards, Height Pitch Scale and Massing and (E) Downtown & Eastside Historic District.

**BACKGROUND & SUMMARY:**

449 Camino Monte Vista is a single family residence was constructed between 1949 and 1953 in the Spanish-Pueblo Revival style. The structure is listed as contributing to the Downtown & Eastside Historic District.

The applicant proposes to construct a 6' high coyote fence along the west lotline beside a stuccoed retaining wall. The fence will have irregular latilla tops.

---

**RASCH, DAVID A.**

---

**From:** ESQUIBEL, DANIEL A.  
**Sent:** Tuesday, May 06, 2014 8:12 AM  
**To:** RASCH, DAVID A. (darasch@ci.santa-fe.nm.us)  
**Subject:** FW: 449 Camino Monte Vista

---

**From:** MONTOYA, ROBERT B.  
**Sent:** Monday, May 05, 2014 1:58 PM  
**To:** ESQUIBEL, DANIEL A.  
**Cc:** [khs@sommer-assoc.com](mailto:khs@sommer-assoc.com)  
**Subject:** 449 Camino Monte Vista

Hi Dan,

I went to 449 Camino Monte Vista, which accesses Camino Monte Vista for a sight distance evaluation. I met with Karl Sommer at the location to do this evaluation.

At the far west of the property, the driveway is right up against the corner of the property. The neighbors to the west, 447 Camino Monte Vista, has a permanent wall structure which is currently blocking the sight distance for 449 Camino Monte Vista. By allowing a 6' fence to go all the way to the road on the west of the property will not make the current sight distance any worse. Because of this, we will allow the property owner to build the 6' fence to the west of the driveway.

I also looked at sight distance to the east of the driveway. Although the proposed wall does not meet section 14-7 of the City code we will still approve placement of the wall. This is because there are only 2 driveway east of the property, and they are both across the street from 449 Camino Monte Vista. Because of this, if a car is exiting 449 Camino Monte Vista, the driver can see both driveways across the street and see if any vehicles are exiting those properties.

In conclusion, 449 Camino Monte Vista can have a 6' fence all around the property without having to lower it for sight distance. If you have any questions please let me know.

Thank you,

\*\*\*\*\*

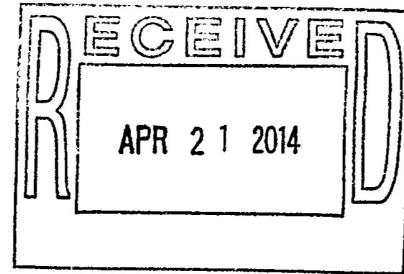
**Robert B. Montoya**  
**Traffic Engineering Division**  
**City of Santa Fe**  
**Phone: (505) 955-6637**  
**Fax: (505) 955-6439**  
**[rbmontoya@ci.santa-fe.nm.us](mailto:rbmontoya@ci.santa-fe.nm.us)**

\*\*\*\*\*

To: David Rasch, Planning Supervisor  
200 Lincoln Avenue, Santa Fe, NM87501

From: Anne and James Thomson

447 ½ Camino Monte Vista, Santa Fe, NM87505



**Reference:** Application No. 13-00000778; dated 05/29/13 and subsequent fence construction on the west side of 449 Camino Monte Vista; Notice to stop work: dated 03/25/14.

Dated: 04/17/14

David, we are following up on the e-mails and informal meeting with you on 04/03/14 regarding application no. 13-00000778. The intent of this letter is to make formal our position in regard to the non-permitted fence construction (and subsequent red tag) on the west side of 449 Camino Monte Vista.


Our objections remain the same and we wish to make formal our position as stated in the e-mail to you, dated 04/02/14 ... We have already stated that we have no wish to object to the existing permit # 13-00000778; replacing the chain link fence on the south and east side of the said property. We are however objecting to a six (6) feet high fence being built on the west side (on the boundary between, 449 and 447 ½ Camino Monte Vista). We reiterate our proposal that we would have no objection to the construction of a coyote fence no higher than four (4) feet in height (as measured from the grade level of 447 ½ Camino Monte Vista).

We feel that the negative impact of a six feet high fence leaves us little choice but to object in the strongest terms to its continued construction. We will therefor appeal any decision that permits a fence higher than the four feet that we have proposed.

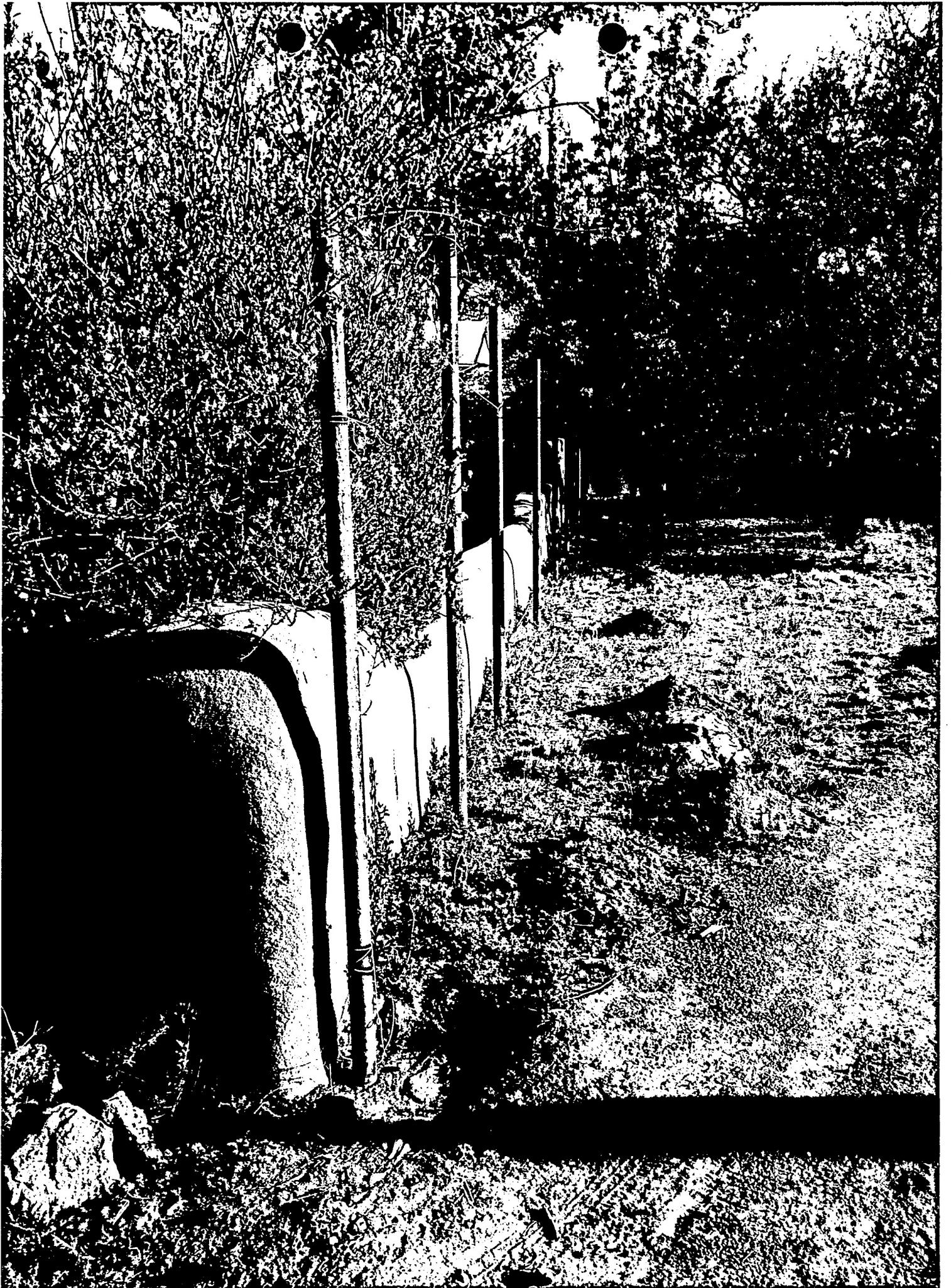
We further request that the six feet posts which are in place at this time (unpermitted), either be removed or cut down to match our proposal of four feet in height (as measured from our grade level).

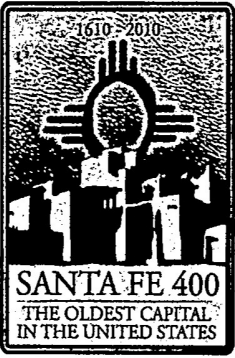
We would appreciate a response to our proposal and would invite you or one of your colleagues to visit our home to see (in person) the negative impact of a six feet high coyote fence.

Yours sincerely,

  
James Thomson

  
Anne Thomson





# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, *Mayor*

**Councilors:**

Rebecca Wurzburger, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Rosemary Romero, Dist. 2

Miguel M. Chavez, Dist. 3

Carmichael A. Dominguez, Dist. 3

Matthew E. Ortiz, Dist. 4

Ronald S. Trujillo, Dist. 4

Project description: Proposes a redesign for a gate on a contributing residential property.

Project number: 11-10100081

Case number: H-11-00081

Project type: HDRB

**PROJECT LOCATION (S): 460 Camino de las Animas**

**PROJECT NAMES:**

OW – Theodora Portago  
Santa Fe, NM 87501

460 Camino de las Animas  
505-920-2928

AP – Spears Architect  
Santa Fe, NM 87505

1334 Pacheco Street  
505-983-6966

**BOARD ACTION**

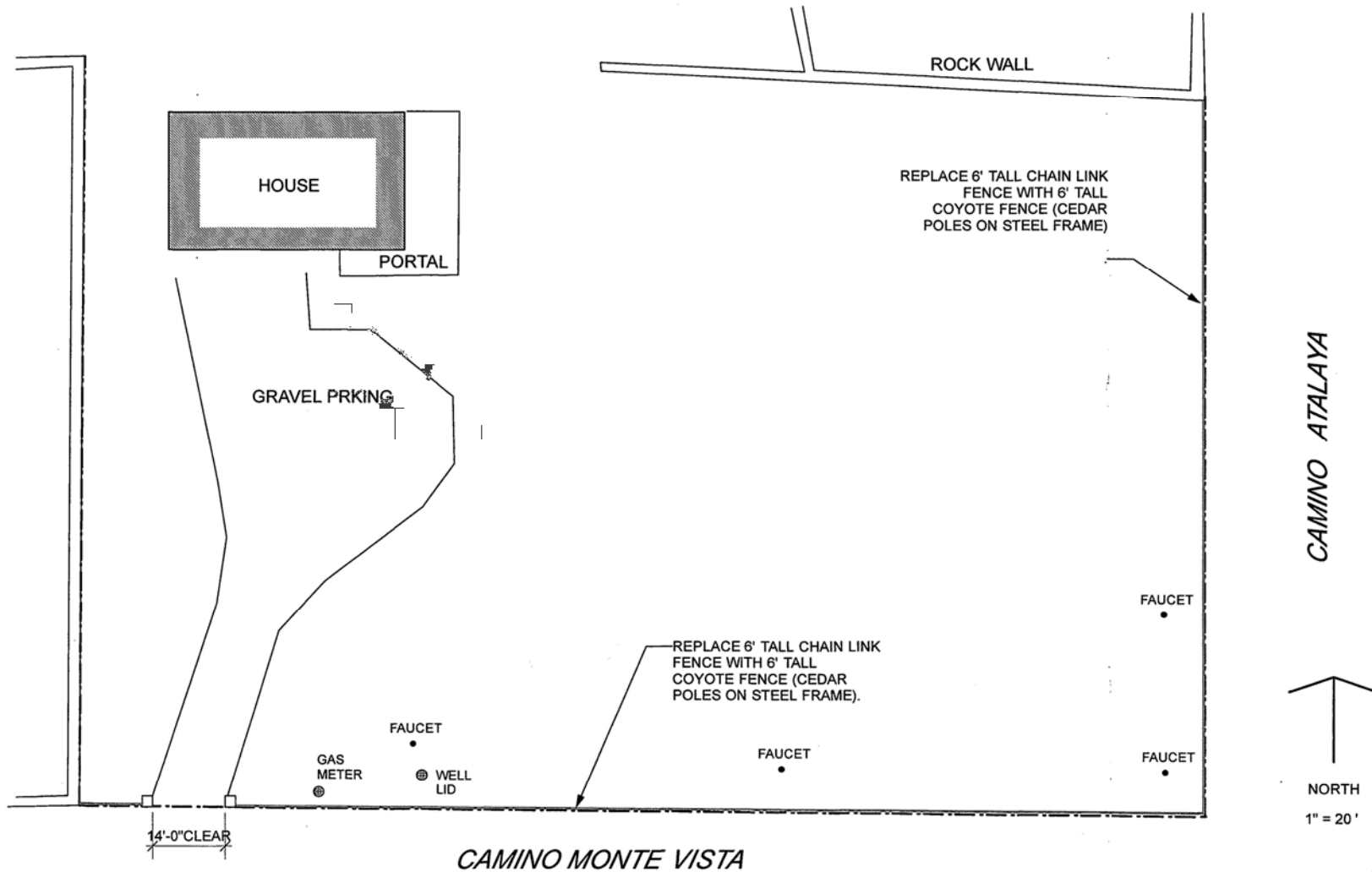
This is to certify that the Historic Design Review Board (HDRB) at their hearing on, September 27, 2011, acted on the above referenced case. The board accepted your request to indefinitely postpone this application. For further information please call 955-6605.

Sincerely,

David A. Rasch  
Planning Supervisor Historic Preservation Division

**NOTE:** Applicant can use this action letter to apply for building permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerks office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. Please attach copies of this letter to all sets when submitting for building permit.





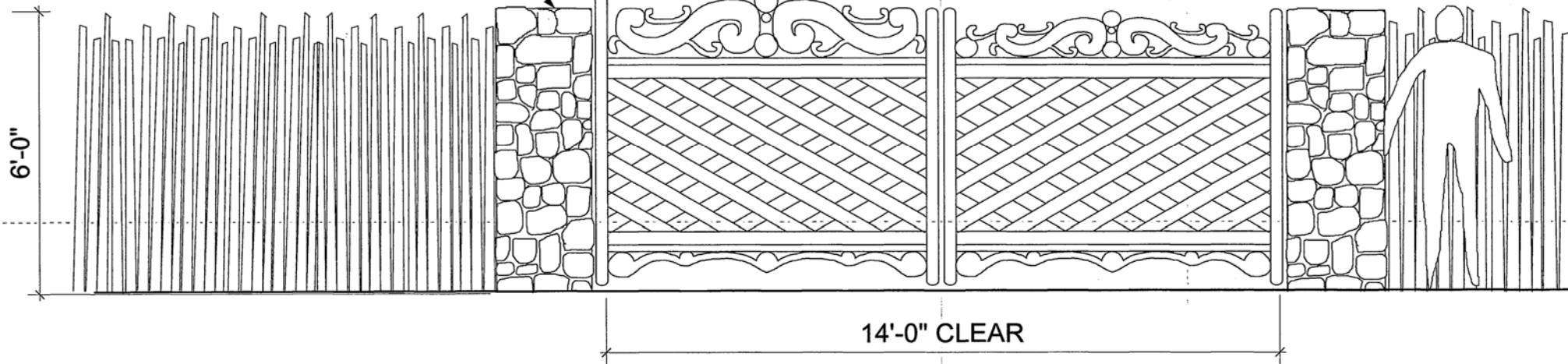
**DE PORTAGO FENCE REPLACEMENT**  
 JUNE 8, 2011

RIVER ROCK  
PILAR 24" X  
24"


OLD DESIGN

NEW DESIGN  
DOUBLE LEAF  
GATE - WOOD  
AND STEEL -  
PAINTED  
WHITE.

COYOTE  
FENCE



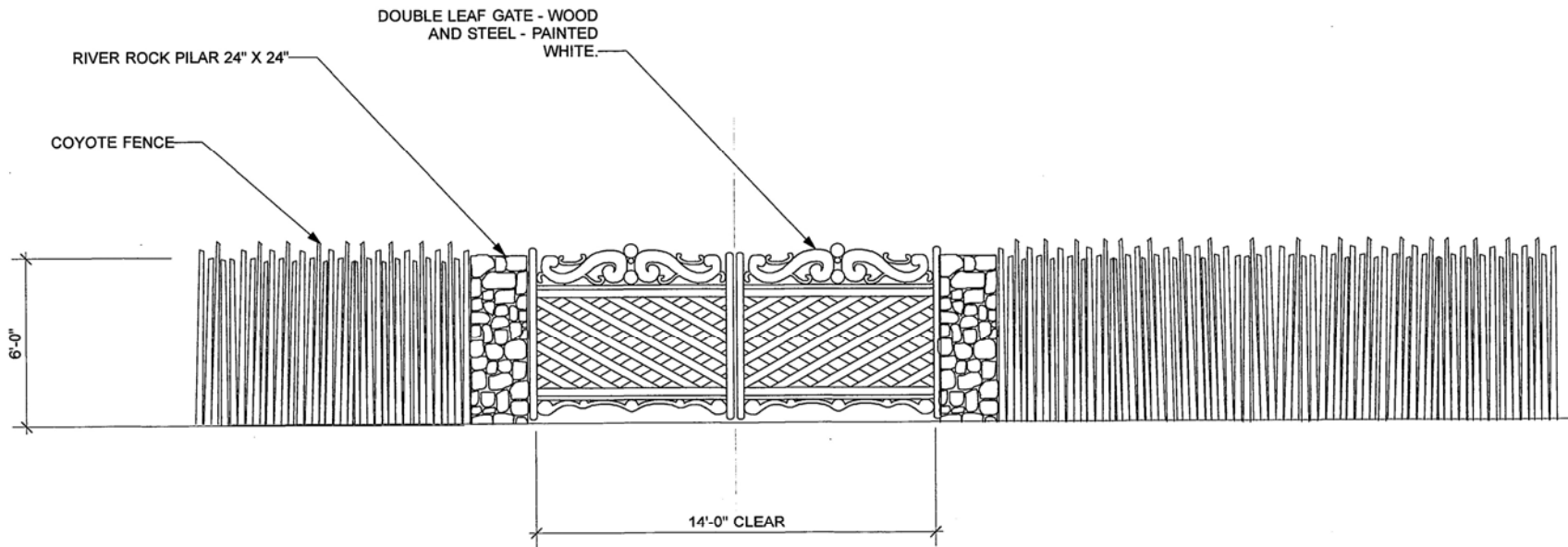
14'-0" CLEAR

  
Spears Architects

**PORTAGO GATE**

SEPTEMBER 7, 2011

1/2" = 1' - 0"



DOUBLE LEAF GATE - WOOD  
AND STEEL - PAINTED  
WHITE.

RIVER ROCK PILAR 24" X 24"

COYOTE FENCE

6'-0"

14'-0" CLEAR

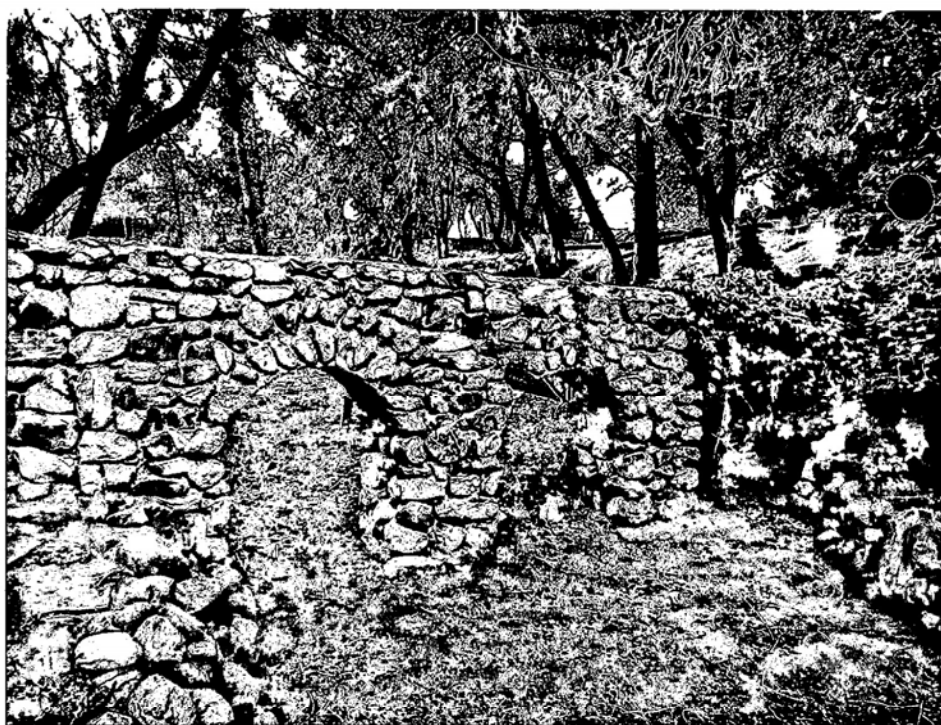
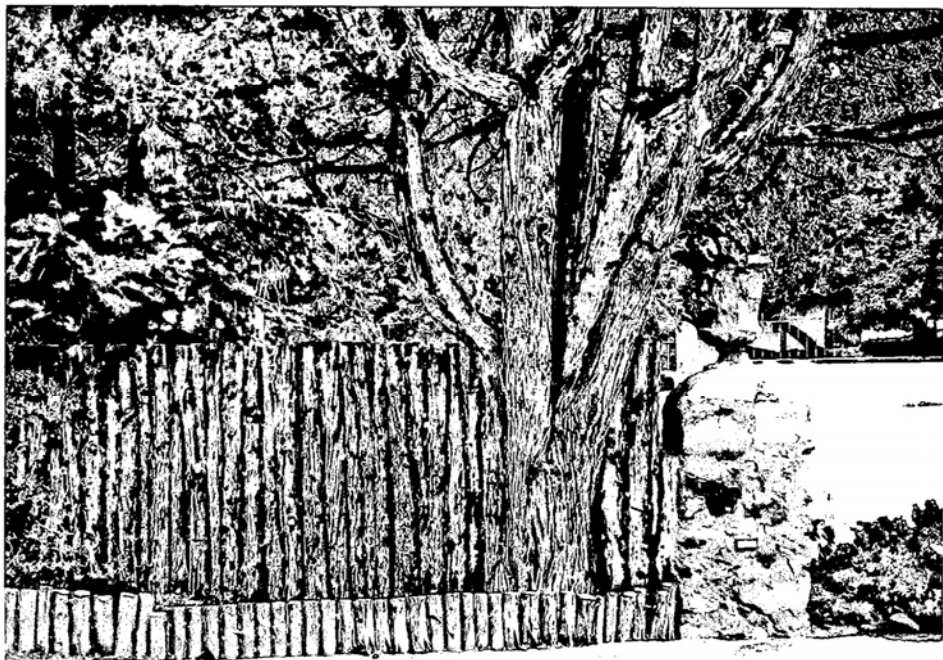
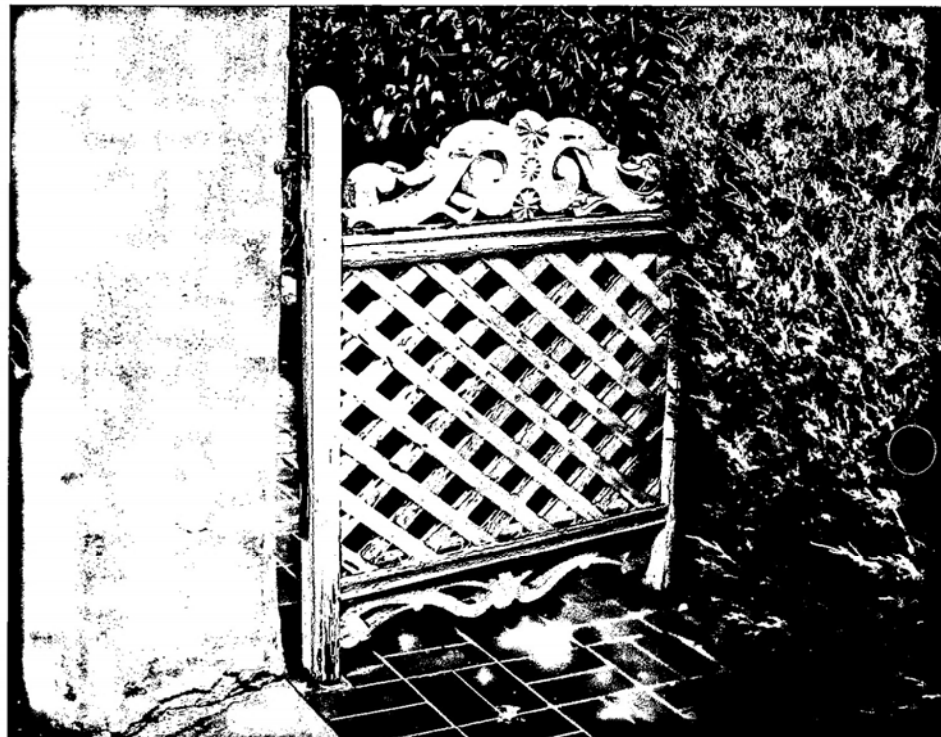
GATE AND FENCE ELEVATION

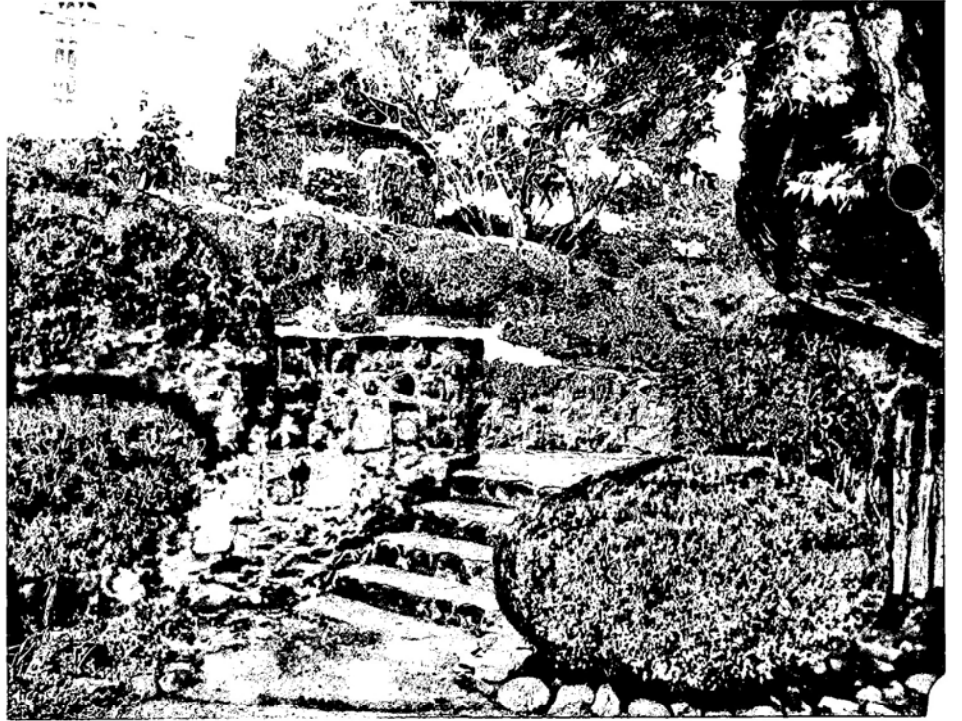
1/4" = 1' - 0"

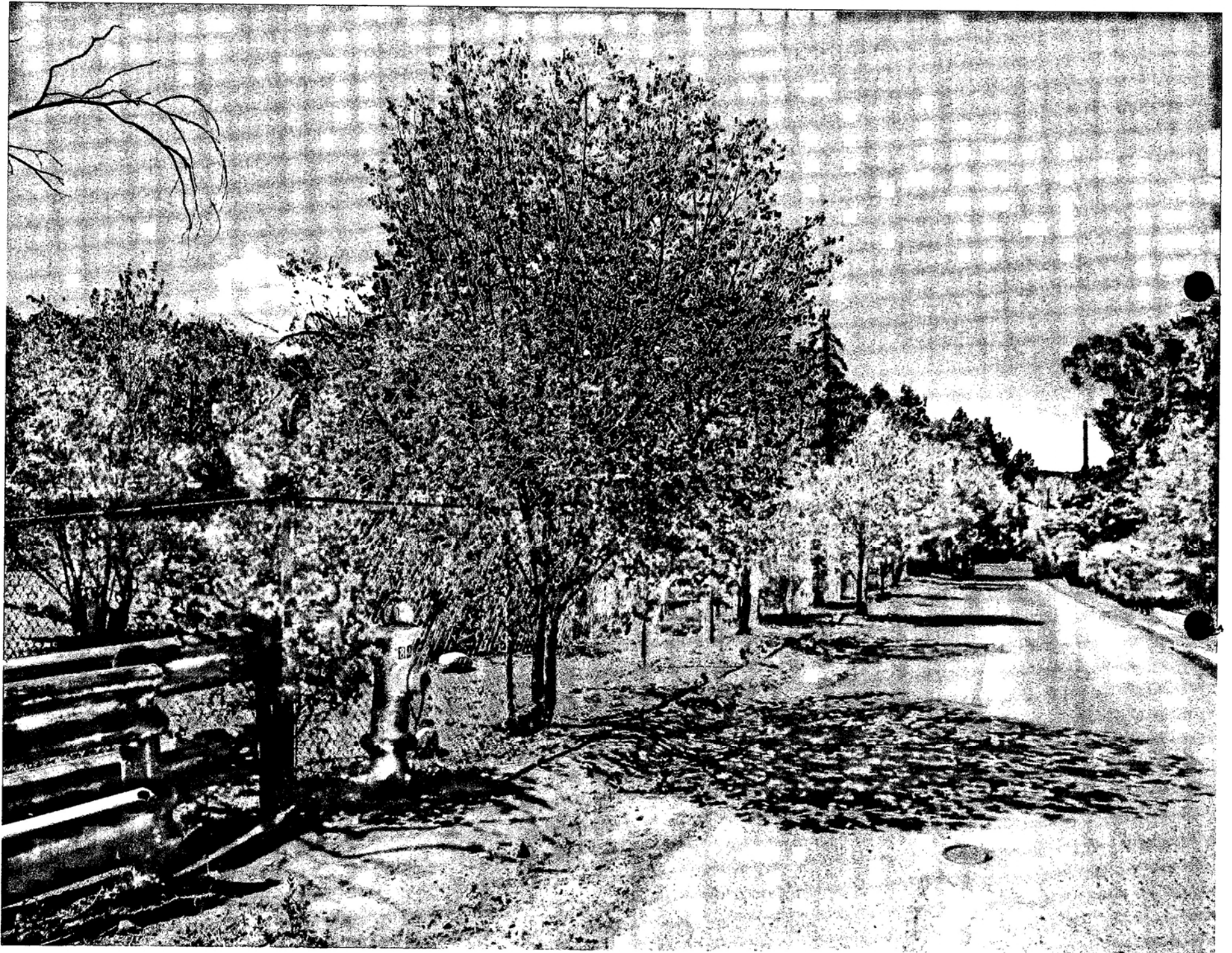
*previous design*

**Spears Architects**

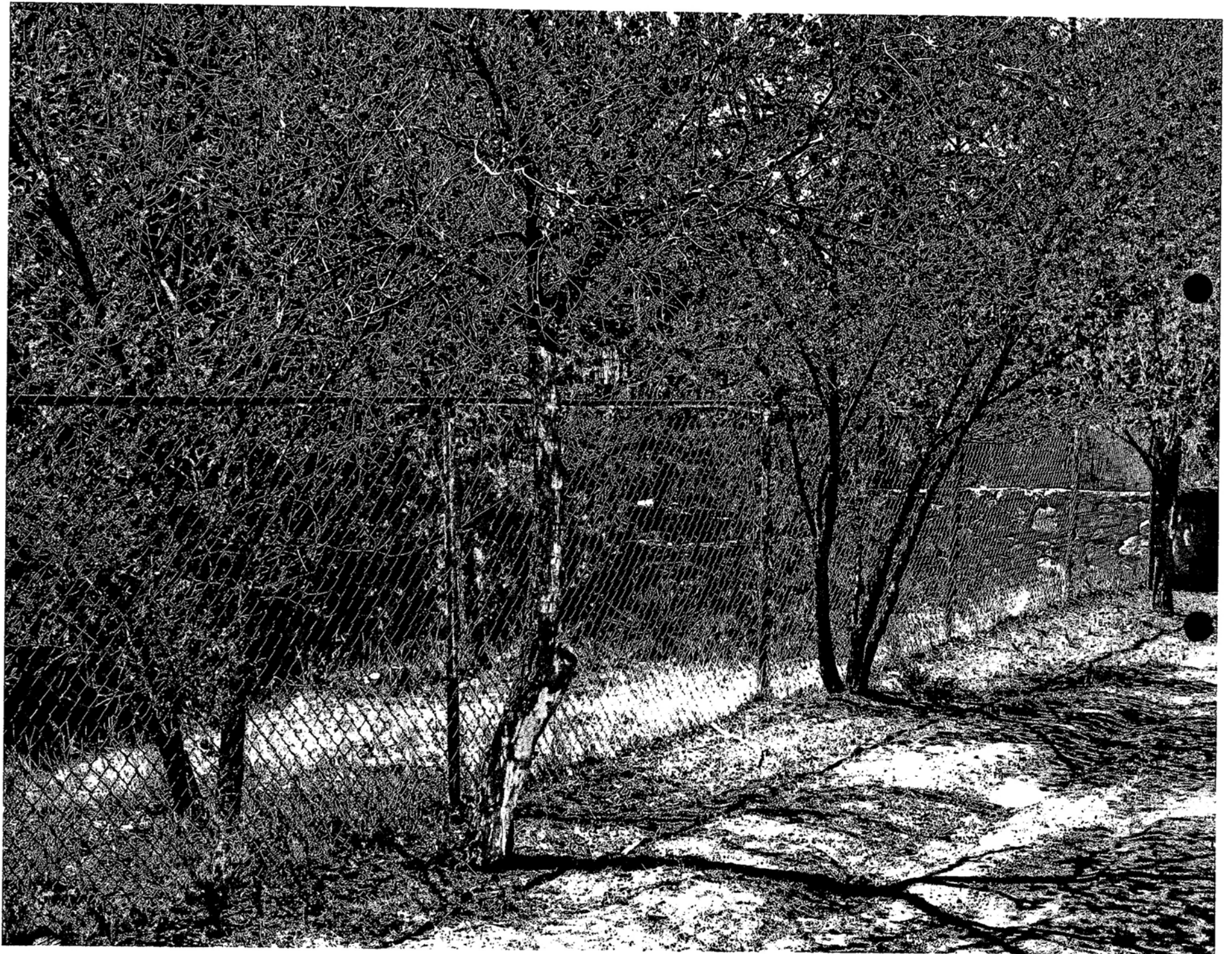
**DE PORTAGO FENCE REPLACEMENT**  
JUNE 8, 2011

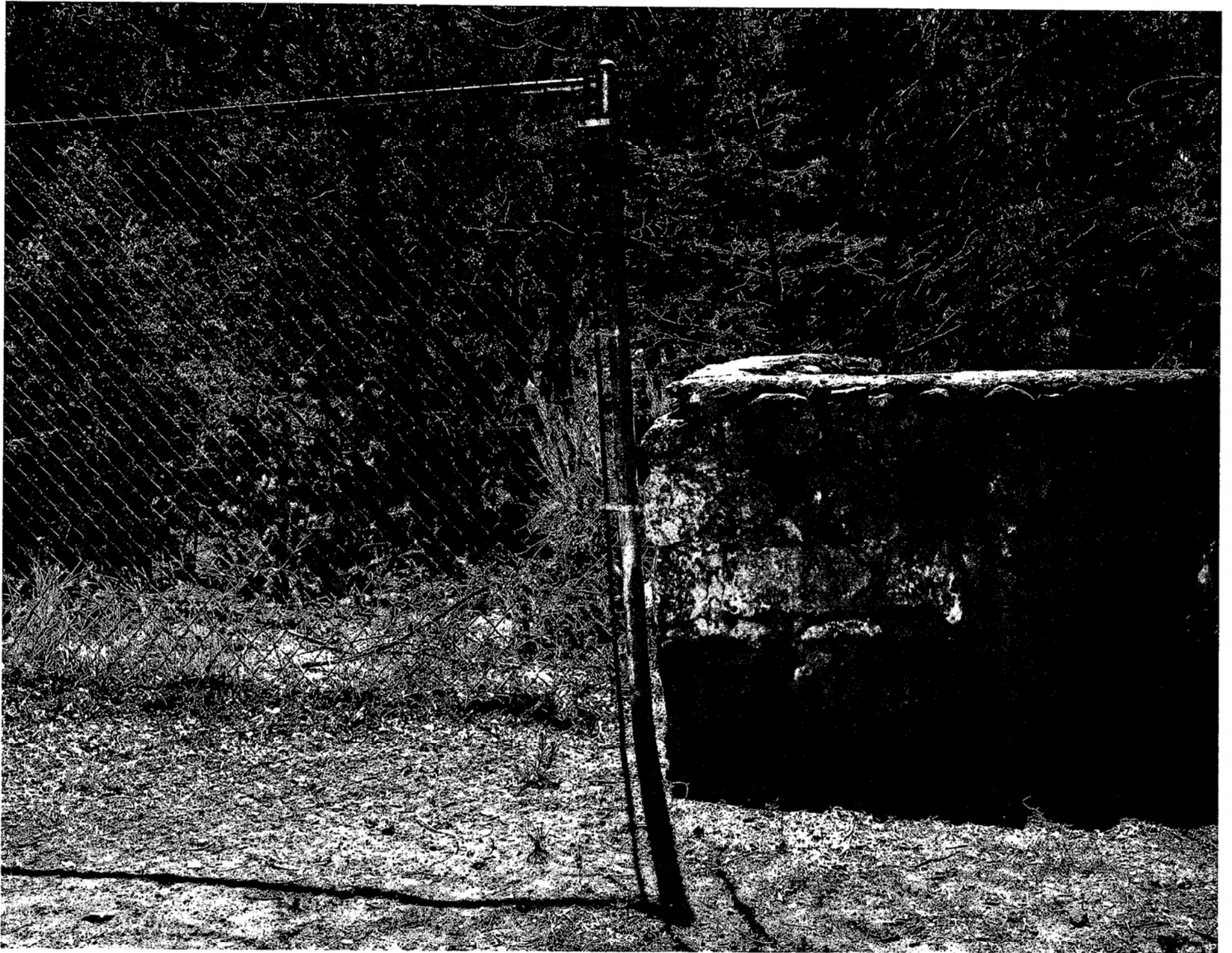












## AREA CALCULATIONS

### PROJECT - EXISTING

EXISTING AREA (BUILDING FOOTPRINT): ± 10,661 SF

EXISTING AREA (INTERIOR): ± 9,426 SF

### PROJECT - ADDITION

ADDITION AREA (BUILDING FOOTPRINT): ± 2,382 SF ( 1,680 ADMIN / LOBBY + 702 RESTROOM )

ADDITION AREA (INTERIOR): ± T.B.D. SF

### PROJECT - TOTAL

TOTAL: ± 12,960 SF

### LOT COVERAGE

TOTAL EXISTING BUILDING FOOTPRINT: ± 12,960 SF (EXISTING)  
ADD LOBBY + ADMIN. 2,382 SF  
REMOVE WALLS - 1,387 SF

TOTAL NEW BUILDING FOOTPRINT: ± 36,777 SF (TOTAL AFTER ADDITION)

LOT AREA (SITE): ± 484,605 SF / 11.152 ACRES (TRACT '1')  
± 62,770 SF / 1.441 ACRES (TRACT '2')

LOT COVERAGE ( % ): 7.5% (OF TRACT '1')  
( 36,777 SF / 484,605 SF)

ROOF AREA (EXISTING): ± 23,611 SF

ROOF AREA (PROPOSED): ± 4498 SF



# Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department- Building Permit Division

## To Be Completed By Applicant:

Date Submitted: <u>7/21/11</u>	Site Address: <u>460 Camino de las Animas.</u>
Property Owner of Record: <u>Theodora Portago</u>	Proposed Construction Description: <u>New 6' tall Coyote fence to replace 6' tall chain link fence.</u>
Applicant/Agent Name: <u>Spears Architects</u>	
Contact Person Phone Number: <u>(505) 983-6966</u>	TOTAL ROOF AREA: _____

NOTE: Preliminary zoning reviews are provided as a courtesy and are intended to address general zoning compliance issues. Applicants are advised to do an independent search of applicable zoning ordinances and research documents related to property history which may affect permitting. Additionally, applicants are advised to contact appropriate City Staff with questions related to Terrain management, building, fire, water budget, Sangre de Cristo, wastewater, and other development codes which may affect permitting.

**BASED ON INFORMATION PRESENTED ON APPLICATION DATE, THIS REVIEW DOES NOT GRANT ZONING APPROVAL AT THE TIME OF BUILDING PERMIT. FINAL ZONING APPROVAL WILL BE GRANTED ONCE ALL COMPLIANCE WITH ZONING HAS BEEN MET.**

*Beverly Spears*

7/21/11  
DATE

OWNER  APPLICANT  AGENT

## To Be Completed By City Staff

Historic PZR

~~Building Permit PZR~~

Zoning District: RC-5 - DT @ Eastside

Overlay:  Historic

- Escarpment\*
- Flood Zone\*
- Business Capitol District
- Cerrillos Road Corridor
- Archaeological
  - Historic Downtown - (2,500 sq ft of ground disturbance)
  - River and Trails - (2 acres)
  - Suburban - (10 acres)

Setbacks:  
 Front: 8 Required: 8  
 Rear: 8 Required: 8  
 Sides: L 8 R 8 Required: 8  
 2nd Front? —

10 ft Building Separation

Height: Proposed 6  
 Maximum Height: see below

Regulated by Historic Division

Regulated by Escarpment Overlay

District

### Zoning Submittal Requirements:

- Legal Lot of Record/Development Plan
- Existing And Proposed Site Plan

### Supplemental Zoning Submittals:

- Accessory Structure Affidavit
- Approval Letters (Tech Review, Historic, etc..)
- Zero Lot Line Affidavit

### Parking Spaces:

Proposed 2 Handicap\*\* 1  
 Minimum: 2

Use of Structure:  Residential

Commercial Type of Use: —

### Bicycle Parking\*\*:

Proposed: — Minimum: —

\* Requires and additional review conducted by Technical Review Division to ensure compliance.

\*\* Commercial Requirement

### Additional Agency Review if Applicable:

Escarpment Approval by N/A Date: —  Flood Plain Approval by N/A Date: —

Notes: no reviews needed

### Zoning Approval:

Preliminary Approval  with conditions  Rejected

Comments/Conditions: meets zoning requirements, Historic will regulate height

REVIEWER: DR

DATE: 7/22/11

# City of Santa Fe, New Mexico

# memo

**DATE:** September 27, 2011  
**TO:** Historic Design Review Board Members  
**FROM:** David Rasch, Supervising Planner, Historic Preservation Division DR

---

**CASE #** H-11-081

**ADDRESS:** 460 Camino de las Animas  
**Historic Status:** Contributing  
**Historic District:** Downtown & Eastside

**REFERENCE ATTACHMENTS (Sequentially):**

**CITY SUBMITTALS**

- Case Synopsis  
 District Standards & Yard wall  
& fence standards.  
 Historic Inventory Form  
 Zoning Review Sheet  
 Other:

**APPLICANT SUBMITTALS**

- Proposal Letter  
 Vicinity Map  
 Site Plan/Floor Plan  
 Elevations  
 Photographs  
 Other:

**STAFF RECOMMENDATION:**

Staff defers to the Board as to whether this revised design is in harmony with the streetscape, although staff acknowledges that it is in harmony with the other gate on the property. Otherwise, this application complies with Section 14-5.2(E) Downtown & Eastside Historic District.

**BACKGROUND & SUMMARY:**

460 Camino de las Animas is a single family residence was constructed before 1958 in the Spanish-Pueblo Revival style. A free-standing secondary residence, accessed from Camino Monte Vista, was constructed at an unknown date in a simplified Spanish-Pueblo Revival style. Both structures are listed as contributing to the Downtown & Eastside Historic District.

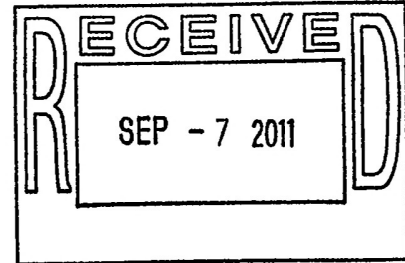
On August 9, 2011, the Historic Design Review Board approved a height exception to remove a chain-link fence and vehicle gate at both street frontages and replace it with a coyote fence at 72" high where the maximum allowable height is 60" along Camino Atalaya and 58" along Camino Monte Vista. At the same hearing, the Board requested that the applicant reconsider the pilaster and gate design which was introducing a variety of materials and a unique design element in a large scale.

The 14' wide bi-leaf vehicle gate is proposed on the Monte Vista frontage flanked by 24" x 24" river rock pilasters. The gate will be white painted wood and steel featuring a diagonal lattice with decorative scrolls on the top and bottom that resemble Mayan or Baroque designs. The decorative scrolls have been reduced in scale from 18" high to 12" high.

Spears Architects

September 7, 2011

Historic Design Review Board  
City of Santa Fe  
202 Lincoln Ave.  
Santa Fe, NM

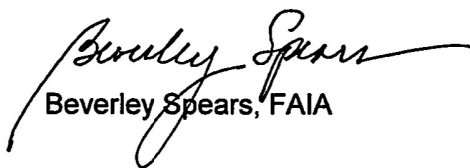


Dear Board Members,

With this letter we are submitting a revised gate for the property at 460 Atalaya along the south boundary at the dead end of Monte Vista. The design has been revised based on comments from the Board. The decorative scrollwork on top of the gates has been reduced in size from a maximum height of 18" to a maximum height of 12". We have retained the scrollwork which is copied from an old garden gate on the property, a photo of which is attached. The scrollwork indeed does reflect European origins as do many traditional New Mexican Spanish Colonial designs in tinwork, woodwork, colcha embroidery, santos and other artifacts. Some of the handcarved historic lintels throughout the house also reflect this motif.

The white color reflects the white trim of the B J O Nordfeld house as well as many other houses in the district. The stone pillars will match the extensive historic stonework on the property as well as elsewhere in the neighborhood. Thank you for your consideration of this submittal.

Cordially,

  
Beverley Spears, FAIA

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

Case #H-11-081

Address – 460 Camino de las Animas

Owner/Applicant's Name – Theodora Portago

Agent's Name – Spears Architects

THIS MATTER came before the Historic Design Review Board (Board) for hearing on August 23, 2011 upon the application (Application) of Spears Architects, as agent for Theodora Portago, owner.

460 Camino de las Animas is a single family residence was constructed before 1958 in the Spanish-Pueblo Revival style. A free-standing secondary residence, accessed from Camino Monte Vista, was constructed at an unknown date in a simplified Spanish-Pueblo Revival style. Both structures are listed as contributing to the Downtown & Eastside Historic District.

The Applicant requested a remodeling project (Project) including removal of a chain-link fence and vehicle gate at both street frontages and replacement with a 72" high coyote fence with irregular tops and a 14' wide bi-leaf vehicle gate with white painted wood on steel framing featuring a diagonal lattice with decorative scrolls on the top and bottom that resemble Mayan or Baroque designs will be constructed on the Monte Vista frontage flanked by 24" x 24" river rock pilasters. An exception was requested to exceed the maximum allowable height for the street-frontage fences (Section 14-5.2(D)(9)).

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

FINDINGS OF FACT

1. The Board heard testimony from staff, the Applicant, and other people interested in the Application.
2. Zoning staff has determined that the Application meets underlying zoning standards.
3. Board staff recommended that the Board approve the Application as having met the exception criteria to exceed the maximum allowable height (Section 14-5.2(D)(9)) for the street-frontage fences.
4. The Property is located in the Downtown & Eastside Historic District and the Project is subject to the requirements of the following sections of the Santa Fe Land Development Code:
  - (a) Section 14-5.2(C); Regulation of Significant Structures;
  - (b) Section 14-5.2(D)(1)-(9), General Design Standards for All H Districts;
  - (c) Section 14-5.2(E), Downtown & Eastside Historic District.
5. The maximum allowable height for a street-frontage fence is 60" along Camino Atalaya and 58" along Camino Monte Vista.
6. The proposed gate and pilaster design has too many differing materials and the scroll designs appear to be out of proportion on this large gate.

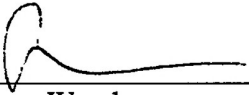
7. Under Sections 14-5.2(A)(1)(b) and (c), 14-2.7(A)(1), and 14-2.7(A)(3), the Board has the authority to review, approve, with or without conditions, or deny, all or some of the Applicant's proposed design to assure overall compliance with applicable design standards.
8. Under Section 14-5.2(C)(3)(b), 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 exhibits, satisfactory to the Board, have been submitted.

CONCLUSIONS OF LAW

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

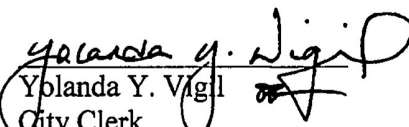
The Board concludes that the Project has met the exception criteria as submitted to exceed the maximum allowable height for the streetscape fences (Section 14-5.2(D)(9)) with the highest latillas not exceeding 72". The Project is approved with the conditions that the gate and pilasters shall be redesigned and brought back to the Board for review.

**IT IS SO ORDERED ON THIS 13<sup>th</sup> DAY OF SEPTEMBER 2011 THE HISTORIC DESIGN REVIEW BOARD OF THE CITY OF SANTA FE.**

  
\_\_\_\_\_  
Sharon Woods  
Chair

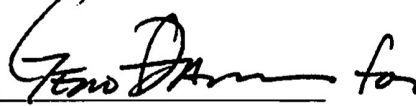
9/13/11  
Date:

FILED

  
\_\_\_\_\_  
Yblanda Y. Vigil  
City Clerk

9-14-11  
Date:

APPROVED AS TO FORM

  
\_\_\_\_\_  
Kelley Brennan  
Assistant City Attorney

9/14/11  
Date:



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, *Mayor*

Councilors:

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Rosemary Romero, Dist. 2

Miguel M. Chavez, Dist. 3

Carmichael A. Dominguez, Dist. 3

Matthew E. Ortiz, Dist. 4

Ronald S. Trujillo, Dist. 4

Project description: Proposes to replace an existing 72" high chain link fence with a coyote fence of the same height on a contributing residential property where the maximum allowable height is 58" and 60". A height exception is requested (Section 14-5.2(D)(9)).

Project number: 11-10100081

Case number: H-11-00081

Project type: HDRB

**PROJECT LOCATION (S): 460 Camino de las Animas**

**PROJECT NAMES:**

OW – Theodora Portago  
Santa Fe, NM 87501

460 Camino de las Animas  
505-920-2928

AP – Spears Architects  
Santa Fe, NM 87505

1334 Pacheco Street  
505-983-6966

**BOARD ACTION**

This is to certify that the Historic Design Review Board (HDRB) at their hearing on, August 23, 2011, acted on the above referenced case. The decision of the board was to approve your request for a height exception with the conditions that the latillas tops shall be irregular and not exceeding 72" high and that the gate and pilasters shall be redesigned and resubmitted to the Board. For further information please call 955-6605.

Sincerely,

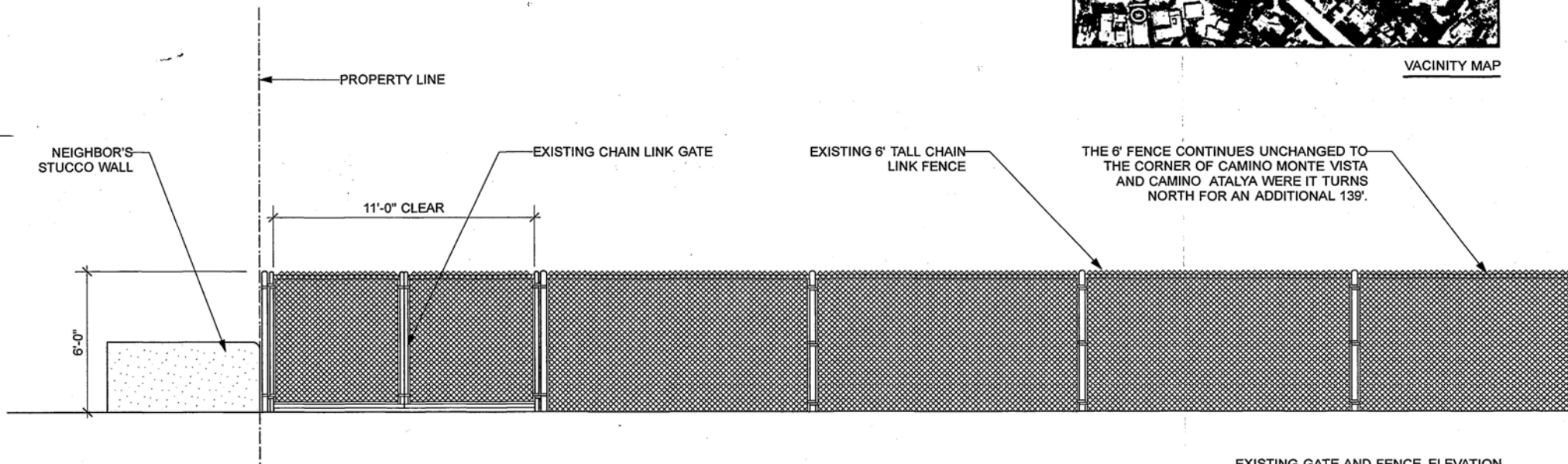
David A. Rasch  
Planning Supervisor Historic Preservation Division

**NOTE:** Applicant can use this action letter to apply for building permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerks office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. Please attach copies of this letter to all sets when submitting for building permit.





VACINITY MAP

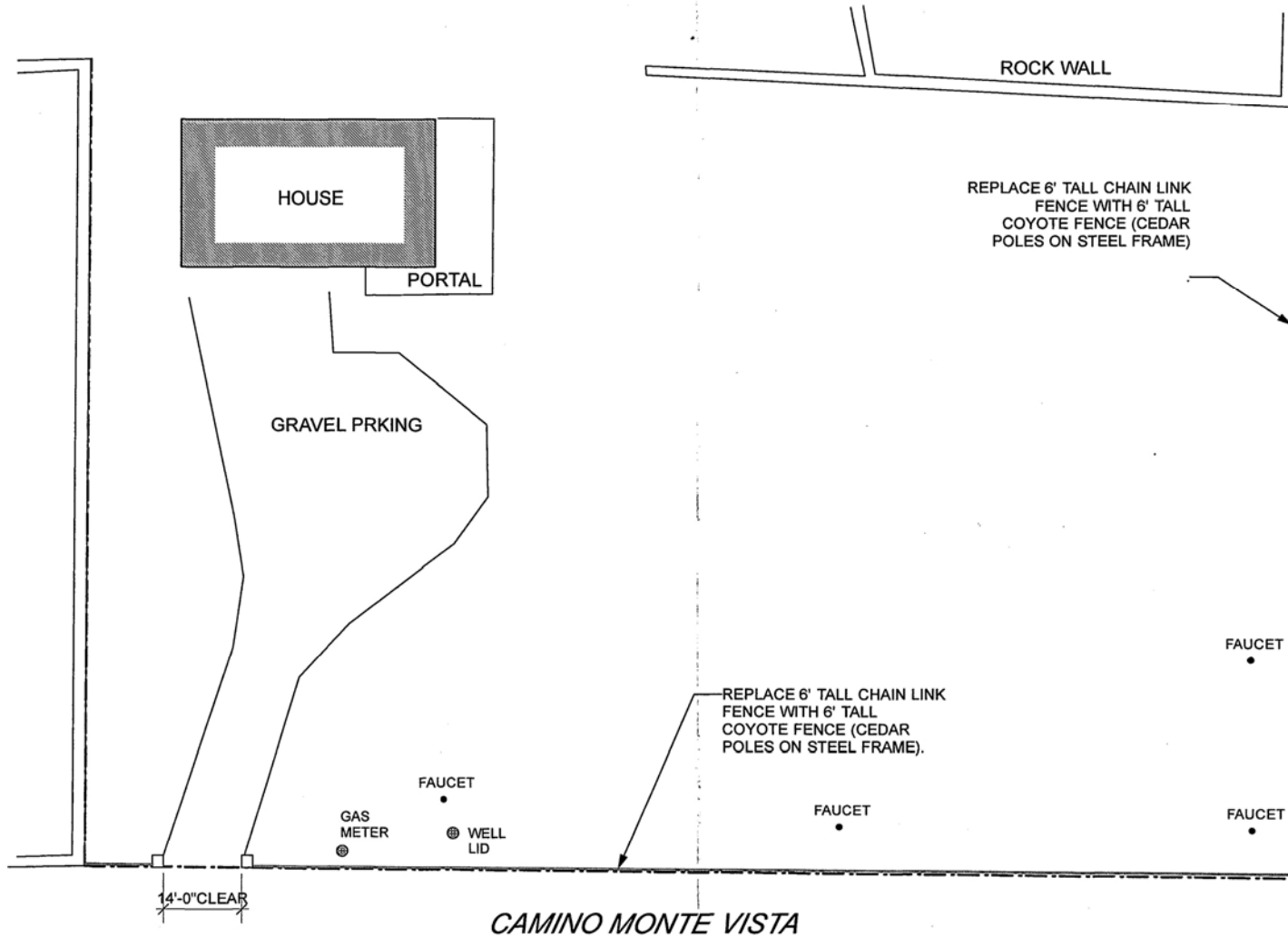


EXISTING GATE AND FENCE ELEVATION

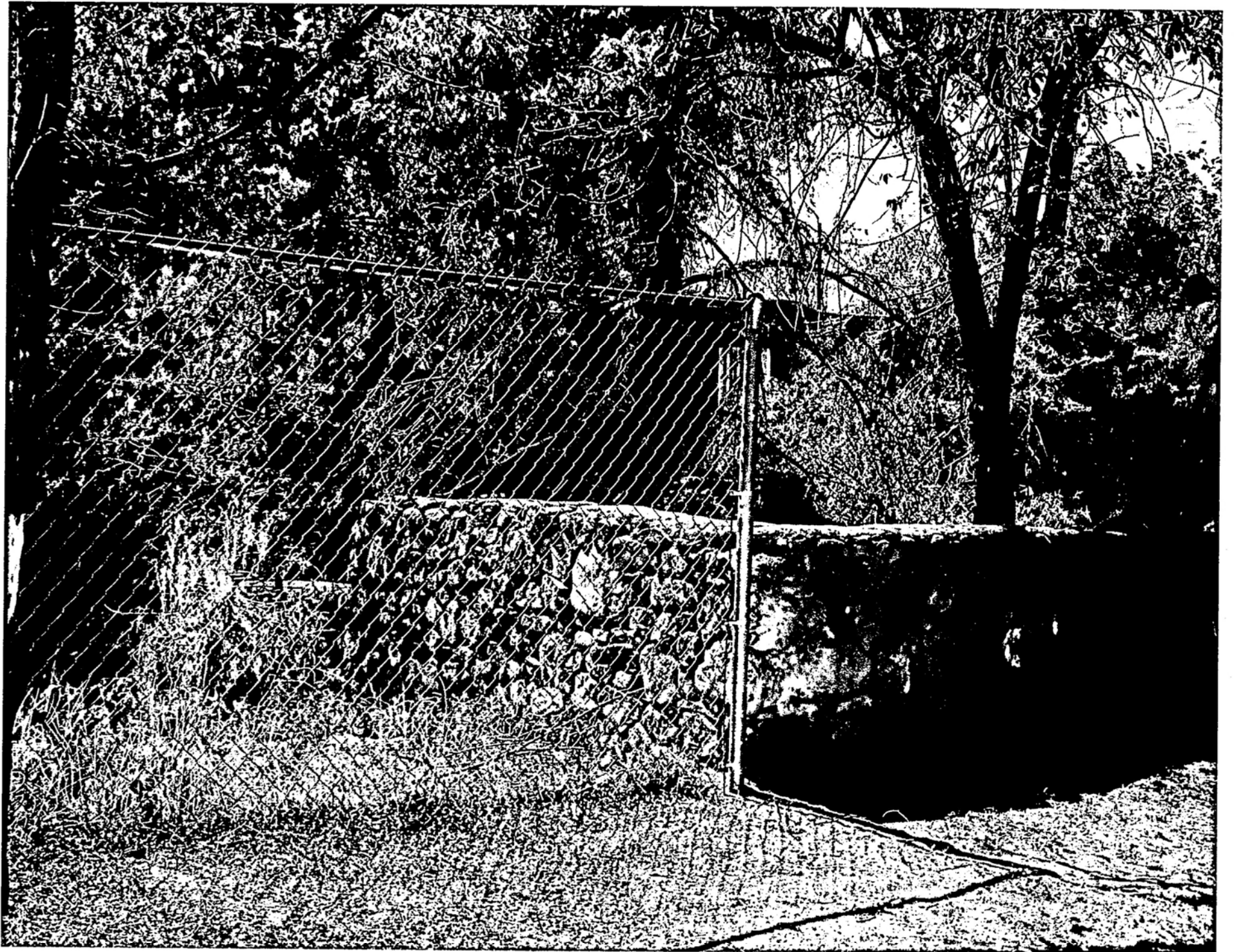
1/4" = 1' - 0"

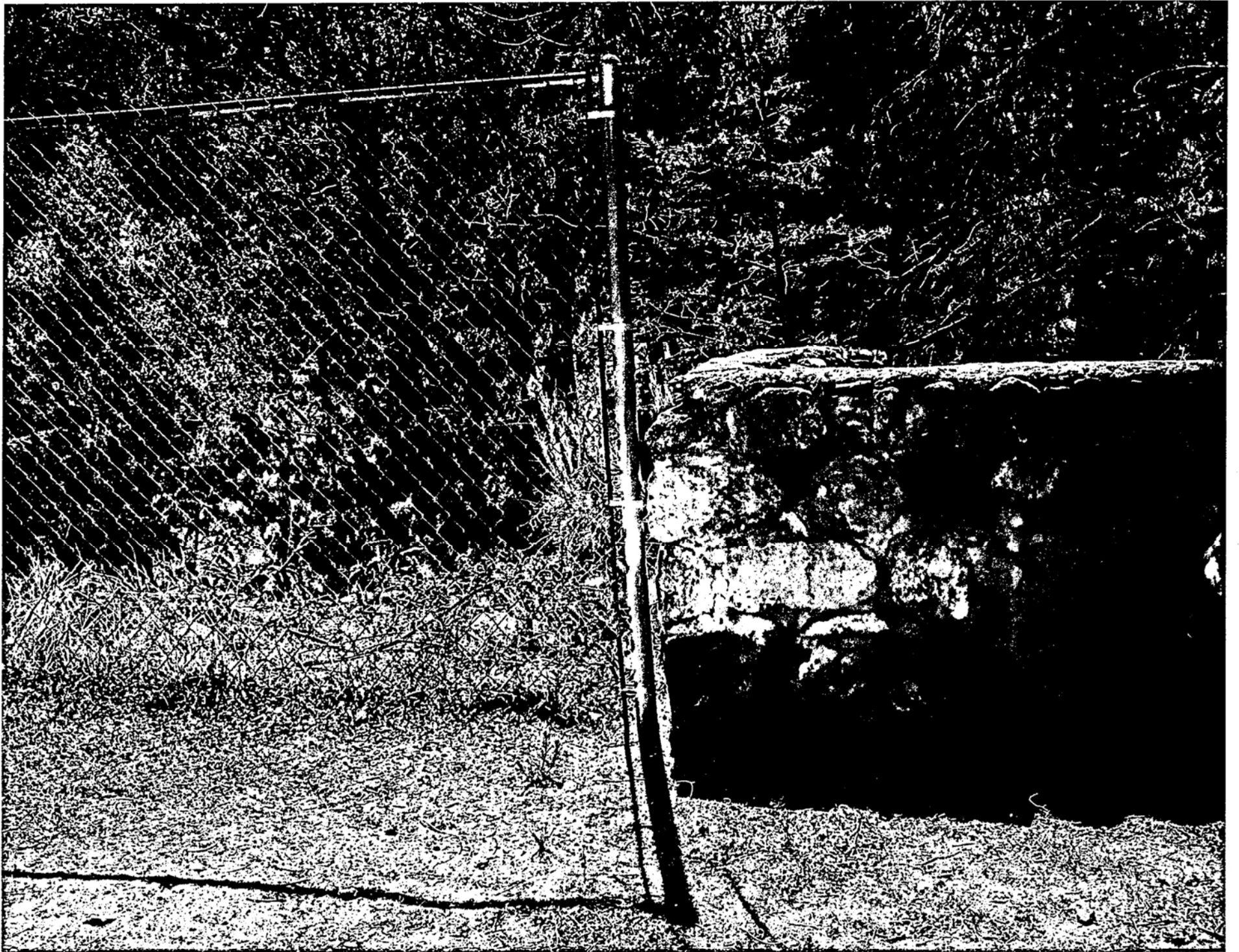
**Spears Architects**

**PORTAGO FENCE REPLACEMENT**  
JULY 21, 2011



**DE PORTAGO FENCE REPLACEMENT**  
 JUNE 8, 2011







# Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department- Building Permit Division

## To Be Completed By Applicant:

Date Submitted: <u>July 5, 2011</u>	Site Address: <u>460 Camino de las Animas</u>
Property Owner of Record: <u>Theodora Portago</u>	Proposed Construction Description: <u>Replace chain link fence w/ coyote fence</u>
Applicant/Agent Name: <u>Spears Architects</u>	TOTAL ROOF AREA: <u>N/A</u>
Contact Person Phone Number: <u>(505) 983-6966 - Beverley</u>	

NOTE: Preliminary zoning reviews are provided as a courtesy and are intended to address general zoning compliance issues. Applicants are advised to do an independent search of applicable zoning ordinances and research documents related to property history which may affect permitting. Additionally, applicants are advised to contact appropriate City Staff with questions related to Terrain management, building, fire, water budget, Sangre de Cristo, wastewater, and other development codes which may affect permitting.

**BASED ON INFORMATION PRESENTED ON APPLICATION DATE, THIS REVIEW DOES NOT GRANT ZONING APPROVAL AT THE TIME OF BUILDING PERMIT. FINAL ZONING APPROVAL WILL BE GRANTED ONCE ALL COMPLIANCE WITH ZONING HAS BEEN MET.**

OWNER    APPLICANT    AGENT   Beverley Spears   7/12/2011  
DATE

## To Be Completed By City Staff:

Historic PZR

Building Permit PZR

Zoning District: \_\_\_\_\_

Overlay:  Historic

- Escarpment\*
- Flood Zone\*
- Business Capitol District
- Cerrillos Road Corridor
- Archaeological
  - Historic Downtown- (2,500 sq ft of ground disturbance)
  - River and Trails-(2 acres)
  - Suburban-(10 acres)

Setbacks:

Front: \_\_\_\_\_ Required: \_\_\_\_\_

Rear: \_\_\_\_\_ Required: \_\_\_\_\_

Sides: L \_\_\_\_\_ R \_\_\_\_\_ Required: \_\_\_\_\_

2<sup>nd</sup> Front? \_\_\_\_\_

10 ft Building Separation

Height: Proposed \_\_\_\_\_

Maximum Height: \_\_\_\_\_ or

Regulated by Historic Division

Regulated by Escarpment Overlay

District

Zoning Submittal Requirements:

- Legal Lot of Record/Development Plan
- Existing **And** Proposed Site Plan

Supplemental Zoning Submittals:

- Accessory Structure Affidavit
- Approval Letters (Tech Review, Historic, etc..)
- Zero Lot Line Affidavit

Parking Spaces: NA

Proposed \_\_\_\_\_ Handicap\*\* \_\_\_\_\_

Minimum: \_\_\_\_\_

Use of Structure:  Residential

Commercial Type of Use: \_\_\_\_\_

Bicycle Parking\*\*: NA

Proposed: \_\_\_\_\_ Minimum: \_\_\_\_\_

\*\* Commercial Requirement

\* Requires and additional review conducted by Technical Review Division to ensure compliance.

**Additional Agency Review if Applicable:**

Escarpment Approval by \_\_\_\_\_ Date: \_\_\_\_\_  Flood Plain Approval by \_\_\_\_\_ Date: \_\_\_\_\_

Notes: \_\_\_\_\_

**Zoning Approval:**

Preliminary Approval  with conditions  Rejected

Comments/Conditions: \_\_\_\_\_

REVIEWER: \_\_\_\_\_

DATE: \_\_\_\_\_

# City of Santa Fe, New Mexico

# memo

DATE: August 9, 2011  
TO: Historic Design Review Board Members  
FROM: David Rasch, Supervising Planner, Historic Preservation Division DR

---

CASE # H-11-081

ADDRESS: 460 Camino de las Animas  
Historic Status: Contributing  
Historic District: Downtown & Eastside

## REFERENCE ATTACHMENTS (Sequentially):

### CITY SUBMITTALS

- Case Synopsis
- District Standards & Yard wall & fence standards.
- Historic Inventory Form
- Zoning Review Sheet
- Other: wall height calculation

### APPLICANT SUBMITTALS

- Proposal Letter
- Vicinity Map
- Site Plan/Floor Plan
- Elevations
- Photographs
- Other: exception criteria responses

## STAFF RECOMMENDATION:

Staff recommends approval of the height exception request, since a tall fence already exists in the proposed fence location and the replacement fence is more acceptable than chain link. Otherwise, this application complies with Section 14-5.2(E) Downtown & Eastside Historic District.

## **BACKGROUND & SUMMARY:**

460 Camino de las Animas is a single family residence was constructed before 1958 in the Spanish-Pueblo Revival style. A free-standing secondary residence, accessed from Camino Monte Vista, was constructed at an unknown date in a simplified Spanish-Pueblo Revival style. Both structures are listed as contributing to the Downtown & Eastside Historic District.

The applicant proposes to remove a chain-link fence and vehicle gate at both street frontages and replace it with a coyote fence at 72" high where the maximum allowable height is 60" along Camino Atalaya and 58" along Camino Monte Vista. The latillas tops are designed at irregular tops. A height exception is requested and the criteria responses are at the end of this report.

A 14' wide bi-leaf vehicle gate is proposed on the Monte Vista frontage flanked by 24" x 24" river rock pilasters. The gate will be white painted wood and steel featuring a diagonal lattice with decorative scrolls on the top and bottom that resemble Mayan or Baroque designs.

- (i) The character of the streetscape will be improved by replacing the chain link fence with a coyote fence. There is approximately 6 feet of space between the edge of the asphalt pavement and the chain link fence at the property line. There are 7 deciduous elm trees at least 12 feet in height along Camino Atalaya to help visually soften the appearance of the coyote fence. The applicant will happily plant additional xeric native vegetation such as chamisa and pinon as well as Virginia creeper to further soften the appearance.

Staff response: Staff is in agreement with this response.

- (ii) This exception will prevent a hardship by allowing the applicant to continue to maintain the security of a six-foot fence. The applicant owns four large dogs, two of which are rescue dogs. A fence of this height is needed to contain these dogs. These dogs can jump a fence that is 60" tall.

Staff response: Staff is in agreement with this response.

- (iii) A coyote fence is rural in character. This area of the Core Historic District is quite rural as so much of the East Side was when the district was first created. Allowing this fence at the typical coyote fence height seems appropriate for this semi-rural location.

Staff response: Staff is in agreement with this response.

- (iv) This location is more rural than most and is at the end of or near the end of two dead end streets. The owner has had the benefit of a six-foot fence since she acquired the property. The fence will not mask a front yard or any visible architectural elements.

Staff response: Staff is in agreement with this response.

- (v) When the applicant acquired this property, the chain link fence was already in place. The chain link fence has been there for more than 30 years.

Staff response: Staff is in agreement with this response.

- (vi) The character of the streetscape will be improved by replacing the chain link fence with a coyote fence. Please note that Monte Vista as a street ends at the applicant's driveway such that, for all practical purposes, the fence along Monte Vista does not have public frontage.

Staff response: Staff is somewhat in agreement with this response. However, the Monte Vista frontage does have public visibility. As such, the proposed coyote fence has the least negative impact on the streetscape in relation to the chain link fence or a stuccoed yardwall.

July 9, 2011

Historic Design Review Board  
City of Santa Fe  
202 Lincoln Ave.  
Santa Fe, NM

Dear Board Members,

On behalf of my client, Theodora Portago, I am requesting approval from the board to replace an existing 72" high chain link fence with a coyote fence of the same height. The chain link fence, which has been in place for at least 30 years, is unattractive and inappropriate for the neighborhood. The property is on Camino Atalaya and also at the dead end of Camino Monte Vista. The area has a very rural feel and light pedestrian traffic and no sidewalks. A six foot coyote fence to replace the existing fence will continue to allow my client to keep dogs securely fenced in.

The fence will be made of unpeeled juniper poles left to weather naturally. They will be attached to a standard steel frame visible only from the interior of the property. The one opening along the fence will be made of a river rock square post on either side of the driveway opening. There will be a pair of decorative white gates whose design matches a garden gate elsewhere on the property. The gates will be made primarily of wood but will have a concealed steel frame for longevity and durability. Thank you for your kind consideration of this request.

Cordially,

  
Beverley Spears, FAIA

July 12, 2011

Historic Design Review Board  
City of Santa Fe  
202 Lincoln Ave.  
Santa Fe, NM

Dear Board Members,

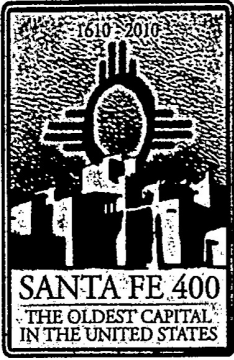
Regarding the requested approval from the Board to replace an existing 72" high chain link fence with a coyote fence of the same height, an exception is requested because the calculated allowable fence height is 58" along Monte Vista and 60" along Camino Atalaya. Relative to 14-5.2 (C) 5(c) of the City code, please consider the following information:

- (i) The character of the streetscape will be improved by replacing the chain link fence with a coyote fence. There is approximately 6 feet of space between the edge of the asphalt pavement and the chain link fence at the property line. There are 7 deciduous elm trees at least 12 feet in height along Camino Atalaya to help visually soften the appearance of the coyote fence. The applicant will happily plant additional xeric native vegetation such as chamisa and pinon as well as Virginia creeper to further soften the appearance.
- (ii) This exception will prevent a hardship by allowing the applicant to continue to maintain the security of a six-foot fence. The applicant owns four large dogs, two of which are rescue dogs. A fence of this height is needed to contain these dogs. These dogs can jump a fence that is 60" tall.
- (iii) A coyote fence is rural in character. This area of the Core Historic District is quite rural as so much of the East Side was when the district was first created. Allowing this fence at the typical coyote fence height seems appropriate for this semi-rural location. The entire property is 1.37 acres.
- (iv) This location is more rural than most and is at the end of or near the end of two dead end streets. The owner has had the benefit of a six-foot fence since she acquired the property. The fence will not mask a front yard or any visible architectural elements.
- (v) When the applicant acquired this property, the chain link fence was already in place. The chain link fence has been there for more than 30 years.
- (vi) The character of the streetscape will be improved by replacing the chain link fence with a coyote fence. Please note that Monte Vista as a street ends at the applicant's driveway such that, for all practical purposes, the fence along Monte Vista does not have public frontage.

Thank you.

Cordially,

  
Beverley Spears, FAIA



# City of Santa Fe, New Mexico

200 Lincoln Avenue, P.O. Box 909, Santa Fe, N.M. 87504-0909

David Coss, *Mayor*

## Councilors:

Rebecca Wurzbarger, Mayor Pro Tem, Dist. 2

Patti J. Bushee, Dist. 1

Chris Calvert, Dist. 1

Rosemary Romero, Dist. 2

Miguel M. Chavez, Dist. 3

Carmichael A. Dominguez, Dist. 3

Matthew E. Ortiz, Dist. 4

Ronald S. Trujillo, Dist. 4

Project description: Proposes to replace an existing 72" high chain link fence with a coyote fence of the same height on a contributing residential property where the maximum allowable height is 58" and 60". A height exception is requested (Section 14-5.2(D)(9)).

Project number: 11-10100081

Case number: H-11-00081

Project type: HDRB

**PROJECT LOCATION (S): 460 Camino de las Animas**

## PROJECT NAMES:

OW – Theodora Portago  
Santa Fe, NM 87501

460 Camino de las Animas  
505-920-2928

AP – Spears Architects  
Santa Fe, NM 87505

1334 Pacheco Street  
505-983-6966

## BOARD ACTION

This is to certify that the Historic Design Review Board (HDRB) at their hearing on, August 9, 2011, acted on the above referenced case. The decision of the board was to postpone your application to the August 23, 2011 hearing when a representative must be present. For further information please call 955-6605.

Sincerely,

David A. Rasch  
Planning Supervisor Historic Preservation Division

**NOTE:** Applicant can use this action letter to apply for building permit, but the permit shall not be released until the end of the appeal period which starts on the date of filing of the Findings and Conclusions in the City Clerks office (SFCC 14-3.17(D)). Your permit will be denied if any changes on plans that were not approved by the HDRB or if conditions of approval are not met. **Please attach copies of this letter to all sets when submitting for building permit.**





# HISTORIC DISTRICTS REVIEW BOARD APPLICATION

PROJECT LOCATION: 449 Camino Monte Vista

HISTORIC DISTRICT: Downtown & Eastside [ ] Don Gaspar Area [ ] Westside-Guadalupe [ ]  
(from attached map) Historic Transition [ ] Historic Review [ ] Landmark (outside of historic districts) [ ]

PROJECT PROPOSAL: \_\_\_\_\_

CONSTRUCTION COST: \$ \_\_\_\_\_

BASE FEE: \$ \_\_\_\_\_ + EXCEPTION: \$ \_\_\_\_\_ + POSTER: \$ \_\_\_\_\_ = TOTAL: \$ \_\_\_\_\_

(base fee = 1/2 of 1% of construction cost, not to exceed \$2,000 and not less than \$250)

(each exception has an additional fee of \$350) (\$25 per poster with one (1) poster per street frontage)

OWNER: Theodora Portago PHONE #: 920-2928

OWNER MAILING ADDRESS: 449 Camino Monte Vista

CITY, STATE, ZIP CODE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

APPLICANT: Elisabeth Wagner PHONE #: \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

CITY, STATE, ZIP CODE: \_\_\_\_\_

EMAIL: \_\_\_\_\_

PREAPPLICATION MEETING: Date: \_\_\_\_\_ Case Planner: \_\_\_\_\_

PRELIMINARY ZONING REVIEW: Date: \_\_\_\_\_ Planner: \_\_\_\_\_

(You must schedule a meeting with Zoning Planner prior to the HDRB submittal deadline date: Worksheet will not be reviewed on the HDRB submittal deadline day/Preliminary Zoning Review Form must be submitted with proposal)

## AFFIDAVIT TO AUTHORIZE AGENT (IF APPLICABLE)

I am,/We are the owner(s) and record title holder(s) of the property located at: \_\_\_\_\_

I/We authorize Elisabeth Wagner to act as my/our agent to execute this application.

Signed: [Signature] Date: 13 Aug. '15

Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**\*\*ALL signatures on this page must be original signatures (no copies, no digital signatures)**

