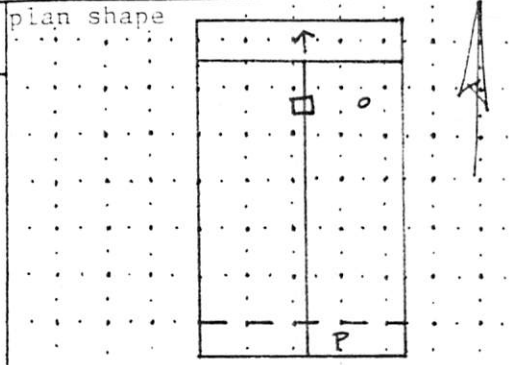
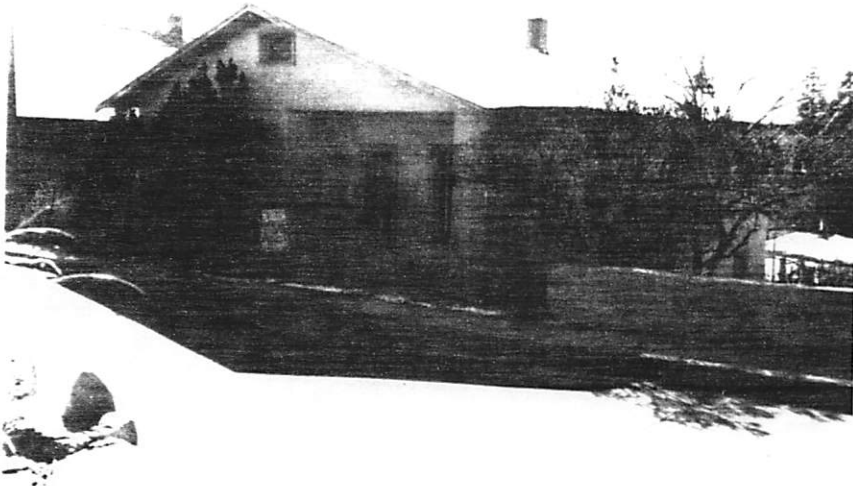


Attachment B
NEW MEXICO HISTORIC BUILDING INVENTORY FORM

H3011

building threatened? yes	surveyed date <u>2/85</u> by <u>HMW</u>	county <u>SANTA FE</u>	ID no. <u>051610400</u>
field map <u>SFHD #1</u>	number <u>400</u>	UTM reference easting zone <u>12 13</u>	northing
location description <u>614 P° de PERALTA</u>		city/town <u>SANTA FE</u>	
		land grant/reservation	

building name	legal description tnsp <u>N S</u> range <u>E W</u> sec <u>4</u>
film roll by HMW no. <u>SFHD 17</u>	negative nos. <u>27</u>
	loc. of neg. <u>HPB</u>



date of construction
1912-30 estimate _____ actual
source
KING'S, SANBORNS

use
present residential
other _____
historic residential
other _____

condition
_____ excellent good
_____ fair _____ deteriorating

degree of remodeling
_____ minor _____ moderate _____ major
describe:

BUNGALOW

wall material/surface
ADOBES/ STUCCO

architectural features 1 S IN FRONT 2 IN REAR.
MOD. PITCH FRONT GABLE RF W/ PORCH RECES'D IN BLDG VOL.
SMALL 4-LIGHT WD WDW W/ WD SURROUND IN GABLE
2 SOL 1 SMALL / 1 LARGE D.H. WD WTWS W/ STUCCOED
LUG SILLS ; SOL LEAF SOL LARGE LIGHT WD. DOOR.
PORCH CARRIED ON CORNER STUCCOED PIER, CONC. FLOOR.
SIDES: 1/1 D.H. WD, SOLS & TANDEM, 1 4/4 WD CASMT
ALL W/ STUCCOED LUG SILLS. BASMT SIDES: 4 & 6 PANE

surroundings
COMMERCIAL/RESIDENTIAL
relationship to surroundings
 similar _____ not similar

district potential
_____ yes _____ no

significance
_____ eligible of _____ none
if eligible, interest

comments HOPKINS, WD.
REAR: WD PORCH AT UPPER LEVEL ENCLOSED W/ FRAME
CONST & 2 BANDS OF 4 4-LIGHT WD WDS, CARRIED ON
IRON POSTS BELOW, FORMING OPEN PORCH W/ GARAGE
DOOR.

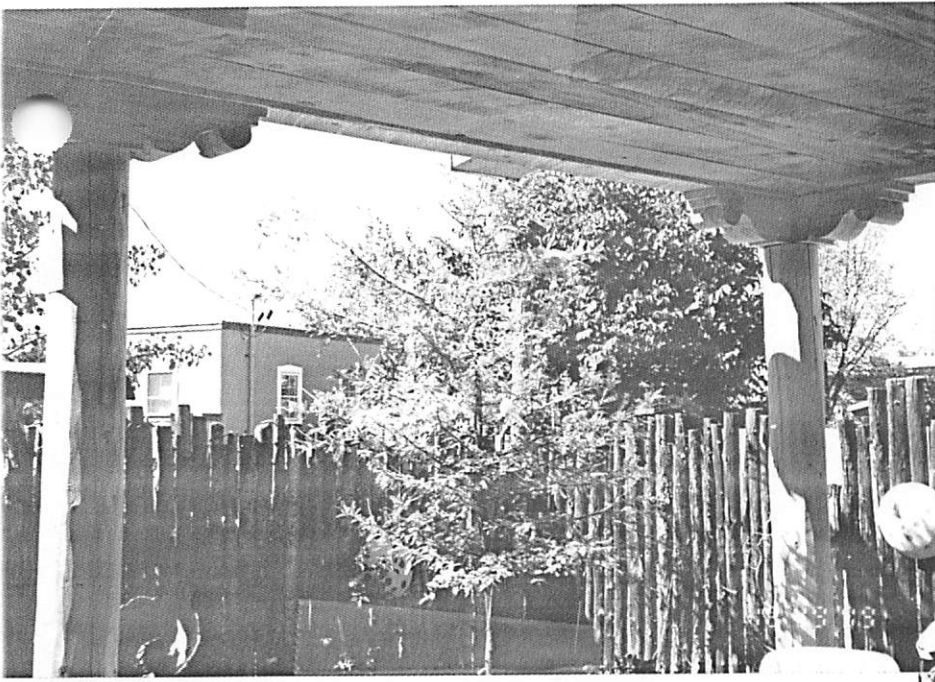
why? CONTRIS.

associated buildings? _____ yes
what type?

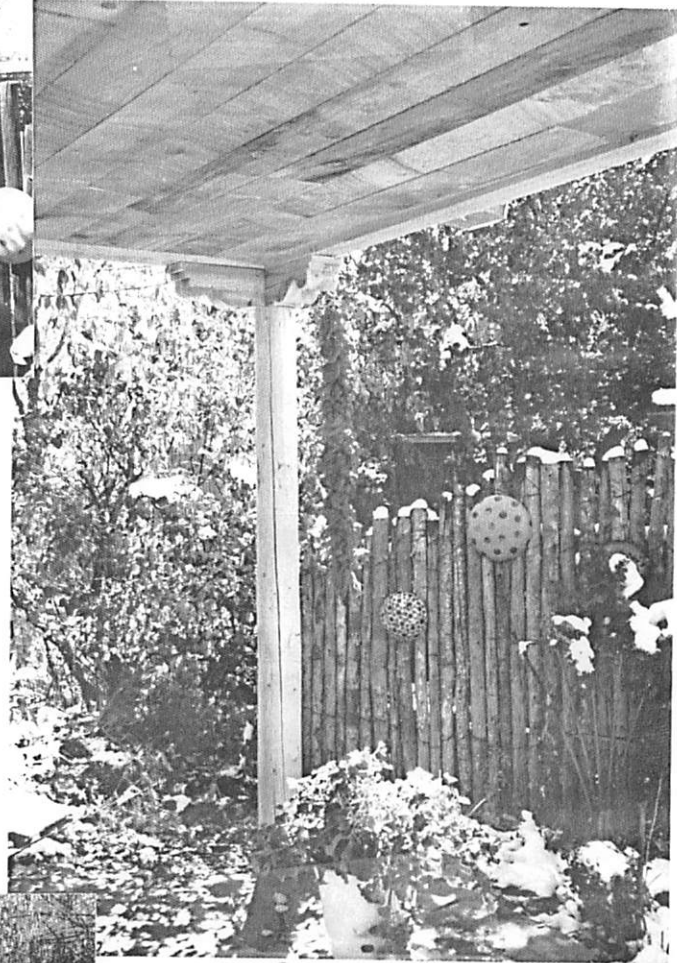
if inventoried, list ID nos.

see back? _____ yes

H-99-211
614 Paseo de Peralta



SW View



SE View

View from Loma Lane





Preliminary Zoning Review Worksheet

City of Santa Fe Land Use Department

To Be Completed By Applicant:		Site Address:
Date Submitted: 10/1/24	Miriam Espensen	614 Paseo de Peralta
Property Owner of Record: Leth Espensen Trust	Proposed Construction Description: new fence	
Applicant/Agent Name: Stefanie Beninato	TOTAL ROOF AREA: 1530 / 3955 (lotsize)	
Contact Person Phone Number: 505 988 8022	Zoning District: BCDEAS	
Overlay: <input type="checkbox"/> Escarpment <input type="checkbox"/> Flood Zone <input type="checkbox"/> Other: Downtown/Eastside	Lot Coverage: 39% <input type="checkbox"/> Open Space Required: _____	
Submittals Reviewed with PZR: Historic District <input checked="" type="checkbox"/> Legal Lot of Record <input type="checkbox"/> Development Plan <input type="checkbox"/> Building Plans <input type="checkbox"/> Existing Site Plan <input checked="" type="checkbox"/> Proposed Site Plan <input checked="" type="checkbox"/> Elevations	Setbacks: N/A Proposed Front: _____ Minimum: _____ 2 nd Front? _____ Proposed Rear: _____ Minimum: _____ Proposed Sides: L _____ R _____ Minimum: _____	
Supplemental Zoning Submittals Required for Building Permit: <input type="checkbox"/> Zero Lot Line Affidavit N/A	Height: Proposed 5'8" Maximum Height: 4'8" or <input checked="" type="checkbox"/> Regulated by Historic Districts Ordinance <input type="checkbox"/> Regulated by Escarpment District	
Access and Visibility: <input type="checkbox"/> Arterial or Collector** N/A <input type="checkbox"/> Visibility Triangle Required	Parking Spaces: N/A Proposed _____ Accessible _____ Minimum: _____	
Use of Structure: <input checked="" type="checkbox"/> Residential <input checked="" type="checkbox"/> Commercial Type of Use: Yarnshop, Gallery	Bicycle Parking**: N/A Proposed: _____ Minimum: _____	
Terrain: <input type="checkbox"/> 30% slopes N/A	<small>** Commercial Requirement</small>	

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

Stefanie Beninato
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.

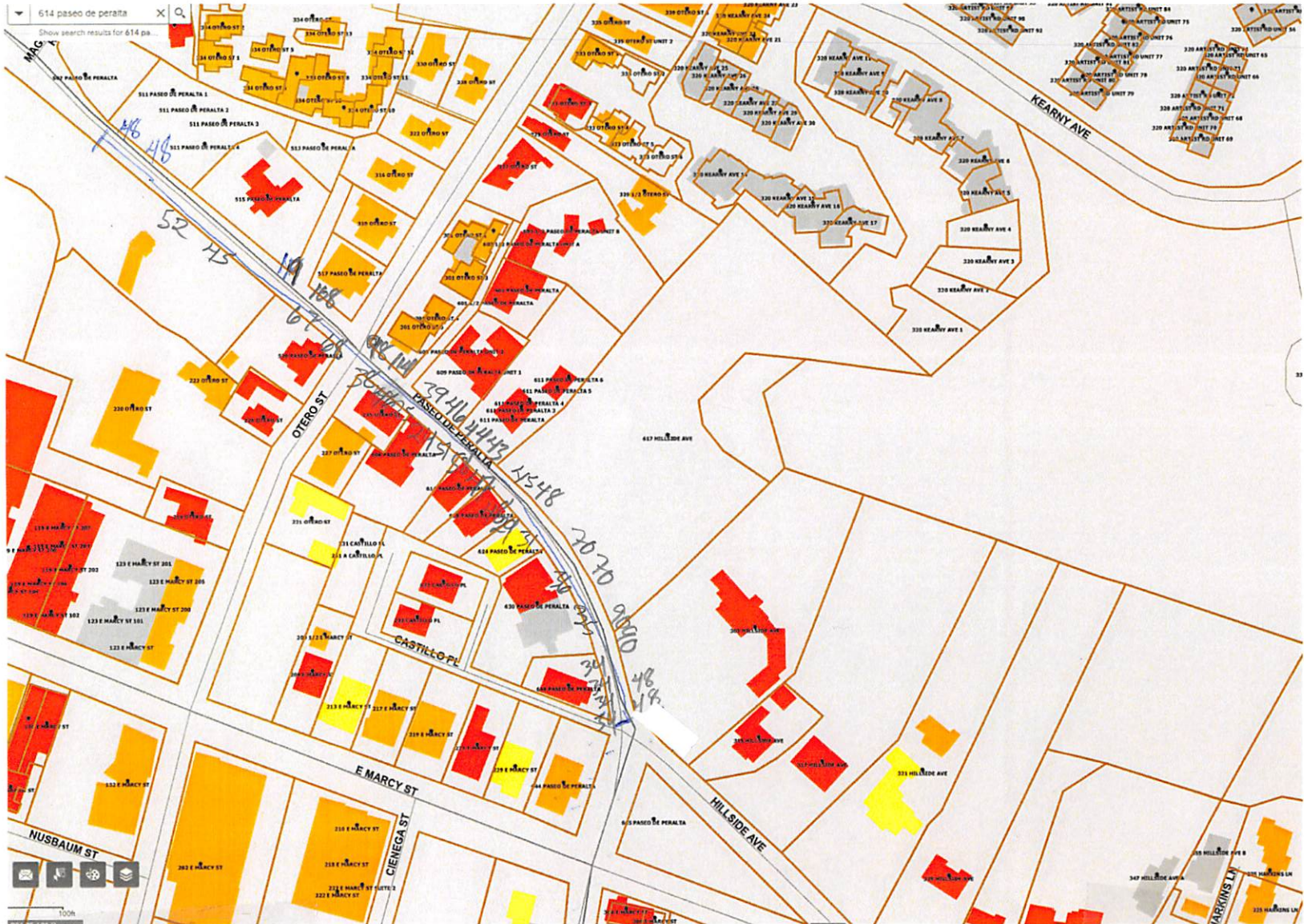
Stefanie Beninato
SIGNATURE

10/1/24
DATE

To Be Completed By City Staff:	2024-009432PAR
Additional Agency Review if Applicable:	
<input type="checkbox"/> Escarpment Approval by _____ Date: ___/___/___	
<input type="checkbox"/> Flood Plain Approval by _____ Date: ___/___/___	
<input type="checkbox"/> Traffic Engineering Approval by _____ Date: ___/___/___	
Notes: _____	
Zoning Approval:	
<input type="checkbox"/> Preliminary Approval <input checked="" type="checkbox"/> with conditions <input type="checkbox"/> Rejected	
Comments/Conditions: Legal lot of record provided	
Proposed 5'8" fence requires a variance from the Board of Adjustment before permitting per 14-7.4(A) Table of Dimensional Requirements for Townscape Districts for East Marcy/ East Palace	
REVIEWER: <u>Rebekah Clouser</u>	DATE: <u>11 / 6 / 2024</u>

Original color form must be submitted with Historic Districts Review Board (HDRB) application packet.

3/24



Fence/Wall Height Calculation for 614 Paseo de Peralta

Total: 2052
 Count: 38
 Average: 54"
 Maximum Allowable Height: 54" or 4'6"

- 48
- 48
- 119
- 108
- 98
- 114
- 39
- 46
- 44
- 43
- 45
- 48
- 70
- 70
- 90
- 90
- 48
- 48
- 52
- 45
- 67
- 68
- 38
- 46
- 25
- 24
- 51
- 58
- 47
- 48
- 29
- 31
- 36
- 35
- 34
- 34
- 34
- 34
- 34
- 54

38/2052
 54



2007-2014



2015-2023



August 2023



Streetscape looking west from neighbor to the east to the stop sign and then beyond the stop sign





Streetscape looking east from the residence





U.S. Postal Service
CERTIFIED MAIL RECEIPT
 (Domestic Mail Only; No Insurance Coverage Provided)

THIS SECTION ON DELIVERY

Case Number: BLD-002116-2024

Case Type: Building

Date Case Established: 01/11/2024

Compliance Deadline: 02/22/2024

1069 0129 0000 0150 2002

OFFICIAL

Postage \$ 6.35 **SANTA FE NM 87501**
 Certified Fee 4.35 **JAN 12 2024**
 Return Receipt Fee (Endorsement Required) 3.55
 Restricted Delivery Fee (Endorsement Required) _____
 Total Postage & Fees \$ 14.25

Sent To Leth - Espensen Trust
 Street, Apt. No., or PO Box No. 614 Paseo de Peralta
 City, State, ZIP+4 Santa Fe, NM 87501-1957

PS Form 3800, January 2001 See Reverse for Instructions

Agent
 Addressee

(Printed Name) _____ C. Date of Delivery _____

Address different from delivery address below? Yes
 No

Received
JAN 16 2023
 Stephen Bartels
 NM Taxation & Revenue

Mail Express Mail
 Return Receipt for Merchandise
 C.O.D.

Delivery? (Extra Fee) Yes

PS Form 3811, August 2001

Domestic Return Receipt

102595-02-M-0835

Santa Fe, NM 87501

Violation: Building without a Permit - Building - 14.5.2.8 Building without a Building permit.

Permits required. Subject to CILA Sections 60-13-3 and Section 60-13-45 NMSA 1978, and the provisions of the division rules, no building or structure shall be erected, constructed, enlarged, altered, repaired, moved, improved, removed, converted or demolished, no electrical wiring, plumbing or mechanical work and LP gas work as defined and described in the applicable New Mexico construction codes for those trades, may be installed, repaired or maintained in or on such building or structure, unless the applicable permit has first been obtained from the division, unless otherwise provided by statutes or rule. All re-roofs and applications of roof coatings require a building permit and inspections.

Corrective Action: Obtain Building Permit

Compliance Date: 02/22/2024

NOTICE OF VIOLATION

Should compliance not be adhered to, you will be subject to the penalties of Section 1-3.1. "Any violation of the Santa Fe City Code of 1987, not specifically provided for in any ordinance, resolution, rule, regulation or order to the contrary, is punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a term of not more than ninety (90) days, or by both such fine and imprisonment. Every day that any such violation continues constitutes a separate offense, except where otherwise provided."

Sincerely,

Kevin Smith
 Kevin Smith

First-Class Mail
Postage & Fees Paid
USPS
Permit No. G-10



USPS TRACKING#



9590 9402 5883 0038 0555 99

United States
Postal Service

* Sender: Please print your name, address, and ZIP+4® in this box*

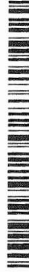
City of Santa Fe
200 Lincoln Ave
Santa Fe N.M. 87504
Anthony MAESTRAS



SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:
4-26-24
Miguel LETHESPENSEN
614 Paseo DE PERULTE
Santa Fe N.M.
87501



9590 9402 5883 0038 0555 99

2. Article Number (transfer from service label)

7033 0600 0000 5934 2028

PS Form 3811, July 2015 PSN 7530-02-000-9063

COMPLETE THIS SECTION ON DELIVERY

A. Signature
M. Leth Espensen
 Agent
 Addressee

B. Received by (Printed Name)
C. Date of Delivery
4/13/24

D. Is delivery address different from item 1? Yes
If YES, enter delivery address below: No

M. Leth Espensen
4/13/24

3. Service Type
- Priority Mail Express®
 - Registered Mail™
 - Adult Signature Restricted Delivery
 - Registered Mail Restricted Delivery
 - Certified Mail®
 - Signature Restricted Delivery
 - Collect on Delivery
 - Collect on Delivery Restricted Delivery
 - Signature Confirmation™
 - Signature Confirmation Restricted Delivery
 - Mail Restricted Delivery
 - Registered Mail Restricted Delivery

Domestic Return Receipt

City of Santa Fe

0654

P.O. Box 909, Santa Fe, New Mexico 87504-0909

HISTORIC PRESERVATION DIVISION / NOTICE OF VIOLATION

City Initiated

Citizen Complaint

NAME: _____

PHONE: _____

ADDRESS: _____

DESCRIPTION

Unapproved coyote fence at place of residence

NEEDS Approval From Historic Preservation
and construction permit

MAY result in fines and court appearance

Historic preservation @ santafenm.gov

NAME OF VIOLATOR: _____

PHONE: _____

ADDRESS: _____

614 Paseo De Peralta

14-3.10

Building Permits

14-8.10 (H) (19)

Permits Required (Signs)

14-8.5

Walls and Fences

14-8.10 (H) (23)

Sandwich Signs; Prohibition

14-8.10

Signs

14-8.10 (H) (29)

Price Reduction Signs

14-8.10 (A)

Applicability (Signs)

14-8.10 (H)

Special Sign Regulations in
the Historic Districts

14-8.10 (H) (4)

Prohibited Locations

14-8.10 (H) (12)

Signs; Awnings, Flags, Banners

OTHER

You are in violation of the following City Ordinance: _____

NOTICE OF VIOLATION

HPE01.indd 06/09

Should compliance not be adhered to, you will be subject to the penalties of Section 1-3.1. "Any violation of the Santa Fe City Code of 1987, not specifically provided for in any ordinance, resolution, rule, regulation or order to the contrary, is punishable by a fine of not more than five hundred dollars (\$500.00) or by imprisonment in the county jail for a term of not more than (90) days, or by both such fine and imprisonment. Every day that any such violation continues constitutes a separate offense, except where otherwise provided."

DATE: _____

2/23/24

TIME: _____

14:11

AM

PM

REINSPECTION DATE: _____

5/8/24

INSPECTOR

PHONE NO.: _____

ANTHONY MAESTRIAS
505-955-6577

PRIVATE PROPERTY
FOR THE EXCLUSIVE USE
OF
614 PASEO DE PERELTA
NO PUBLIC ACCESS

NO ENTRANCE TO
614 PASEO DE PERELTA













MCCULLEY, LANI J.

From: LAMBOY, HEATHER L.
Sent: Monday, December 2, 2024 7:37 PM
To: MOORE, MARGARET; MOQUINO, GARY S.; MCCULLEY, LANI J.
Subject: FW: Your facts differ from my client's 614 Paseo de Peralta

Follow Up Flag: Follow up
Flag Status: Flagged

Hi all,

I think we need to provide some background on the red-tag process and how Ms. Leth-Espensen has been a scofflaw. That is an important point to share with the HDRB. Please see below.

Sincerely,

Heather L. Lamboy, AICP
Director, Planning & Land Use Department
200 Lincoln Ave, Box 909
Santa Fe, NM 87505
(505) 470-5281



From: LAMBOY, HEATHER L.
Sent: Monday, November 4, 2024 12:25 PM
To: Stefanie Beninato <info@nmmediate.com>
Cc: info@havephd-willtravel.com; VENDITTI, CARLY A. <cavenditti@santafenm.gov>; ESQUIBEL, DANIEL A. <daesquibel@santafenm.gov>; MOQUINO, GARY S. <gsmoquino@santafenm.gov>; HIBNER, KYLE J. <kjhibner@santafenm.gov>; CLOUSER, REBEKAH E. <reclouser@santafenm.gov>
Subject: RE: Your facts differ from my client's 614 Paseo de Peralta

Hi Stefanie,

This is the link that I was referring to – the file size was too large to send via email.

Here's the attachment as a link for your review:

[Citations and Photos 614 PdP.pdf](#)

Sincerely,

Heather L. Lamboy, AICP

Director, Planning & Land Use Department

200 Lincoln Ave, Box 909

Santa Fe, NM 87505

(505) 470-5281



CITY OF SANTA FE
PLANNING & LAND USE

From: LAMBOY, HEATHER L.

Sent: Wednesday, October 30, 2024 5:51 PM

To: Stefanie Beninato <info@nmmediate.com>

Cc: info@havephd-willtravel.com; VENDITTI, CARLY A. <cavenditti@santafenm.gov>; ESQUIBEL, DANIEL A.

<daesquibel@santafenm.gov>; MOQUINO, GARY S. <gsmoquino@santafenm.gov>; HIBNER, KYLE J.

<kjhibner@santafenm.gov>; CLOUSER, REBEKAH E. <reclouser@santafenm.gov>

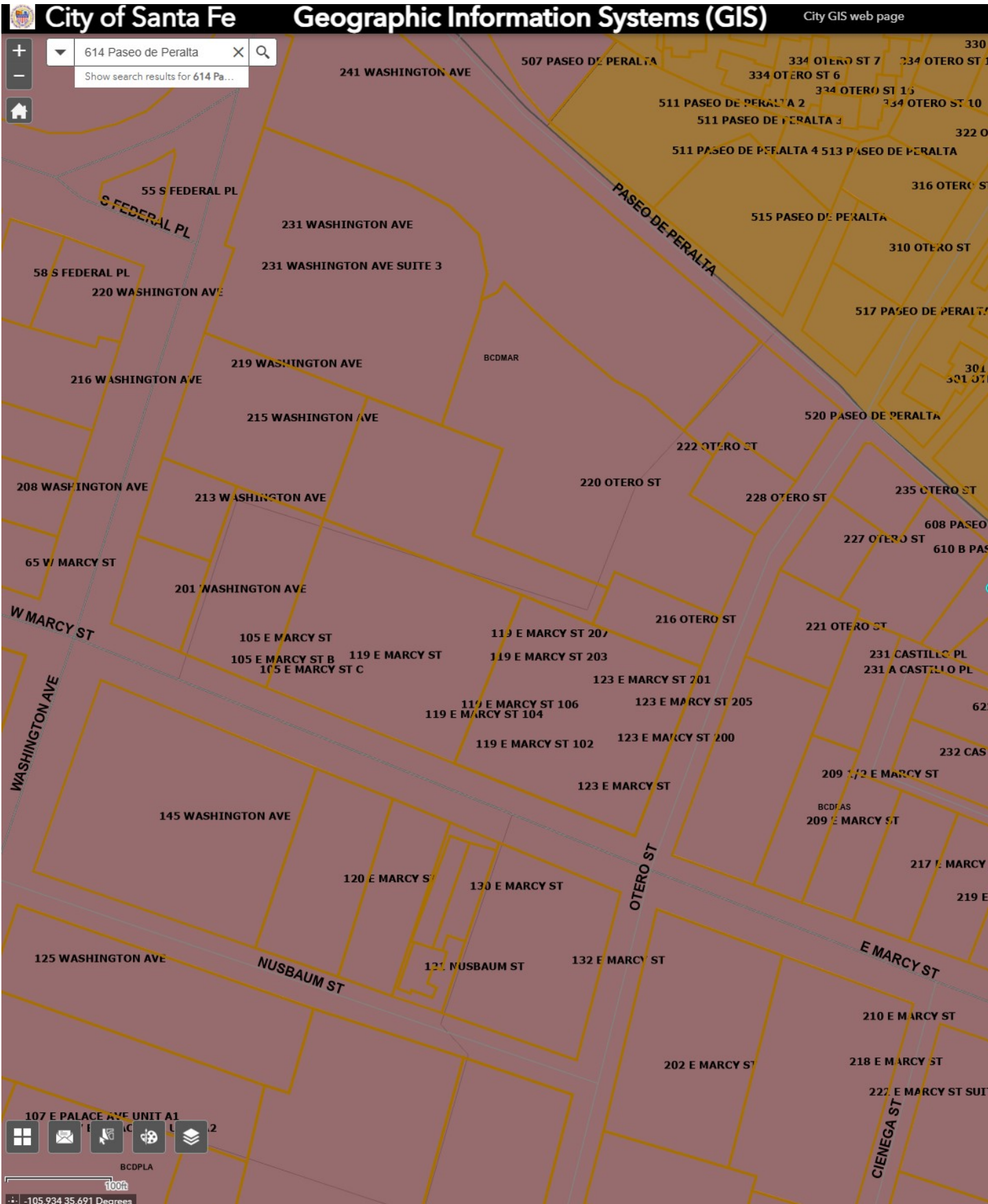
Subject: RE: Your facts differ from my client's 614 Paseo de Peralta

Good afternoon, Stefanie,

The property was red tagged by Kevin Smith, a citation was given by Anthony Maestas, and finally a citation referring the matter to court was issued (please see file link below with the paperwork).

While Paul may have assisted Ms. Leth-Espensen with scanning some paperwork, she did not do anything further. The first step is to obtain a preliminary zoning review (PZR) to assure that the proposed use and height is permitted in the zone district. The Code reference that Ms. Clouser cited has to do with Business Capitol District (BCD) zone district standards. We do not accept an application without the PZR form, as that communicates that Current Planning has reviewed the proposal and that there are no zoning issues. The map below is from the City's Geographic Information Systems (GIS) zoning map, a link to which can be found on the City's website:

<https://gis.santafenm.gov/portal/apps/webappviewer/index.html?id=8cbbefaf87d44d99b4f379564e9f3c83>. On a related matter, the Girls Inc property is in an R-2 zone district and not subject to the same standards as the East Marcy/East Palace BCD subdistrict.



As you can see, the subject property is in the Business Capitol District. The subdistrict is East Marcy/East Palace. The BCD has many subdistricts which reflect the unique character of each district; for example,

a subdistrict for the Capitol campus, Cerrillos Road, Don Gaspar, etc. The table of dimensional standards for the BCD Zone District can be found in Section 14-7.4(A) SFCC

1987. https://library.municode.com/nm/santa_fe/codes/code_of_ordinances?nodeId=CH14LADE_ART_14-7BUENOPSPSTME_14-7.4BUPIDI

VERSION: SEP 12, 2024 (CURRENT) ▾

- Article 14-3 - REVIEW AND APPROVAL PROCEDURES
- ▼ Article 14-4 - ZONING DISTRICTS
 - 14-4.1 - GENERAL PROVISIONS
 - 14-4.2 - RESIDENTIAL DISTRICTS
 - 14-4.3 - NONRESIDENTIAL AND MIXED-USE DISTRICTS
- Article 14-5 - OVERLAY ZONING DISTRICTS
- ▼ Article 14-6 - PERMITTED USES AND USE REGULATIONS
 - 14-6.1 - LAND USE CATEGORIES; TABLE OF PERMITTED USES
 - 14-6.2 - USE-SPECIFIC STANDARDS
 - 14-6.3 - MULTIPLE PRINCIPAL USES; ACCESSORY USES OR STRUCTURES
 - 14-6.4 - TEMPORARY STRUCTURES OR USES
- ▼ Article 14-7 - BUILDING ENVELOPE AND OPEN SPACE STANDARDS AND MEASUREMENTS
 - 14-7.1 - GENERAL RULES OF MEASUREMENT AND EXCEPTIONS
 - 14-7.2 - RESIDENTIAL DISTRICTS
 - 14-7.3 - NONRESIDENTIAL AND MIXED-USE DISTRICTS
 - 14-7.4 - BUSINESS-CAPITOL DISTRICT
 - 14-7.5 - OPEN SPACE STANDARDS
- Article 14-8 - DEVELOPMENT AND DESIGN STANDARDS
- Article 14-9 - INFRASTRUCTURE DESIGN, IMPROVEMENT AND DEDICATION STANDARDS
- Article 14-10 - NONCONFORMITIES
- Article 14-11 - ENFORCEMENT
- Article 14-12 - DEFINITIONS
- Article 14-13 - FEES

14-7.4 - BUSINESS-CAPITOL DISTRICT

(A) Table of Dimensional Requirements for Townscape Subdistricts

Maximum Height of Structures (feet); Stepback Note 2	Maximum Lot Coverage Ratio	Building Placement and Requirements (feet)
Alameda Street		
56 Stepback: 1' Horiz.: 2' Vert. above 36'	67%, for portion of block bounded by Cathedral Place, Alameda, Paseo de Peralta and Palace Avenue. None for remainder of this district	No requirements
Barrio De Analco		
West portion: 24 East portion: 18	67%	West portion: Buildings n feet maximum from prop East portion: No restricti
Cerrillos Road		
45 Stepback: 1' Horiz.: 2' Vert. above 27'; wall stepbacks shall be a minimum of 10 horizontal feet.	No requirements	15 minimum on Cerrillos; lot abuts a residential dis outside of the BC district, requirements for the resi district shall be met along common property line
Don Gaspar		
24	No requirements	Building setback requirer Street: 10 Side: 5 Rear: 15
East Marcy/East Palace		
27	No requirements	Building setback requirer Street: Note 4 Side: 5 Rear: 10
Loretto		

Ms. Leth Espensen was originally given a red tag by Kevin Smith (our Zoning Inspector) in August 2023 and January 2024. Anthony Maestas issued a citation on February 23 noting that Ms. Leth-Espensen had

not submitted an application and had not removed the fence. Anthony reinspected on April 26 and the fence remained and yet no application had been submitted. That is when Anthony referred this issue to municipal court. Since then, Assistant City Attorney Kyle Hibner has been processing this case. When the fence was originally constructed in August 2023 Constituent Services received a complaint from a community member, which was investigated and as a result the red tag issued.

Here is a snip from our computer system documenting dates:

NEW CASE

Summary

Details

Location

Additional Info

Workflow

Linked Records

Holds (2)

Contacts (1)

Fees

Activities

Files

Print Documents

Tasks

Internal Notes (1)

Inspection Cases

Communication

History

Active

Building Without a Permit Hold

[Origin: 10068096](#)

Violation # 0654 Issued for coyote fence at place of residence. Needs Approval from Historic Preservation and Construction permit.

Maestas, Anthony
02/23/2024 4:35 PM

Active

Inactive

Building Without a Permit Hold

[Origin: 10068096](#)

coyote fence built no permit Historic approval

Smith, Kevin
08/22/2023 7:14 AM

Active

We do try to work with applicants so they can come into compliance with the Historic Districts Ordinance. Over the past year, there have been several interactions with Ms. Leth-Espensen with staff as well as with the attorney at municipal court. Mr. Hibner shared with me that the judge most recently requested that Ms. Leth-Espensen make application to the City. As of yet, all that we have processed is a PZR. Even if the Historic Districts Ordinance permits a higher height, the underlying zoning permitted

height of 4 feet still applies; therefore, a variance to the height permitted by zoning (4 feet) will need to be reviewed and acted on by the Board of Adjustment. If a variance is granted, then the Historic Districts Review Board may then review the case.

Finally, you will find the application for a variance on this web page: <https://santafenm.gov/land-use/current-planning/application-forms-and-fees>.

Here's the attachment as a link for your review:
[Citations and Photos 614 PdP.pdf](#)

I hope this helps your understanding of the process and Code standards.

Sincerely,

Heather L. Lamboy, AICP
Director, Planning & Land Use Department
200 Lincoln Ave, Box 909
Santa Fe, NM 87505
(505) 470-5281



Sincerely,

Heather L. Lamboy, AICP
Director, Planning & Land Use Department
200 Lincoln Ave, Box 909
Santa Fe, NM 87505
(505) 470-5281



From: Stefanie Beninato <info@nmmediate.com>
Sent: Wednesday, October 30, 2024 9:04 AM
To: LAMBOY, HEATHER L. <hllamboy@santafenm.gov>
Cc: info@havephd-willtravel.com; VENDITTI, CARLY A. <cavenditti@santafenm.gov>; ESQUIBEL, DANIEL A. <daesquibel@santafenm.gov>; MOQUINO, GARY S. <gsmoquino@santafenm.gov>; HIBNER, KYLE J.

<kjhibner@santafenm.gov>; CLOUSER, REBEKAH E. <reclouser@santafenm.gov>

Subject: Your facts differ from my client's 614 Paseo de Peralta

Importance: High

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Heather Apparently my client and her son have a difference of opinion with your staff. I don't see Paul Duran's name on this thread. He is the one who on 1 March 2024 sent Miriam's application in—I believe he helped her scan the documents. See email below

It should be noted that Ms Clouser is citing fence heights for E Marcy and E Palace. This property is not located on either street. It is located on Paseo de Peralta. There is a 4 ft 8 inch picket fence at 618 visible from the street.

Also Ms Leth-Espensen is adamant that her fence was never redtagged. I am not surprised since there are people in my neighborhood who have been reported for unpermitted work and NEVER redtagged such as at 1008, 1023, 1025 Don Diego and 1030 Don Cubero.

My goal is to move this case to a resolution so Ms Leth-Espensen can live there safely.

What is the next step? I would like a clear pathway to resolution—no changes seven months later...like going to BOA instead of Historic...

If it is really necessary to go to the BOA, why was your staff ready to schedule this for a HBoard meeting? Really it seems even with digitalized files the right and left hands in your dept do not know what the other is doing. Please send all necessary applications today to avoid even more delay. I have submitted the PZR application; perhaps you can find the 1 March 2024 H Board application or I can submit a new one. Otherwise please send correct application for variance with instructions.

Thank you

Stefanie Beninato

----- Forwarded message -----

From: Robert Kohn <rkohn@outlook.com>

To: Stefanie Beninato <info@nmmediate.com>

CC: Miriam Leth-Espensen <miriamsf@me.com>

Subject: FW: 614 Paseo del Peralta Historic Districts Application

Date: Tue, 29 Oct 2024 23:45:59 +0000

Message-ID: <BL0PR02MB3700C0CD36EF0D5B3F6804D3AC4B2@BL0PR02MB3700.namprd02.prod.outlook.com>

Dear Stefanie,

It is wrong for Heather Lamboy to say that Miriam supposedly caused delays because she supposedly "has not formally applied for a permit." (As stated by Ms. Lamboy in her email sent to lots of people on Oct. 28, 2024.)

Miriam applied for a permit on March 1, 2024. (Please see below.) Would you please consider noting this fact to Ms. Lamboy and her colleagues?

Thank you,

-Rob

From: Miriam Leth-Espensen <miriamsf@mac.com>

Date: Saturday, April 20, 2024 at 8:05 AM

To: Robert Kohn <rkohn@outlook.com>

Subject: Fwd: 614 Paseo del Peralta Historic Districts Application

Sent from my iPhone

Begin forwarded message:

From: Miriam Leth-Espensen <miriamsf@me.com>

Date: March 1, 2024 at 5:02:09 PM MST

To: "DURAN, PAUL A." <paduran@santafenm.gov>

Subject: Re: 614 Paseo del Peralta Historic Districts Application

Thanks for all your help.

Enjoy the week-end.

Miriam

Sent from my iPad

On Mar 1, 2024, at 4:16 PM, DURAN, PAUL A. <paduran@santafenm.gov> wrote:

Hi Miriam,

Attached is the historic districts application. I have sent a copy to the hpdsubbmittal@santafenm.gov<<mailto:hpdsubbmittal@santafenm.gov>>

Thank you for coming in today and have a great weekend,

Paul

<614 Paseo Del Peralta.pdf>

From: Stefanie Beninato [<mailto:info@nmmediate.com>]

Sent: Tuesday, October 29, 2024 5:30 PM

To: 'hllambo@ santafenm.gov'

Cc: 'info@havephd-willtravel.com'; 'cavenditti@santafenm.gov'; 'daesquibel@santafenm.gov'; 'gsmoquino@santafenm.gov'; 'kjhbnr@santafenm.gov'; 'reclouser@santafenm.gov'

Subject: New Requirement for 614 Paseo de Peralta

LAMBOY, HEATHER Thank you for city's history of the case. Would you cite the ordinance re BCD height variations by variance? And also what zone is Girls Inc in since it just got an exception to raise the height of its coyote fencing beyond what is allowed by the HBoard. Same concerns as Ms Leth-Espensen.

Thank you

Stefanie Beninato

L. writes:

> Hi Stefanie,

>

> Many of the delays have been caused by Ms. Leth-Espensen. She has not
> formally applied for a permit even though the preliminary contact was
> months prior to Ramon leaving (the meeting was held on September 14,
> 2023). When he did not get timely responses from her, I even reached out
> to Eric Sommer as he was present at the initial meeting.

>

> As she has not done her due diligence, the zoning standards were not
> reviewed until this point. Previously we have only discussed the project
> as it relates to the height standards, preservation and design standards
> of the Historic Districts Ordinance. Chapter 14 clearly states the
> following: Section 14-5.2(A)(5):

>

> (5)Zoning District Regulations
> The property in an historic district shall be subject to the
> requirements, uses, and other regulations of the zoning district of which
> the property is a part, except for height as regulated in Subsection 14-5.2(D).
>
> Typically, the permitted height according to the Historic Districts
> Ordinance is lower than the permitted zoning district height. In this
> case, the BCD standards apply in addition to the Historic Districts
> Ordinance. The only body permitted to vary dimensional standards as set
> forth by the zone district is the Board of Adjustment. If she wants to
> maintain the current height, a variance will be required first and then
> the Historic Districts review board may approve this case.
>
> I am sure that you know that a non-conforming condition (the height of
> the fence she replaced) may not be created again with new construction.
> The non-conforming condition was removed with the removal of the previous fence.
>
> I have included a copy of the email correspondence that Gary and I sent
> to Ms. Leth-Espensen in September 2024 outlining the application process,
> which included the statement that she should apply for her PZR immediately.
>
> Finally, Ms. Leth-Espensen has regularly removed the red tags from the
> fence, which is not permitted according to Code. She has been severely
> deficient in her response to the red tags and citation.

>
> Sincerely,

>
> Heather L. Lamboy, AICP
> Director, Planning & Land Use Department
> 200 Lincoln Ave, Box 909
> Santa Fe, NM 87505
> (505) 470-5281

>
>
>
>

> -----Original Message-----

> From: info@swguides.com <info@swguides.com>
> Sent: Monday, October 28, 2024 10:11 AM
> To: CLOUSER, REBEKAH E. <reclouser@santafenm.gov>
> Cc: info@havephd-willtravel.com; LAMBOY, HEATHER L.
> <hllamboy@santafenm.gov>; VENDITTI, CARLY A. <cavenditti@santafenm.gov>;
> ESQUIBEL, DANIEL A. <daesquibel@santafenm.gov>
> Subject: Re: 614 Paseo de Peralta PZR status

>
> CAUTION: This email originated from outside of the organization. Do not
> click links or open attachments unless you recognize the sender and know
> the content is safe.

>
>

> CLOUSER, REBEKAH The client is asking for an exception to the Historic
> standards. She does not want the fence to the accepted height of 4 ft 8

> inches. That is on the PZR application.
> Please can we go forward? This case has been open for over a year and
> delayed because of alleged staff shortages etc. Now it seems that you
> all are not in the loop on why this case is going to Historic.

> Thank you
> Stefanie Beninato

>
>
>
> E. writes:

>
>> Good Morning,
>>
>> Staff has received your legal lot of record for the property.
>> Per 14-7.4(A)-1 Table of Dimensional Requirements for Townscape
>> Subdistricts for East Marcy/ East Palace "Walls, fences, and hedges
>> permitted to maximum of 4 feet."
>> Please lower the proposed fence height to 4'.

>>
>> Thanks,
>> Rebekah Clouser
>> City of Santa Fe Land Use
>> Land Use Planner

>>
>>
>> The City of Santa Fe is initiating a review and update of the Land
>> Development Code, and invites you to participate!
>> Please visit <http://www.santafeldcupdate.org/> to learn more, take our
> survey and join the mailing list.

>>
>>
>>
>> -----Original Message-----
>> From: info@havephd-willtravel.com <info@havephd-willtravel.com>
>> Sent: Friday, October 25, 2024 1:48 PM
>> To: VENDITTI, CARLY A. <cavenditti@santafenm.gov>
>> Cc: LAMBOY, HEATHER L. <hllamboy@santafenm.gov>; CLOUSER, REBEKAH E.
>> <reclouser@santafenm.gov>
>> Subject: Re: 614 Paseo de Peralta PZR status

>>
>> CAUTION: This email originated from outside of the organization. Do
>> not click links or open attachments unless you recognize the sender
>> and know the content is safe.

>>
>>
>> VENDITTI, CARLY On Wednesday Dan Esquibel contacted you and sent you
>> verification of the legal lot of record status for 614 Paseo de Peralta.
>> Since that is the only item you pointed out as missing, I was
>> expecting the review to be approved shortly after you received that
>> confirmation. I am trying to make the 28 Oct deadline for the HBoard.
>> Please advise me of status of PZR Thank you Stefanie Beninato
>>

>>
>> A. writes:
>>
>>> Good morning,
>>>
>>> The PZR for 614 Paseo de Peralta is currently incomplete, please
>>> submit legal lot of record for the property so we may move forward with our review.
>>> <https://santafenm.gov/land-use/legal-lot-of-record&data=05%7C02%7Creclouser%40%7C34c15c891c784dc8bdc308dcf52dfb6a%7C77b69f5a55ed436386164867b0bc707f%7C0%7C0%7C638654825426728306%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=dermLbR4exoKYs4BNzN4W09%2BMFa%2FvZrOHvdYPPJ%2F58%3D>
>>> 0
>>> santafenm.gov%7C34c15c891c784dc8bdc308dcf52dfb6a%7C77b69f5a55ed436386164867b0bc707f%7C0%7C0%7C638654825426728306%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=dermLbR4exoKYs4BNzN4W09%2BMFa%2FvZrOHvdYPPJ%2F58%3D
>>> 1
>>> 64867b0bc707f%7C0%7C0%7C638654825426728306%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=dermLbR4exoKYs4BNzN4W09%2BMFa%2FvZrOHvdYPPJ%2F58%3D
>>> J
>>> WljoIMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=dermLbR4exoKYs4BNzN4W09%2BMFa%2FvZrOHvdYPPJ%2F58%3D
>>> 0
>>> 0%7C%7C%7C&sdata=dermLbR4exoKYs4BNzN4W09%2BMFa%2FvZrOHvdYPPJ%2F58%3D
>>> &
>>> reserved=0
>>>
>>> Thank you,
>>> Carly
>>>
>>> Carly Venditti
>>> Senior Planner
>>> City of Santa Fe
>>> cavenditti@santafenm.gov
>>> Cell: 505.795.0675
>>> Office: 505.955.6656
>>>
>>>
>>> [cid:17ece933-1a05-43f1-9654-eb3fc77f0440]
>>>
>>> The City of Santa Fe is initiating a review of the Land Development
>>> Code, and invites you to participate!
>>>
>>> Please visit
>>> <http://www.santafenm.gov/land-use/legal-lot-of-record&data=05%7C02%7Chllamboya%40santafenm.gov%7Ca5c2b9bfcfbf24b758eec08dcf76b1bcc%7C77b69f5a55ed436386164867b0bc707f%7C0%7C0%7C638654825426728306%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=jhy2ioRmUsp5%2BQqNvZLbLDgPVJm7UK9bCJtjwxufsk%3D&reserved=0>
>>> antafeldcupdate.org%2F&data=05%7C02%7Creclouser%40santafenm.gov%7C34c15c891c784dc8bdc308dcf52dfb6a%7C77b69f5a55ed436386164867b0bc707f%7C0%7C0%7C638654825426743191%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=TbQqNvZLbLDgPVJm7UK9bCJtjwxufsk%3D&reserved=0
>>> 1
>>> 5c891c784dc8bdc308dcf52dfb6a%7C77b69f5a55ed436386164867b0bc707f%7C0%7C0%7C638654825426743191%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=TbQqNvZLbLDgPVJm7UK9bCJtjwxufsk%3D&reserved=0
>>> C
>>> 0%7C638654825426743191%7CUnknown%7CTWFpbGZsb3d8eyJWIjoiMC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=TbQqNvZLbLDgPVJm7UK9bCJtjwxufsk%3D&reserved=0
>>> J
>>> Qljoiv2luMzliLCJBTiI6Ikl1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=TbQqNvZLbLDgPVJm7UK9bCJtjwxufsk%3D&reserved=0
>>> G
>>> O6AKFHSqIbAt55Ov5CQRoLHsH0ilzDtjkSdn7zXk%3D&reserved=0<<https://gcc02.org>

>>> safelinks.protection.outlook.com/?url=https%3A%2F%2Fgcc02.s%2F&data=0
>>> 5%7C02%7Chllamboym%40santafenm.gov%7Ca5c2b9bfcbf24b758eec08dcf76b1bcc%
>>> 7C77b69f5a55ed436386164867b0bc707f%7C0%7C0%7C638657287263304651%7CUnk
>>> noun%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6Ik1haW
>>> wiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=7pfnAj0cZPawwugsCH1mUmWSELtmU
>>> x3MoYBxAYQ19gc%3D&reserved=0
>>> afelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.santafeldcupdat
>>> e
>>> .org%2F&data=05%7C02%7Creclouser%40santafenm.gov%7C34c15c891c784dc8bd
>>> c
>>> 308dcf52dfb6a%7C77b69f5a55ed436386164867b0bc707f%7C0%7C0%7C6386548254
>>> 2
>>> 6753194%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliL
>>> C
>>> JBTiI6Ik1haWwiLCJXVCI6Mn0%3D%7C60000%7C%7C%7C&sdata=p2T6XjYU0HokSyQYZ
>>> 1 OSGTZOY8yxAQK7dG%2F0%2BZwJuT8%3D&reserved=0>
>>> to learn more and join the mailing list.
>>>
>>> _____
>>> From: Stefanie Beninato <info@nmmediate.com> on behalf of
>>> info@havephd- willtravel.com <info@havephd-willtravel.com>
>>> Sent: Saturday, October 19, 2024 4:41 PM
>>> To: Land Use Zoning Counter <zoningcounter@santafenm.gov>
>>> Subject: 614 Paseo de Peralta preliminary zoning review work sheet
>>>
>>>
>>> CAUTION: This email originated from outside of the organization. Do
>>> not click links or open attachments unless you recognize the sender
>>> and know the content is safe.
>>>
>>>
>>> Attached please find preliminary zoning review work sheet for 614 Paseo de Peralta.
>>>
>>> The owner built the fence based on bad advice of a contractor and is now seeking a permit.
>>>
>>> Photo attached shows already existing fence that is part of the subject of the permit.
>>>
>>> If you need anything else to complete the application, please let me know.
>>>
>>> I would like to help the owner move forward-she has been working on
>>> resolving the issue for over a year now.
>>>
>>> Thank you.
>>>
>>> Stefanie Beninato
>>>
>>> Agent for Miriam Leth-Espensen
>>>
>>> 505 988 8022
> Stefanie Beninato
> PO Box 1601
> Santa Fe, NM 87504

> 505 988 8022

>