

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

**Case # 2025-10494-HDRB**

**Address** – 206 McKenzie St.

**Agent’s Name** – Bradyn Furry, Archaeo Architects

**Owner/Applicant’s Name** – Mindy Hale

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearings on June 24, 2025, and July 22, 2025.

**BACKGROUND**

The large, complex building at 206 McKenzie St. is a conjoined cluster of structures built in different eras on a .6-acre lot. The original core of the structure appears on an 1848 fire insurance map. The original Spanish Pueblo style building developed in a vernacular and accretional manner, undergoing many changes, including alterations of its architectural style to Territorial, then Renaissance Revival. Owners added a two-story addition at the northwest corner in the 1930s, and another second-story addition at the southeast corner in the 1940s. Further additions at the southwest corner were present by 1958, although it is not clear what year they were built.

Cleofus Jaramillo, the widow of Territorial Col. V. Jaramillo, lived there from 1923 through the early 1930s, and the house became known as the Cleofus Jaramillo house. Her profile in the community was bolstered by her formation of La Sociaded de Folklorico of Santa Fe and publication of her autobiography, *The Romance of a Little Village Girl*. In 1942 the property was acquired by Edna Ballard, whose husband Guy Ballard had founded the “I Am” religious order. I Am encouraged its followers to dress and decorate in bright colors, and Ms. Ballard had all structures on the compound painted white in accordance with I Am’s doctrine. Ms. Ballard and her son, Donald, were later indicted for and convicted of mail fraud for using the U.S. Mail to seek donations to a “false religion.” In 1944 the U.S. Supreme Court overturned the convictions, holding that the First Amendment prohibits juries from deciding the truth or falsity of a defendant’s religious beliefs. *United States v. Ballard*, 322 U.S. 78 (1944).

In 2013, in Case # H-13-003, the HDRB reviewed the historic status of the property and designated the main structure as contributing to the Downtown and Eastside Historic District. The Board also designated all but the southernmost half of the west elevation and the westernmost third of the south elevation as primary façades. In 2020, Case # 2020-1990-HDRB, the Board approved repairs and renovations proposed by another, earlier architect, including the repair of some historic windows, replacement of some historic windows deteriorated beyond repair, replacement of some non-historic windows, re-roofing of all structures, and other alterations. The present architect, Bradyn Furry, alleges that those contractors damaged the structure and some of its fixtures, removing historic materials, and damaging some walls. Mr. Furry reports that that contractor destroyed some historic windows, rendered others inoperable, and incorrectly sealed and flashed some.

At this hearing, the Applicant requests Board approval of the following items:

- 1) Replace all the doors and windows, for which exceptions are requested to Santa Fe City Code (“SFCC”) Sections 14-5.2(D)(1)(a) for the removal of historic material and 14-5.2(D)(5)(a)(1) for replacement of repairable historic windows on a primary façade.
- 2) Construct a new steel carport within the existing auto courtyard, for which an exception is requested to SFCC Section 14-5.2(E) for use of exposed steel as a structural material in the Downtown and Eastside Historic District.
- 3) Increase the height of a north-elevation parapet by 3’3” from 14’½” to 17’3”, from a previously approved parapet alteration, for which an exception is requested to SFCC Section 14-5.2(D)(2)(c) for creating an addition to a primary façade.
- 4) Install roof-mounted HVAC units and solar collectors.
- 5) Construct a new pedestrian gate on the McKenzie Street façade.
- 6) Re-stucco the exterior of the structure with new stucco to match the existing.

### **FINDINGS OF FACT**

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

1. Land Use Department Staff conducted a preliminary zoning review (“PZR”) and determined that the application meets the underlying zoning standards set forth in the Santa Fe City Code.
2. Historic Preservation Division Staff reviewed the application and related materials and information submitted by the Applicant for conformity with applicable Code requirements and provided to the Board a written report of its findings (“Staff Report”), which evaluates the factors relevant to the application.
3. Historic Preservation Division Staff Recommendation: Staff recommended approval of Items 1-2 and 4-6 of the proposed project and found that the application complied with SFCC Section 14-5.2(D), General Design Standards for all Historic Districts, and 14-5.2(E), Downtown and Eastside Design Standards. Staff recommended findings that the exception criteria had been met for Items 1 (door and window replacement) and 2 (steel carport), but that the exception criteria had not been met for Item 3, addition and height increase to the parapet on the north-elevation facade. Staff recommended that the Applicant find other design options for the parapet, including lowering it to be subservient to the adjacent historic parapet.
4. The project is subject to SFCC Section 14-5.2(C), Regulation of Significant and Contributing Structures.
5. The project is subject to the requirements and general design standards set forth in SFCC Section 14-5.2(D), General Design Standards.
6. The property is located in the Downtown and Eastside Historic District and is subject to the district design standards set forth in SFCC Section 14-5.2(E).
7. Under SFCC Sections 14-2.6(B-C), 14-5.2(A)(1), 14-5.2(C)(2)(a-d & f), 14-5.2(C)(3)(a-b), 14-5.2(C)(4) and 14-5.2(D), the Board has authority to review, approve, with or without conditions, or deny, all or some of the Applicant’s proposed design to assure overall compliance with applicable design standards.

### **Window and Door Replacement**

8. Under SFCC Section 14-5.2(D)(1)(a), removal of historic materials from a significant, contributing or landmark structure is prohibited.
9. Under SFCC Section 14-5.2(D)(5)(a)(i), historic windows on all façades of significant and landmark structures, and historic windows on the primary façades of contributing structures, shall be repaired or restored wherever possible.
10. The Applicant proposes to replace all the doors and windows on this contributing structure, including historic windows on the primary façades, which would result in the removal of historic material and replacement of historic windows that are repairable on primary façades.
11. The Staff determined that exceptions to SFCC Section 14-5.2(D)(1)(a) and 14-5.2(D)(5)(a)(i) would be required for approval of Item # 1 in the application, and the Applicant requested the exceptions.
12. To obtain an exception, the Applicant was required to conclusively demonstrate that the three exception criteria set forth in SFCC Section 14-5.2(C)(5)(b) have been met specifically for Item # 1 of the application.
13. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board finds that the Applicant has **not** conclusively demonstrated that the exception criteria have been met for replacement of: windows E, OO (three) and NN (three) on the west, primary elevation; windows G, I, PP and SS, and door 6 on the north, primary elevation; window K and doors 7 and 9 on the east, primary elevation, and windows Z, BB (three), QQ (two) and RR on an east-facing façade in the northeast courtyard; and windows L, N, M, O, P, R, S (three), T (three), U, V (two), W (two), GG (three), HH (three), II, JJ (two), LL (three), KK (three), MM (three) on the south, primary elevation:
  - a. Pursuant to SFCC Section 14-5.2(C)(5)(b)(i), the Board finds that granting the exception would damage the character of the district because the proposal to replace all the windows and doors is grand in scale, involving the replacement of 54 historic windows and three historic doors on primary elevations of a contributing structure at a prominent location in the Downtown and Eastside Historic District;
  - b. Pursuant to SFCC Section 14-5.2(C)(5)(b)(ii), the Board finds that the exception is not required to prevent a hardship to the Applicant or an injury to the public welfare because there is no clear evidence these windows and doors are deteriorated beyond repair, no persuasive evidence that they cannot be restored, and no substantial evidence that their present condition contributes to the deterioration of the structure; and
  - c. Pursuant to SFCC Section 14-5.2(C)(5)(b)(iii), the Board finds no substantial evidence that granting the exception would strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the Historic Districts.
14. The Board approves the replacement of: doors 2, 3, 4 and 5, and windows C, D, F and ZZ (four) on the west elevation, and window YY on a west-facing façade in the northeast courtyard; windows H (three) on the north elevation, and windows DD (nine) and TT (eleven), and door 19 on a north-facing façade in the northeast courtyard; windows J, EE (two) and FF (two), and doors 8 and 18 on the east elevation, and window Y and door 15

on east-facing façades in the northeast courtyard; windows X (two) and doors 10, 11 and 14 on the south elevation, and window Q and door 12 on an east-facing façade on the south elevation. These doors and windows are either on non-primary façades or the evidence demonstrates that they are not historic.

15. On the primary, east elevation, the Board approves the Applicant's proposal to move doors 7 and 9 to a lower position within their existing openings, in conjunction with their restoration.

### **Steel-Framed Carport**

16. Under SFCC Section 14-5.2(E)(1)(e), Old Santa Fe style buildings must be constructed of adobe with a mud plaster finish, or constructed of blocks, bricks or other materials with a simulated adobe effect.
17. The Applicant proposes to construct a carport off the west elevation which would consist of exposed steel members, which is inconsistent with the Old Santa Fe style requirement of an adobe effect.
18. The Staff determined that an exception to SFCC Section 14-5.2(E)(1)(e) would be required for approval of Item # 2 of the application, and the Applicant requested the exception.
19. To obtain an exception, the Applicant was required to conclusively demonstrate that the three exception criteria set forth in SFCC Section 14-5.2(C)(5)(b) have been met specifically for Item # 2 of the application.
20. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board finds that the Applicant has conclusively demonstrated that all exception criteria have been met for construction of a steel-framed carport, to a height of 8'8", in the auto court on the westernmost part of the property:
  - a. Pursuant to SFCC Section 14-5.2(C)(5)(b)(i), the Board finds that granting the exception would not damage the character of the district because there are already carports in the west parking area of this property, and the proposed carport will be hidden from view within existing perimeter walls, which will be raised in places to fully screen the carport from public view;
  - b. Pursuant to SFCC Section 14-5.2(C)(5)(b)(ii), the Board finds that the exception is required to prevent a hardship to the Applicant or an injury to the public welfare because the auto court within the perimeter walls is restrictive, movement within it is limited, and a cantilevered carport is the only design that will allow for maximum maneuverability while providing the necessary framework for solar panels; and
  - c. Pursuant to SFCC Section 14-5.2(C)(5)(b)(iii), the Board finds that granting the exception would strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the historic districts because the proposed carport would allow for added off-street parking on an unusually narrow two-lane street.

### **Parapet Addition**

21. Under SFCC Section 14-5.2(D)(2)(c), additions are not permitted to primary façades of contributing, significant or landmark structures.
22. The Applicant proposes to create an addition which would increase by 3'3" the height of

- an existing parapet on the north, McKenzie Street elevation, which is a primary façade.
23. The Staff determined that an exception to SFCC Section 14-5.2(D)(2)(c) would be required for approval of Item # 3 of the application, and the Applicant requested the exception.
  24. To obtain an exception, the Applicant was required to conclusively demonstrate that the three exception criteria set forth in SFCC Section 14-5.2(C)(5)(b) have been met specifically for Item # 3 of the application.
  25. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board finds that the Applicant has conclusively demonstrated that all exception criteria have been met for the addition to the north-elevation parapet, based on a re-design of the parapet, presented to the Board at its meeting on July 22, 2025:
    - a. Pursuant to SFCC Section 14-5.2(C)(5)(b)(i), the Board finds that granting the exception would not damage the character of the district because the augmented parapet would conceal rooftop mechanical appurtenances from public view, it would permit the re-design of the roof behind it to channel stormwater away from the front entrance, and the Board previously approved a parapet at a similar height in Case # 2021-3826-HDRB;
    - b. Pursuant to SFCC Section 14-5.2(C)(5)(b)(ii), the Board finds that the exception is required to prevent a hardship to the Applicant or an injury to the public welfare because the wall adjacent to the existing parapet is compromised by inclement weather, and a heightened parapet would help direct the flow of stormwater to an internal downspout and prevent water from draining over the front door and onto the McKenzie Street sidewalk; and
    - c. Pursuant to SFCC Section 14-5.2(C)(5)(b)(iii), the Board finds that granting the exception would strengthen the unique heterogeneous character of the City by providing a full range of design options to ensure that residents can continue to reside within the historic districts.
  26. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing, establishes that all applicable requirements for Board review as herein described have been met.
  27. The information contained in the Staff Report and exhibits, and the testimony and evidence submitted at the hearing establishes that all applicable design criteria have been met with respect to Items # 2 through 6 of the application.

### **CONCLUSIONS OF LAW**

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

1. The Board has the authority to review and approve the application.
2. The Board approves Item # 1 for only: doors 2, 3, 4 and 5, and windows C, D, F and ZZ (four) on the west elevation, and window YY on a west-facing façade in the northeast courtyard; windows H (three) on the north elevation, and windows DD (nine) and TT (eleven), and door 19 on a north-facing façade in the northeast courtyard; windows J, EE (two) and FF (two), and doors 8 and 18 on the east

elevation, and window Y and door 15 on east-facing façades in the northeast courtyard; and windows X (two) and doors 10, 11 and 14 on the south elevation, and window Q and door 12 on an east-facing façade on the south elevation.

3. The Board denies the exceptions to SFCC Sections 14-5.2(D)(1)(a) and 14-5.2(D)(5)(a)(i) requested in Item # 1 of the application with respect to replacement of windows E, OO (three) and NN (three) on the west, primary elevation; windows G, I, PP and SS, and door 6 on the north, primary elevation; window K and doors 7 and 9 on the east, primary elevation, and windows Z, BB (three), QQ (two) and RR on an east-facing façade in the northeast courtyard; and windows L, N, M, O, P, R, S (three), T (three), U, V (two), W (two), GG (three), HH (three), II, JJ (two), LL (three), KK (three), MM (three) on the south, primary elevation.
4. The Board approves Items # 2 through 6 as set forth in the application.
5. The Board grants the exception to SFCC Section 14-5.2(E)(1)(e) as requested in the application for the steel-framed carport, Item # 2.
6. The Board grants the exception to SFCC Section 14-5.2(D)(2)(c) as requested in the application for the parapet addition, Item # 3, as re-drawn and re-submitted to the Board July 22, 2025.

**IT IS SO ORDERED ON THIS 9<sup>th</sup> DAY of DECEMBER, 2025, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

\_\_\_\_\_  
Cecilia Rios, Chair

\_\_\_\_\_  
Date

FILED:

\_\_\_\_\_  
Andréa Salazar  
City Clerk

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

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

\_\_\_\_\_  
Date