



Planning and Land Use Department Planning Commission Staff Report

Case Number	#2026-11784
Hearing Date	March 5, 2026
Agent	Charles Henry of Friedman Walcott Henry & Winston, LLC
Applicant	Christopher Alden Olson Revocable Trust
Request	Certificate of Compliance
Location	315 Sena St., Santa Fe, NM 87501
Case Manager	Alexa Hempel
Zoning	R-21 (Residential, 21 Dwelling Units per Acre)
Overlay	Don Gaspar Area Historic District, Historic Downtown Archeological Review District
Pre-App Meeting	N/A
ENN Meeting	N/A
Proposal	The Applicant requests retroactive approval of a lot line adjustment/consolida tion for adjustments illegally made in 1981 and 1983.



Site Map

Case #2026-11784. 315 Sena St Certificate of Compliance. Charles Henry of Friedman Walcott Henry & Winston, LLC, Agent, for Christopher Alden Olsen Revocable Trust, Owner, requests approval of a Certificate of Compliance per SFCC §14-2.1.E.XI.b., for a lot that is non-compliant with City Subdivision Review requirements at 315 Sena St. The property is zoned R-21 (twenty-one residential units per acre) and consists of a 4,006 square foot lot with one dwelling unit and ADU, within the Don Gaspar Area Historic District. (Alexa Hempel, Case Manager, anhempel@santafenm.gov).

****This application was reviewed under the newly updated Ch. 14 Land Development Code (Ord. 2025-25)****

I. RECOMMENDATION:

Staff recommends the Planning Commission **APPROVE** Case #2026-11784, “315 Sena St Certificate of Compliance,” to create a legal lot of record.

One motion will be required for this case:

- **APPROVE** or **DENY** Case #2026-11784, “315 Sena St Certificate of Compliance.”

II. SUMMARY & HISTORY

The subject property is located at 315 Sena St, east of the Cerrillos Rd and St. Francis Rd intersection. The Property is 4,006 sq ft, currently containing one existing home and accessory dwelling unit (ADU).

The lot was created in 1929 through a ‘Map Showing Subdivision of Land Belonging to Frank Andrews’ (Attachment B). The subdivision created 12 lots, with 315 Sena St being identified as Lot 5 (see Figure 1). The City of Santa Fe’s Zoning Ordinance did not go into effect until December 5th, 1962, thereby the original subdivision did not need City approvals to be considered a legal lot of record. The original subdivision establishes legal lots of record for all surrounding properties to the subject property, shown in Figure 1.



Figure 1: Frank Andrews Subdivision 1929, 315 Sena as Lot 5

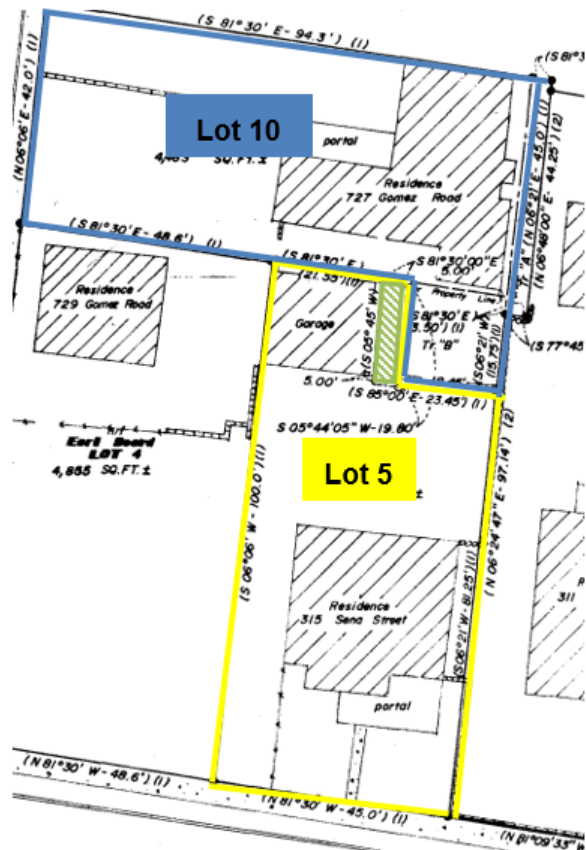


Figure 2: Lot 5 and 10 as shown on Boundary Survey for Wendy Kapp

Beginning in 1957, Earl and Lutie Beard owned Lot 5 (315 Sena), Lot 10 (727 Gomez), and Lot 4 (729 Gomez). In 1981 and 1983, **after** the City of Santa Fe’s Zoning Ordinance came into effect, the Beard’s adjusted the internal boundaries between Lots 5 and 10 without City approval via plats recorded with the county (Attachment B). These made both Lot 5 and 10 illegal lots (see Figure 2). The lot line adjustments made via plats transferred an area of approximately 300 sq ft in the northeast corner of Lot 5 (yellow) to Lot 10 (blue).

They also created a ‘lease area’ of approximately 100 sq ft (5ft x 20ft) directly adjacent to the garage (now ADU) on Lot 5 (315 Sena). This area is shown in hatched green in Figure 2. The lease area is owned by Lot 5 and leased to Lot 10 for a duration of 99 years with option to renew (1983 – 2082). The lessee (Lot 10) has the right to use and occupy the premises for the purpose of residential use according to the original lease (Attachment B). Both the lessor and lessee cannot construct anything on the lease area unless in compliance with Chapter 14 of the Santa Fe City Code, as amended (see lease agreement and first lease amendment in Attachment B).

The current owner of 315 Sena St bought the property in 2014 as described in the warranty deed which references the public notice plat titled “Boundary Survey for Wendy Kapp #315 Sena Street, Lot 5, Frank

Andrews Subdivision within projected Section 25, Township 17 North, Range 9 East...” (Figure 2 and Attachment B).

The current owner wishes to correct the errors of illegal lot line adjustments done by previous owners through requesting a Certificate of Compliance for 315 Sena St to establish legal lot of record for Lot 5 as shown in Figure 2. The Certificate of Compliance would not create any new nonconformities.

A Certificate of Compliance is required to go before the Planning Commission if a lot was created in violation of Chapter 14. SFCC 1987 Section 14-2.1.E.1.XI.b gives the Planning Commission the following authority:

“The Planning Commission may approve a certificate of compliance for a lot or contiguous lots that have been created in violation of the procedural requirements of this section if it determines that the lots comply with all other applicable standards of Chapter 14 or it imposes conditions of approval necessary to ensure such compliance. Upon meeting any conditions of approval and recordation of the certificate of compliance, the lot or lots shall be legal lots of record.”

The Applicant was not required to complete a pre-application conference or Early Neighborhood Notification (ENN) meeting per SFCC 1987 Sections 14-2.1.B.1.I and 14-2.1.B.1.II. The applicant has complied with SFCC 1987 Section 14-2.1.B.3.V "Notice Requirements" for public hearing.

Staff's analysis finds that the lot in question meets all applicable standards of Chapter 14, as amended, and recommends **APPROVAL** of the Certificate of Compliance.

III. PROJECT ANALYSIS: CERTIFICATE OF COMPLIANCE

Zoning & Land Use

315 Sena St is zoned R-21, Residential 21 dwelling units per acre. The future land use designation is Residential, 7-9 dwelling units per acre. R-21 districts have the following zoning requirements:

Table 1: R-21 Dimensional Standards (SFCC 1987 Section 14-3.2.F)

Requirement	R-21*	315 Sena St
Minimum Lot Size	3,000 sq ft	4,006 sq ft
Maximum Height	26 ft	Approximately 13 ft
Lot Coverage	40% maximum, may increase to 55% if private open space is provided	Approximately 41.9% 446 sq ft private open space required and provided
Setbacks	Street: 7 ft (20 ft for street-facing garage/carport) Rear: 15 ft (or 20% of lot depth, whichever is less) Side: 5 ft	Street: 20 ft Rear: 0 ft & 15 ft Side: 3.5 ft, 10 ft, 0 ft, & 5 ft

*Refer to SFCC 1987 Section 14-3.1.F for more detailed information

This property meets the requirements for lot size, height, and lot coverage. Street setbacks and some of the rear and side setbacks have also been satisfied, however, the red areas in Figure 3 depict setback areas that are not met. Those setbacks that are not met existed pre-code due to the home and ADU construction in 1947, and therefore are legal nonconformities. Approval of this Certificate of Compliance will not increase any existing setback nonconformities because the lot lines with setback issues are not being altered.

It is also of note that the 'lease area' as described in Section II of this report provides the property at 315 Sena St with the required 5 ft side setback on the eastern side of the ADU (see Attachment B).

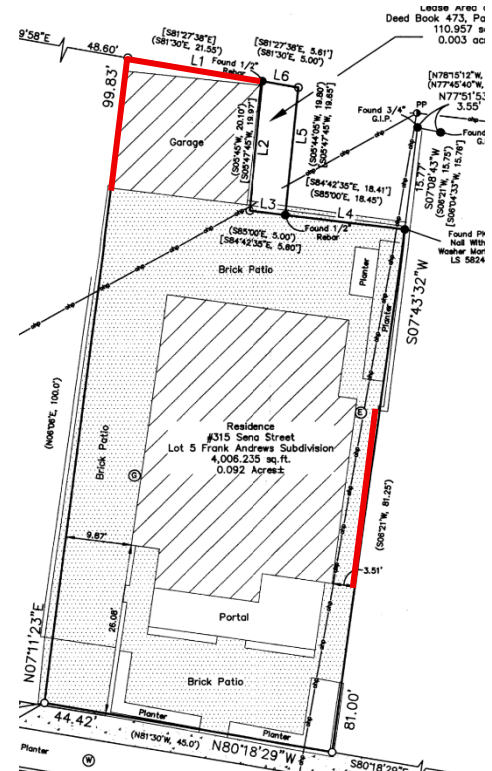


Figure 3: Red lines depict areas that do not meet minimum setback requirements.

IV. CERTIFICATE OF COMPLIANCE APPROVAL CRITERIA (SFCC 1987 SECTION 14-2.1.E.1.XI.b)

There are no approval criteria necessary for Certificate of Compliance applications. Chapter 14 delegates the Planning Commission the following authority: *“The Planning Commission may approve a certificate of compliance for a lot or contiguous lots that have been created in violation of the procedural requirements of this section if it determines that the lots comply with all other applicable standards of Chapter 14 or it imposes conditions of approval necessary to ensure such compliance. Upon meeting any conditions of approval and recordation of the certificate of compliance, the lot or lots shall be legal lots of record.”*

V. EARLY NEIGHBORHOOD NOTIFICATION

The Applicant was not required to complete an Early Neighborhood Notification meeting per SFCC 1987 Section 14-2.1.B.1.II.

VI. ATTACHMENTS

ATTACHMENT A: Maps & Photos

- 1. Aerial View
- 2. Street View
- 3. Current Zoning Map
- 4. Future Land Use Map

ATTACHMENT B: Applicant Submittals

- 1. Application and Letter of Intent
- 2. Associated Plats and Deeds
- 3. Original Lease and Lease Amendment

ATTACHMENT C: Certificate of Compliance Approval Letter

APPROVED AS TO FORM BY THE PLANNING AND LAND USE DEPARTMENT:

Title	Name	Initials
Department Director	Heather Lamboy	HLL
Assistant Department Director	Maggie Moore	MRM
Planner Manager	Daniel A Esquibel	DAE
Planner Senior	Alexa Hempel	ANH