

City of Santa Fe, New Mexico

Attachment C

Applicant Materials

- 1. Applicant Letter of Request**
- 2. Dalton Zoning Compliance Letter**



NM LAND SOLUTIONS LLC. (Dba. Siebert & Associates Inc.)

915 Mercer Street
Santa Fe, New Mexico 87505
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Website: NMLandSolutions.com

September 13, 2024

Dan Esquibel
Interim Planning Manager
PO Box 909, 200 Lincoln Ave.
Santa Fe, NM 87504

Re: 996 Martinez LN. Letter of Compliance request

Dear Mr. Esquibel:

On behalf of Joesph Foster (Peregrino Properties III, LLC.), property owner, I am requesting an administrative letter of compliance to establish legal lot of record for the property identified on the city GIS interactive mapping system addressed as 996 Martinez Lane and further identified by parcel number #11587200. The property is zoned R-5 and consists of 0.317 acres thereby in compliance with the R-5 density requirements. The historic owners of record are Patricio (Pat) L. Martinez and Isabel Martinez, which was later inherited by their heirs and later sold to the current owner. The affidavit of heirship and current warranty deed are attached to this letter.

Included with this letter are pre-code documents, boundary surveys and subdivision plats that were approved by the Summary Committee and Planning Commission. The above documents are described below and will assist with the review process.

In addition, minor exterior repairs to the existing home are in dire need and require immediate attention as it relates to the replacement of broken windows and repairing the existing portico where the wood is rotting and causing mold. An application with Historic Planning has been pending for about eight months in order to locate and prove legal lot of record.

Historic Documentation:

1. Map identifying each document provided below

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2. Subject Parcel Survey prepared for Pat & Isabell Martinez recorded on January 4, 1966, with survey field work being completed September 1965. The property was later acquired by the heirs of Pat & Isable Martinez and later sold to Mr. Foster (Current owner)
3. North Adjoiner Legal lot created by Lot split plat approved by the City Summary Committee recorded in 1989.
4. East Adjoiner Legal lot created by subdivision entitled Armeta Subdivision.
5. West Adjoiner Martinez Street (City Street) identified in Attachment 1 of this letter
6. South Adjoiner Deed recorded in 1969 and describes all adjoiners referenced in above documentation and also includes a 1978 improvement survey delineating existing improvements on subject lot.
7. Southernmost Adjoiner 1962 pre-code recorded plat, proves boundary line between south adjoiner shown above (#6).

Your review and approval of the subject request is greatly appreciated. Please feel free to call if you should have any questions.

Sincerely,
Victoria Dalton
Victoria Dalton
NM Land Solutions



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March 27, 2026

Rebekah Clouser
Senior Planner
PO Box 909, 200 Lincoln Ave
Santa Fe, NM 87504

Re: 996 Martinez Lane – Zoning Compliance Letter

Dear Ms. Clouser,

In response to the review comments regarding the establishment of a legal lot of record for the subject property, we submit this letter to confirm that the lot complies with the current R-5 zoning district and the lot and building standards outlined in Chapter 14-3.2 (Table 3-3).

Following discussions with the property owners and City staff, we understand the concerns regarding the existing unpermitted or nonconforming shed on the property. The owners acknowledge that the shed was present prior to their acquisition of the property and have expressed willingness to remove it based on whether city historic staff determines that there is not significant historic relevance tied to the subject shed.

The property consists of 13,667 square feet (0.31 acres) and is zoned R-5 (5 du/acre). Based on the R-5 density requirements, the lot supports the existing primary dwelling and guesthouse (casita).

Existing Residential Structures

Primary Residence and Guesthouse

Complies. Both structures were constructed in the late 1960s.

- Primary residence: approximately 2,205 sq. ft.
 - Guesthouse/casita: approximately 1,100 sq. ft., which is less than fifty percent of the size of the primary residence, consistent with code requirements.
-

Setbacks

Front Setback

Complies.

- Primary residence: approximately 31 feet from the front property line along Martinez Lane.
- Code requires 7 feet, or 20 feet when a garage faces Martinez Lane.
- Casita: approximately 120 feet from Martinez Lane.

North Side Yard Setback

Complies.

- Required: 5 feet.
- Primary residence: approximately 5.5 feet from the north lot line.
- Casita: approximately 26 feet from the north lot line.

South Side Yard Setback

- **Primary residence:** Complies. Required setback is 5 feet; existing setback is approximately 45 feet.
- **Casita:** approximately 5.5 feet from the south lot line.

Rear Setback

- **Primary residence:** Complies. The rear yard is approximately 70 feet from the rear lot line (code requires 15 feet).
 - **Casita:** Approximately 18 feet from the rear lot line.
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Existing Sheds

There are two existing sheds are constructed of post and beam and corrugated tin. The date of construction is unknown.

The sheds are located at the rear of the property and complies with Chapter 14-6.3.2(a)(iv) of the prior code, which did not require setbacks for utility sheds. The recently adopted code now requires a 5-foot rear setback (Chapter 14-5.3.C.1.b).

As noted above, the property owners are willing to remove the sheds if not considered historic.

Lot Coverage

The maximum lot coverage allowed in the R-5 zoning district is 40%. The existing development totals approximately 3,665 sq. ft., which equals 27% of the lot area and therefore complies with Chapter 14-5.3, Table 3-3.

- Lot area: 13,667 sq. ft.
- Primary residence: 2205 sq. ft.
- Casita: 1,100 sq. ft.
- Utility sheds: 360 sq. ft.
- **Total:** 3665 sq. ft. (27%)

Lot Access and Parking

Access

Access is directly from Martinez Lane, an approximately 18-foot-wide dirt/base course road. Prior correspondence with staff confirms that Martinez Lane is a City-owned street.

Parking

The property contains an integral covered carport located approximately 50 feet from the street, accommodating three vehicles. Two additional parking spaces are located in front of the primary residence. Chapter 14-7.5, Table 7-4 requires four parking spaces; five spaces are provided. Parking therefore complies with the current code.

Please feel free to contact me if you have any questions moving forward to resolve the legal lot of record and approval of a certificate of compliance.

Sincerely,
Victoria Dalton

Victoria Dalton
Dalton Land Insights LLC

Cc: Joseph Foster
Elaine Foster
Joseph Karnes