

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

**Case # 2024-8706-HDRB**

**Address** – 409 Camino Del Monte Sol

**Agent's Name** – Jeremiah Collatz, AIA

**Owner/Applicant's Name** – James Cahn and Jeremiah Collatz

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on August 13, 2024.

**BACKGROUND**

The structure at 409 Camino Del Monte Sol is a single-family residence listed as contributing to the Downtown and Eastside Historic District. The architectural design speaks to a mix of vernacular styles, including Spanish Pueblo Revival, and Territorial styles as seen by the flat roof, gabled roof sections of the structure, and a mix of recessed and wood framed doorways and windows. On June 25, 2024, in Case # 2024-8334-HDRB, the Board maintained contributing status for this property and designated the north and south façades as primary, identified by numbers 3, 13 and 14 on the façade diagram.

The property has undergone several improvements, as noted in the HCPI, including connecting the three stand-alone structures and guest house in the 1980s. The garage addition was constructed in the 1990s. Now the property is an amalgamation of three previously detached structures, the primary residence, a guest house, and a detached garage.

At this hearing, the Applicant requested Board approval for the following items:

- 1) Re-roof the flat roof with Carlisle TPO roofing system, color tan.
- 2) Re-roof the pitched roof with new corrugated galvanized sheet metal. (Historic aerial photographs reveal that this material was used historically, as was common at that time.)
- 3) Replace gutters in kind.
- 4) Re-slope and reinforce pitch of roof, not changing the pitch of the roof.
- 5) Insert two new canales on the east elevation.
- 6) Insert one new canale on the west elevation.
- 7) Remove downspouts on the north and west elevations.
- 8) Rebuild in kind the existing overhang on the northwest façade.
- 9) Replace, relocate and install four roof-mounted condenser units, which will be concealed behind the parapet.
- 10) Remove existing exterior conduit lines.
- 11) Construct new entry portal on the south elevation in kind.
- 12) Repaint garage trim, door and window.
- 13) Remove corbels on the garage.
- 14) Repair, refurbish and paint all exterior windows and doors.

For project item # 11, the new entry portal on the south elevation, the Applicant requested an exception to Santa Fe City Code (“SFCC”) Section 14-5.2(D)(2)(d) for placing an addition within 10 feet of a primary façade on a contributing structure.

### **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 appears to meet the underlying zoning standards set forth in the SFCC.
2. Historic Preservation Division Staff reviewed the application and related materials and information submitted by the Applicant for conformity with applicable SFCC requirements and provided the Board with 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 the proposed project and found that the application complies with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts, and 14-5.2(E), Downtown and Eastside Design Standards, with the approval criteria for an exception to Section 14-5.2(D)(2)(d), for addition within 10 feet of a primary façade.
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.
8. The Applicant proposes to replace a non-historic entry portal on the south primary façade. Under SFCC Section 14-5.2(D)(2)(d), additions to contributing, significant or landmark structures must be set back a minimum of 10 feet from any primary façade.
9. Staff determined that an exception to SFCC Section 14-5.2(D)(2)(d) would be required for approval of the application, and the Applicant requested an exception.
10. 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.
11. Based on the information set forth in the Staff Report and exhibits, and the evidence and testimony presented at the hearing, the Board agrees with Staff’s finding that the Applicant has conclusively demonstrated that all exception criteria have been met:
  - 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 existing portal columns are non-historic and the proposed south-façade portal is consistent with the overall character of the building;
  - 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 existing, non-historic portal columns are out of proportion to traditional Territorial columns, oversized for the portal, the proposed renovation to the portal will provide a more harmonious design, and it will extend the life of the historic elements at the entry portal; 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 other designs considered for this portal, including the existing design, were inharmonious, and an entry portal at that location serves the utility and the architectural character of the house.
- 12. The Board finds that the Applicant has conclusively demonstrated that all of the exception criteria have been met.
- 13. The information contained in the Staff Report, and the exhibits, testimony and evidence submitted at the hearing, establish that all applicable requirements for Board review as herein described have been met.
- 14. 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.

**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 Items # 1-14 as set forth in the application, as recommended by Staff.
- 3. The Board grants the exception requested in the application for project element # 11.

**IT IS SO ORDERED ON THIS 14th DAY of JANUARY, 2025, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.**

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Cecilia Rios, Chair

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Date

FILED:

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Andréa Salazar  
City Clerk

\_\_\_\_\_  
Date

APPROVED AS TO FORM:

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

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Date