

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

Case # 2024-8730-HDRB

Address – 918 B Acequia Madre

Agent’s Name – Ed Caruana, AIA (retired)

Owner/Applicant’s Name – Richard Simpson and Melanie Spriggs

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

BACKGROUND

Built in the 1920s in a mountain vernacular design style, the single-family residence at 918 B Acequia Madre is characterized by a corrugated metal roof, adobe-block construction material, a brick chimney and recessed doors and windows. The structure has been well maintained and is listed as contributing to the Downtown and Eastside Historic District.

The Staff approved a previous application for this property January 18, 2024, in Case # 2024-7787-ADMIN, to repair and replace the metal corrugated roof and wooden eaves, and to demolish the existing chimney, reconstruct it in kind with red brick and replace the flashing. The property owner did not proceed with the construction of this work and the brick chimney fell into such disrepair that it has been completely removed. The Applicant’s agent, a retired AIA, told the Board the chimney, assembled with lime mortar and unreinforced, was crumbling. It also was code deficient, below the required height of two feet above obstructions within 10 feet. The original interior kiva fireplace below the chimney has been unusable for many years. The Applicant provided a written opinion from a mason, Jeremy Turner, Turner Masonry, LLC, who wrote that the chimney was structurally unsound, sitting on a large deposit of mortar on top of an unreinforced adobe wall, and resting against a corrugated sheet-metal roof.

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

- 1) Replace the corrugated metal roof and gutter in kind (previously granted administrative approval by the Land Use Staff).
- 2) Remove the existing brick chimney, for which the Staff has determined an exception is required to Santa Fe City Code (“SFCC”) Section 14-5.2(D)(1)(a) for removal of historic materials or alteration of architectural features that embody the status of a contributing building.

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 a finding that the exception criteria had not been met, and recommended denial of the exception to SFCC Section 14-5.2(D)(1)(a). Staff recommended approval of the other elements of the application as they comply with Section 14-5.2(D), General Design Standards for all Historic Districts, and Section 14-5.2(E) Downtown and Eastside Design Standards.
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. Under SFCC Section 14-5.2(D)(1)(a), the removal of historic materials or alteration of architectural features and spaces that embody the status of a contributing building shall be prohibited.
9. The Applicant proposes to replace the roof of a contributing building and to remove the historic brick chimney. The Staff determined that an exception to SFCC Section 14-5.2(D)(1)(a) would be required for approval of the application with respect to removal of the brick chimney, and the Applicant requested this exception.
10. Contrary to the recommendation of the Staff, the Board finds that the brick chimney on the house does not embody the contributing status of the structure, and therefore an exception per SFCC Section 14-5.2(C)(5)(b) is not required for its removal. The Board has considered that the chimney was poorly constructed, structurally unstable, not in compliance with applicable codes (see IRC Chapter 10, § R 1001.1), and that it no longer served any purpose.
11. Per SFCC Sections 14-2.11 and 14-3.15, and PLUD Interpretation # 2020-001, the Land Use Staff gave administrative approval for replacement of the corrugated steel roof in kind, in metal color with a matte finish, with no change to roof pitch or rooftop appurtenances. See Case # 2024-7787-ADMIN. The Board finds no reason to set aside this administrative approval.
12. 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.
13. 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 # 1-2 as set forth in the application.

IT IS SO ORDERED ON THIS 14th DAY of JANUARY, 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