

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

Case # 2024-8739-HDRB

Address – 1127 E. Alameda St.

Agent’s Name – Bernie Romero

Owner/Applicant’s Name – Sara Rupert

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

BACKGROUND

The single-family residence at 1127 E. Alameda Street is listed as non-contributing to the Downtown and Eastside Historic District. The structure was built in the mid-1980s, with an addition built on the north elevation in the mid-2000s. The structure was designed in the Recent Santa Fe Style as seen by the flat roof, rounded parapets, CMU stuccoed wall, recessed doors and windows. The property currently has a motorized wooden mechanical gate with metal structure which was installed without Historic Districts Review Board or other City approval.

The property owner seeks HDRB approval of a new vehicle entry gate, in an arched shape, six-feet high at the apex and 13’11” wide, at the existing driveway. The existing wooden gate would be replaced due to rot on the wood surfaces and the extensive restoration and maintenance required for it. The proposed gate will be patina-rusted steel, square-lattice with reinforced unions, similar in size to the existing gate. No work is proposed to the existing yard wall, and existing motorized mechanisms will not be altered for the installation of the new gate.

The Staff has determined that an exception pursuant to SFCC Section 14-5.2(C)(5)(b) would be required for the proposed metal gate, as it is inconsistent with Downtown and Eastside design standards. At this hearing, the Applicant requests Board approval for an exception to SFCC Section 14-5.2(E) for the installation of this proposed metal vehicular gate at the south entrance of the property on East Alameda Street.

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 Santa Fe City Code (“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. Additionally, the Staff recommended a finding that all exception criteria for the use of metal on the vehicular gate have been met.

4. The project is subject to the requirements and general design standards set forth in SFCC Section 14-5.2(D), General Design Standards.
5. 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).
6. Under SFCC Sections 14-2.6(B-C), 14-5.2(A)(1), 14-5.2(C)(3)(a-b), and 14-5.2(C)(4), 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.
7. Under SFCC Section 14-5.2(E), Downtown and Eastside design standards, the styles identified in this section are characterized by adobe, wood, natural stone, brick, tile or terra cotta building materials, with wooden trim elements, and a similarity of materials between Old Santa Fe and Recent Santa Fe Styles.
8. The Applicant proposes to install a patina-rusted steel vehicular gate at the south entrance of the property, facing East Alameda Street. The Staff determined that an exception to SFCC Section 14-5.2(E) would be required for approval of the application, and the Applicant requested an exception.
9. 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.
10. 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 in the specific circumstances of this case:
 - a. Pursuant to SFCC Section 14-5.2(C)(5)(b)(i), the Board finds that, subject to the conditions imposed by the HDRB, as described below, granting the exception would not damage the character of the district because wooden elements will be predominant in the design, there are gates with metal along East Alameda Street on this streetscape, this fenestrated gate would allow a view of the house, and the earthtone color would complement the streetscape;
 - 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 proposed fenestrated gate would allow better visibility than the existing solid wooden gate and would require less maintenance; 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 East Alameda Street is heavily traveled, and this street-facing gate would provide additional security while providing harmony with the surrounding streetscape.
11. Under SFCC Section 14-5.2(C)(3)(b), the Board has the authority to approve an application for alteration or new construction on the condition that changes relating to exterior appearance recommended by the Board be made in the proposed work, and no

permit is to issue until new drawings or documentation, satisfactory to the Board, have been submitted.

12. The Board finds that the Applicant has conclusively demonstrated that all of the exception criteria have been met, subject to the condition imposed by the HDRB, as described below.
13. 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.
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, subject to the condition imposed by the HDRB, as described below.

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 the item as set forth in the application, as recommended by the Staff, with the following additional condition:
 - a. The lower sheet-metal, laser-cut panel be clad on the exterior with wood, rough-sawn panels harmonious in color with the rusted metal and other gates in the vicinity, vertical in orientation, that would leave exposed the taller openings and may either cover or leave exposed the shorter slot openings between the taller ones. The Applicant shall submit a drawing showing the design of these wood panels for Staff review and approval.
3. The Board grants the exception requested in the application, subject to the condition imposed by the HDRB, as described in Section 2, above.

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