

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

Case # 2025-11459-HDRB

Address – 912 Don Gaspar Ave.

Agent's Name – Positive Energy Solar

Owner/Applicant's Name – Moises Zamora

THIS MATTER came before the Historic Districts Review Board (“Board”) for hearing on December 9, 2025.

BACKGROUND

The single-family residence at 912 Don Gaspar Ave. is a significant structure in the Don Gaspar Area Historic District. The approximately 2,000-square-foot residence was constructed by 1930 in a bungalow style with a hipped roof. It has a moderate level of remodeling with a porch enclosed in the 1950s on the south end of the rear, western elevation. The roof is hipped with asphalt shingles and an overhang with and exposed rafters. The building is constructed of red brick atop a smooth-cut stone foundation. The front portal features columns with chamfered plinths atop brick buttresses and a low wall.

On this streetscape there is a mix of stone walls, picket fences, and metal, wrought iron and chain-link fencing. There is a combination of Spanish Pueblo Revival, Territorial Revival, and Victorian style residences set back from the street with landscaped yards between the street and the residences. Many roofs are pitched, and there is a combination of wall colors from a yellow tan to medium brown stuccos. The property owners were permitted to re-roof the residence in-kind with shingle roofing per an administrative approval in Case # 2019-1037-ADMIN.

The Applicant proposes the following exterior alterations:

1. Install publicly visible solar collectors on the south and west elevations of the roof. The panels will be flat against the pitch of the roof. Nine panels will be installed on the west elevation roof, and nine panels will be installed on the south elevation roof.

The west elevation is the rear of the house and is publicly visible from West Houghton Street. The south elevation is publicly visible from Don Gaspar Avenue. The proposed solar panels on the south elevation have been set back from the front of the building to mitigate the impact on the streetscape. An exception is requested to Santa Fe City Code Section 14-5.2(D)(3)(b) for addition of publicly visible rooftop appurtenances.

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: The Staff recommended a finding that the exception criteria to SFCC Section 14-5.2(D)(3)(b) had not been met and recommended denial for a proposal to add publicly visible rooftop appurtenances. Staff recommended denial of the application as it does not comply with SFCC Sections 14-5.2(D), General Design Standards for all Historic Districts, and 14-5.2(H), Don Gaspar Area Historic District 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 Don Gaspar Area Historic District and is subject to the district design standards set forth in SFCC Section 14-5.2(H).
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. SFCC Section 14-5.2(D)(3)(b) prohibits the addition of publicly visible rooftop appurtenances, including solar collectors or other mechanical equipment, on significant and landmark structures.
9. The Applicant proposes to install publicly visible solar collector panels on a significant structure. The Staff determined that an exception to SFCC Section 14-5.2(D)(3)(b) 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 the exhibits, 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 in the Don Gaspar Area Historic District the use of solar and other energy collecting and conserving strategies is encouraged, per SFCC Section 14-5.2(H)(1)(c), and these collectors will be integrated into the pitch of the roof, as required by SFCC Section 14-5.2(H)(1)(c)(IV);
 - 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 Applicant has no means to add solar collectors without them being publicly visible, and the addition of a solar energy component to the house

helps to meet the City's objective of carbon neutrality, as expressed in City Resolution # 2014-85; 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 in the long term this solar energy component will reduce the owner/occupant's utility costs and reduce the house's greenhouse gas emissions.
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 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 the exhibits, 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. Board approves Item # 1 as set forth in the application.
3. The Board grants the exception to SFCC Section 14-5.2(D)(3)(b), as requested in the application.

IT IS SO ORDERED ON THIS 8th DAY of SEPTEMBER, 2026, BY THE HISTORIC DISTRICTS REVIEW BOARD OF THE CITY OF SANTA FE.

Cecilia Rios, Chair

Date

FILED:

Geraldyn Cardenas
City Clerk

Date

APPROVED AS TO FORM:

Frank Ruybalid
Assistant City Attorney

Date